

October 1989 Spec. Sess.
Senate Bill 15

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1989 WISCONSIN ACT 119

AN ACT to repeal 46.062 and 301.26; to renumber 20.918; to renumber and amend 40.05 (4) (a); to amend 25.18 (1) (a), 230.08 (2) (e) (intro.) and 230.08 (4) (a) and (c); and to create 20.918, 40.05 (4) (a) 1 and 2 and 230.12 (1) (dm) of the statutes, relating to: state employe eligibility for employer contributions under the state employe health insurance program, state employe reimbursement for damaged personal articles and pay increase limitations for certain state employes.

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

SECTION 1. 20.918 of the statutes is renumbered 20.930.

SECTION 2. 20.918 of the statutes is created to read:
20.918 Damaged personal articles. A state agency may reimburse its employes for the cost of repairing articles of clothing, watches or eye glasses damaged in the line of duty, if the damage is not caused by employe carelessness or normal wear and tear resulting from the type of work performed by an employe. If the clothing, watch or eye glasses are damaged beyond repair, a state agency may pay an employe an amount not exceeding the actual value of the clothing, watch or eye glasses as determined by the employe's appointing authority. Payments under this section are subject to the approval of the appointing authority and shall not exceed the amount specified in the compensation plan under s. 230.12. Payments shall not be approved for damage to an item if the actual value or repair cost is less than an amount set forth in the compensation plan under s. 230.12.

SECTION 3. 25.18 (1) (a) of the statutes is amended to read:

25.18 (1) (a) Notwithstanding subch. IV of ch. 16 and s. ~~20.918~~ 20.930, employ special legal or investment counsel in any matters arising out of the scope of its investment authority. The employment of special legal counsel shall be with the advice and consent of the attor-

ney general whenever such special counsel is to be compensated by the board. Any expense of counsel so employed shall be borne by the current income account of the fund for which the services shall be furnished, except that the fixed retirement investment fund may bear this expense from its transaction amortization account.

SECTION 4. 40.05 (4) (a) of the statutes is renumbered 40.05 (4) (a) (intro.) and amended to read:

40.05 (4) (a) (intro.) For health insurance, each insured employe and insured retired employe shall contribute the balance of the required premium amounts after applying required employer contributions, if any. ~~Employers shall pay contributions as required by this paragraph for each insured employe who is currently employed and has not been on a leave of absence for more than 3 months effective on the first day of the 7th month commencing after the date the insured employe commences employment with the state. Employers shall pay contributions as required by this paragraph for an insured employe who is an eligible employe under s. 40.02 (25) (a) 2. effective on the date the employe becomes an eligible employe. For an insured employe who is an eligible employe under s. 40.02 (25) (a) 2., the employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the date on which the employe becomes insured. For an insured employe who is currently employed but who is not an eligible employe under s. 40.02 (25) (a) 2., the~~

employer shall pay required employer contributions toward the health insurance premium of the insured employe beginning on the first day of the 7th month beginning after the date on which the employe begins employment with the state, not including any leave of absence. The employer shall continue to pay required employer contributions toward the health insurance premium of an insured employe while the insured employe is on a leave of absence, as follows:

SECTION 5. 40.05 (4) (a) 1. and 2. of the statutes are created to read:

40.05 (4) (a) 1. Only for the first 3 months of the leave of absence, except as provided in subd. 2.

2. Unless otherwise provided in the compensation plan under s. 230.12, for the entire leave of absence if the insured employe is receiving temporary disability compensation under s. 102.43.

SECTION 6. 46.062 of the statutes is repealed.

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

230.08 (2) (e) (intro.) The number of division administrator positions as specified in this paragraph for any board, department or commission as defined in sub. (4) (a) and s. 15.01 (5), and for the historical society with specific functional assignments to be determined by the appointing authority, except as otherwise provided in sub. (4) or as otherwise provided by law:

SECTION 8. 230.08 (4) (a) and (c) of the statutes are 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 ~~in a~~ outside the classified service in each department, board or commission ~~outside the classified service and the historical society.~~ In this paragraph, "department" has the meaning given under s. 15.01 (5), "board" means the educational communications board, public defender board, ~~the educational communications board and the~~ and board of vocational, technical and adult education 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.

(c) Any proposal of a board, department or commission, as defined in par. (a) and s. 15.01 (5), or of the historical society, for a change in the number of positions enumerated in sub. (2) (e), before being submitted to the

legislature, shall first be submitted by the board, department or commission or by the historical society for a separate review by the department of administration and by the secretary. The department of administration's review shall include information on the appropriateness of the proposed change with regard to a board's, department's ~~or~~ or commission's or society's current or proposed internal organizational structure under s. 15.02 (4). The secretary's review shall include information on whether the existing classified or existing or proposed unclassified division administrator position involved is or would be assigned to pay range 1-18 or above in schedule 1, or a comparable level, of the compensation plan under s. 230.12. The results of these reviews shall be provided by the department of administration and by the secretary to the joint committee on finance and the joint committee on employment relations at the same time that the board's, department's ~~or~~ or commission's or society's proposal is presented to either committee.

SECTION 9. 230.12 (1) (dm) of the statutes is created to read:

230.12 (1) (dm) *Damaged personal articles.* The compensation plan shall include provision for reimbursement of employes whose articles of clothing, watches or eye glasses are damaged in the line of duty, if the damage is not caused by employe carelessness or normal wear and tear resulting from the type of work performed by an employe, subject to a minimum actual value or repair cost specified in the plan. Payments are subject to approval of an employe's appointing authority and shall not exceed a maximum amount specified in the plan.

SECTION 10. 301.26 of the statutes, as created by 1989 Wisconsin Act 31, is repealed.

SECTION 11. Nonstatutory provisions; pay increase limits. Notwithstanding section 230.12 (5) (d) and (10) of the statutes, the secretary of employment relations may recommend and, subject to the approval of the joint committee on employment relations, implement during the period December 31, 1989, to June 30, 1991, within range cumulative pay increases that exceed 10% for nonrepresented patient care classifications in order to achieve pay equity between represented and nonrepresented patient care classifications.

SECTION 12. Effective dates. This act takes effect on the day after publication, except as follows:

(1) The treatment of section 301.26 of the statutes takes effect on January 1, 1990.