



2009 ASSEMBLY BILL 321

June 16, 2009 – Introduced by Representatives ZIEGELBAUER, BIES, BROOKS, KAUFERT, KERKMAN, LOTHIAN, NASS, PETERSEN, RIPP, TOWNSEND, VUKMIR and ZIPPERER, cosponsored by Senators LEIBHAM, DARLING and SCHULTZ. Referred to Committee on State Affairs and Homeland Security.

1 **AN ACT** *to amend* 20.923 (intro.), 20.923 (1), 20.923 (2) (a), 20.923 (2) (b) to (i)
2 and 20.923 (3) of the statutes; **relating to:** requiring the enactment of
3 legislation for setting the salaries of the governor, the lieutenant governor, the
4 secretary of state, the state treasurer, the attorney general, the superintendent
5 of public instruction, state senators and representatives to the assembly,
6 supreme court justices, court of appeals judges, and circuit court judges.

Analysis by the Legislative Reference Bureau

Currently, the salaries of the governor, the lieutenant governor, the secretary of state, the state treasurer, the attorney general, the superintendent of public instruction, state senators and representatives to the assembly, supreme court justices, court of appeals judges, and circuit court judges are fixed upon recommendation of the director of the Office of State Employment Relations and approval of the Joint Committee on Employment Relations (JCOER) in the same manner that salaries for nonrepresented employees in the state classified service are established.

Under this bill, any proposal to adjust the salaries of these state elected officials, upon approval by JCOER using the current law salary-setting process, must also be submitted by JCOER to the legislature in the form of a bill. If the bill

ASSEMBLY BILL 321

is enacted, the adjustment takes effect. If the bill is not enacted, no adjustment takes effect unless JCOER submits another bill and that bill is enacted.

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

1 **SECTION 1.** 20.923 (intro.) of the statutes is amended to read:

2 **20.923 Statutory salaries.** (intro.) The purpose of this section is to establish
3 a consistent and equitable salary setting mechanism for all elected officials,
4 appointed state agency heads, division administrators and other executive-level
5 unclassified positions. ~~All~~ Except as provided in sub. (1), all such positions shall be
6 subject to the same basic salary establishment, implementation, modification,
7 administrative control and application procedures. The salary-setting mechanism
8 contained in this section shall be directed to establishing salaries that are
9 determined on a comprehensive systematic basis, bear equitable relationship to each
10 other and to the salaries of classified service subordinates, and be reviewed and
11 established with the same frequency as those of state employees in the classified
12 service.

13 **SECTION 2.** 20.923 (1) of the statutes is amended to read:

14 **20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS.** To this end, a
15 compensation plan consisting of 10 executive salary groups is established in
16 schedule one of the state compensation plan for the classified service from ranges 18
17 through 27. No salary range established above salary range 23 may be utilized in the
18 establishment and compensation of positions in the classified service without
19 specific approval of the joint committee on employment relations. The dollar value
20 of the salary range minimum and maximum for each executive salary group shall be
21 reviewed and established in the same manner as that provided for positions in the

ASSEMBLY BILL 321

1 classified service under s. 230.12 (3), except that adjustments of salaries for the
2 positions specified in subs. (2) (b) to (i) and (3) shall in addition be prepared in bill
3 form by the joint committee on employment relations and submitted to a vote of the
4 legislature, and shall not take effect until the bill is enacted. If the bill is not enacted,
5 no adjustment of the salaries for these positions may take effect unless the joint
6 committee on employment relations submits a subsequent bill and that bill is
7 enacted. The salary-setting authority of individual boards, commissions, elective
8 and appointive officials elsewhere provided by law is subject to and limited by this
9 section, and the salary rate for these positions upon appointment and subsequent
10 thereto shall be set by the appointing authority pursuant to this section, except as
11 otherwise required by article IV, section 26, of the constitution.

12 **SECTION 3.** 20.923 (2) (a) of the statutes is amended to read:

13 20.923 (2) (a) The annual salary for each elected state official position shall be
14 set at the dollar value for the point of the assigned salary range for its respective
15 executive salary group specified in this subsection in effect at the time of taking the
16 oath of office, except as provided in par. (b) and s. 978.12 (1) (a). No adjustment to the
17 salary of an official enumerated in this subsection is effective until it is authorized
18 under article IV, section 26, of the constitution and, in the case of positions specified
19 in pars. (b) to (i), until it is approved as provided under sub. (1).

20 **SECTION 4.** 20.923 (2) (b) to (i) of the statutes are amended to read:

21 20.923 (2) (b) ~~The~~ Except as provided in sub. (1), the annual salary of each state
22 senator, representative to the assembly, justice of the supreme court, court of appeals
23 judge and circuit judge shall be reviewed and established in the same manner as
24 provided for positions in the classified service under s. 230.12 (3). The salary

ASSEMBLY BILL 321**SECTION 4**

1 established for the chief justice of the supreme court shall be different than the
2 salaries established for the associate justices of the supreme court.

3 (c) ~~The Except as provided in sub. (1), the~~ annual salary of the governor shall
4 be set at 21.6% above the minimum of the salary range for executive salary group 10.

5 (e) ~~The Except as provided in sub. (1), the~~ annual salary of the attorney general
6 shall be set at 18% above the minimum of the salary range for executive salary group
7 10.

8 (f) ~~The Except as provided in sub. (1), the~~ annual salary of the state
9 superintendent of public instruction shall be set at 27.4% above the minimum of the
10 salary range for executive salary group 7.

11 (g) ~~The Except as provided in sub. (1), the~~ annual salary of the lieutenant
12 governor shall be set at 1.9% above the minimum of the salary range for executive
13 salary group 4.

14 (h) ~~The Except as provided in sub. (1), the~~ annual salary of the secretary of state
15 shall be set at 15.4% above the minimum of the salary range for executive salary
16 group 1.

17 (i) ~~The Except as provided in sub. (1), the~~ annual salary of the state treasurer
18 shall be set at 15.4% above the minimum of the salary range for executive salary
19 group 1.

20 **SECTION 5.** 20.923 (3) of the statutes is amended to read:

21 20.923 (3) JUSTICES AND JUDGES. The annual salary for any supreme court
22 justice or judge of the court of appeals or circuit court shall be established under sub.
23 (2), except that any compensation adjustments granted under s. 230.12 shall not
24 become effective until such time as any justice or judge takes the oath of office and
25 until the adjustments are approved as provided under sub. (1).

ASSEMBLY BILL 321**1 SECTION 6. Nonstatutory provisions.**

2 (1) ANNUAL SALARY PAY RATE ADJUSTMENTS FOR ELECTED STATE OFFICIALS.

3 Notwithstanding any action of the joint committee on employment relations before
4 the effective date of this subsection, the annual salary for the governor, the
5 lieutenant governor, the secretary of state, the state treasurer, the attorney general,
6 the superintendent of public instruction, state senators and representatives to the
7 assembly, supreme court justices, court of appeals judges, and circuit court judges
8 shall remain at the annual salary paid to the officials on the effective date of this
9 subsection and shall not change until the annual salary pay rate is adjusted in the
10 manner provided in section 20.923 (1) of the statutes, as affected by this act.

11 (END)