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COMPENSATION OF WISCONSIN LEGISLATORS

Members of the 2009 Wisconsin Legislature receive an annual salary of \$49,943. This amount will not change during the 2009-2010 biennium, because Article IV, Section 26, of the Wisconsin Constitution dictates that salaries of public officers cannot be increased or diminished during a term of office. A 1992 constitutional amendment 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 legislators. Salary levels are approved by the Legislature's Joint Committee on Employment Relations, which has the authority to approve or modify the state compensation plan proposed by the director of the Office of State Employment Relations.

In addition to salary, each legislator may claim a "per diem" allowance for food and lodging expenses for each day spent in Madison on legislative business. The current maximum allowance for legislators who establish a temporary residence at the capital is \$88 per day; for legislators who do not establish residence, the maximum is half that amount (\$44).

Legislators are also reimbursed for certain travel expenses and receive an allowance to cover general office expenses, printing, and postage. In general, they are entitled to the same fringe benefit options afforded other state employees, including health care.

This brief describes the process for determining legislative salaries and lists in more detail other types of compensation. *Appendix 1* provides a history of legislative compensation from territorial days to the present, and *Appendix 2* traces the evolution of the process for determining legislative salaries.

CURRENT PROCEDURE

1983 Wisconsin Act 27 established the current procedure for setting legislative salaries. It removed the requirement that the proposal be presented to the legislature in the form of a bill and dropped the statutory connection between legislative salaries and the executive salary group system. The present system established by Act 27 was first used in 1984, applicable to the 1985 Legislature.

The salary-setting process [Sections 20.923 (2) (b) and 230.12 (3), Wisconsin Statutes] requires the director of the Office of State Employment Relations (OSER) (the office replaced the Department of Employment Relations in 2003) to submit proposed changes in the state compensation plan, which includes the provisions for elected officials, to the legislature's Joint Committee on Employment Relations. The committee is required to hold a public hearing on the proposal. If approved without changes by the committee, the plan goes into effect, and legislators receive the new salary at the

beginning of the next legislative session. The committee may modify the director's proposal. 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 so that the committee's changes to the plan will be implemented.

From the inauguration of the 1975 Legislature through the conclusion of the 1991 Legislature, the salaries of individual members within a particular legislature could vary, depending on the salary effective at the time the member took office. Although the amount authorized for legislative salaries increased periodically, usually every year, along with the salaries of other state employees, sitting legislators could not receive the raises because of the constitutional prohibition against midterm salary changes. This meant new legislators, who were elected in special elections midway through the sessions, received higher salaries than their more senior colleagues. Holdover senators, whose salaries were locked-in for the 4-year term, frequently found themselves receiving less than newly elected senators and all the representatives.

Passage of a constitutional amendment on April 7, 1992, settled a long-standing question about senate salaries and addressed the different salaries paid to legislators installed by special elections. The amendment provided that any "increase in the compensation of members of the legislature shall take effect, for all senators and representatives to the assembly, after the next general election beginning with the new assembly term." As a result of the amendment, holdover senators now receive a raise at the midpoint of their term if the newly elected legislators are entitled to a higher salary amount. The wording of the amendment also meant that persons entering the legislature in midterm would receive the

same salary as legislators seated at the beginning of the session. The result is that all 132 members of the legislature now receive the same salary throughout the biennium.

SPEAKER'S STIPEND

The speaker of the assembly has received an additional stipend since 1853, and the current stipend is \$25 per month. Chapter 63, Laws of 1853, provided \$2.50 per day for the speaker in addition to his regular compensation of \$2.50 a day. In 1868, the specific dollar figure was removed, and the stipend was set at an amount equal to an individual member's salary. This meant the speaker was paid twice the amount paid a regular member. From 1883 through 1929, the speaker received a \$500 stipend each biennium in addition to the \$500 legislator's salary. After salary provisions were removed from the constitution in 1929, the speaker was given a statutory stipend of \$25 a month in addition to the legislative salary. The dollar amount of the stipend has not changed since that time.

Governor Warren Knowles vetoed a provision in Chapter 592, Laws of 1965, which would have allowed additional pay for legislative leaders in addition to the speaker. A similar bill, based on recommendations of the Wisconsin Committee on Improved Expenditure Management, failed to pass in 1967. No bills to change the speaker's stipend or to provide a stipend for other leadership positions were considered until 1983 when Assembly Bill 1151 would have allowed up to five leadership positions in each house to receive a higher salary of not more than 125% of the regular legislative salary, with the recipients and amounts determined by each house. The 1983 bill passed the assembly, but died in the senate on the last day of the session.

TRAVEL AND PER DIEM ALLOWANCES

Since territorial days, legislators have received some sort of an allowance for travel to

the capital, and an allowance for establishing a temporary residence in the capital (the “per diem allowance”) was first paid in 1947.

Travel Allowance

Legislators receive a mileage allowance for one round trip to and from the state capitol each week during legislative sessions. The rate is determined by the Joint Committee on Employment Relations, based on recommendations from the director of OSER. Currently, the rate is 48.5 cents per mile, the same as the state employees’ mileage rate. In-state or out-of-state travel on official business is also reimbursed at the same rate. In addition to mileage, legislators may be reimbursed for actual and necessary expenses incurred while traveling on official business outside Madison. However, they cannot be reimbursed for such expenses on a day for which per diem payment is claimed.

Per Diem Allowance

Legislators receive a per diem allowance for expenses incurred for food and lodging for days spent in Madison on official business. The per diem allowance is authorized in Section 13.123 (1), Wisconsin Statutes, and Legislative Joint Rule 85. The allowance may not be paid for a Saturday or a Sunday unless the legislator is attending a formal session of the legislature or the formal meeting of a standing committee of which the legislator is a member. Each legislator files an affidavit with the chief clerk of the house certifying the reimbursement requested.

1983 Wisconsin Act 27 removed the specific dollar amount of the per diem from the statutes, effective July 2, 1983, and required that the maximum be recommended by the secretary of employment relations and

approved by the Joint Committee on Employment Relations.

On the recommendation of the secretary of employment relations, the 1995-97 budget (1995 Wisconsin Act 27) provided that, although the standard maximum per diem would still be set by the joint committee, upon recommendation by the secretary, the president of the senate or the assembly speaker could separately set a reduced maximum for the individual house, provided members were given 30 days’ written notice. The statutory authorization for this procedure expired June 30, 1997.

The assembly used this procedure to reduce per diem by 10% to \$67.50 in 1996. The senate did not.

2001 Wisconsin Act 16 (the budget act) provided that the per diem rate would be 90 percent of the federal per diem rate for travel for federal government business within the City of Madison, as set by the federal General Services Administration. On December 1 of even-numbered years, the director of OSER certifies to the chief clerk of each house the rate in effect on December 1. However, under the Wisconsin Constitution’s provision (Article IV, Section 8) that each house of the legislature may determine the rules for its own proceedings, the organization committee in each house sets that actual maximum per diem rates that may be claimed by members. Despite subsequent adjustments in the federal travel allowance, the maximum rate set by each committee has remained the same since 2001 (\$88).

An exception to the \$88 maximum affects those legislators who do not establish a temporary residence at the capital, typically members who live in the Dane County area. Their per diem maximum is half of the maximum established for their house. Thus,

legislators in this category are entitled to a maximum per diem of \$44.

OFFICE ALLOTMENTS, IN-DISTRICT TRAVEL ALLOWANCES, AND INTERIM EXPENSE ALLOWANCE

For the 2009-2010 biennium, state senators are provided a \$55,955 office expense allotment. In addition, the senate majority leader and senate minority leader each have a \$12,000 leadership account which may be used for authorized expenses directly related to their duties as leaders. Assembly representatives are entitled to a \$12,000 per session office allotment over the same period. There are some differences between the two houses in how the office expense allotment can be used, but in general it may be used for printing, postage and photocopying; some telephone services; newspapers and books; and miscellaneous office expenses. Staff salaries are not included in the office allotments. Staffing levels and staff salaries are set by the respective houses.

Both houses provide members an allowance to cover travel within the district. This in-district allowance is in addition to the travel reimbursement previously mentioned. The senate administers this as part of the office allotment. The assembly still provides a separate allowance for in-district travel, and for the 2009 session its allowance ranges from \$3,000 to \$10,000, depending on the size of the district.

Section 13.121 (2) provides for an interim allowance for office expenses for each full calendar month in which the legislature meets in floor sessions for three days or less. This allowance, created in 1963, is intended to pay for postage and clerical assistance expenses. 1995 Wisconsin Act 27 provided that the allowance, \$75 per month for senators and \$25 per month for members of the assembly, would be paid only with the approval of the

majority leader of the senate or the assembly speaker. Neither the majority leader nor the speaker has approved it, so the allowance has not be paid since then.

RETIREMENT AND OTHER BENEFITS

Under the state retirement plan, legislators may receive a full pension beginning at age 62, with actuarially reduced benefits available at age 55, and a preretirement death benefit available to beneficiaries. To receive benefits, a member cannot be holding any position at the time of retirement, whether elective or appointive, that is covered by the Wisconsin Retirement System (WRS). 1995 Wisconsin Act 302 established a requirement that there be a minimum period of at least 30 days after separation from state employment before the start of an annuity.

Legislators were first permitted to participate in the Wisconsin Retirement Fund on a voluntary basis in 1957. Members of the 1957 Legislature could receive credit for prior service if they joined the system within a 90-day enrollment period. Chapter 288, Laws of 1973, made membership compulsory for those serving after January 1, 1974.

WRS rules provide for both employer and the employee payroll contributions to the retirement fund. However, at the present time, the state pays both the employer's and employee's contributions for legislators and other state employees. This is also currently the common practice with local government employers.

In general, legislators are afforded the same benefits that are available to other state employees, including health insurance and sick leave. Legislators may also elect to receive life insurance and income continuation (disability) insurance. Some of the benefits are provided at no extra cost to the employee, but others require a payroll deduction.

VIII. APPENDICES

Appendix 1: Changes to Compensation of Wisconsin Legislators 1836 through 2009 Legislative Sessions

Session Effective	Compensation Amount	Action Affecting Compensation	Expenses Amount	Action on Expenses	Comments
1836 (Wisconsin Territory)	\$3 for each day's attendance	Compensation set and paid by U.S. government			
1848	\$2.50 for each day's attendance	Wis. Constitution, Art. IV, Sec. 21, ratified 1848			No extra compensation for special sessions.
1853	Add'l. \$2.50 per day stipend for speaker	Ch. 63, Laws of 1853			Speaker to receive add'l. stipend equal to amount of member's compensation.
1868	\$350 per year	Wis. Const., Art. IV, Sec. 21, amended Nov. 1867			Compensation increased by constitutional amendment.
	\$350 annual stipend for speaker	Ch. 43, Laws of 1868			Speaker to receive add'l. stipend equal to amount of member's compensation.
1883	\$500 per biennium; \$500 biennial stipend for speaker	Wis. Const., Art. IV, Sec. 21, amended Nov. 1881			Const. amendment provided for biennial sessions and a biennial salary. Speaker's stipend continued.
1931	\$100 per month for biennium; \$25-per-month stipend for speaker	Wis. Const., Art. IV, Sec. 21, repealed April 1929; Ch. 427, Laws of 1929			Constitutional provision repealed; salaries set by statute.
1947			Legislators establishing temporary residence at capital to receive \$100 per month (or partial month) for first 6 calendar months of regular session and first 2 calendar months of special session	Ch. 584, Laws of 1945 (effective 1/1/47)	Chapter 584 enacted over governor's veto.
1949			Monthly room and board allowance not to exceed \$100 for any number of calendar months (or portion thereof) in regular or special session	Ch. 405, Laws of 1949 (effective 7/8/49)	Ch. 405 removed 6-month and 2-month limitations on allowance payments for regular and special sessions.
1951	\$200 per month	Ch. 405, Laws of 1949			
1957			Monthly room and board allowance maximum increased to \$175	Ch. 573, Laws of 1957 (effective 8/24/57)	\$75 per month interim expense allowance vetoed; veto sustained.
1959	\$300 per month	Ch. 573, Laws of 1957			
1963			Monthly allowance replaced by \$15-per-day ("per diem") allowance for each day "of actual attendance at a session of the legislature", not to exceed 110 days for regular session or 20 days for special session	Ch. 225, Laws of 1963 (effective 9/1/63)	Interim expense allowance created by Ch. 225 (effective 9/1/63) for expenses when legislature not in session ; amount related to size of district and office held. ¹

Appendix 1: Changes to Compensation of Wisconsin Legislators—Continued 1836 through 2009 Legislative Sessions

Session Effective	Compensation Amount	Action Affecting Compensation	Expenses Amount	Action on Expenses	Comments
1965	\$450 per month	Ch. 225, Laws of 1963	\$15 per diem for each day “in Madison on legislative business” (session or standing committee meeting) not to exceed 110 days for regular sessions or 110 days for special sessions	Ch. 72, Laws of 1965 (effective 6/5/65)	
1967	\$8,400 per year	Ch. 592, Laws of 1965; Action by Jt. Com. on Finance (see comments)	Limit on maximum number of per diem days repealed	Ch. 310, Laws of 1967 (effective 1/27/68)	Salary increases to be based on action of Jt. Com. on Finance; not voted on by entire legislature. Portions of Ch. 592 increasing salaries to \$9,600 per year and providing higher salaries for senate and assembly leadership were vetoed. Jt. Com. on Finance later set salaries at \$8,400.
1969	\$8,900 per year	Ch. 219, Laws of 1967 Salary for 1969 session set by Jt. Com. on Finance on recommendation of Legislative Compensation Council			Chapter 219 created the Legislative Compensation Council. Council’s recommendation to be accepted by Jt. Com. on Finance without change or salary to remain as previously set.
1971	No change (see comments)		Per diem increased to \$20	Ch. 13, Laws of 1971 (effective 3/5/71)	Board on Government Operations, acting for Jt. Com. on Finance (12/15/70), rejected Legislative Compensation Council’s recommendation to raise salary to \$9,700 for 1971 Legislature.
1973	\$9,900 per year	Ch. 270, Laws of 1971 Salary approved by Joint Committee on Employment Relations 11/30/72 (see comments)	Per diem increased to \$25; legislators (except those representing Madison) choosing not to establish a temporary residence at capital could receive half the amount	Ch. 1, Laws of 1973 (effective 2/28/73)	Chapter 270 created the Jt. Com. on Employment Relations to replace the Jt. Com. on Finance as the body to act on the Legislative Compensation Council’s recommendation. Ch. 1 created uniform monthly interim allowance of \$75 for senators and \$25 for representatives. (see 1963)
1975	\$15,681 per year ²	Ch. 90, Laws of 1973 Salary range approved by Joint Committee on Employment Relations. 6/18/75	Legislators representing Madison allowed to receive half of the per diem	Ch. 39, Laws of 1975 (effective 7/31/75)	Ch. 90, Laws of 1973, abolished Legislative Compensation Council (effective 8/5/73); set salary at 65% of midpoint of range of Executive Salary Group 2.
1977	\$17,843 per year ²	Ch. 224, Laws of 1975, limited increase, so it was not full 65% of midpoint of Executive Salary Group 2 Salary range approved by Joint Committee on Employment Relations 9/28/77	Per diem <u>maximum</u> increased to \$30 (see comments)	Ch. 115, Laws of 1977 (effective 10/28/77)	Legislator could claim less than per diem maximum, but once amount declared could not change it during the biennium.

Appendix 1: Changes to Compensation of Wisconsin Legislators—Continued 1836 through 2009 Legislative Sessions

Session Effective	Compensation Amount	Action Affecting Compensation	Expenses Amount	Action on Expenses	Comments
1979	\$19,767 per year ²	Ch. 29, Laws of 1977 (procedure) Ch. 114, Laws of 1977 (salary increase for 1979 Legislature)			Ch. 29 required salaries to be set by law; recommendation of Jt. Com. on Employment Relations must be enacted without change.
1981	\$22,632 per year ²	Ch. 47, Laws of 1979			
1983	No change	Bills to increase 1983 salaries defeated in 1981 Legislature	Per diem maximum increased to \$41.63 (effective 10/14/83); legislators claiming less than maximum allowed to change amount within biennium if per diem changed by Jt. Com.	1983 WisAct 27 (effective 7/2/83)	WisAct 27 authorized Jt. Com. on Employment Relations to set per diem without legislation, based on recommendation of Secy. of Employment Relations. Governor could overrule within 10 days but Jt. Com. could override governor.
1985	\$27,202 per year ²	1983 WisAct 27 Salary approved by Jt. Com. on Employment Relations 4/6/84	Per diem maximum increased to \$45 (effective 6/29/85)		WisAct 27 authorized Jt. Com. on Employment Relations to set salary without legislation, based on recommendation of Secy. of Employment Relations. Governor could overrule within 10 days but Jt. Com. could override governor. Compensation removed from Executive Salary Group. 1985 AR 21 - Assembly volunteered to forego its interim allowance for 1986.
1987	\$29,992 per year ²	Salary approved by Jt. Com. on Employment Relations 6/28/85	Per diem maximum increased to \$55 (effective 5/20/87)		
1989	\$31,236 per year ²	Salary approved by Jt. Com. on Employment Relations 3/22/88	Per diem maximum increased to \$64 (effective 4/26/89)		
1991	\$33,622 per year ²	Salary approved by Jt. Com. on Employment Relations 11/1/89	Per diem maximum increased to \$73 (effective 2/8/91)		
1993	\$35,070 per year	Salary approved by Jt. Com. on Employment Relations 11/5/91	Per diem maximum increased to \$75 (effective 6/11/93)		Constitutional amendment approved 4/7/92 provided that salary increases take effect when new assembly terms begin and apply to all legislators, including holdover senators, for the full biennium.
1995	\$38,056 per year	Salary approved by Jt. Com. on Employment Relations 4/20/94	Assembly per diem maximum reduced to \$67.50 by action of the Speaker (effective 1/1/96); senate maximum continued at \$75 (see comments)	1995 WisAct 27	Act 27 gave the president of the senate and the speaker of the assembly authority to set reduced maximums for per diem rates in their respective houses at any amount under the maximum of \$75. (Authority to sunset 6/30/97)
1997	\$39,211 per year	Salary approved by Jt. Com. on Employment Relations 3/21/96			
1999	\$41,809 per year	Salary approved by Jt. Com. on Employment Relations 10/28/97			

**Appendix 1: Compensation of Wisconsin Legislators--Continued
1836 through 2009 Legislative Sessions**

Session Effective	Compensation Amount	Action Affecting Compensation	Expenses Amount	Action on Expenses	Comments
2001	\$44,233 per year	Salary approved by Jt. Com. on Employment Relations 6/9/99; modified 5/2/2000	\$88	Per diem approved by Jt. Com. on Employment Relations 1/4/2001	
2003	\$45,569 per year	Salary approved by Jt. Com. on Employment Relations 6/27/2001	\$88	2001 Act 16	Per diem statutorily set at 90% of federal per diem rate for Madison. Using constitutional authority, organization committees of each house maintain per diem rate from previous session.
2005	\$45,569 per year	Compensation increase recommended by Office of State Employment Relations (OSER), but not approved by Jt. Com. on Employment Relations 5/5/2003	\$88		Legislative Organization committees leave per diem rate unchanged.
2007	\$47,413 per year	Compensation increase recommended by OSER and approved by Jt. Com. on Employment Relations 7/19/2005	\$88		Legislative Organization committees leave per diem rate unchanged.
2009	\$49,943 per year	Compensation increase recommended by OSER and approved by Jt. Com. on Employment Relations on 11/27/07, with revisions approved on 05/27/08.	\$88		Legislative Organization committees leave per diem rate unchanged.

¹\$25 per month for representatives to the assembly whose districts were one county or less, plus \$15 per month for each additional county or part thereof. \$40 per month for senators whose districts are one county or less, plus \$20 per month for each additional county or part thereof.

²Salaries were linked to those of nonelected state employees, which may change at various points during the biennium. This meant legislators elected to fill vacancies occurring later in a legislative session might receive a higher salary than those taking office in January of odd-numbered years. This variation was removed by the constitutional amendment approved 4/7/92.

Appendix 2: History of the Legislative Compensation Process

Over its history as a territory and a state, various methods for determining legislative remuneration have been used.

Territory, 1836-1848: Pay Set by Congress. When Wisconsin became a territory in 1836, compensation for territorial legislators was set by the U.S. Congress and paid by the federal government.

Statehood, 1848-1929: Pay Set by Constitution. Upon achieving statehood in 1848, through the 1929 Legislative Session, pay for legislators was set by Article IV, Section 21, of the Wisconsin Constitution, and any subsequent change required a constitutional amendment.

Salaries Set By Law, 1931-1965. In April 1929, the constitutional provision was repealed, and the salary level was set by law, beginning with the 1931 Legislative Session.

Salaries Approved by Joint Committee on Finance, 1967-1971. A law enacted in 1966 placed legislators' salaries, along with those of certain other state officials, in a classification system that tied legislative salaries to the salaries paid to other groups of state employees. The salary levels required final approval of the Joint Committee on Finance, rather than the full legislature. (This procedure first affected salaries of the 1967 Legislature.)

Chapter 592, Laws of 1965, classified the state's top executives and administrators in five salary groups and established the initial dollar range for each group. The basic salary for legislators was set at the minimum of the lowest salary group (Group 5). Chapter 592 also provided that all salaries included in the system could be reviewed and revised in the same manner as the salaries of state employees in the classified service. This meant changes in legislative salaries would be included in the salary plan proposed each biennium by the director of the Bureau of Personnel, with the advice and approval of the Personnel Board. Final approval of the salary levels rested with the Joint Committee on Finance and did not require action by the full legislature. (This final approval authority was later shifted to the Joint Committee on Employment Relations, created in 1972.)

Chapter 219, Laws of 1967, provided a new initial stage in the process for setting legislative salaries by creating the Legislative Compensation Council, composed of six members appointed by the governor, to review legislative salaries biennially and submit recommendations to the director of the Bureau of Personnel and the Personnel Board. The director, with the advice of the board, reviewed the plan and submitted it to the Joint Committee on Finance with a recommendation for adoption or rejection. The joint committee could accept or reject the plan but could not modify it in any way. Unless the council's recommendation was adopted exactly as submitted, legislative salaries remained at the previous level.

The Legislative Compensation Council recommended and the joint committee accepted a salary of \$8,900 for the 1969 Legislature. However, in 1970, the council's recommendation for a salary of \$9,700 for the 1971 Legislature was not approved by the Board on Government Operations (the body authorized to act in place of the Joint Committee on Finance when the legislature was not in session). Until May 2003, this is the only occasion when a legislative committee with final approval authority over legislative pay increases voted against a recommended increase.

The Legislative Compensation Council was abolished by Chapter 90, Laws of 1973.

Salaries Approved by Joint Committee on Employment Relations, 1973-1977. The Joint Committee on Employment Relations (JCOER) was created by Chapter 270, Laws of 1971. This

committee performs the salary review functions previously carried out by the Joint Committee on Finance. It includes eight legislative leaders: the president of the senate, the speaker of the assembly, the senate and assembly majority and minority leaders, and the senate and assembly cochairpersons of the Joint Committee on Finance.

This joint committee took final action on the pay plan submitted by the director of the Bureau of Personnel when it set the legislative salaries for the 1973, 1975 and 1977 Legislatures. Originally, the salary proposals had to be voted upon exactly as submitted by the Legislative Compensation Council, but when Chapter 90, Laws of 1973, abolished the council, it gave the joint committee the authority to modify the pay proposals received from the director of the Bureau of Personnel. Any modification of the director's proposals by the joint committee could be disapproved by the governor within 10 calendar days. A vote of six members of the committee was then required to override the governor's disapproval.

Chapter 90 also set a guideline that, beginning with the 1973 Legislature, legislative salaries would be set at 65% of the existing midpoint of the Executive Salary Group 2 (the next to lowest of the 10 salary groups) at the time the legislator took the oath of office.

Salaries Again Set By Law, 1979-1983. Chapter 29, Laws of 1977, required that the Joint Committee on Employment Relations submit legislative pay bills for approval by the entire legislature. Such bills could be enacted only if passed without amendment.

In that same session, Chapter 196, Laws of 1977, created the Department of Employment Relations, headed by a secretary. It incorporated the Bureau of Personnel into the department as the Division of Personnel. The Personnel Board became an independent agency with no duties related to legislative compensation.

Based on Chapters 29 and 196, the system for setting legislative salaries required the Secretary of Employment Relations to submit proposed compensation changes for elected officials to the Joint Committee on Employment Relations. The committee would then act on the proposal and introduce it as a bill. Final approval required a law enacted by the legislature without change. The new salary level was effective for those legislators who took the oath of office after the compensation plan received final approval.

The legislature authorized legislative pay increases under this procedure in Chapter 114, Laws of 1977, and Chapter 47, Laws of 1979. Both laws provided for pay increases on July 1 of each year of the biennium to coincide with the dates on which other state employees in the executive salary groups received raises. A legislator elected in a special election after one of the dates specified in the two laws would receive the raise specified. This meant a few legislators who were elected in special elections received salaries higher than indicated in the summary table.

No legislative pay increase was authorized in the 1981 session. 1981 Senate Bill 691 and Assembly Bill 951 proposed raising legislative salaries by 7% when the bill passed and by 7% on July 1, 1982, but both measures died. Inaction on legislative salaries combined with the fact that appointed executives were receiving annual increases, meant that the 65% standard set by Chapter 90, Laws of 1973, was not being adhered to.

Salaries Again Approved By JCOER, 1985 to present. 1983 Act 27 created the current procedure for setting legislative salaries, which gives the Joint Committee on Employment Relations final approval authority for legislative compensation changes. It also created an *ad hoc* Compensation Study Committee, consisting of one member appointed by each of the following: the cochairpersons of the Joint Committee on Employment Relations, the majority and minority

leaders of each house of the legislature, the governor, and the chief justice of the supreme court. No member could be an elected state official. The committee was charged with examining the compensation of elected state officials and reporting its recommendations to the secretary of employment relations. Based on its perception of the increased duties and time commitment of the legislators, the committee recommended a salary of \$28,500 (an increase of 25.9%) to the secretary. After considering the report, as well as legislative pay in other states and the historical increases made in the Wisconsin executive salary groups, the secretary recommended a salary of \$27,202 (a 20.2% raise) to the Joint Committee on Employment Relations. The secretary's recommendation was approved by the joint committee on April 6, 1984, and it first applied to legislators taking office in January 1985.

Since the expiration of the compensation study committee, salary changes have been initiated by the director of the Office of State Employment Relations (OSER, which replaced the Department of Employment Relations in 2003), and approved by the Legislative Joint Committee on Employment Relations, without the advice of a study committee and with no legislation required. The committee may modify the director's recommendations, in which case the changes take effect. The governor may disapprove changes the committee makes to OSER's recommended compensation plan, but the governor's objection may be overturned by a vote of at least six members of the committee.