

**2011 DRAFTING REQUEST**

**Bill**

Received: **02/21/2011**

Received By: **jkuesel**

Wanted: **Today**

Companion to LRB:

For: **Administration-Budget 6-5878**

By/Representing: **Kraus**

May Contact:

Drafter: **jkuesel**

Subject: **State Govt - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to: **jeffery.kuesel@legis.wisconsin.gov**  
**gordon.malaise@legis.wisconsin.gov**

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**Pre Topic:**

DOA:.....Kraus, BB0363 -

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**Topic:**

Division administrator positions and salaries

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**Instructions:**

Per attached E mail, 2/18/11.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	jkuesel 02/21/2011	wjackson 02/21/2011		_____			
/1			mduchek 02/21/2011	_____	lparisi 02/21/2011		

FE Sent For:

<END>

(NOTE)

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1? / 1	jkuesel / 2/21/11	Wlj 2/21					

FE Sent For:

<END>

**Kuesel, Jeffery**

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**From:** Champagne, Rick  
**Sent:** Friday, February 18, 2011 5:49 PM  
**To:** Kuesel, Jeffery; Malaise, Gordon  
**Subject:** FW: Statutory Language Drafting Request

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**From:** Hanaman, Cathlene  
**Sent:** Friday, February 18, 2011 5:35 PM  
**To:** Champagne, Rick  
**Subject:** FW: Statutory Language Drafting Request

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**From:** DOADLBASADMININTERNETSHAREPOINT@WI.GOV  
[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]  
**Sent:** Friday, February 18, 2011 5:29 PM  
**To:** Hanaman, Cathlene  
**Cc:** Hetzel, Shayna - DOA; Thornton, Scott - DOA; Kraus, Jennifer - DOA; Kraus, Jennifer - DOA  
**Subject:** Statutory Language Drafting Request

Topic: ESG 7 for DOA and unclassified legislative advisor for DWD

Tracking Code: BB0363

SBO Team: GGED

SBO Analyst: Kraus, Jennifer - DOA  
Phone: (608) 266-5878  
E-mail: Jennifer.Kraus@Wisconsin.gov

Agency Acronym: Multi

Agency Number: 000

Priority: High

Intent:

Need to set the division of enterprise technology administrator in DOA at an ESG7 and need to add an unclassified "division administrator" to DWD under s.230 and cut a classified position to offset

Attachments: False



DOA:.....Kraus, BB0363 - Division administrator positions and salaries  
**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

the director of the office of state employment relations in DOA, with the approval of the Joint Committee on Employment Relations, assigns division administrator positions to executive salary groups

Do Not Gen

1 AN ACT ...; relating to: state division administrator positions and salaries.?

*Analysis by the Legislative Reference Bureau*

↓ STATE GOVERNMENT

↓ STATE EMPLOYMENT

Currently, with one exception, division administrator positions are assigned to executive salary groups by the director of the office of state employment relations in DOA with the approval of the Joint Committee on Employment Relations. This bill assigns the administrator of any division in DOA having responsibility for information technology management to executive salary group 7. The bill also authorizes one additional unclassified division administrator position in DWD and one additional unclassified division administrator position in ~~WRTM~~

the Wisconsin Employment Relations Commission

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

- 2 SECTION 1. 20.923 (4) (intro.) of the statutes is amended to read:
- 3 20.923 (4) STATE AGENCY POSITIONS. (intro.) State agency heads, the
- 4 administrator of the division of merit recruitment and selection in the office of state

1 employment relations and commission chairpersons and members shall be identified  
2 and limited in number in accordance with the standardized nomenclature contained  
3 in this subsection, and shall be assigned to the executive salary groups listed in pars.  
4 (a) to (h). Except for positions specified in ~~par.~~ pars. (c) 3m. and (g) 1e. and sub. (12),  
5 all unclassified division administrator positions enumerated under s. 230.08 (2) (e)  
6 shall be assigned, when approved by the joint committee on employment relations,  
7 by the director of the office of state employment relations to one of 10 executive salary  
8 groups. The joint committee on employment relations, by majority vote of the full  
9 committee, may amend recommendations for initial position assignments and  
10 changes in assignments to the executive salary groups submitted by the director of  
11 the office of state employment relations. All division administrator assignments and  
12 amendments to assignments of administrator positions approved by the committee  
13 shall become part of the compensation plan. Whenever a new unclassified division  
14 administrator position is created, the appointing authority may set the salary for the  
15 position until the joint committee on employment relations approves assignment of  
16 the position to an executive salary group. If the committee approves assignment of  
17 the position to an executive salary group having a salary range minimum or  
18 maximum inconsistent with the salary paid to the incumbent at the time of such  
19 approval, the incumbent's salary shall be adjusted by the appointing authority to  
20 conform with the committee's action, effective on the date of that action. Positions  
21 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; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196; 2009 a. 28, 180.

22 **SECTION 2.** 20.923 (4) (g) 1e. of the statutes is created to read:



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1482/1dn

JTK...:f:...

Wlj

Date

Jennifer Kraus:

\* "1. Currently, the division of enterprise technology in DOA is a nonstatutory division, meaning that it can be created, abolished, renamed or reconfigured by the secretary. The statutes do not use the term "enterprise technology" but instead refer to information technology management." Under current law, the executive salary group for all but one division administrator is determined by the director of OSER with the approval of JCOER. In view of this, it might be easier and quicker to adjust the salary group for this division administrator through the administrative process. However, this draft also does the job, by assigning any division administrator in DOA having responsibility for IT management to ESG 7. \*

\* 2. This draft authorizes additional unclassified division administrator positions in DWD and WERC. If you delete two classified positions to account for this, the total authorized FTE positions will remain the same. Since position authorizations are made under s. 16.505 (1) (a), stats, in budget determinations, the draft does not address this change. However, you may need to reflect the change in your budget documents.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1482/1dn  
JTK:wlj:md

February 21, 2011

Jennifer Kraus:

1. Currently, the division of enterprise technology in DOA is a nonstatutory division, meaning that it can be created, abolished, renamed, or reconfigured by the secretary. The statutes do not use the term "enterprise technology" but instead refer to "information technology management." Under current law, the executive salary group for all but one division administrator is determined by the director of OSER with the approval of JCOER. In view of this, it might be easier and quicker to adjust the salary group for this division administrator through the administrative process. However, this draft also does the job, by assigning any division administrator in DOA having responsibility for IT management to ESG 7.
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Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1482/1  
JTK:wlj:md

DOA:.....Kraus, BB0363 - Division administrator positions and salaries

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

1 **AN ACT ...; relating to:** state division administrator positions and salaries.

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**STATE GOVERNMENT**

**STATE EMPLOYMENT**

Currently, with one exception, the director of the office of state employment relations in DOA, with the approval of the Joint Committee on Employment Relations, assigns division administrator positions to executive salary groups. This bill assigns the administrator of any division in DOA having responsibility for information technology management to executive salary group 7. The bill also authorizes one additional unclassified division administrator position in DWD and one additional unclassified division administrator position in the Wisconsin Employment Relations Commission.

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

2 **SECTION 1.** 20.923 (4) (intro.) of the statutes is amended to read:  
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20 conform with the committee's action, effective on the date of that action. Positions  
21 are assigned as follows:

22 **SECTION 2.** 20.923 (4) (g) 1e. of the statutes is created to read:

23 20.923 (4) (g) 1e. Administration, department of: administrator of any division  
24 having responsibility for information technology management.

25 **SECTION 3.** 230.08 (2) (e) 4. of the statutes is created to read:

