

**2015 DRAFTING REQUEST**

**Bill**

Received: **10/10/2014** Received By: **phurley**  
Wanted: **As time permits** Same as LRB:  
For: **Administration-Budget** By/Representing: **Potts**  
May Contact: Drafter: **phurley**  
Subject: **Courts - judges/commsrs** Adl. Drafters: **rchampag**  
  
Extra Copies:

Submit via email: **YES**  
Requester's email:  
Carbon copy (CC) to: **sbostatlanguage@webapps.wi.gov**

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**Pre Topic:**

DOA:.....Potts, BB0147 -

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**Topic:**

Judicial compensation commission

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**Instructions:**

See attached

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**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>
/?	phurley 10/13/2014	kfollett 10/14/2014		_____			
/P1	phurley 1/9/2015		jmurphy 10/14/2014	_____	lparisi 10/14/2014		State
/P2		kfollett 1/10/2015	jfrantze 1/13/2015	_____	lparisi 1/13/2015		State

FE Sent For:

<END>

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/?	phurley 10/13/2014	kfollett 10/14/2014		_____			
/P1		<i>1/2/gf</i> <i>11/10</i>	jmurphy 10/14/2014	_____	Iparisi 10/14/2014		State

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Judicial compensation commission ✓

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/?	phurley	IP115f 10/14	IP115f 10/14	_____	_____	_____	_____

FE Sent For:

<END>

**Hurley, Peggy**

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**From:** Hanaman, Cathlene  
**Sent:** Friday, October 10, 2014 2:35 PM  
**To:** Champagne, Rick; Hurley, Peggy; Kuczenski, Tracy  
**Subject:** FW: Statutory Language Drafting Request - BB0147  
**Attachments:** 20141010141744521.pdf

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**From:** [andrew.potts@wisconsin.gov](mailto:andrew.potts@wisconsin.gov) [mailto:[andrew.potts@wisconsin.gov](mailto:andrew.potts@wisconsin.gov)]  
**Sent:** Friday, October 10, 2014 2:26 PM  
**To:** Hanaman, Cathlene  
**Cc:** Frederick, Caitlin - DOA; Potts, Andrew R - DOA; Connor, Christopher B - DOA  
**Subject:** Statutory Language Drafting Request - BB0147

Biennial Budget: 2015-17

Topic: Judicial Compensation

Tracking Code: BB0147

SBO Team: AEJ

SBO Analyst: Potts, Andrew  
Phone: 608-267-0370  
E-mail: [andrew.potts@wisconsin.gov](mailto:andrew.potts@wisconsin.gov)

Agency Acronym: SupCt

Agency Number: 680

Priority: Medium

Intent:

Create a Judicial Compensation Commission consisting of seven members: two appointed by the Governor, one by the President of the State Senate, one by the Speaker of the Assembly, one each by the Deans of the University of Wisconsin and Marquette Law Schools and one by the President of the State Bar. The commission shall make recommendations to the Governor and JCOER regarding judicial salaries.

Attachments: True

Please send completed drafts to [SBOStatlanguage@webapps.wi.gov](mailto:SBOStatlanguage@webapps.wi.gov)

**DIN 6215: Judicial Compensation**

may be separate request

**Statutory/Non-statutory Changes Requested:**

(1) Create a nonstatutory provision requiring judicial salaries under the 2015-17 state compensation plan be set at a level comparable to the average judicial salaries among Wisconsin's surrounding Midwest states as of January 1, 2014; and (2) create a statutory Wisconsin Judicial Compensation Commission to study and make recommendations to the Legislature's Joint Committee on Employment Relations (JCOER) on judicial compensation.

This proposal for a Judicial Compensation Commission is the same, with slight modifications, as requested by the Court and included into the 2011-2013 biennial budget by the Legislature (the Governor vetoed the provision). The proposal is based primarily on the State of Maryland's statute. Every two years the commission would make written recommendations no later than December 1st of each even-numbered year to the Governor and JCOER on judicial salaries (in effect, replacing OSER in the development of recommendations concerning judicial compensation). JCOER would review the report and approve the Compensation Commission's recommendations unless a majority of its members agreed not to approve them. Judicial salaries would be increased based on the general wage increases awarded to all state employees or the salary increases recommended by the Commission and approved by JCOER, whichever is greater. Current law provisions concerning gubernatorial vetoes of JCOER actions and override provisions would not change.

The proposed Commission would consist of seven members, appointed as follows: (1) two appointed by the Governor; (2) one by the President of the Senate; (3) one by the Speaker of the Assembly; (4) one member each by the Deans of the University of Wisconsin and Marquette University Law Schools; and (5) one by the President of the State Bar. Members would serve without compensation but would be reimbursed for reasonable expenses incurred in carrying out their responsibilities. Require the Director of State Courts Office to provide staffing and support services to the Commission.

The modifications to the vetoed 2011-2013 biennial budget provision are: (1) do not include a sunset of the judicial compensation commission; and (2) remove the language that "the Governor shall" provide sufficient funding in the biennial budget bill to fund the increase.



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-0237/PJ  
PJH&RAC:rwf:md

gf

DOA:.....Wavrunek, BB0087 - Wisconsin Judicial Compensation  
Commission

**FOR 2011-13 BUDGET — NOT READY FOR INTRODUCTION**

0422/11  
rmd

10-13-14

Don't Gen

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

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Currently, the salaries of justices of the supreme court, court of appeals judges, and circuit court judges are based on recommendations of the director of the Office of State Employment Relations and submitted for approval to the Joint Committee on Employment Relations (JCOER).

This bill creates a Judicial Compensation Commission (commission), consisting of two members appointed by the governor, one member appointed by the president of the senate, one member appointed by the speaker of the assembly, one member appointed by the dean of the Marquette University Law School, one member appointed by the dean of the University of Wisconsin Law School, and one member appointed by the president of the State Bar of Wisconsin. Under the bill, the commission must review judicial salaries and, no later than December 1 of each even-numbered year, submit a written report to the governor and JCOER that includes recommendations on the salaries of the justices of the supreme court, court of appeals judges, and judges of circuit court.

Under the bill, JCOER is to review the salary recommendations submitted by the commission; if JCOER approves the recommendations, the salary adjustments

uw

X

take effect at the time that any justice or judge takes the oath of office. However, the bill also provides that if the salary adjustments approved by JCOER are less than the percentage increase of any across-the-board pay adjustments for any position in the classified service, the annual salary adjustments for supreme court justices and judges of the court of appeals and circuit court are increased to equal the percentage increase of the highest across-the-board pay adjustment provided for any position in the classified service.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

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

8           SECTION 2. 20.923 (3) of the statutes is amended to read:

9           20.923 (3) JUSTICES AND JUDGES. The annual salary for any supreme court  
10 justice or judge of the court of appeals or circuit court shall be ~~established under sub.~~  
11 ~~(2),~~ except that any reviewed and established in the same manner as provided for  
12 positions in the classified service under s. 230.12 (3), but shall be based on  
13 recommendations submitted to the joint committee on employment relations by the  
14 judicial compensation commission under s. 757.84 (2). The compensation  
15 adjustments granted under s. 230.12 shall not become effective until such time as  
16 any justice or judge takes the oath of office. If the salary adjustment approved by the  
17 joint committee on employment relations is less than the percentage increase of any



1 across-the-board pay adjustments for any other position in the classified service, the  
2 annual salary adjustment for any supreme court justice or judge of the court of  
3 appeals or circuit court is increased to equal the percentage increase of the highest  
4 across-the-board pay adjustment provided for any position in the classified service.

5 SECTION 3. 757.84 of the statutes is created to read: ✓

6 **757.84 Judicial compensation commission. (1) MEMBERSHIP;**

7 APPOINTMENT; TERMS. (a) There is created a judicial compensation commission  
8 consisting of 2 members appointed by the governor, one member appointed by the  
9 president of the senate, one member appointed by the speaker of the assembly, one  
10 member appointed by the dean of the Marquette University Law School, one member  
11 appointed by the dean of the University of Wisconsin Law School, and one member  
12 appointed by the president of the State Bar of Wisconsin. The judicial compensation  
13 commission shall elect one of its members as chairperson.

14 (b) The term of a member is 4 years, expiring on March 1 of the odd-numbered  
15 year. Members of the judicial compensation commission shall be reimbursed for  
16 expenses necessarily incurred as members of the judicial compensation commission.

17 (2) REVIEW AND RECOMMENDATIONS. Biennially, the judicial compensation  
18 commission shall review the salaries of the justices of the supreme court, court of  
19 appeals judges, and judges of circuit court. Not later than December 1 of each  
20 even-numbered year, the judicial compensation commission shall submit a written  
21 report to the governor and the joint committee on employment relations. The report  
22 shall include recommendations on salaries of the justices of the supreme court, court  
23 of appeals judges, and judges of circuit court.

24 (3) STAFF. The director of state courts shall provide staff and support services  
25 to the judicial compensation commission.

9152 ✓

**SECTION 9155. Nonstatutory provisions; Other.**

(1) JUDICIAL COMPENSATION COMMISSION. Notwithstanding the length of terms of the members of the judicial compensation commission specified in section 757.84 (1) of the statutes, as created by this act, the initial members shall be appointed for the following terms:

(a) One member appointed by the governor, for a term expiring on March 1,

2013. 2017

(b) One member appointed by the governor, for a term expiring on March 1,

2015. 2019

(c) The member appointed by the president of the senate, for a term expiring on March 1, 2013. 2017

(d) The member appointed by the speaker of the assembly, for a term expiring on March 1, 2013. 2017

(e) The member appointed by the dean of the Marquette University Law School, for a term expiring on March 1, 2015. 2019

(f) The member appointed by the dean of the University of Wisconsin Law School, for a term expiring on March 1, 2015. 2019

(g) The member appointed by the dean of the president of the State Bar of Wisconsin, for a term expiring on March 1, 2015. 2019

(END)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0422/P1  
PJH&RAC:kjf:jm

P2

stays

DOA:.....Potts, BB0147 - Judicial compensation commission

**FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION**

in 1-9-15

1/14

Don & Gen

supreme to courts

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

*Analysis by the Legislative Reference Bureau*

**COURTS AND PROCEDURE**

**OTHER COURTS AND PROCEDURE**

Currently, the salaries of justices of the supreme court, court of appeals judges, and circuit court judges are based on recommendations of the director of the Office of State Employment Relations and submitted for approval to the Joint Committee on Employment Relations (JCOER).

stays in

This bill creates a Judicial Compensation Commission (commission), consisting of two members appointed by the governor, one member appointed by the president of the senate, one member appointed by the speaker of the assembly, one member appointed by the dean of the Marquette University Law School, one member appointed by the dean of the UW Law School, and one member appointed by the president of the State Bar of Wisconsin. Under the bill, the commission must review judicial salaries and, no later than December 1 of each even-numbered year, submit a written report to the governor and JCOER that includes recommendations on the salaries of the justices of the supreme court, court of appeals judges, and judges of circuit court.

Under the bill

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Under the bill, JCOER is to review the salary recommendations submitted by the commission; if JCOER approves the recommendations, the salary adjustments take effect at the time that any justice or judge takes the oath of office. However, the bill also provides that if the salary adjustments approved by JCOER are less than

the percentage increase of any across-the-board pay adjustments for any position in the classified service, the annual salary adjustments for supreme court justices and judges of the court of appeals and circuit court are increased to equal the percentage increase of the highest across-the-board pay adjustment provided for any position in the classified service.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

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

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

20.923 (3) JUSTICES AND JUDGES. The annual salary for any supreme court justice or judge of the court of appeals or circuit court shall be ~~established under sub. (2),~~ except that any reviewed and established in the same manner as provided for positions in the classified service under s. 230.12 (3), but shall be based on recommendations submitted to the joint committee on employment relations by the judicial compensation commission under s. 757.84 (2). The compensation adjustments granted under s. 230.12 shall not become effective until such time as any justice or judge takes the oath of office. If the salary adjustment approved by the joint committee on employment relations is less than the percentage increase of any across-the-board pay adjustments for any other position in the classified service, the

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6 APPOINTMENT; TERMS. (a) CREATION. CS There is created a judicial compensation commission  
7 consisting of 2 members appointed by the governor, one member appointed by the  
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10 appointed by the dean of the University of Wisconsin Law School, and one member  
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23 (3) STAFF. The director of state courts shall provide staff and support services  
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5 (a) One member appointed by the governor, for a term expiring on March 1,  
6 2017.

7 (b) One member appointed by the governor, for a term expiring on March 1,  
8 2019.

9 (c) The member appointed by the president of the senate, for a term expiring  
10 on March 1, 2017.

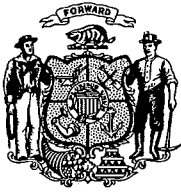
11 (d) The member appointed by the speaker of the assembly, for a term expiring  
12 on March 1, 2017.

13 (e) The member appointed by the dean of the Marquette University Law School,  
14 for a term expiring on March 1, 2019.

15 (f) The member appointed by the dean of the University of Wisconsin Law  
16 School, for a term expiring on March 1, 2019.

17 (g) The member appointed by the dean of the president of the State Bar of  
18 Wisconsin, for a term expiring on March 1, 2019.

19 (END)



State of Wisconsin  
2015 - 2016 LEGISLATURE



LRB-0422/P2  
PJH&RAC:kjf:jf

DOA:.....Potts, BB0147 – Judicial compensation commission

**FOR 2015-2017 BUDGET – NOT READY FOR INTRODUCTION**

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

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For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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16 any justice or judge takes the oath of office.

17           **SECTION 3.** 757.84 of the statutes is created to read:

18           **757.84 Judicial compensation commission.** (1) **CREATION.** There is  
19 created a judicial compensation commission consisting of members appointed by the  
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22 compensation commission.

23           (2) **REVIEW AND RECOMMENDATIONS.** Biennially, the judicial compensation  
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5 (3) STAFF. The director of state courts shall provide staff and support services  
6 to the judicial compensation commission.

7 (END)