



Wisconsin Briefs

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SALARIES OF STATE ELECTED OFFICIALS

Effective January 2005

CONSTITUTIONAL OFFICERS

Governor	\$131,768
Lieutenant Governor	69,579
Secretary of State	62,549
State Treasurer	62,549
Attorney General	127,868
Superintendent of Public Instruction	109,587

The salary of a constitutional officer cannot be increased during the incumbent's term of office. All officers, except the superintendent of public instruction, are currently serving 4-year terms that will expire in January 2007. The superintendent's 4-year term expires on July 4, 2005. If an incumbent resigns, dies, or is removed, the officer assuming the office through appointment or election (or succession in the case of the lieutenant governor assuming the office of the governor) will be paid the salary effective at the time.

MEMBERS OF THE 2005-2006 LEGISLATURE \$45,569

Salary Unchanged in 2005-06. The salary for legislators serving in the 2005-06 Legislature is unchanged from the 2003-04 legislative session. This is a result of action taken by the Legislature's Joint Committee on Employment Relations in May 2003. In adopting the 2003-05 State Compensation Plan, the committee froze the salaries for legislators and most constitutional officers at the levels of the previous compensation plan. (See reverse for explanation of how salary level is established.)

Per Diem. In addition to salary, Section 13.123 (1), Wisconsin Statutes, and legislative Joint Rule 85 authorize legislators to claim a "per diem" allowance for each day spent in Madison on legislative business, not including Saturdays or Sundays unless the legislator is in Madison on one of those days attending a session of the legislature or a meeting of a standing committee as a member of the committee. Legislators may also be entitled to reimbursement for actual expenses incurred in attending committee meetings outside of Madison.

Legislators who do not establish a temporary residence in Madison may receive half of the per diem. Based on Section 20.916 (8), the Joint Committee on Employment Relations establishes the maximum amount of the allowance, according to the recommendation of the Director of the Office of State Employment Relations. Approval by the full legislature is not required. The committee set the current maximum per diem of \$88 (\$44 for legislators who do not establish temporary residence) on January 4, 2001. The prior rate of \$75 (\$37.50) had been in effect since June 11, 1993. In addition to salary and per diem payments, the Speaker of the Assembly receives a stipend, which is currently \$25 per month.

JUDICIAL BRANCH

Supreme Court Chief Justice	\$131,642
Supreme Court Justice	123,642
Court of Appeals Judge	116,643
Circuit Court Judge	110,040

The judicial branch includes all justices of the supreme court and all judges of the court of appeals and the various circuit courts across the state. The salaries of all justices and judges are adjusted to the prevailing schedule in the state compensation plan whenever any member of the judicial branch takes office. The current schedule covers the period June 27, 2004, through June 25, 2005. Jurists will continue to receive those salaries until any justice or judge assumes office after June 25, 2005, at which time all salaries will be adjusted to the amounts specified in the next compensation plan.

District Attorneys. The compensation plan also sets the salaries of district attorneys, who are paid by the state. The salaries vary depending upon the population of the prosecutorial unit, and currently range from a high of \$115,496 in Milwaukee County to a low of \$83,243 in prosecutorial units having populations below 35,000.

HOW SALARIES ARE DETERMINED

Salary Levels Set by Office of State Employment Relations. Sections 20.923 and 230.12, Wisconsin Statutes, created by Chapter 90, Laws of 1973, and amended by 1983 Wisconsin Act 27 and 2003 Wisconsin Act 33, provide the current procedure for setting salaries of elected state officials.

The process requires the Director of the Office of State Employment Relations (OSER) to submit proposed changes in the compensation plan for elected officials to the legislature’s Joint Committee on Employment Relations. The biennial compensation plan is typically submitted in June of odd-numbered years. If approved by the committee, the plan goes into effect. The committee may modify the director’s proposal if it chooses. These modifications may be disapproved by the governor within 10 calendar days, but a vote of six members of the committee can set aside the governor’s action. Previously, the administration of the compensation plan was performed by the Wisconsin Department of Employment Relations (DER). 2003 Wisconsin Act 33 abolished the department, created the Office of State Human Resources Management, attached that office to the Department of Administration, and renamed the unit the Office of State Employment Relations.

Salary May Not Be Increased During Terms of Office. Article IV, Section 26 (2), Wisconsin Constitution, provides that “the compensation of a public officer may not be increased or diminished during the term of office.” Amendments have created two exceptions:

- An April 1992 constitutional amendment provides that all legislators, including those elected in special elections, will receive the same salary throughout the legislature’s biennial session. This allows holdover senators (those in the middle of a 4-year term) to receive an adjustment when the new legislature is inaugurated, so that their salary matches that of newly elected senators.
- Since being amended in 1967, the constitution has provided that the salaries of the entire judicial branch will be adjusted to reflect the salary schedule in effect when any new justice or judge takes office.

Source: State Compensation Plan, Section B. Available on the Internet at <http://oser.state.wi.us/subcategory.asp?linksubcatid=877&linkcatid=413&linkid=27>