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Salaries of elected officials effective January 2017

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How salaries are determined

The process for setting the salaries of elected state officials requires the administrator of the Division of Personnel Management in the Department of Administration to submit proposed changes to the state compensation plan, which includes elected state officials, to the Joint Committee on Employment Relations. The biennial compensation plan is typically submitted in June of the odd-numbered year. If approved by the committee, the plan goes into effect. The committee may modify the administrator's proposal if it so chooses. These modifications may be disapproved by the governor within 10 calendar days, but a vote of six members of the committee may set aside the governor's action.

Sections 20.923 and 230.12 (3) (a) and (b), Wisconsin Statutes, as created by 1973 Chapter 90 and amended by 1983 Wisconsin Act 27, 2003 Wisconsin Act 33, and 2015 Wisconsin Act 55, provide the procedure for establishing the pay levels of elected state officials. Prior to 2015 Wisconsin Act 55, the administration of the compensation plan was performed by the Office of State Employment Relations, which was abolished by 2015 Wisconsin Act 55 and its powers and duties transferred to DOA's Division of Personnel Management. Prior to that, the duties were performed by the Department of Employment Relations and, originally, by the Office of State Human Resources Management.

Article IV, section 26 (2), of the Wisconsin Constitution, provides that "the compensation of a public officer may not be increased or diminished during the term of office." Amendments have created two exceptions:

1. An April 1992 constitutional amendment provided that all legislators, including those elected in special elections, will receive the same salary throughout the legislature's biennial session. This allows holdover senators (those in the middle of a four-year term) to receive an adjustment when the new legislature is inaugurated, so that their salary matches that of newly elected senators and representatives to the assembly.
2. Since being amended in 1967, the constitution has provided that the salaries of the entire judicial branch will be adjusted to reflect the salary schedule in effect when any new justice or judge takes office.

Constitutional officers

Constitutional officers may not receive a pay raise during their terms of office. All officers, except the superintendent of public instruction, began serving four-year terms in January 2015. Thus, they will continue to receive the salaries in effect at the time they began their terms until the expiration of their terms in January 2019. If an incumbent resigns, dies, or is removed, the officer assuming the office through appointment or election—or succession if the lieutenant governor assumes the office of the governor—

will receive the salary provided in the compensation plan that is applicable at the time he or she takes office. Except for the superintendent, the salaries of all officers were increased by approximately 2 percent from the previous term. The incumbent superintendent will continue to receive the salary of \$121,307 in effect at the beginning of his four-year term until it expires in July 2017. The salary will be \$122,096 for the next superintendent's term. Salaries for constitutional officers are as follows:

Governor—**\$146,786**

Lieutenant Governor—**\$77,522**

Secretary of State—**\$69,701**

State Treasurer—**\$69,701**

Attorney General—**\$142,438**

State Superintendent of Public Instruction—**\$122,096**

Members of the 2017 Wisconsin Legislature

The salary for legislators serving in the 2017 Wisconsin Legislature—\$50,950—is unchanged from the previous session. The salary for legislators serving in the 2015 session was increased by 2 percent from the \$49,943 rate that had been in effect for the previous three bienniums. Before that increase, the most recent increase was an increase of 5 percent from the 2007 session to the 2009 session. The Speaker of the Assembly receives an additional stipend, which is currently \$25 per month.

Section 13.123 (1), Wisconsin Statutes, and Joint Rule 85 authorize legislators to claim a per diem allowance for food and lodging expenses for each day spent in Madison on legislative business, not including Saturdays or Sundays unless the legislator is in Madison on one of those days attending a session of the legislature or a meeting of a standing committee as a member of the committee. Members may also receive reimbursement for actual expenses incurred in attending committee meetings outside Madison.

2001 Wisconsin Act 16 set the legislative per diem at 90 percent of the rate established by the U.S. General Services Administration for travel by federal employees to Madison. However, under article IV, section 8, of the Wisconsin Constitution, which provides that each house of the legislature may determine the rules of its own proceedings, the organization committee of each house sets the actual maximum per diem rates that may be claimed by members.

In January 2017, the Assembly Committee on Organization set the per diem rate for representatives at \$157 per overnight stay and the rate for a day visit at \$78.50. The maximum number of days that may be claimed for per diem per year is 153 days. For the 2017 legislative session, the Senate Committee on Organization established in the

Senate Policy Manual a maximum rate of \$115 per day for senators who do not reside in Dane County. Senators who reside in Dane County may choose to be reimbursed for up to half of that amount, or \$57.50.

Judicial branch

The salaries of all justices and judges are adjusted to the schedule in the state compensation plan whenever any member of the judicial branch takes office, at which time salaries for all jurists are also adjusted to the applicable amounts in the plan. The amounts in the schedule are applicable from June 28, 2015, to June 24, 2017. Judicial branch salaries are as follows:

Supreme Court Justice—**\$147,403**

Court of Appeals Judge—**\$139,059**

Circuit Court Judge—**\$131,187**

District attorneys

The compensation plan also sets the salaries of district attorneys, who are elected in each prosecutorial district but are paid by the state. The salaries vary depending upon the population of the prosecutorial unit and currently range from a high of \$136,900 in prosecutorial units with populations above 500,000 to a low of \$100,122 in prosecutorial units with populations below 35,000. As with constitutional officers, salaries of district attorneys may not be increased during their four-year terms of office. However, a district attorney who takes office by special election or appointment will receive the applicable rate of pay provided in the compensation plan.¹ ■

¹ State of Wisconsin Compensation Plan, 2015–17, Section B, on the website of the Division of Personnel Management in DOA at <http://doa.wi.gov/Divisions/Personnel-Management>.