

State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1222/3
RAC:wlj:md

Today

LRB-1222/3/4
RAC:wlj:md
stays
RMR

DOA:.....Kraus, BAB0047 - Agency unclassified positions

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

expands the definition of division administrator to include other managerial positions

Do Not Gen

1 AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

35

This bill increases the number of unclassified division administrators by 87 FTE positions, decreases 36 FTE positions in executive branch agencies, which positions are to be determined by the secretary of administration, and permits the director of OSER to appoint either a deputy director or an executive assistant in the unclassified service.

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:

- 2 SECTION 1. 20.923 (8) of the statutes is amended to read:
- 3 20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)
- 4 (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority.

1 The salary shall not exceed the maximum of the salary range one range below the
 2 salary range of the executive salary group to which the department or agency head
 3 is assigned. The positions of assistant secretary of state, assistant state treasurer
 4 and associate director of the historical society shall be treated as unclassified
 5 deputies for pay purposes under this subsection.

6 **SECTION 2.** 230.04 (16) of the statutes is amended to read:

7 230.04 (16) The director may appoint either a deputy director or an executive
 8 assistant outside the classified service.

9 **SECTION 3.** 230.08 (2) (e) 1. of the statutes is amended to read:

10 230.08 (2) (e) 1. Administration — ~~14~~ 13

11 **SECTION 4.** 230.08 (2) (e) 2. of the statutes is amended to read:

12 230.08 (2) (e) 2. Agriculture, trade and consumer protection — ~~6~~ 9.

13 **SECTION 5.** 230.08 (2) (e) 2m. of the statutes is amended to read:

14 230.08 (2) (e) 2m. Children and families — ~~5~~ 8.

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10 **SECTION 16.** 230.08 (2) (e) 15. of the statutes is created to read:

11 230.08 (2) (e) 15. Tourism — 1.

12 **SECTION 17.** 230.08 (2) (ya) of the statutes is amended to read:

13 230.08 (2) (ya) The director, deputy director, and executive assistant to the
14 director of the office of state employment relations in the department of
15 administration.

16 **SECTION 9101. Nonstatutory provisions; Administration.**

17 (1) POSITION INCREASES AND DECREASES.

18 (a) The authorized FTE positions for the department of administration are
19 decreased by 1.0 FED position, funded from the appropriation under section 20.505
20 (1) (pz) of the statutes, for the purpose for which the appropriation is made. The
21 secretary of administration shall identify the position.

22 (b) The authorized FTE positions for the department of administration are
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24 (kr) of the statutes, for the purpose for which the appropriation is made. The
25 secretary of administration shall identify the position.

Insert 3-2

Insert 3-15

1 (c) The authorized FTE positions for the department of administration are
2 increased by 1.0 FED position, funded from the appropriation under section 20.505
3 (1) (pz) of the statutes, to provide for an unclassified division administrator.

4 (d) The authorized FTE positions for the department of administration are
5 increased by 2.0 PR positions, funded from the appropriation under section 20.505
6 (1) (kr) of the statutes, to provide for unclassified division administrators.

7 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
8 **Consumer Protection.**

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the department of agriculture, trade and
11 consumer protection are decreased by 3.0 GPR positions, funded from the
12 appropriation under section 20.115 (8) (a) of the statutes, for the purpose for which
13 the appropriation is made. The secretary of administration shall identify the
14 positions.

15 (b) The authorized FTE positions for the department of agriculture, trade and
16 consumer protection are increased by 3.0 GPR positions, funded from the
17 appropriation under section 20.115 (8) (a) of the statutes, to provide for additional
18 unclassified division administrators.

19 **SECTION 9108. Nonstatutory provisions; Children and Families.**

20 (1) POSITION INCREASES AND DECREASES.

21 (a) The authorized FTE positions for the department of children and families
22 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
23 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
24 secretary of administration shall identify the position.

1 (b) The authorized FTE positions for the department of children and families
2 are decreased by 1.85 GPR positions, funded from the appropriation under section
3 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
4 The secretary of administration shall identify the positions.

5 (c) The authorized FTE positions for the department of children and families
6 are decreased by 0.15 FED position, funded from the appropriation under section
7 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
8 The secretary of administration shall identify the position.

9 (d) The authorized FTE positions for the department of children and families
10 are increased by 1.0 PR position, funded from the appropriation under section 20.437
11 (3) (k) of the statutes, to provide for an unclassified division administrator.

12 (e) The authorized FTE positions for the department of children and families
13 are increased by 1.85 GPR positions, funded from the appropriation under section
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15 administrators.

16 (f) The authorized FTE positions for the department of children and families
17 are increased by 0.15 FED position, funded from the appropriation under section
18 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

19 **SECTION 9111. Nonstatutory provisions; Corrections.**

20 (1) POSITION INCREASES AND DECREASES.

21 (a) The authorized FTE positions for the department of corrections are
22 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
23 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
24 secretary of administration shall identify the positions.

1 (b) The authorized FTE positions for the department of corrections are
2 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
3 (1) (a) of the statutes, to provide for additional unclassified division administrators.

4 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

5 (1) POSITION INCREASES AND DECREASES.

6 (a) The authorized FTE positions for the department of financial institutions
7 are decreased by 2.0 PR positions, funded from the appropriation under section
8 20.144 (1) (g) of the statutes, for the purpose for which the appropriation is made.
9 The secretary of administration shall identify the positions.

10 (b) The authorized FTE positions for the department of financial institutions
11 are increased by 2.0 PR positions, funded from the appropriation under section
12 20.144 (1) (g) of the statutes, to provide for additional unclassified division
13 administrators.

14 **SECTION 9121. Nonstatutory provisions; Health Services.**

15 (1) POSITION INCREASES AND DECREASES.

16 (a) The authorized FTE positions for the department of health services are
17 decreased by 1.0 FED position, funded from the appropriation under section 20.435
18 (8) (pz) of the statutes, for the purpose for which the appropriation is made. The
19 secretary of administration shall identify the position.

20 (b) The authorized FTE positions for the department of health services are
21 decreased by 2.0 GPR positions, funded from the appropriation under section 20.435
22 (8) (a) of the statutes, for the purpose for which the appropriation is made. The
23 secretary of administration shall identify the positions.

1 (c) The authorized FTE positions for the department of health services are
2 increased by 1.0 FED position, funded from the appropriation under section 20.435
3 (8) (pz) of the statutes, to provide for an unclassified division administrator.

4 (d) The authorized FTE positions for the department of health services are
5 increased by 2.0 GPR positions, funded from the appropriation under section 20.435
6 (8) (a) of the statutes, to provide for additional unclassified division administrators.

7 **SECTION 9125. Nonstatutory provisions; Insurance.**

8 (1) POSITION INCREASES AND DECREASES.

9 (a) The authorized FTE positions for the office of the commissioner of insurance
10 are decreased by 2.0 PR positions, funded from the appropriation under section
11 20.145 (1) (g) of the statutes, for the purpose for which the appropriation is made.
12 The secretary of administration shall identify the positions.

13 (b) The authorized FTE positions for the office of the commissioner of insurance
14 are increased by 2.0 PR positions, funded from the appropriation under section
15 20.145 (1) (g) of the statutes, to provide for additional unclassified division
16 administrators.

17 **SECTION 9135. Nonstatutory provisions; Natural Resources.**

18 (1) POSITION INCREASES AND DECREASES.

19 (a) The authorized FTE positions for the department of natural resources are
20 decreased by 1.0 SEG position, funded from the appropriation under section 20.370
21 (1) (mu) of the statutes, for the purpose for which the appropriation is made. The
22 secretary of administration shall identify the position.

23 (b) The authorized FTE positions for the department of natural resources are
24 decreased by 2.0 SEG positions, funded from the appropriation under section 20.370

1 (8) (mu) of the statutes, for the purpose for which the appropriation is made. The
2 secretary of administration shall identify the positions.

3 (c) The authorized FTE positions for the department of natural resources are
4 increased by 1.0 SEG position, funded from the appropriation under section 20.370
5 (1) (mu) of the statutes, to provide for an unclassified division administrator.

6 (d) The authorized FTE positions for the department of natural resources are
7 increased by 2.0 SEG positions, funded from the appropriation under section 20.370
8 (8) (mu) of the statutes, to provide for additional unclassified division
9 administrators.

10 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

11 (1) POSITION INCREASES AND DECREASES.

12 (a) The authorized FTE positions for the public service commission are
13 decreased by 3.0 PR positions, funded from the appropriation under section 20.155
14 (1) (g) of the statutes, for the purpose for which the appropriation is made. The
15 secretary of administration shall identify the positions.

16 (b) The authorized FTE positions for the public service commission are
17 increased by 3.0 PR positions, funded from the appropriation under section 20.155
18 (1) (g) of the statutes, to provide for additional unclassified division administrators.

19 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

20 (1) POSITION INCREASES AND DECREASES.

21 (a) The authorized FTE positions for the department of regulation and
22 licensing are decreased by 2.0 PR positions, funded from the appropriation under
23 section 20.165 (1) (g) of the statutes, for the purpose for which the appropriation is
24 made. The secretary of administration shall identify the positions.

1 (b) The authorized FTE positions for the department of regulation and
2 licensing are increased by 2.0 PR positions, funded from the appropriation under
3 section 20.165 (1) (g) of the statutes, to provide for additional unclassified division
4 administrators.

5 **SECTION 9141. Nonstatutory provisions; Revenue.**

6 (1) POSITION INCREASES AND DECREASES.

7 (a) The authorized FTE positions for the department of revenue are decreased
8 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
9 the statutes, for the purpose for which the appropriation is made. The secretary of
10 administration shall identify the positions.

11 (b) The authorized FTE positions for the department of revenue are decreased
12 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
13 the statutes, for the purpose for which the appropriation is made. The secretary of
14 administration shall identify the position.

15 (c) The authorized FTE positions for the department of revenue are increased
16 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
17 the statutes, to provide for additional unclassified division administrators.

18 (d) The authorized FTE positions for the department of revenue are increased
19 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
20 the statutes, to provide for an unclassified division administrator.

21 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**
22 **Office of.**

23 (1) POSITION INCREASES AND DECREASES.

24 (a) The authorized FTE positions for the office of state employment relations
25 are decreased by 1.0 PR position, funded from the appropriation under section 20.545

1 (1) (k) of the statutes, for the purpose for which the appropriation is made. The
2 secretary of administration shall identify the position.

3 (b) The authorized FTE positions for the office of state employment relations
4 are increased by 1.0 PR position, funded from the appropriation under section 20.545
5 (1) (k) of the statutes, to provide for an unclassified division administrator.

6 **SECTION 9147. Nonstatutory provisions; Tourism.**

7 (1) POSITION INCREASES AND DECREASES.

8 (a) The authorized FTE positions for the department of tourism are decreased
9 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
10 the statutes, for the purpose for which the appropriation is made. The secretary of
11 administration shall identify the position.

12 (b) The authorized FTE positions for the department of tourism are increased
13 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
14 the statutes, to provide for an unclassified division administrator.

15 **SECTION 9148. Nonstatutory provisions; Transportation.**

16 (1) POSITION INCREASES AND DECREASES.

17 (a) The authorized FTE positions for the department of transportation are
18 decreased by 3.0 SEG positions, funded from the appropriation under section 20.395
19 (4) (aq) of the statutes, for the purpose for which the appropriation is made. The
20 secretary of administration shall identify the positions.

21 (b) The authorized FTE positions for the department of transportation are
22 increased by 3.0 SEG positions, funded from the appropriation under section 20.395
23 (4) (aq) of the statutes, to provide for additional unclassified division administrators.

24 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

25 (1) POSITION INCREASES AND DECREASES.

**2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1222/4ins
RAC:wlj:md

Insert 3-2:

SECTION ~~#~~ 230.08 (2) (e) 8j. of the statutes is created to read:

230.08 (2) (e) 8j. Office of state employment relations — 3.

Insert 3-15:

SECTION ~~#~~ 230.08 (4) (a) of the statutes is amended to read:

230.08 (4) (a) The number of administrator positions specified in sub. (2) (e) includes all administrator positions specifically authorized by law to be employed outside the classified service in each department, board or commission and the historical society, and any other managerial position determined by an appointing authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
△
“board” means the educational communications board, government accountability board, investment board, public defender board and technical college system board and “commission” means the public service commission. Notwithstanding sub. (2) (z), no division administrator position exceeding the number authorized in sub. (2) (e) may be created in the unclassified service.

History: 1971 c. 40, 270; 1973 c. 333, 335; 1977 c. 29, 187; 1977 c. 196 ss. 34, 108, 130 (5); 1977 c. 272, 418, 449; Stats. 1977 s. 230.08; 1979 c. 34, 189, 221, 356, 361; 1981 c. 20, 347, 374; 1983 a. 27 ss. 1605o to 1609am, 2200 (15); 1983 a. 189 s. 329 (27); 1983 a. 371, 378; 1985 a. 29; 1987 a. 27, 119, 204, 354, 399, 403; 1989 a. 31, 107, 119, 122, 169, 208, 219, 336; 1991 a. 39, 250, 269; 1993 a. 16, 349, 399; 1995 a. 27 ss. 6245 to 6277m, 9126 (19), 9130 (4); 1995 a. 216; 1997 a. 3, 27, 179, 194, 237; 1999 a. 9, 42, 87, 186; 2001 a. 16, 19, 109; 2003 a. 33 ss. 2392 to 2407b, 9160; 2003 a. 91, 326; 2005 a. 22, 25; 2007 a. 1; 2007 a. 20 ss. 3006 to 3014, 9121 (6) (a); 2009 a. 28.

Champagne, Rick

From: Kraus, Jennifer - DOA [jennifer.kraus@wisconsin.gov]
Sent: Tuesday, February 08, 2011 8:31 PM
To: Champagne, Rick
Subject: FW: Unclassified draft
Importance: High

so this boils down to a change in DOA non-stat which should end up as:

decreases - same.

increases:

1.0 PR (5)(ka) - DA for building services

1.0 PR (1)(ka) - PIO

1.0 PR (1kr) - chief legal

And I agree with this change -- Also, under s. 230.08(2)(ya), perhaps now would be a good time to strike the last five words... "in the department of administration."

thanks - Jenny

From: Kerner, Martha - DOA
Sent: Tuesday, February 08, 2011 5:29 PM
To: Kraus, Jennifer - DOA
Cc: Frederick, Caitlin - DOA
Subject: FW: Unclassified draft

A few more comments... As long as the creation of the unclassified division administrator for buildings services is corrected to 20.505(5)(ka), we can live with the draft.

But if you're open to additional clean-ups, would it be possible to create the unclassified PIO in PR under 20.505(1)(ka)? In other words, delete the classified position in 20.505(1)(pz) and re-create it as unclassified in 20.505(1)(ka). Or, will that cause too many problems?

Additionally, the current DSF division administrator position (#7694) is split funded between 20.505(1)(kc) and 20.505(5)(ka). Can we convert this position to be 100% funded from 20.505(1)(kc)?

Also, under s. 230.08(2)(ya), perhaps now would be a good time to strike the last five words... "in the department of administration." OSER is not in DOA.

Thanks.

From: Kerner, Martha - DOA
Sent: Tuesday, February 08, 2011 4:58 PM
To: Kraus, Jennifer - DOA
Cc: Frederick, Caitlin - DOA
Subject: RE: Unclassified draft

Yes, note that the error I was describing below relates to the creation of the two PR unclassified positions (legal counsel and buildings division). The unclassified PIO is created as FED and is correct.

From: Kraus, Jennifer - DOA
Sent: Tuesday, February 08, 2011 4:33 PM
To: Kerner, Martha - DOA; Frederick, Caitlin - DOA

2/9/2011

Subject: RE: Unclassified draft

don't we need to have 3 creations? one chief legal, one PIO and one DSF?

From: Kerner, Martha - DOA
Sent: Tuesday, February 08, 2011 4:21 PM
To: Kraus, Jennifer - DOA
Cc: Frederick, Caitlin - DOA
Subject: RE: Unclassified draft

The DOA non-stat language contains an error. Under Section 9101(1)(d), for the creation of the two PR unclassified division administrators, 1.0 PR position should be created under 20.505(1)(kr) and 1.0 PR position should be created under 20.505(5)(ka).

The OSER non-stat language is okay.

From: Kraus, Jennifer - DOA
Sent: Tuesday, February 08, 2011 2:23 PM
To: Kerner, Martha - DOA; Frederick, Caitlin - DOA
Subject: Unclassified draft

Pls review asap- I changed DOA, OSER and definition of division administrator -- are the DOA and OSER non-stats still correct?



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1222/15
RAC:wlj:md

T
Stays RMR

8:30

DOA:.....Kraus, BAB0047 Agency unclassified positions

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20 includes all administrator positions specifically authorized by law to be employed
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22 historical society, and any other managerial position determined by an appointing
23 authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
24 “board” means the educational communications board, government accountability
25 board, investment board, public defender board and technical college system board

1 and "commission" means the public service commission. Notwithstanding sub. (2)
2 (z), no division administrator position exceeding the number authorized in sub. (2)
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16 (1) ~~(ka)~~ ^(ka) of the statutes, to provide for an unclassified division administrator.

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Insert 4-19
15
16
17
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8 (1) POSITION INCREASES AND DECREASES.

9 (a) The authorized FTE positions for the department of children and families
10 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
11 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
12 secretary of administration shall identify the position.

13 (b) The authorized FTE positions for the department of children and families
14 are decreased by 1.85 GPR positions, funded from the appropriation under section
15 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
16 The secretary of administration shall identify the positions.

17 (c) The authorized FTE positions for the department of children and families
18 are decreased by 0.15 FED position, funded from the appropriation under section
19 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
20 The secretary of administration shall identify the position.

21 (d) The authorized FTE positions for the department of children and families
22 are increased by 1.0 PR position, funded from the appropriation under section 20.437
23 (3) (k) of the statutes, to provide for an unclassified division administrator.

24 (e) The authorized FTE positions for the department of children and families
25 are increased by 1.85 GPR positions, funded from the appropriation under section

1 20.437 (3) (a) of the statutes, to provide for additional unclassified division
2 administrators.

3 (f) The authorized FTE positions for the department of children and families
4 are increased by 0.15 FED position, funded from the appropriation under section
5 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

6 **SECTION 9111. Nonstatutory provisions; Corrections.**

7 (1) POSITION INCREASES AND DECREASES.

8 (a) The authorized FTE positions for the department of corrections are
9 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
10 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
11 secretary of administration shall identify the positions.

12 (b) The authorized FTE positions for the department of corrections are
13 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
14 (1) (a) of the statutes, to provide for additional unclassified division administrators.

15 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

16 (1) POSITION INCREASES AND DECREASES.

17 (a) The authorized FTE positions for the department of financial institutions
18 are decreased by 2.0 PR positions, funded from the appropriation under section
19 20.144 (1) (g) of the statutes, for the purpose for which the appropriation is made.
20 The secretary of administration shall identify the positions.

21 (b) The authorized FTE positions for the department of financial institutions
22 are increased by 2.0 PR positions, funded from the appropriation under section
23 20.144 (1) (g) of the statutes, to provide for additional unclassified division
24 administrators.

25 **SECTION 9121. Nonstatutory provisions; Health Services.**

1 (1) POSITION INCREASES AND DECREASES.

2 (a) The authorized FTE positions for the department of health services are
3 decreased by 1.0 FED position, funded from the appropriation under section 20.435
4 (8) (pz) of the statutes, for the purpose for which the appropriation is made. The
5 secretary of administration shall identify the position.

6 (b) The authorized FTE positions for the department of health services are
7 decreased by 2.0 GPR positions, funded from the appropriation under section 20.435
8 (8) (a) of the statutes, for the purpose for which the appropriation is made. The
9 secretary of administration shall identify the positions.

10 (c) The authorized FTE positions for the department of health services are
11 increased by 1.0 FED position, funded from the appropriation under section 20.435
12 (8) (pz) of the statutes, to provide for an unclassified division administrator.

13 (d) The authorized FTE positions for the department of health services are
14 increased by 2.0 GPR positions, funded from the appropriation under section 20.435
15 (8) (a) of the statutes, to provide for additional unclassified division administrators.

16 **SECTION 9125. Nonstatutory provisions; Insurance.**

17 (1) POSITION INCREASES AND DECREASES.

18 (a) The authorized FTE positions for the office of the commissioner of insurance
19 are decreased by 2.0 PR positions, funded from the appropriation under section
20 20.145 (1) (g) of the statutes, for the purpose for which the appropriation is made.
21 The secretary of administration shall identify the positions.

22 (b) The authorized FTE positions for the office of the commissioner of insurance
23 are increased by 2.0 PR positions, funded from the appropriation under section
24 20.145 (1) (g) of the statutes, to provide for additional unclassified division
25 administrators.

1 **SECTION 9135. Nonstatutory provisions; Natural Resources.**

2 (1) POSITION INCREASES AND DECREASES.

3 (a) The authorized FTE positions for the department of natural resources are
4 decreased by 1.0 SEG position, funded from the appropriation under section 20.370
5 (1) (mu) of the statutes, for the purpose for which the appropriation is made. The
6 secretary of administration shall identify the position.

7 (b) The authorized FTE positions for the department of natural resources are
8 decreased by 2.0 SEG positions, funded from the appropriation under section 20.370
9 (8) (mu) of the statutes, for the purpose for which the appropriation is made. The
10 secretary of administration shall identify the positions.

11 (c) The authorized FTE positions for the department of natural resources are
12 increased by 1.0 SEG position, funded from the appropriation under section 20.370
13 (1) (mu) of the statutes, to provide for an unclassified division administrator.

14 (d) The authorized FTE positions for the department of natural resources are
15 increased by 2.0 SEG positions, funded from the appropriation under section 20.370
16 (8) (mu) of the statutes, to provide for additional unclassified division
17 administrators.

18 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

19 (1) POSITION INCREASES AND DECREASES.

20 (a) The authorized FTE positions for the public service commission are
21 decreased by 3.0 PR positions, funded from the appropriation under section 20.155
22 (1) (g) of the statutes, for the purpose for which the appropriation is made. The
23 secretary of administration shall identify the positions.

1 (b) The authorized FTE positions for the public service commission are
2 increased by 3.0 PR positions, funded from the appropriation under section 20.155
3 (1) (g) of the statutes, to provide for additional unclassified division administrators.

4 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

5 (1) POSITION INCREASES AND DECREASES.

6 (a) The authorized FTE positions for the department of regulation and
7 licensing are decreased by 2.0 PR positions, funded from the appropriation under
8 section 20.165 (1) (g) of the statutes, for the purpose for which the appropriation is
9 made. The secretary of administration shall identify the positions.

10 (b) The authorized FTE positions for the department of regulation and
11 licensing are increased by 2.0 PR positions, funded from the appropriation under
12 section 20.165 (1) (g) of the statutes, to provide for additional unclassified division
13 administrators.

14 **SECTION 9141. Nonstatutory provisions; Revenue.**

15 (1) POSITION INCREASES AND DECREASES.

16 (a) The authorized FTE positions for the department of revenue are decreased
17 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
18 the statutes, for the purpose for which the appropriation is made. The secretary of
19 administration shall identify the positions.

20 (b) The authorized FTE positions for the department of revenue are decreased
21 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
22 the statutes, for the purpose for which the appropriation is made. The secretary of
23 administration shall identify the position.

1 (c) The authorized FTE positions for the department of revenue are increased
2 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
3 the statutes, to provide for additional unclassified division administrators.

4 (d) The authorized FTE positions for the department of revenue are increased
5 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
6 the statutes, to provide for an unclassified division administrator.

7 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**
8 **Office of.**

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the office of state employment relations
11 are decreased by 1.0 PR position, funded from the appropriation under section 20.545
12 (1) (k) of the statutes, for the purpose for which the appropriation is made. The
13 secretary of administration shall identify the position.

14 (b) The authorized FTE positions for the office of state employment relations
15 are increased by 1.0 PR position, funded from the appropriation under section 20.545
16 (1) (k) of the statutes, to provide for an unclassified division administrator.

17 **SECTION 9147. Nonstatutory provisions; Tourism.**

18 (1) POSITION INCREASES AND DECREASES.

19 (a) The authorized FTE positions for the department of tourism are decreased
20 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
21 the statutes, for the purpose for which the appropriation is made. The secretary of
22 administration shall identify the position.

23 (b) The authorized FTE positions for the department of tourism are increased
24 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
25 the statutes, to provide for an unclassified division administrator.

SECTION 9148. Nonstatutory provisions; Transportation.**(1) POSITION INCREASES AND DECREASES.**

(a) The authorized FTE positions for the department of transportation are decreased by 3.0 SEG positions, funded from the appropriation under section 20.395 (4) (aq) of the statutes, for the purpose for which the appropriation is made. The secretary of administration shall identify the positions.

(b) The authorized FTE positions for the department of transportation are increased by 3.0 SEG positions, funded from the appropriation under section 20.395 (4) (aq) of the statutes, to provide for additional unclassified division administrators.

SECTION 9154. Nonstatutory provisions; Workforce Development.**(1) POSITION INCREASES AND DECREASES.**

(a) The authorized FTE positions for the department of workforce development are decreased by 2.0 PR positions, funded from the appropriation under section 20.445 (1) (kc) of the statutes, for the purpose for which the appropriation is made. The secretary of administration shall identify the positions.

(b) The authorized FTE positions for the department of workforce development are increased by 2.0 PR positions, funded from the appropriation under section 20.445 (1) (kc) of the statutes, to provide for additional unclassified division administrators.

(END)

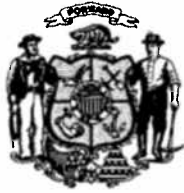
2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-1222/5ins
RAC:wlj:md

Insert 4-19:

(e) The authorized FTE positions for the department of administration are increased by 1.0 PR position^{es}, funded from the appropriation under section 20.505 (5) (ka) of the statutes, to provide for unclassified division administrator^s.

Use
auto letter
not
hard letter



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-1222/5
RAC:wlj:jf

DOA:.....Kraus, BAB0047 - Agency unclassified positions

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

STATE GOVERNMENT

STATE EMPLOYMENT

This bill increases the number of unclassified division administrators by 35 FTE positions, decreases 36 FTE positions in executive branch agencies, which positions are to be determined by the secretary of administration, expands the definition of division administrator to include other managerial positions, and permits the director of OSER to appoint either a deputy director or an executive assistant in the unclassified service.

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:

2 **SECTION 1.** 20.923 (8) of the statutes is amended to read:
3 20.923 (8) DEPUTIES. Salaries for deputies appointed pursuant to ss. 13.94 (3)
4 (b), 15.04 (2), 230.04 (16), and 551.601 (1) shall be set by the appointing authority.

1 The salary shall not exceed the maximum of the salary range one range below the
2 salary range of the executive salary group to which the department or agency head
3 is assigned. The positions of assistant secretary of state, assistant state treasurer
4 and associate director of the historical society shall be treated as unclassified
5 deputies for pay purposes under this subsection.

6 **SECTION 2.** 230.04 (16) of the statutes is amended to read:

7 **230.04 (16)** The director may appoint either a deputy director or an executive
8 assistant outside the classified service.

9 **SECTION 3.** 230.08 (2) (e) 1. of the statutes is amended to read:

10 **230.08 (2) (e) 1.** Administration — 14 13.

11 **SECTION 4.** 230.08 (2) (e) 2. of the statutes is amended to read:

12 **230.08 (2) (e) 2.** Agriculture, trade and consumer protection — 6 9.

13 **SECTION 5.** 230.08 (2) (e) 2m. of the statutes is amended to read:

14 **230.08 (2) (e) 2m.** Children and families — 5 8.

15 **SECTION 6.** 230.08 (2) (e) 3e. of the statutes is amended to read:

16 **230.08 (2) (e) 3e.** Corrections — 4 7.

17 **SECTION 7.** 230.08 (2) (e) 4f. of the statutes is amended to read:

18 **230.08 (2) (e) 4f.** Financial institutions — 3 5.

19 **SECTION 8.** 230.08 (2) (e) 5. of the statutes is amended to read:

20 **230.08 (2) (e) 5.** Health services — 6 9.

21 **SECTION 9.** 230.08 (2) (e) 6. of the statutes is amended to read:

22 **230.08 (2) (e) 6.** Workforce development — 6 8.

23 **SECTION 10.** 230.08 (2) (e) 8. of the statutes is amended to read:

24 **230.08 (2) (e) 8.** Natural resources — 7 10.

25 **SECTION 11.** 230.08 (2) (e) 8h. of the statutes is created to read:

1 230.08 (2) (e) 8h. Office of the commissioner of insurance — 2.

2 **SECTION 12.** 230.08 (2) (e) 8j. of the statutes is created to read:

3 230.08 (2) (e) 8j. Office of state employment relations — 3.

4 **SECTION 13.** 230.08 (2) (e) 9m. of the statutes is amended to read:

5 230.08 (2) (e) 9m. Public service commission — ~~5~~ 8.

6 **SECTION 14.** 230.08 (2) (e) 10. of the statutes is amended to read:

7 230.08 (2) (e) 10. Regulation and licensing — ~~4~~ 6.

8 **SECTION 15.** 230.08 (2) (e) 11. of the statutes is amended to read:

9 230.08 (2) (e) 11. Revenue — ~~4~~ 7.

10 **SECTION 16.** 230.08 (2) (e) 12. of the statutes is amended to read:

11 230.08 (2) (e) 12. Transportation — ~~6~~ 9.

12 **SECTION 17.** 230.08 (2) (e) 15. of the statutes is created to read:

13 230.08 (2) (e) 15. Tourism — 1.

14 **SECTION 18.** 230.08 (2) (ya) of the statutes is amended to read:

15 230.08 (2) (ya) The director, deputy director, and executive assistant to the
16 director of the office of state employment relations ~~in the department of~~
17 administration.

18 **SECTION 19.** 230.08 (4) (a) of the statutes is amended to read:

19 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
20 includes all administrator positions specifically authorized by law to be employed
21 outside the classified service in each department, board or commission and the
22 historical society, and any other managerial position determined by an appointing
23 authority. In this paragraph, “department” has the meaning given under s. 15.01 (5),
24 “board” means the educational communications board, government accountability
25 board, investment board, public defender board and technical college system board

1 and "commission" means the public service commission. Notwithstanding sub. (2)
2 (z), no division administrator position exceeding the number authorized in sub. (2)
3 (e) may be created in the unclassified service.

4 **SECTION 9101. Nonstatutory provisions; Administration.**

5 (1) POSITION INCREASES AND DECREASES.

6 (a) The authorized FTE positions for the department of administration are
7 decreased by 1.0 FED position, funded from the appropriation under section 20.505
8 (1) (pz) of the statutes, for the purpose for which the appropriation is made. The
9 secretary of administration shall identify the position.

10 (b) The authorized FTE positions for the department of administration are
11 decreased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
12 (kr) of the statutes, for the purpose for which the appropriation is made. The
13 secretary of administration shall identify the position.

14 (c) The authorized FTE positions for the department of administration are
15 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
16 (ka) of the statutes, to provide for an unclassified division administrator.

17 (d) The authorized FTE positions for the department of administration are
18 increased by 1.0 PR position, funded from the appropriation under section 20.505 (1)
19 (kr) of the statutes, to provide for an unclassified division administrator.

20 (e) The authorized FTE positions for the department of administration are
21 increased by 1.0 PR position, funded from the appropriation under section 20.505 (5)
22 (ka) of the statutes, to provide for an unclassified division administrator.

23 **SECTION 9103. Nonstatutory provisions; Agriculture, Trade and**
24 **Consumer Protection.**

25 (1) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the department of agriculture, trade and
2 consumer protection are decreased by 3.0 GPR positions, funded from the
3 appropriation under section 20.115 (8) (a) of the statutes, for the purpose for which
4 the appropriation is made. The secretary of administration shall identify the
5 positions.

6 (b) The authorized FTE positions for the department of agriculture, trade and
7 consumer protection are increased by 3.0 GPR positions, funded from the
8 appropriation under section 20.115 (8) (a) of the statutes, to provide for additional
9 unclassified division administrators.

10 **SECTION 9108. Nonstatutory provisions; Children and Families.**

11 (1) POSITION INCREASES AND DECREASES.

12 (a) The authorized FTE positions for the department of children and families
13 are decreased by 1.0 PR position, funded from the appropriation under section 20.437
14 (3) (k) of the statutes, for the purpose for which the appropriation is made. The
15 secretary of administration shall identify the position.

16 (b) The authorized FTE positions for the department of children and families
17 are decreased by 1.85 GPR positions, funded from the appropriation under section
18 20.437 (3) (a) of the statutes, for the purpose for which the appropriation is made.
19 The secretary of administration shall identify the positions.

20 (c) The authorized FTE positions for the department of children and families
21 are decreased by 0.15 FED position, funded from the appropriation under section
22 20.437 (3) (n) of the statutes, for the purpose for which the appropriation is made.
23 The secretary of administration shall identify the position.

1 (d) The authorized FTE positions for the department of children and families
2 are increased by 1.0 PR position, funded from the appropriation under section 20.437
3 (3) (k) of the statutes, to provide for an unclassified division administrator.

4 (e) The authorized FTE positions for the department of children and families
5 are increased by 1.85 GPR positions, funded from the appropriation under section
6 20.437 (3) (a) of the statutes, to provide for additional unclassified division
7 administrators.

8 (f) The authorized FTE positions for the department of children and families
9 are increased by 0.15 FED position, funded from the appropriation under section
10 20.437 (3) (n) of the statutes, to provide for an unclassified division administrator.

11 **SECTION 9111. Nonstatutory provisions; Corrections.**

12 (1) POSITION INCREASES AND DECREASES.

13 (a) The authorized FTE positions for the department of corrections are
14 decreased by 3.0 GPR positions, funded from the appropriation under section 20.410
15 (1) (a) of the statutes, for the purpose for which the appropriation is made. The
16 secretary of administration shall identify the positions.

17 (b) The authorized FTE positions for the department of corrections are
18 increased by 3.0 GPR positions, funded from the appropriation under section 20.410
19 (1) (a) of the statutes, to provide for additional unclassified division administrators.

20 **SECTION 9117. Nonstatutory provisions; Financial Institutions.**

21 (1) POSITION INCREASES AND DECREASES.

22 (a) The authorized FTE positions for the department of financial institutions
23 are decreased by 2.0 PR positions, funded from the appropriation under section
24 20.144 (1) (g) of the statutes, for the purpose for which the appropriation is made.
25 The secretary of administration shall identify the positions.

1 (b) The authorized FTE positions for the department of financial institutions
2 are increased by 2.0 PR positions, funded from the appropriation under section
3 20.144 (1) (g) of the statutes, to provide for additional unclassified division
4 administrators.

5 **SECTION 9121. Nonstatutory provisions; Health Services.**

6 (1) POSITION INCREASES AND DECREASES.

7 (a) The authorized FTE positions for the department of health services are
8 decreased by 1.0 FED position, funded from the appropriation under section 20.435
9 (8) (pz) of the statutes, for the purpose for which the appropriation is made. The
10 secretary of administration shall identify the position.

11 (b) The authorized FTE positions for the department of health services are
12 decreased by 2.0 GPR positions, funded from the appropriation under section 20.435
13 (8) (a) of the statutes, for the purpose for which the appropriation is made. The
14 secretary of administration shall identify the positions.

15 (c) The authorized FTE positions for the department of health services are
16 increased by 1.0 FED position, funded from the appropriation under section 20.435
17 (8) (pz) of the statutes, to provide for an unclassified division administrator.

18 (d) The authorized FTE positions for the department of health services are
19 increased by 2.0 GPR positions, funded from the appropriation under section 20.435
20 (8) (a) of the statutes, to provide for additional unclassified division administrators.

21 **SECTION 9125. Nonstatutory provisions; Insurance.**

22 (1) POSITION INCREASES AND DECREASES.

23 (a) The authorized FTE positions for the office of the commissioner of insurance
24 are decreased by 2.0 PR positions, funded from the appropriation under section

1 20.145 (1) (g) of the statutes, for the purpose for which the appropriation is made.
2 The secretary of administration shall identify the positions.

3 (b) The authorized FTE positions for the office of the commissioner of insurance
4 are increased by 2.0 PR positions, funded from the appropriation under section
5 20.145 (1) (g) of the statutes, to provide for additional unclassified division
6 administrators.

7 **SECTION 9135. Nonstatutory provisions; Natural Resources.**

8 (1) POSITION INCREASES AND DECREASES.

9 (a) The authorized FTE positions for the department of natural resources are
10 decreased by 1.0 SEG position, funded from the appropriation under section 20.370
11 (1) (mu) of the statutes, for the purpose for which the appropriation is made. The
12 secretary of administration shall identify the position.

13 (b) The authorized FTE positions for the department of natural resources are
14 decreased by 2.0 SEG positions, funded from the appropriation under section 20.370
15 (8) (mu) of the statutes, for the purpose for which the appropriation is made. The
16 secretary of administration shall identify the positions.

17 (c) The authorized FTE positions for the department of natural resources are
18 increased by 1.0 SEG position, funded from the appropriation under section 20.370
19 (1) (mu) of the statutes, to provide for an unclassified division administrator.

20 (d) The authorized FTE positions for the department of natural resources are
21 increased by 2.0 SEG positions, funded from the appropriation under section 20.370
22 (8) (mu) of the statutes, to provide for additional unclassified division
23 administrators.

24 **SECTION 9139. Nonstatutory provisions; Public Service Commission.**

25 (1) POSITION INCREASES AND DECREASES.

1 (a) The authorized FTE positions for the public service commission are
2 decreased by 3.0 PR positions, funded from the appropriation under section 20.155
3 (1) (g) of the statutes, for the purpose for which the appropriation is made. The
4 secretary of administration shall identify the positions.

5 (b) The authorized FTE positions for the public service commission are
6 increased by 3.0 PR positions, funded from the appropriation under section 20.155
7 (1) (g) of the statutes, to provide for additional unclassified division administrators.

8 **SECTION 9140. Nonstatutory provisions; Regulation and Licensing.**

9 (1) POSITION INCREASES AND DECREASES.

10 (a) The authorized FTE positions for the department of regulation and
11 licensing are decreased by 2.0 PR positions, funded from the appropriation under
12 section 20.165 (1) (g) of the statutes, for the purpose for which the appropriation is
13 made. The secretary of administration shall identify the positions.

14 (b) The authorized FTE positions for the department of regulation and
15 licensing are increased by 2.0 PR positions, funded from the appropriation under
16 section 20.165 (1) (g) of the statutes, to provide for additional unclassified division
17 administrators.

18 **SECTION 9141. Nonstatutory provisions; Revenue.**

19 (1) POSITION INCREASES AND DECREASES.

20 (a) The authorized FTE positions for the department of revenue are decreased
21 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
22 the statutes, for the purpose for which the appropriation is made. The secretary of
23 administration shall identify the positions.

24 (b) The authorized FTE positions for the department of revenue are decreased
25 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of

1 the statutes, for the purpose for which the appropriation is made. The secretary of
2 administration shall identify the position.

3 (c) The authorized FTE positions for the department of revenue are increased
4 by 2.55 GPR positions, funded from the appropriation under section 20.566 (3) (a) of
5 the statutes, to provide for additional unclassified division administrators.

6 (d) The authorized FTE positions for the department of revenue are increased
7 by 0.45 SEG position, funded from the appropriation under section 20.566 (8) (q) of
8 the statutes, to provide for an unclassified division administrator.

9 **SECTION 9143. Nonstatutory provisions; State Employment Relations,**
10 **Office of.**

11 (1) POSITION INCREASES AND DECREASES.

12 (a) The authorized FTE positions for the office of state employment relations
13 are decreased by 1.0 PR position, funded from the appropriation under section 20.545
14 (1) (k) of the statutes, for the purpose for which the appropriation is made. The
15 secretary of administration shall identify the position.

16 (b) The authorized FTE positions for the office of state employment relations
17 are increased by 1.0 PR position, funded from the appropriation under section 20.545
18 (1) (k) of the statutes, to provide for an unclassified division administrator.

19 **SECTION 9147. Nonstatutory provisions; Tourism.**

20 (1) POSITION INCREASES AND DECREASES.

21 (a) The authorized FTE positions for the department of tourism are decreased
22 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
23 the statutes, for the purpose for which the appropriation is made. The secretary of
24 administration shall identify the position.

1 (b) The authorized FTE positions for the department of tourism are increased
2 by 1.0 GPR position, funded from the appropriation under section 20.380 (1) (a) of
3 the statutes, to provide for an unclassified division administrator.

4 **SECTION 9148. Nonstatutory provisions; Transportation.**

5 (1) POSITION INCREASES AND DECREASES.

6 (a) The authorized FTE positions for the department of transportation are
7 decreased by 3.0 SEG positions, funded from the appropriation under section 20.395
8 (4) (aq) of the statutes, for the purpose for which the appropriation is made. The
9 secretary of administration shall identify the positions.

10 (b) The authorized FTE positions for the department of transportation are
11 increased by 3.0 SEG positions, funded from the appropriation under section 20.395
12 (4) (aq) of the statutes, to provide for additional unclassified division administrators.

13 **SECTION 9154. Nonstatutory provisions; Workforce Development.**

14 (1) POSITION INCREASES AND DECREASES.

15 (a) The authorized FTE positions for the department of workforce development
16 are decreased by 2.0 PR positions, funded from the appropriation under section
17 20.445 (1) (kc) of the statutes, for the purpose for which the appropriation is made.
18 The secretary of administration shall identify the positions.

19 (b) The authorized FTE positions for the department of workforce development
20 are increased by 2.0 PR positions, funded from the appropriation under section
21 20.445 (1) (kc) of the statutes, to provide for additional unclassified division
22 administrators.

23 (END)