1999 SENATE BILL 27

February 3, 1999 – Introduced by Senators Risser, Shibilski, Grobschmidt, Erpenbach, Plache, Moen, Breske, Burke, Decker, Clausing, Wirch and Baumgart, cosponsored by Representatives Black, Krug, La Fave, Pocan, Miller, Handrick, Turner, Meyer, Plouff, J. Lehman, Huber, Ryba, Lassa, Cullen, Bock, Seratti, Boyle, Reynolds, Powers, Hebl, Hasenohrl, Berceau, Sherman, Schooff, Balow, Wasserman, Meyerhofer, Hutchison, Carpenter, Morris-Tatum, Travis, Staskunas and Kreuser. Referred to Committee on Agriculture, Environmental Resources and Campaign Finance Reform.

- 1 AN ACT to repeal 15.05 (1) (c); to amend 15.05 (1) (b); and to create 15.05 (1)
- 2 (bn) of the statutes; **relating to:** the appointment of the secretary of natural
- 3 resources.

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Analysis by the Legislative Reference Bureau

Under current law, the secretary of natural resources and the members of the natural resources board are appointed by the governor with the advice and consent of the senate. The secretary serves at the pleasure of the governor and the members of the board serve for staggered 6–year terms. The secretary is the administrative head of the department of natural resources (DNR), and the board performs the regulatory, advisory and policy–making duties for DNR. Under this bill, the secretary of natural resources is appointed by the natural resources board without the advice and consent of the senate and serves at the pleasure of the board. The bill allows the current secretary of natural resources to continue to serve until he or she vacates his or her office or is removed from office by the board.

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. 15.05 (1) (b) of the statutes is amended to read:

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15.05 **(1)** (b) Except as provided in pars. (c) and par. (d), 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 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 or her under the direction of the board. The secretary, with the approval of the board, shall promulgate rules for administering the department and performing the duties assigned to the department.

SECTION 2. 15.05 (1) (bn) of the statutes is created to read:

15.05 **(1)** (bn) Notwithstanding the requirement under par. (b) that the secretary of natural resources be appointed by the natural resources board, the secretary of natural resources who is appointed by the governor and who is holding office on the effective date of this paragraph [revisor inserts date], shall continue to serve until the secretary vacates his or her office or is removed from office by the natural resources board.

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

18 (END)