



2013 ASSEMBLY BILL 310

August 23, 2013 - Introduced by Representatives SARGENT, RICHARDS, KOLSTE, SINICKI, BERCEAU, WRIGHT, YOUNG, PASCH, WACHS, JORGENSEN, OHNSTAD, HEBL, MILROY, BILLINGS and BARCA. Referred to Joint Committee on Finance.

1 **AN ACT** *to repeal* 230.08 (2) (e) 4., 230.08 (2) (e) 8h., 230.08 (2) (e) 8j., 230.08 (2)
2 (e) 15. and 230.08 (4) (d); and *to amend* 230.08 (2) (e) 1., 230.08 (2) (e) 2., 230.08
3 (2) (e) 2m., 230.08 (2) (e) 3e., 230.08 (2) (e) 4f., 230.08 (2) (e) 5., 230.08 (2) (e) 6.,
4 230.08 (2) (e) 7., 230.08 (2) (e) 8., 230.08 (2) (e) 9m., 230.08 (2) (e) 11., 230.08 (2)
5 (e) 11m., 230.08 (2) (e) 12. and 230.08 (4) (a) of the statutes; **relating to:**
6 unclassified division administrators in the state civil service system.

Analysis by the Legislative Reference Bureau

2011 Wisconsin Acts 10 and 32 and 2013 Wisconsin Act 20 increased the number of unclassified division administrators in executive branch state agencies. An unclassified division administrator serves at the pleasure of his or her appointing authority, while a classified division administrator may only be removed from the position for cause. 2011 Wisconsin Act 10 also permitted appointing authorities in executive branch agencies to designate any managerial position as an unclassified division administrator position.

This bill eliminates the increases in the number of unclassified division administrator positions that were authorized in 2011 Wisconsin Acts 10 and 32 and 2013 Wisconsin Act 20 and eliminates the ability of an appointing authority to designate any managerial position as an unclassified division administrator position. The bill also requires the secretary of administration to submit a plan to the Joint Committee on Finance (JCF) for adjusting appropriations and authorized

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classified and unclassified positions that result from the reduction in the number of unclassified division administrators under this bill. If the cochairpersons of JCF do not notify the secretary that JCF has scheduled a meeting for the purpose of reviewing the plan within 14 working days after the date of his or her submittal, the secretary may implement the plan. If within 14 working days after the date of the submittal by the secretary the cochairpersons notify him or her that JCF has scheduled a meeting for the purpose of reviewing the plan, the secretary may implement the plan only with the approval of JCF.

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:

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

2 230.08 (2) (e) 1. Administration — ~~13~~ 8.

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

4 230.08 (2) (e) 2. Agriculture, trade and consumer protection — ~~9~~ 6.

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

6 230.08 (2) (e) 2m. Children and families — ~~8~~ 5.

7 **SECTION 4.** 230.08 (2) (e) 3e. of the statutes is amended to read:

8 230.08 (2) (e) 3e. Corrections — ~~7~~ 4.

9 **SECTION 5.** 230.08 (2) (e) 4. of the statutes is repealed.

10 **SECTION 6.** 230.08 (2) (e) 4f. of the statutes is amended to read:

11 230.08 (2) (e) 4f. Financial institutions — ~~5~~ 3.

12 **SECTION 7.** 230.08 (2) (e) 5. of the statutes, as affected by 2013 Wisconsin Act
13 20, is amended to read:

14 230.08 (2) (e) 5. Health services — ~~10~~ 6.

15 **SECTION 8.** 230.08 (2) (e) 6. of the statutes is amended to read:

16 230.08 (2) (e) 6. Workforce development — ~~9~~ 7.

17 **SECTION 9.** 230.08 (2) (e) 7. of the statutes is amended to read:

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1 230.08 (2) (e) 7. Justice — 5 3.

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

3 230.08 (2) (e) 8. Natural resources — 10 7.

4 **SECTION 11.** 230.08 (2) (e) 8h. of the statutes is repealed.

5 **SECTION 12.** 230.08 (2) (e) 8j. of the statutes is repealed.

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

7 230.08 (2) (e) 9m. Public service commission — 8 5.

8 **SECTION 14.** 230.08 (2) (e) 11. of the statutes is amended to read:

9 230.08 (2) (e) 11. Revenue — 7 4.

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

11 230.08 (2) (e) 11m. Safety and professional services — 8 5.

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

13 230.08 (2) (e) 12. Transportation — 9 6.

14 **SECTION 17.** 230.08 (2) (e) 15. of the statutes is repealed.

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

16 230.08 (4) (a) The number of administrator positions specified in sub. (2) (e)
17 includes all administrator positions specifically authorized by law to be employed
18 outside the classified service in each department, board or commission and the
19 historical society, ~~and any other managerial position determined by an appointing~~
20 ~~authority.~~ In this paragraph, “department” has the meaning given under s. 15.01 (5),
21 “board” means the educational communications board, government accountability
22 board, investment board, public defender board and technical college system board
23 and “commission” means the employment relations commission and the public
24 service commission. Notwithstanding sub. (2) (z), no division administrator position

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1 exceeding the number authorized in sub. (2) (e) may be created in the unclassified
2 service.

3 **SECTION 19.** 230.08 (4) (d) of the statutes, as affected by 2013 Wisconsin Act 20,
4 is repealed.

5 **SECTION 20. Nonstatutory provisions.**

6 (1) APPROPRIATION AND AUTHORIZED POSITION ADJUSTMENTS. No later than 30 days
7 after the effective date of this subsection, the secretary of administration shall
8 submit a plan to the joint committee on finance for adjusting appropriations and
9 authorized classified and unclassified positions that result from the reduction in the
10 number of unclassified division administrators under this act. If the cochairpersons
11 of the committee do not notify the secretary that the committee has scheduled a
12 meeting for the purpose of reviewing the plan within 14 working days after the date
13 of his or her submittal, the secretary may implement the plan. If within 14 working
14 days after the date of the submittal by the secretary the cochairpersons notify him
15 or her that the committee has scheduled a meeting for the purpose of reviewing the
16 plan, the secretary may implement the plan only with the approval of the committee.

17 (END)