

2009 DRAFTING REQUEST

Bill

Received: 03/16/2009

Received By: rchampag

Wanted: As time permits

Identical to LRB:

For: Bob Ziegelbauer (608) 266-0315

By/Representing: Luanne

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: Employ Pub - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email: Rep.Ziegelbauer@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Legislative approval of state elected official salary adjustments

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	rchampag 05/14/2009	jdye 05/14/2009	jfrantze 05/14/2009		sbasford 05/14/2009	mbarman 06/01/2009	

FE Sent For:

None

<END>

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See attached.

Drafting History:

Vers.	Drafted	Reviewed	Typed	Proofed	Submitted	Jacketed	Required
/?	rchampag	15/14 jld	J 3/14	J 3/14			

FE Sent For:

<END>

## **Champagne, Rick**

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**From:** Parisi, Lori  
**Sent:** Monday, March 16, 2009 12:26 PM  
**To:** Champagne, Rick  
**Subject:** FW: Rep. Ziegelbauer bill draft request

Hi Rick, Could you please take care of this request? Thanks.....

---

**From:** Kostelic, Luanne  
**Sent:** Monday, March 16, 2009 12:23 PM  
**To:** LRB.Legal  
**Subject:** Rep. Ziegelbauer bill draft request

Rep. Ziegelbauer would like a bill drafted that would change the process for legislative and elected official pay increases, making it a decision by the Legislature and signed by the Governor, not by JCOER.

Thank you,

Luanne Kostelic  
6-0315

### **Office of Rep. Bob Ziegelbauer**

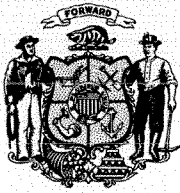
**Staff:** Luanne Kostelic, Heather Schubert

#### **State Capitol:**

207-North, PO Box 8953; Madison, WI 53708-8953  
Phone: (608) 266-0315 or Toll Free: 1-888-529-0025  
Fax: (608) 282-3625 Website: <http://www.bobziegelbauer.com>

#### **In the District:**

1213 S. 8th Street, PO Box 325, Manitowoc, WI 54221-0325  
Office: (920) 683-5107, Cell: (920) 323-7497



Friday, if possible

JLD

**2009 BILL**

4

-gen cat ✓

1 AN ACT ...; relating to: requiring the enactment of legislation for setting the  
 2 salaries of the governor, the lieutenant governor, the secretary of state, the  
 3 state treasurer, the attorney general, the superintendent of public instruction,  
 4 state senators and representatives to the assembly, supreme court justices,  
 5 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

check Δ

**BILL**

is enacted, the adjustment takes effect. <sup>✓</sup> If the bill is not enacted, no adjustment takes effect unless JCOER <sup>✓</sup> 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.** <sup>✓</sup> 20.923 (intro.) of the statutes is amended to read:

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

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 3201 (4), 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196.

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

13           **20.923 (1) ESTABLISHMENT OF EXECUTIVE SALARY GROUPS.** To this end, a  
 14 compensation plan consisting of 10 executive salary groups is established in  
 15 schedule one of the state compensation plan for the classified service from ranges 18  
 16 through 27. No salary range established above salary range 23 may be utilized in the  
 17 establishment and compensation of positions in the classified service without  
 18 specific approval of the joint committee on employment relations. The dollar value  
 19 of the salary range minimum and maximum for each executive salary group shall be

**BILL**

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

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 320; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196.

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

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

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 320; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196.

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

**BILL****SECTION 4**

1           20.923 (2) (b) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of each state  
2 senator, representative to the assembly, justice of the supreme court, court of appeals  
3 judge and circuit judge shall be reviewed and established in the same manner as  
4 provided for positions in the classified service under s. 230.12 (3). The salary  
5 established for the chief justice of the supreme court shall be different than the  
6 salaries established for the associate justices of the supreme court.

7           (c) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the governor shall  
8 be set at 21.6% above the minimum of the salary range for executive salary group 10.

9           (e) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the attorney general  
10 shall be set at 18% above the minimum of the salary range for executive salary group  
11 10.

12           (f) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the state  
13 superintendent of public instruction shall be set at 27.4% above the minimum of the  
14 salary range for executive salary group 7.

15           (g) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the lieutenant  
16 governor shall be set at 1.9% above the minimum of the salary range for executive  
17 salary group 4.

18           (h) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the secretary of state  
19 shall be set at 15.4% above the minimum of the salary range for executive salary  
20 group 1.

21           (i) The Except as provided in sub. (1),<sup>✓</sup> the annual salary of the state treasurer  
22 shall be set at 15.4% above the minimum of the salary range for executive salary  
23 group 1.

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123,



**BILL**

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

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

**History:** 1971 c. 18, 125, 164; 1971 c. 270 ss. 98, 104; 1971 c. 307, 321; 1973 c. 90, 156, 243, 333; 1975 c. 28; 1975 c. 39 ss. 236c to 247, 735 (5); 1975 Ex. Order No. 24; 1975 c. 189, 199, 224, 422; 1977 c. 29 ss. 399g to 406d, 1649, 1650m, 1654 (8) (e), 1656 (43); 1977 c. 44; 1977 c. 187 ss. 29, 30, 31, 135; 1977 c. 196 ss. 74 to 76m, 131; 1977 c. 203, 272, 277, 418, 447, 449; Sup. Ct. Order, 88 Wis. 2d xiii (1979); 1979 c. 32 s. 92 (1); 1979 c. 34, 89, 189; 1979 c. 221 ss. 201m to 218, 2202 (13); 1979 c. 361; 1981 c. 20 ss. 587 to 592g, 2202 (33) (b), (c), (56) (a); 1981 c. 96 ss. 16, 67; 1981 c. 121, 127, 347, 353; 1981 c. 390 s. 252; 1983 a. 27, 46, 121, 192, 371, 378; 1985 a. 18, 23; 1985 a. 29 ss. 603 to 607, 3202 (22) (a); 1985 a. 34, 332; 1987 a. 6, 27, 82, 119, 306, 340, 354, 399, 403; 1989 a. 31, 56, 107, 208, 219, 336; 1991 a. 39, 269; 1993 a. 12, 16, 75, 123, 144, 184, 294, 349, 399, 490; 1995 a. 27 ss. 1193 to 1217m, 9130 (4), 9216 (19); 1995 a. 37, 216, 225; 1997 a. 2, 3, 27, 29, 41, 194, 237; 1999 a. 9, 42, 102, 186; 2001 a. 16, 19, 29, 109; 2003 a. 33 ss. 721 to 735m, 9160; 2003 a. 91, 320; 2005 a. 25; 2007 a. 1; 2007 a. 20 ss. 616 to 630, 9121 (6) (a); 2007 a. 196.

7           **SECTION 6. Nonstatutory provisions.**

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

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

17

(END)

**Basford, Sarah**

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**From:** Kostelic, Luanne  
**Sent:** Monday, June 01, 2009 1:57 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-2383/1 Topic: Legislative approval of state elected official salary adjustments

Please Jacket LRB 09-2383/1 for the ASSEMBLY.