



## 1995 ASSEMBLY BILL 396

May 24, 1995 – Introduced by Representatives MEYER, SPRINGER, BALDWIN, BLACK, BOCK, BELL, CARPENTER, DUEHOLM, HUBER, KRUG, MORRIS-TATUM, NOTESTEIN, PLOMBON, RILEY, ROBSON, RYBA, SERATTI, WASSERMAN, WILDER, WIRCH and WALKER, cosponsored by Senators CHVALA, DARLING, MOEN and SHIBILSKI. Referred to Joint committee on Finance.

1     **AN ACT to repeal** 15.05 (3), 15.05 (5), 15.06 (4m), 15.06 (9), 20.923 (9), 25.16 (3),  
2           38.04 (2m) and 230.08 (2) (m); and **to amend** 19.42 (10) (L), 19.42 (13) (k),  
3           20.923 (14), 21.20, 40.02 (17) (e), 40.02 (30), 93.02, 230.08 (2) (fs), 230.35 (1m)  
4           (a) 2. and 230.35 (2) of the statutes; **relating to:** eliminating the position of  
5           executive assistant.

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### *Analysis by the Legislative Reference Bureau*

Under current law, each secretary, the attorney general, the adjutant general, the director of the technical college system, the state superintendent of public instruction and certain commission chairpersons are authorized to appoint an executive assistant who serves at the pleasure of, and performs duties prescribed by, the applicable appointing authority.

This bill eliminates the position of executive assistant.

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

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

6           **SECTION 1.** 15.05 (3) of the statutes is repealed.

7           **SECTION 2.** 15.05 (5) of the statutes is repealed.

8           **SECTION 3.** 15.06 (4m) of the statutes is repealed.

9           **SECTION 4.** 15.06 (9) of the statutes is repealed.

1           **SECTION 5.** 19.42 (10) (L) of the statutes is amended to read:

2           19.42 **(10)** (L) The executive director, ~~executive assistant to the executive~~  
3 ~~director~~ and investment directors of the investment board.

4           **SECTION 6.** 19.42 (13) (k) of the statutes is amended to read:

5           19.42 **(13)** (k) The executive director, ~~executive assistant to the executive~~  
6 ~~director~~ and investment directors of the investment board.

7           **SECTION 7.** 20.923 (9) of the statutes is repealed.

8           **SECTION 8.** 20.923 (14) of the statutes is amended to read:

9           20.923 **(14)** SALARY ADMINISTRATION. Except as provided in s. 36.09 (1) (j), any  
10 adjustment of salary for any incumbent in a position specified in subs. (4), (4m), (8),  
11 (9) and (12) is governed by the provisions of the compensation plan concerning  
12 executive salary groups as adopted by the joint committee on employment relations  
13 under s. 230.12 (3) (b).

14           **SECTION 9.** 21.20 of the statutes is amended to read:

15           **21.20 Civil service status.** All full-time state-paid employes of the  
16 department of military affairs shall be under the classified service, except the  
17 adjutant general, ~~the executive assistant to the adjutant general~~, the deputy  
18 adjutants general for army and air and the administrator of the division of  
19 emergency government.

20           **SECTION 10.** 25.16 (3) of the statutes is repealed.

21           **SECTION 11.** 38.04 (2m) of the statutes is repealed.

22           **SECTION 12.** 40.02 (17) (e) of the statutes is amended to read:

23           40.02 **(17)** (e) Each executive participating employe whose creditable service  
24 terminates on or after May 3, 1988, and each participating employe who is a present  
25 or former elected official or an appointee of a present or former elected official and

1 who did not receive creditable service under s. 40.02 (17) (e), 1987 stats., or s. 40.02  
2 (17) (e), 1989 stats., and whose creditable service terminates on or after August 15,  
3 1991, who was previously in the position of the president of the university of  
4 Wisconsin system or in a position designated under s. 20.923 (4), or (8) ~~or~~ (9), but did  
5 not receive creditable service because of age restrictions, may receive creditable  
6 service equal to the period of executive service not credited if the participant pays to  
7 the department a lump sum payment equal to 5.5% of one-twelfth of the employe's  
8 highest earnings in a single annual earnings period multiplied by the number of  
9 months of creditable service granted under this paragraph. That amount shall be  
10 credited and treated as an employe required contribution for all purposes of the  
11 Wisconsin retirement system.

12 **SECTION 13.** 40.02 (30) of the statutes is amended to read:

13 40.02 (30) "Executive participating employe" means a participating employe  
14 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4m), or (8) ~~or~~ (9) or  
15 authorized under s. 230.08 (2) (e) during the time of employment. All service credited  
16 prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats.,  
17 shall continue to be treated as executive service as defined under s. 40.02 (31), 1985  
18 stats., but no other service rendered prior to May 17, 1988, may be changed to  
19 executive service as defined under s. 40.02 (31), 1985 stats.

20 **SECTION 14.** 93.02 of the statutes is amended to read:

21 **93.02 Staff.** The secretary shall appoint all staff necessary for the carrying out  
22 of the duties of the department, all of whom shall be under the classified service  
23 except the deputy secretary, ~~the executive assistant~~ and, subject to s. 230.08 (4) (a),  
24 the administrators of divisions. Each such deputy secretary, ~~executive assistant~~ or  
25 administrator shall be appointed by the secretary with the approval of the board.

