2005 DRAFTING REQUEST

Bill

Received: **05/09/2005**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Rob Kreibich (608) 266-0660**

By/Representing: **Brad**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Kreibich@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Salary ranges and other compensation for UW system senior executive positions

Instructions:

Redraft ASA1 to 2003 AB 543 as bill, but expand to include all other items of compensation, including specifically things like care allowances and stipends

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag 05/09/2005	csicilia 05/09/2005					State
/1	rchampag 05/11/2005	csicilia 05/11/2005	rschluet 05/11/2005		lnorthro 05/11/2005		State
/2	rchampag 05/12/2005	csicilia 05/12/2005	pgreensl 05/12/2005		lemery 05/12/2005	mbarman 05/24/2005	

FE Sent For:

<END>

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FE Sent For: /2 cjs 5/12 05 5/12 pg

<END>

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Redraft ASA1 to 2003 AB 543 as bill, but expand to include all other items of compensation, including specifically things like care allowances and stipends

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/?	rchampag 05/09/2005	csicilia 05/09/2005					State
/1	rchampag 05/11/2005	lrb_editor					

FE Sent For:

<END>

ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 2003 ASSEMBLY BILL 543

December 12, 2003 – Offered by Representative KREIBICH.

AN ACT ***to amend*** 36.07 (6) of the statutes; **relating to:** meetings of the University of Wisconsin board of regents concerning senior executive compensation.

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

SECTION 1. 36.07 (6) of the statutes is amended to read:

36.07 **(6)** MEETINGS AND RECORDS PUBLIC. The board meetings shall be open and all records of such meetings and of all proceedings of the board shall be open to inspection in accordance with subchs. II and V of ch. 19. Before determining a salary range for or an adjustment to university senior executive salary groups 3 to 9 or before recommending a salary range for or an adjustment to university senior executive salary group 2, the board shall hold at least one meeting concerning the

determination or recommendation and allow members of the public to comment at the meeting.

(END)

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Attorney general studying car deal

Stipend may break state, regents' pact

By PATRICK MARLEY and MEGAN TWOHEY
pmarley@journalsentinel.com

Posted: May 6, 2005

Madison - Attorney General Peg Lautenschlager said Friday that she is looking into whether a $700 monthly vehicle stipend for University of Wisconsin chancellors violated a 2003 settlement with the Board of Regents to make public deliberations over chancellor pay.

Advertisement

The Legislative Audit Bureau reported the deal Wednesday in a wide-ranging review of the state's fleet of 6,669 vehicles. Under the arrangement, chancellors turned in their state-owned cars last summer as part of Gov. Jim Doyle's plan to trim down the state fleet and started collecting the stipend, along with mileage reimbursement

State Vehicles

Quotable

“ We didn't formally vote. She said this is the new deal, and we

JOHN PAUL II 1920-2005

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for travel on state business.

Then-UW President Katharine C. Lyall set the policy without board approval, according to the audit.

Nearly a year after awarding the vehicle allowance, university officials do not know which arrangement was cheaper; state figures suggest the stipend system is far more expensive.

During a meeting at UW-Stout on Friday, regents President Toby Marcovich defended the deal and claimed the board had been made aware of the boost in pay, even though auditors found no documents showing they had been apprised of the situation.

The regents produced no memos, agendas or meeting minutes showing Lyall filled them in on the change.

Based on Marcovich's contention that the board had been told of the new vehicle allowance at a meeting, Lautenschlager said in an interview that she would review whether the board had violated the October 2003 agreement with the Department of Justice that stipulates the board will post clear public notices whenever it reviews compensation.

"Clearly, that's a form of compensation in our mind," Lautenschlager said of the vehicle stipend.

said fine."

- Toby Marcovich, regents president,, referring to Katharine C. Lyall, then UW president

"I look at it as part of overall compensation package. Ours are poor compared to those in other states."

- Kevin Reilly, president of the UW System

Recent Coverage

5/4/05: Chancellors get $700 a month to cover cars

5/4/05: State broke its fleet rules

8/8/04: Editorial: Downsizing the fleet

7/23/04: Nine state employees to pay for personal car use

6/22/04: State vehicle inquiry shifts to DNR's 735 or so boats

6/10/04: Audit finds underused state cars, unpaid miles

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The audit shows the state had made progress since problems came to light last year but unearthed ongoing problems. Auditors found up to 424 employees who were allowed to use state cars after receiving drunken-driving tickets, having multiple moving violations or lacking valid licenses.

Pat Farley, who oversees the state's fleet, said Friday that about 180 employees had had their state driving privileges taken away between January and April.

Also Friday:

• Newly released state figures suggest the UW System is paying two or three times as much for chancellor vehicles compared with what it paid when it provided them state-owed cars. The university did no analysis of those costs when it made its decision to give the stipend, university officials said.

• Administration Secretary Marc Marotta issued a directive saying whenever a state employee is cited for drunken driving, the Department of Administration will investigate whether it happened on state time or in a state vehicle.

• Corrections Secretary Matt Frank sent legislators a letter saying his department no longer allows employees with multiple drunken driving convictions to use state vehicles, as auditors had found.

Doyle said Friday that he was continuing to refine how the state operated its vehicle policy. But he said that great strides had been made since last year, when he ordered clearer rules, the sale of 1,000 vehicles and widespread use of software that monitors vehicle use to maximize efficiency.

Doyle said the arrangement for chancellor's vehicles came as a surprise to him, and the university system had not told him of the change. He called on the board to take the matter up.

"I hope the regents are going to look at it now and consider whether it is the right thing to do," he said.

At their meeting in Menomonie on Friday, the regents made clear they stood by the stipends.

"We must offer contracts that are competitive or else we won't get, or keep, the most effective

leadership at our institutions," Marcovich told the board.

"Most chancellor contracts around the country include access to a vehicle, and our chancellor contacts are no different. Chancellors do a great deal of travel for fund-raising and have alumni groups in every part of the state and country."

Kevin Reilly, president of the UW-System, echoed the need for competitive compensation packages. Like the 15 chancellors, Reilly receives the stipend.

"I look at it as part of overall compensation package," Reilly told a reporter. "Ours are poor compared to those in other states. In that way, it's justifiable."

In his statement to the board, Marcovich said the stipends were "approved by this board." But in an interview after the meeting, he said the board had not approved the changes in any formal manner. Rather, he said, it had simply been informed of the changes by Lyall during a meeting.

"We didn't formally vote," Marcovich said. "She said this is the new deal, and we said fine."

He said such changes don't require the board's approval.

This week Debbie Durcan, the system's vice president of finance, said Lyall had consulted with Marcovich but not the full board in making the decision. Lyall's July 7 memo on the matter was sent to the chancellors and system staff but none of the regents.

The chancellors are to use the stipend for car payments, fuel, repairs and taxes, but get to pocket any excess money. For any university-related travel, they collect reimbursement, typically 32.5 cents a mile.

No secret deals allowed

Mike Bauer, an aide to the attorney general, said the 2003 settlement was meant to ensure the public had access to information about changes to the pay of chancellors.

"The agreement of course was entered into to avoid the UW from basically snookering the taxpayer into the terms of a compensation package," he said.

That settlement was reached a month after the board set boosted salary ranges for top-level employees during a meeting under an agenda item labeled "statutory required personnel matter," which Lautenschlager deemed too vague.

The deal with the board said all future matters dealing with salaries or other compensation must be clearly labeled on agendas and meeting notices.

George Brooks, the UW System vice president of human resources, said regents set chancellor salaries, but that other compensation was the purview of the system president. Even though the stipend is taxable income, it is not considered salary, he said.

Because the board did not have to weigh in on the stipend, it was not subject to the Department of Justice agreement, he said.

Administration and Audit Bureau figures suggest the new deal on vehicles for chancellors is more costly. The state leases sedans for as low as $425 per month, and the Department of Administration has found it costs about $380 a month to own and maintain a mid-sized car, such as a Ford Taurus.

Those figures compare with the $700 a month plus mileage paid to chancellors. Mileage reimbursements can run hundreds of dollars a month per chancellor.

Lyall could not be reached Thursday and Friday. Aides to her at the Carnegie Foundation for the Advancement of Teaching in Palo Alto, Calif., said she was on vacation.

From the May 7, 2005, editions of the Milwaukee Journal Sentinel
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D-Nate

State of Wisconsin

2005 – 2006 LEGISLATURE

LRB–2986/1

RAC:

Thurs 5/12 (if passed)

cjs

2005 BILL

- gym. cost

AN ACT ...; **relating to:** determination of salary and other compensation paid to University of Wisconsin System senior executives.

Analysis by the Legislative Reference Bureau

Under current law, the following University of Wisconsin (UW) System senior executive positions are included in salary groups that have salary ranges established by the Board of Regents of the UW System: the chancellors at the UW campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater; the chancellors of the UW colleges and the UW–Extension; the vice chancellor who is serving as deputy at the UW–Milwaukee; the senior vice presidents of the UW System; the vice chancellor who is serving as deputy at the UW–Madison; the chancellor at the UW–Milwaukee; the chancellor at the UW–Madison; and the president of the UW System.

The bill provides that before establishing or adjusting any UW senior executive group salary range or providing or adjusting any allowance, stipend, or other compensation paid to UW senior executives, the board must hold at least one public meeting on the issue and allow members of the public to comment at the meeting.

PLAN PERIOD

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

of Regents

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

SECTION 1. 20.923 (4g) (intro.) of the statutes is amended to read:

20.923 **(4g)** UNIVERSITY OF WISCONSIN SYSTEM SENIOR EXECUTIVE POSITIONS. (intro.) A compensation plan consisting of 9 university senior executive salary groups is established for certain administrative positions at the University of Wisconsin System. The salary ranges and adjustments to the salary ranges for the university senior executive salary groups 1 and 2 shall be contained in the recommendations of the director of the office of state employment relations under s. 230.12 (3) (e). The salary ranges and adjustments to the salary ranges for university senior executive salary groups 3 to 9 shall be determined by the board of regents of the University of Wisconsin System based on an analysis of salaries paid for similar positions at comparable universities in other states. The board of regents shall set the salaries for these positions within the ranges to which the positions are assigned to reflect the hierarchical structure of the system, to recognize merit, to permit orderly salary progression and to recognize competitive factors. The salary of any incumbent in the positions identified in pars. (ae) to (f) may not exceed the maximum of the salary range for the group to which the position is assigned. Before establishing or adjusting any salary range under this subsection or providing or adjusting any allowance, stipend, or other compensation paid to university senior executives, the board of regents shall hold at least one public meeting on the issue and allow members of the public to comment at the meeting. The positions are assigned as follows:

History: 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 320.

(END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2986/1dn
RAC:.../:...

Representative Kriebich:

Please review the language to make sure that the scored text is what you intend. Before establishing or adjusting the salary ranges or any item of compensation, including an allowance or stipend, for UW senior executives the Board of Regents must hold a public meeting and allow members of the public to comment.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266-9930
E-mail: rick.champagne@legis.state.wi.us

DRAFTER'S NOTE
FROM THE
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LRB–2986/1dn
RAC:cjs:rs

May 11, 2005

Representative Kreibich:

Please review the language to make sure that the scored text is what you intend. Before establishing or adjusting the salary ranges or any item of compensation, including an allowance or stipend, for UW senior executives the Board of Regents must hold a public meeting and allow members of the public to comment.

Rick A. Champagne
Senior Legislative Attorney
Phone: (608) 266–9930
E–mail: rick.champagne@legis.state.wi.us

WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

FOR IMMEDIATE RELEASE May 11, 2005

For further information, please contact:

State Representative Scott Suder 1-(608)-267-0280
State Representative Rob Kreibich 1-(608)-266-0660
State Representative Andy Lamb 1-(608)-266-7683

Northern Lawmakers to Introduce Bill to Prevent Closed Door UW Executive Giveaways

UW's Top Execs Given $700/month for Lavish Vehicle Privileges Without Public Input

Madison... Stunned by 700 dollar per month vehicle stipends for UW executives making on average nearly $200,000 per year, three northern legislators are resurrecting a bill authored by Representative Scott Suder (R-Abbotsford) that passed the State Assembly unanimously last session that would prevent "secret backroom deals" involving UW compensation increases. The bill, which would have required one public hearing before top UW executive salary ranges could be increased, died in the State Senate last year.

"While taxpayers in my area are struggling just to make their mortgage payments, the UW System is spending taxpayer money like an Enron executive," Suder stated. "This is yet another sweetheart deal cooked up by the UW behind closed doors at taxpayer expense."

State Republican Representatives Scott Suder, Rob Kreibich, and Andy Lamb are bringing Suder's public hearing requirement bill back, but expanding it to include compensation changes that cover transportation, housing, or other fringe benefits. Had the bill been in effect, the entire UW Board of Regents, the Legislature, the Governor, and state taxpayers would have had a chance to publicly weigh in on the wisdom of such a change. Instead, no one other than Board of Regents President Toby Marcovich was apparently aware of the change from state issued vehicles to a more expensive arrangement where UW officials were given $700 every month, plus mileage that in some cases could equal that amount.

"This bill builds in a safeguard that will protect the UW from making any more ill advised and unilateral decisions that hurt their credibility," Kreibich says. "If they feel underpaid, then come out publicly and say so, but don't use car stipends as a stealth way of boosting administrative pay."

"Parents and students should be the first to know how tuition and tax dollars are being spent, instead of learning about it in the newspaper after the bill has already been paid," Lamb said.

The three legislators are hoping to hold a hearing on the new bill later this month and will push the Senate to take the measure up this time. The Attorney General is said to be investigating the matter to determine if the UW System broke state law.

For more information on this bill or any other legislative matter please feel free to contact Representative Suder toll-free at 1-(888) 534-0069. -30-

Per Brad

5/11/05

...) are not known to date.

The following compensation components are still missing:

. Executive housing provisions and/or allowances.
. Executive transportation provisions and/or allowances
. Paid vacation, leave and sabbatical components.
. Compensated daily living expenses (food & food preparation, housekeeping, etc.).
. Entertainment budgets and expenses (both staff and community outreach, etc).
. Policies affecting the acceptance of gifts or honoraria over a certain dollar level.
. Other University related income sources (foundation, grants, royalties, boards, etc.)

State of Wisconsin
2005 – 2006 LEGISLATURE

LRB-2986/1 2
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RMR

stays

2005 BILL

- regn cat.

AN ACT *to amend* 20.923 (4g) (intro.) of the statutes; **relating to:** determination of salary and other compensation paid to University of Wisconsin System senior executives.

Analysis by the Legislative Reference Bureau

Under current law, the following University of Wisconsin (UW) System senior executive positions are included in salary groups that have salary ranges established by the Board of Regents of the UW System: the chancellors at the UW campuses at Eau Claire, Green Bay, La Crosse, Oshkosh, Parkside, Platteville, River Falls, Stevens Point, Stout, Superior, and Whitewater; the chancellors of the UW Colleges and the UW–Extension; the vice chancellor who is serving as deputy at the UW–Milwaukee; the senior vice presidents of the UW System; the vice chancellor who is serving as deputy at the UW–Madison; the chancellor at the UW–Milwaukee; the chancellor at the UW–Madison; and the president of the UW System.

The bill provides that before establishing or adjusting any UW senior executive group salary range or providing or adjusting any allowance, stipend, or other compensation paid to UW senior executives, the Board of Regents must hold at least one public meeting on the issue and allow members of the public to comment at the meeting.

Insert Analysis →

BILL

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

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

SECTION 1. 20.923 (4g) (intro.) of the statutes is amended to read:

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Insert 2-16

~~and allow members of the public to comment at the meeting.~~ The positions are assigned as follows:

(END)

Insert Analysis:

The bill provides that before adjusting any UW senior executive group salary range or establishing or adjusting a housing allowance or benefit, transportation allowance or benefit, paid vacation or other leave or sabbatical benefit, reimbursed or compensated daily living expense benefit, entertainment allowances or benefits, or any other compensation or fringe benefit provided to UW senior executives, the Board of Regents must hold at least one public meeting on the issue and allow members of the public to comment at the meeting.

Insert

Before adjusting a salary range for a university senior executive salary group or before establishing or adjusting a housing allowance or benefit, transportation allowance or benefit, paid vacation or other leave or sabbatical benefit, reimbursed or compensated daily living expense benefit, entertainment allowances or benefits, or any other compensation or fringe benefit provided to university senior executives, the board of regents shall hold at least one public meeting on the issue and allow members of the public to comment at the meeting.

Barman, Mike

From: Halverson, Vicky
Sent: Monday, May 23, 2005 4:44 PM
To: LRB.Legal
Subject: Draft review: LRB 05-2986/2 Topic: Salary ranges and other compensation for UW system senior executive positions

It has been requested by <Halverson, Vicky> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-2986/2 Topic: Salary ranges and other compensation for UW system senior executive positions