

2001 DRAFTING REQUEST

Bill

Received: 10/09/2000

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Walker**

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

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - civil service**
Employ Pub - miscellaneous

Extra Copies:

Pre Topic:

DOA:.....Walker -

Topic:

Employment rights for certain state fair park board employees

Instructions:

See Attached.

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>
/1	champra 10/09/2000	csicilia 10/09/2000	pgreensl 10/09/2000	_____	lrb_docadmin 10/09/2000		
/2	champra 01/12/2001	csicilia 01/12/2001	pgreensl 01/12/2001	_____	lrb_docadmin 01/12/2001		

FE Sent For:

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FE Sent For:

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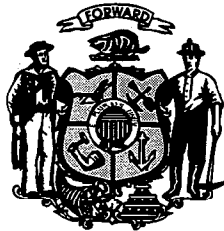
FE Sent For:

<END>

STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
101 East Wilson Street, Madison, Wisconsin

TOMMY G. THOMPSON
GOVERNOR

GEORGE LIGHTBOURN
SECRETARY



Division of Executive Budget and Finance
Post Office Box 7864
Madison, WI 53707-7864
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Fax (608) 267-0372
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Date: October 3, 2000

To: Steve Miller, LRB

From: William D. Walker *W.D.W.*
266-7329
william.walker@doa.state.wi.us

Subject: Budget Draft
Statutory Language for the State Fair Park Board

The SFPB submits the following drafting requests. I attach copies of the Board's justifications and proposed language.

- 1) (The SFPB's item number one is not a statutory change but I list it here to keep the numbering consistent.)
- RAC* 2) Personnel Legislation Clean Up (see proposed language for particulars).
 - a) Ensure that the employees who were transferred to unclassified status retain certain rights that they had as classified employees.
 - b) Ensure that the employees of the non-profit corporation that might be established to operate the Park remain eligible to participate in the Wisconsin Retirement System.
- 3) Make ch. 16 purchasing requirements optional for State Fair Park.

Proposed legislation changes to be included in the budget

Both in same alpha means no legislation required. Right?

- 1) DI 5006 and DI 5007 Appns 128 and 130 to be eliminated

Both appropriations relate to annual operations. Currently sufficient revenues are transferred from appropriation 132 to 128 and 130 to cover expenditures in those appropriations. There may have been some historic reason for keeping track of advertising (128) and entertainment (130) in separate appropriations, but currently we have a department and sub-department structure that does this as well as track by event. Our new accounting system uses department 27- Strategic Marketing, sub department 02-Advertising, to track major advertising costs related to Park activities. In addition, activity codes are used to track the expenses as they relate to specific events, such as the fair (HA11), World Beef Expo (HA15), etc.

Entertainment costs are also tracked by departments and sub-departments: 22-01 Grandstand entertainment, 24-01 Special Events free stage entertainment. In addition, activity codes are also used to track the expenses by different events.

This department structure, along with the budget office suggestion that appropriation reduction is a valid exercise, prompted our request to proceed with this statutory change.

- 2) Personnel legislation clean up

Initial legislation passed in October 1999 to convert all State Fair Park staff from classified service into unclassified service. At the time the legislation was proposed, all of the unique details that resulted from the change had not been contemplated, and several items were overlooked. We would propose legislation be adopted to restore the unclassified employees transfer rights as they relate to movement within state service, and also that staff who had achieved career executive status be provided the benefits of that status even though now unclassified.

In addition, the legislation provided for a new non-profit corporation to be established potentially to operate the Fair Park. We would also propose legislation that would ensure all Park employees remain eligible for coverage in the Wisconsin Retirement System regardless of the entity that ultimately results in the actual operation of the Park.

PROPOSED LEGISLATION

1 42.036 of the statues is created to read:

2 **42.036 TRANSFER ELIBIGILITY FOR CERTAIN STATE FAIR PARK BOARD**

3 **EMPLOYES.** Employes who held positions in the classified service at the State Fair

4 Park Board on October 28, 1999, who had achieved permanent status in class before that

5 date, and who hold positions in the unclassified service at the State Fair Park Board on the

6 effective date of this subsection shall be eligible for transfer under section 230.29 of the

7 statues.

8 42.035 of the statues, as created by 1999 Wisconsin Act 9, is amended to read:

9 **42.035 Treatment of certain State Fair Park Board employees.** Notwithstanding s.

10 230.08 (2) (pm), those employes holding positions in the classified service at the State

11 Fair Park Board on October 29, 1999, who have achieved permanent status in class

12 before that date, shall retain, while serving in the unclassified service at the State Fair

13 Park Board, those protections afforded employes in the classified service under ss. 230.34

14 (1)(a) and 230.44 (1) (c) relating to demotion, suspension, discharge, layoff or reduction

15 in base pay. Such employes shall also have reinstatement privileges to the classified

16 service as provided under s. 230.33(1). Those employes of the State Fair Park Board on

17 October 29, 1999, who have not achieved permanent status in class in any position at the

18 State Fair Park Board on that date are eligible to receive the protections, privileges and

19 rights preserved under this section if they successfully complete service equivalent to the
20 probationary period required in the classified service for the position that they hold on
21 that date.

22 **230.35 (1m) (a) 5. of the statues is created to read:**

23 230.35 (m) (a) 5. A position held by an employe of the State Fair Park Board who was
24 employed in a career executive position under the program established under s. 230.24 on
25 October 28, 1999, and a position held by an employe initially employed by the State Fair
26 Park Board on or after the effective date of this subdivision who is employed in a position
27 that would be considered a career executive position as if the position were in the
28 classified service.

29 **40.02 (54) (1) of the statues is created to read:** 40.02 (54) (i) the nonstock corporation
30 organized under chapter 42.01 (4) (a) of the statues.



SCOM

DOA:.....Walker – Employment rights for certain state fair park board employees

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

do not gen

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT ✓

STATE EMPLOYMENT ✓

In 1999 Wisconsin Act 9 (the biennial budget bill), the employees of the state fair park board (SFPB) were placed in the unclassified service of the state civil service system. Those employees who were employed at the SFPB on October 29, 1999, were granted certain employment rights that they had enjoyed as classified employees. These rights related to demotion, suspension, discharge, layoff, and reduction in base pay.

This bill grants these SFPB employees eligibility for transfer to classified state agency positions and reinstatement privileges to the classified service. In addition, the bill provides that those SFPB employees who held positions in the career executive service before they were placed in the unclassified service, as well as those SFPB employees who are subsequently employed in positions that would have been in the career executive service if the positions at the SFPB were in the classified service, shall be entitled to the same vacation privileges as employees in the classified service who hold positions in the career executive service. Generally,

career executive employees are entitled to an extra week of vacation over that provided most state employees.

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

X

1 SECTION 1. 42.035 of the statutes is amended to read:

2 **42.035 Treatment of certain state fair park board employees.**

3 Notwithstanding s. 230.08 (2) (pm), those employees holding positions in the
4 classified service at the state fair park board on October 29, 1999, who have achieved
5 permanent status in class before that date, shall retain, while serving in the
6 unclassified service at the state fair park board, those protections afforded
7 employees in the classified service under ss. 230.34 (1) (a) and 230.44 (1) (c) relating
8 to demotion, suspension, discharge, layoff or reduction in base pay. Such employees
9 shall also be eligible for transfer under s. 230.29 and shall have reinstatement
10 privileges to the classified service under s. 230.33 (1m). Those employees of the state
11 fair park board on October 29, 1999, who have not achieved permanent status in class
12 in any position at the state fair park board on that date are eligible to receive the
13 protections, privileges and rights preserved under this section if they successfully
14 complete service equivalent to the probationary period required in the classified
15 service for the position that they hold on that date.

History: 1999 a. 9.

16 SECTION 2. 230.35 (1m) (a) 5. of the statutes is created to read:

17 230.35 (1m) (a) 5. A position held by an employee of the state fair park board
18 who was employed on October 28, 1999, in a career executive position under the
19 program established under s. 230.24 and a position held by an employee initially
20 employed by the state fair park board ~~on or after the effective date of this subdivision~~

after
October 28, 1999,

1 .. [revisor inserts date] who is employed in a position that would be considered a
2 career executive position if the position were in the classified service.

3 (END)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0695/1dn

RAC:f:...

j
cjs

William Walker:

Because the request to include the nonprofit corporation organized by the state fair park board under the Wisconsin retirement system is a conceptually distinct issue, I am drafting that provision in a separate draft under a different LRB number.

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

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0695/1dn

RAC:cjs:pg

October 9, 2000

William Walker:

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

Champagne, Rick

From: Walker, William
Sent: Thursday, January 11, 2001 6:19 PM
To: Champagne, Rick
Subject: Governor's Decisions

FYI:

LRB-0695 (State Fair Park employment rights) is in with a change:

If I understand right, in the current draft, the extra week of vacation is granted to employees as of the date of the transfer or those later hired if they are hired to positions that would be career executive if they were classified.

Remove the later employees provision. Hence, **all** rights in the bill apply **ONLY** to employees who were employed at SFP as of the date of transfer (Oct 29, 1999).

Bill Walker
Executive Policy and Budget Analyst
Department of Administration
(608) 266-7329

I made the date consistent on the theory that these employees were transferred to the unclassified service on 10/29/1999



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0695/1 2

RAC:cjs:pg

RMR

SOON

DOA:.....Walker – Employment rights for certain state fair park board employees

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

Do NOT GO ON

1 AN ACT...; relating to: the budget.

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4 classified service at the state fair park board on October 29, 1999, who have achieved
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18 who was employed on October ~~28~~²⁹, 1999, in a career executive position under the
19 program established under s. 230.24 ~~and a position held by an employee initially~~
20 ~~employed by the state fair park board after October 28, 1999, who is employed in a~~

1 position that would be considered a career executive position if the position were in
2 the classified service.

3

(END)



State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0695/2

RAC:cjs:pg

DOA:.....Walker - Employment rights for certain state fair park board employees

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20 **(END)**