

**2001 DRAFTING REQUEST**

**Bill**

Received: **01/04/2001**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Fath**

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

Drafter: **mlief**

May Contact:

Alt. Drafters:

Subject: **Higher Education - UW System**

Extra Copies: **PG**

**Pre Topic:**

DOA:.....Fath -

**Topic:**

GPR position flexibility for UW

**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	mlief 01/08/2001	wjackson 01/08/2001	pgreensl 01/08/2001	_____	lrb_docadmin 01/08/2001		
/2	mlief 02/02/2001	wjackson 02/02/2001	jfrantze 02/02/2001	_____	lrb_docadmin 02/02/2001		
/3	mlief 02/05/2001	wjackson 02/05/2001	jfrantze 02/05/2001	_____	lrb_docadmin 02/05/2001		
/4	mlief 02/12/2001	wjackson 02/12/2001	jfrantze 02/12/2001	_____	lrb_docadmin 02/12/2001		

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

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14 WJ 2/12 Jb 2/12 Self 2/12

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FE Sent For:

1/3 WJ 2/5  
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 2/6  
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/1	mlief 01/08/2001	wjackson 01/08/2001	pgreensl 01/08/2001	_____	lrb_docadmin 01/08/2001		

FE Sent For:

12 WLJ 2/2  
 Jb26  
 J/KM  
 <END>  
 2 2

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Alt. Drafters:

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Extra Copies: PG, JTK

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**Instructions:**

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1?	mlief	1 WJ 1/8	1/8/01 PG	1/8/01 PG/JH			
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FE Sent For:

<END>

**GPR POSITION FLEXIBILITY**

Currently, UW System may not create any GPR position without prior approval from the Legislature. The intent of this statutory language change is to provide System with the flexibility to create base-funded, unclassified GPR positions, as needed to address instructional staffing needs at the UW Campuses. F + AS ?

System would be required to seek approval for additional GPR position authority from the Secretary of DOA. The GPR position flexibility would apply only to unclassified positions, and could be created only in System's appropriation for General Program Operations [s. 20.285 (1)(a)].

- I believe s. 16.505, *Position Authorization*, would be the appropriate place in the statutes to place the provision. only
- I think the provision should direct System (the Board of Regents) to submit a request to DOA for position authorization that includes a clear explanation of how the requested positions would be used.
- Also, perhaps we should include a reporting requirement - direct the Board of Regents report annually to DOA on how the additional positions (approved by DOA) were deployed. Require a report due ... October 1 (?) of each year, for the fiscal year completed that calendar year (i.e., report due on October 1, 2002, for fiscal year FY02).

line up w/ 505(2m)

no funding? → Like reporting requirement

check x-ref 16.505(2m)

TL w/ENM 1/4 -

Drop reporting req  
will get back to me on potential date  
for submitting request





State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1773/1

MJL:/:....

WJ

DOA:.....Fath - GPR position flexibility for UW  
FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

SOON

DO NOT GEN

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

Analysis by the Legislative Reference Bureau

EDUCATION ✓

HIGHER EDUCATION ✓

Under current law, the board of regents of the University of Wisconsin System (board) may not create or abolish any position funded with general purpose revenues (GPR) without legislative approval. This bill permits the board to create or abolish faculty and academic staff GPR-funded positions if it submits a request to DOA containing a clear explanation of how the board will fill the positions and if DOA approves the request.

without legislative approval

the requested

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

2 SECTION 1. 16.50 (3) of the statutes is amended to read:

3 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except  
4 the legislature or the courts, may increase the pay of any employee, expend money  
5 or incur any obligation except in accordance with the estimate that is submitted to

1 the secretary as provided in sub. (1) and approved by the secretary or the governor.

2 No change in the number of full-time equivalent positions authorized through the

3 biennial budget process or other legislative act may be made without the approval

4 of the joint committee on finance, except for position changes made by the governor

5 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics

6 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin

7 System under s. 16.505 (2m) or (2p).<sup>↓</sup> The secretary may withhold, in total or in part,

8 the funding for any position, as defined in s. 230.03 (11), as well as the funding for

9 part-time or limited term employees until such time as the secretary determines

10 that the filling of the position or the expending of funds is consistent with s. 16.505

11 and with the intent of the legislature as established by law or in budget

12 determinations, or the intent of the joint committee on finance creating or abolishing

13 positions under s. 13.10, the intent of the governor creating or abolishing positions

14 under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the University of

15 Wisconsin System in creating or abolishing positions under s. 16.505 (2m) or (2p).<sup>↑</sup> Until the

16 release of funding occurs, recruitment or certification for the position may not be

17 undertaken. The secretary shall submit a quarterly report to the joint committee on

18 finance of any position changes made by the governor under s. 16.505 (1) (c). No pay

19 increase may be approved unless it is at the rate or within the pay ranges prescribed

20 in the compensation plan or as provided in a collective bargaining agreement under

21 subch. V of ch. 111. At the request of the secretary of employment relations, the

22 secretary of administration may authorize the temporary creation of pool or surplus

23 positions under any source of funds if the secretary of employment relations

24 determines that temporary positions are necessary to maintain adequate staffing

25 levels for high turnover classifications, in anticipation of attrition, to fill positions for

1 which recruitment is difficult. Surplus or pool positions authorized by the secretary  
2 shall be reported quarterly to the joint committee on finance in conjunction with the  
3 report required under s. 16.54 (8).

History: 1971 c. 270; 1973 c. 333; 1975 c. 39; 1977 c. 29, 196, 418; 1979 c. 32, 34; 1981 c. 20, 27, 30, 314; 1983 a. 27 ss. 70, 71a, 2202 (42); 1985 a. 332 s. 251 (6); 1987 a. 4, 27; 1989 a. 31, 336; 1991 a. 316; 1993 a. 16; 1995 a. 27; 1997 a. 27; 1999 a. 9.

4 **SECTION 2.** 16.505 (1) (intro.) of the statutes is amended to read:

5 16.505 (1) (intro.) Except as provided in subs. (2), (2m) ~~and (2n)~~, and (2p), no  
6 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
7 created or abolished unless authorized by one of the following:

History: 1977 c. 196, 418; 1979 c. 34; 1981 c. 20; 1983 a. 27; 1987 a. 27; 1989 a. 31, 127; 1991 a. 39, 269; 1993 a. 16; 1995 a. 27; 1997 a. 27.

8 **SECTION 3.** 16.505 (2p) of the statutes is created to read:

9 16.505 (2p) The board of regents of the University of Wisconsin System may  
10 create or abolish a full-time equivalent academic staff or faculty position or portion  
11 thereof from revenues appropriated under s. 20.285 (1) (a) <sup>if</sup> ~~if~~ the board of regents  
12 submits a request to the department, containing a clear explanation of how the  
13 requested positions ~~will~~ will be filled and if the department approves the request.

14 (END)

*by December 1 of the previous academic year*

## Lief, Madelon

---

**From:** Fath, Erin  
**Sent:** Thursday, February 01, 2001 5:55 PM  
**To:** Lief, Madelon  
**Subject:** LRB draft 1773/1

Lonnie,

I have two changes to request for LRB draft #1773/1, GPR position flexibility for UW.

1) When you first drafted this, you asked if we wanted to require the UW to come to DOA with its request by a certain date. Initially, I said no. The decision was made today to stipulate that the UW may come to DOA with a request for additional GPR faculty/academic staff positions on an annual basis - by December 1 of the prior academic year. So, beginning December 1 of 2001, UW could submit its request for additional positions for the upcoming academic year (the first request in 12/01 would be for the 2002-03 academic year).

2) As we did for the 1% GPR flexibility positions in the 1999-01 budget, we want to stipulate that for the GPR positions created under this sections, the UW may not receive pay plan supplements, under s. 20.928 (1). Further, the UW may not request additional funding in its biennial budget request under s.16.42 for the positions created under this section.

For reference, below is the provision that was included in the last budget for the 1% GPR flexibility positions:

"The board may not include in any certification to the department of administration under section 20.928 (1) of the statutes any sum to pay any costs of a position authorized under this subsection".

If you have questions, please call me.

Thanks,

**Erin K. Fath**

State Budget Office  
Education and Training Team  
Erin.Fath@doa.state.wi.us  
(608) 266-2843 voice  
(608) 267-0372 fax



DOA:.....Fath - GPR position flexibility for UW

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

RM run  
SOON

DO NOT GEN

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

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

Under current law, the board of regents of the University of Wisconsin System (board) may not create or abolish any position funded with general purpose revenues (GPR) without legislative approval. This bill permits the board to create or abolish faculty and academic staff GPR-funded positions without legislative approval if it submits a request to DOA containing a clear explanation of how the board will fill the requested position and if DOA approves the request.

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

2 SECTION 1. 16.50 (3) of the statutes is amended to read:

3 16.50 (3) LIMITATION ON INCREASE OF FORCE AND SALARIES. No department, except

4 the legislature or the courts, may increase the pay of any employee, expend money,

5 or incur any obligation except in accordance with the estimate that is submitted to

1 the secretary as provided in sub. (1) and approved by the secretary or the governor.

2 No change in the number of full-time equivalent positions authorized through the

3 biennial budget process or other legislative act may be made without the approval

4 of the joint committee on finance, except for position changes made by the governor

5 under s. 16.505 (1) (c) or (2), by the University of Wisconsin Hospitals and Clinics

6 Board under s. 16.505 (2n) or by the board of regents of the University of Wisconsin

7 System under s. 16.505 (2<sup>s</sup>m) or (2p). The secretary may withhold, in total or in part,

8 the funding for any position, as defined in s. 230.03 (11), as well as the funding for

9 part-time or limited term employees until such time as the secretary determines

10 that the filling of the position or the expending of funds is consistent with s. 16.505

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14 under s. 16.505 (1) (c) or (2) or the intent of the board of regents of the University of

15 Wisconsin System in creating or abolishing positions under s. 16.505 (2m) or (2p).

16 Until the release of funding occurs, recruitment or certification for the position may

17 not be undertaken. The secretary shall submit a quarterly report to the joint

18 committee on finance of any position changes made by the governor under s. 16.505

19 (1) (c). No pay increase may be approved unless it is at the rate or within the pay

20 ranges prescribed in the compensation plan or as provided in a collective bargaining

21 agreement under subch. V of ch. 111. At the request of the secretary of employment

22 relations, the secretary of administration may authorize the temporary creation of

23 pool or surplus positions under any source of funds if the secretary of employment

24 relations determines that temporary positions are necessary to maintain adequate

25 staffing levels for high turnover classifications, in anticipation of attrition, to fill

1 positions for which recruitment is difficult. Surplus or pool positions authorized by  
2 the secretary shall be reported quarterly to the joint committee on finance in  
3 conjunction with the report required under s. 16.54 (8).

4 SECTION 2. 16.505 (1) (intro.) of the statutes is amended to read:

5 16.505 (1) (intro.) Except as provided in subs. (2), (2m) and, (2n), and (2p), no  
6 position, as defined in s. 230.03 (11), regardless of funding source or type, may be  
7 created or abolished unless authorized by one of the following:

8 SECTION 3. 16.505 (2p) of the statutes is created to read:

9 16.505 (2p)<sup>(a)</sup> The board of regents of the University of Wisconsin System may  
10 create or abolish a full-time equivalent academic staff or faculty position or portion  
11 thereof from revenues appropriated under s. 20.285 (1) (a) if the board of regents  
12 submits a request to the department, containing a clear explanation of how the  
13 requested position will be filled and if the department approves the request.

14 (END)

by December 1 of the <sup>previous</sup> academic year

91(b)  
The board <sup>or presents</sup> may not include in any certification to the department under s. 20.928(1) ~~any~~ <sup>any sum</sup> to pay any costs of a position authorized under this subsection. Notwithstanding s. 16.42(1), in submitting information under s. 16.42 for the biennial budget bill, the board of regents may not include the cost of funding positions requested under this subsection.



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FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

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11 and with the intent of the legislature as established by law or in budget  
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18 committee on finance of any position changes made by the governor under s. 16.505  
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20 ranges prescribed in the compensation plan or as provided in a collective bargaining  
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10 create or abolish a full-time equivalent academic staff or faculty position or portion  
11 thereof from revenues appropriated under s. 20.285 (1) (a) if the board of regents  
12 submits a request to the department, by December 1 of the previous academic year,  
13 containing a clear explanation of how the requested position will be filled and if the  
14 department approves the request.

15 (b) The board of regents may not include in any certification to the department  
16 under s. 20.928 (1) any sum to pay any costs of a position authorized under this  
17 subsection. Notwithstanding s. 16.42 (1), in submitting information under s. 16.42  
18 for the biennial budget bill, the board of regents may not include the cost of funding  
19 positions requested under this subsection.

(END)

20

INS  
3-20 ✓

*INS 3-20*

1           **SECTION 9156. Nonstatutory provisions; University of Wisconsin**  
2 **System.** ✓

3           (1) POSITIONS. Notwithstanding section 16.505 (2p) (a) <sup>of the statutes</sup> as created by this act,  
4 the board of regents of the University of Wisconsin System may, for the 2001-02  
5 academic year, create or abolish a full-time equivalent academic staff or faculty  
6 position <sup>or</sup> portion thereof from revenues appropriated under section 20.285 (1) (a)  
7 of the statutes <sup>+</sup> if the board of regents submits a request to the department of  
8 administration by September 1, 2001, containing a clear explanation of how the  
9 requested position will be filled and the department approves the request.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1773/4

MJL:wjl

DOA:.....Fath - GPR position flexibility for UW

FOR 2001-03 BUDGET - NOT READY FOR INTRODUCTION

R-M run

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2 No change in the number of full-time equivalent positions authorized through the  
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11 and with the intent of the legislature as established by law or in budget  
12 determinations, or the intent of the joint committee on finance creating or abolishing  
13 positions under s. 13.10, the intent of the governor creating or abolishing positions  
14 under s. 16.505 (1) (c) or (2), or the intent of the board of regents of the University  
15 of Wisconsin System in creating or abolishing positions under s. 16.505 (2m) or (2p).  
16 Until the release of funding occurs, recruitment or certification for the position may  
17 not be undertaken. The secretary shall submit a quarterly report to the joint  
18 committee on finance of any position changes made by the governor under s. 16.505  
19 (1) (c). No pay increase may be approved unless it is at the rate or within the pay  
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11 thereof from revenues appropriated under s. 20.285 (1) (a) if the board of regents  
12 submits a request to the department, by December 1 of the previous academic year,  
13 containing a clear explanation of how the requested position will be filled and if the  
14 department approves the request.

15 (b) The board of regents may not include in any certification to the department  
16 under s. 20.928 (1) any sum to pay any costs of a position authorized under this  
17 subsection. Notwithstanding s. 16.42 (1), in submitting information under s. 16.42  
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19 positions requested under this subsection.

20 **SECTION 9156. Nonstatutory provisions; University of Wisconsin**  
21 **System.**

22 (1) POSITIONS. Notwithstanding section 16.505 (2p) (a) of the statutes, as  
23 created by this act, the board of regents of the University of Wisconsin System may,  
24 for the 2001-02 academic year, create or abolish a full-time equivalent academic  
25 staff or faculty position or portion thereof from revenues appropriated under section

1 20.285 (1) (a) of the statutes if the board of regents submits a request to the  
2 department of administration by September 1, 2001, containing a clear explanation  
3 of how the requested position will be filled and the department approves the request.

4 (END)



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-1773/4

MJL:wlj:jf

DOA:.....Fath – GPR position flexibility for UW

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

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

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

Under current law, the board of regents of the UW System (board) may not create or abolish any position funded with general purpose revenues (GPR) without legislative approval. This bill permits the board to create or abolish faculty and academic staff GPR-funded positions without legislative approval if it submits a request to DOA containing a clear explanation of how the board will fill the requested position and if DOA approves the request.

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

2 **SECTION 1.** 16.505 (2p) of the statutes is created to read:

3 16.505 (2p) (a) The board of regents of the University of Wisconsin System may  
4 create or abolish a full-time equivalent academic staff or faculty position or portion  
5 thereof from revenues appropriated under s. 20.285 (1) (a) if the board of regents



1 submits a request to the department, by December 1 of the previous academic year,  
2 containing a clear explanation of how the requested position will be filled and if the  
3 department approves the request.

4 (b) The board of regents may not include in any certification to the department  
5 under s. 20.928 (1) any sum to pay any costs of a position authorized under this  
6 subsection. Notwithstanding s. 16.42 (1), in submitting information under s. 16.42  
7 for the biennial budget bill, the board of regents may not include the cost of funding  
8 positions requested under this subsection.

9 **SECTION 9156. Nonstatutory provisions; University of Wisconsin**  
10 **System.**

11 (1) POSITIONS. Notwithstanding section 16.505 (2p) (a) of the statutes, as  
12 created by this act, the board of regents of the University of Wisconsin System may,  
13 for the 2001–02 academic year, create or abolish a full-time equivalent academic  
14 staff or faculty position or portion thereof from revenues appropriated under section  
15 20.285 (1) (a) of the statutes if the board of regents submits a request to the  
16 department of administration by September 1, 2001, containing a clear explanation  
17 of how the requested position will be filled and the department approves the request.

18 (END)