

2011 DRAFTING REQUEST

Assembly Substitute Amendment (ASA-AB653)

Received: 03/06/2012

Received By: rchampag

Wanted: Today

Companion to LRB:

For: Howard Marklein (608) 266-7502

By/Representing: Crystal

May Contact:

Drafter: rchampag

Subject: Employ Pub - employee benefits
Legislature - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Rep.Marklein@legis.wi.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Elimination of legislator sick leave

Instructions:

See Attached

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>
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FE Sent For:

<END>

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FE Sent For:

<END>

Champagne, Rick

From: Lee, Crystal
Sent: Monday, March 05, 2012 5:12 PM
To: Champagne, Rick
Cc: Esser, Jennifer; Marklein, Howard
Subject: RE: Senate Bill 514: Elimination of Sick Leave

Rick,

Could we get an assembly version of this sub as well? Just in case. Thank you!

Sincerely,

Crystal Lee

Legislative Assistant
Office of State Representative Howard Marklein
51st Assembly District
608-266-7502
Crystal.Lee@legis.wi.gov

From: Champagne, Rick
Sent: Friday, March 02, 2012 11:09 AM
To: Esser, Jennifer
Cc: Vebber, Lucas; Kaeppel, Mark; Lee, Crystal; Lovell, David
Subject: RE: Senate Bill 514: Elimination of Sick Leave

Jen:

I will do a sub right away.

1. So the idea is that members can continue to accrue sick leave, but that any sick leave accrued during a term of office that begins after the bill's effective date cannot be used for purposes of conversion for payment of health insurance premiums?
2. This applies to terms of office that begin after bill's effective date? Or to terms of office that begin on or after January 7, 2013?

Rick

From: Esser, Jennifer
Sent: Friday, March 02, 2012 11:04 AM
To: Champagne, Rick
Cc: Vebber, Lucas; Kaeppel, Mark; Lee, Crystal; Lovell, David
Subject: RE: Senate Bill 514: Elimination of Sick Leave
Importance: High

Rick,

Not sure how you want to draft this... likely a sub but Senator Galloway is going to need an amendment drafted ASAP that amends the sick leave bill (SB 514) to say:

Sick leave conversion is eliminated. In other words, sick leave can continue to accrue for members of the Legislature for purposes of participation in Income Continuation and to use for actual sick days. But when a lawmaker retires, gets voted out, vacates, etc. there is no conversion of sick leave allowed. Not sure how you draft this, but that's your area of expertise.

I do need to send a notice out to committee members telling them that I'm working on getting this drafted so any language you have will be helpful...sorry for the time crunch. Almost over.

Jen

From: Champagne, Rick
Sent: Wednesday, February 29, 2012 1:00 PM
To: Esser, Jennifer; Lee, Crystal
Cc: Vebber, Lucas; Kaepfel, Mark
Subject: RE: Senate Bill 514: Elimination of Sick Leave

Jennifer:

If this bill is enacted, say, in March, and we have a new senator take office as a result of a recall election, say, in May or June, then that new senator could not accrue for any future service. If you wanted that new senator to be able to accrue like the others until the start of the next term of office, then you would need to change the effective date provision in the text of s. 13.121 (4) (b) to be January 7, 2013. Let me know if I should prepare an amendment for you to do this.

Rick

From: Esser, Jennifer
Sent: Wednesday, February 29, 2012 12:50 PM
To: Champagne, Rick; Lee, Crystal
Cc: Vebber, Lucas; Kaepfel, Mark
Subject: RE: Senate Bill 514: Elimination of Sick Leave

So January of 2013 which is what I'll point out in her testimony. Thanks for the clarification.

I just need to ensure I'm reading the special election point correct. If there are any changes as a result of a special election, I want to be certain that those folks still should be eligible to accrue until January 1, 2013. There should be a level playing field for all lawmakers through 2012.

From: Champagne, Rick
Sent: Wednesday, February 29, 2012 12:19 PM
To: Esser, Jennifer; Lee, Crystal
Cc: Vebber, Lucas; Kaepfel, Mark
Subject: RE: Senate Bill 514: Elimination of Sick Leave

I just sent Crystal and you an email in which I point out that the effective date is built into the statute. We are good.

From: Esser, Jennifer
Sent: Wednesday, February 29, 2012 12:18 PM
To: Lee, Crystal; Champagne, Rick
Cc: Vebber, Lucas; Kaepfel, Mark
Subject: RE: Senate Bill 514: Elimination of Sick Leave

Rick,

The bill is up for a public hearing tomorrow at 1pm in Senate Judiciary. I imagine a corrected version with the dates could be made available asap.

It was my understanding that this legislation would take place immediately upon January 1, 2013 or January 2, 2013...when the lawmakers begin their new term of office or continue their new term. I don't believe they can change their benefits around anyway until January 1, 2013 even if there is a recall/special election that sweeps new members into office prior to that.

From: Lee, Crystal
Sent: Wednesday, February 29, 2012 12:08 PM
To: Champagne, Rick
Cc: Esser, Jennifer; Lee, Crystal
Subject: Senate Bill 514: Elimination of Sick Leave

Rick,

I hope you're doing well!

After reviewing the senate version of the bill, Galloway's office found that in the last paragraph, there is no effective date.

Was this the intention? We were thinking like, January of 2013 for the newly elected reps and sens after this year's election.

Thank you!

Sincerely,

Crystal Lee

Legislative Assistant
Office of State Representative Howard Marklein
51st Assembly District
608-266-7502
Crystal.Lee@legis.wi.gov



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBs0375/1
RAC:jld&kjf:jm

Today AM

ASSEMBLY
~~SENATE~~ SUBSTITUTE AMENDMENT X
TO 2011 ~~SENATE~~ BILL 514
ASSEMBLY 653

LRB5038511
RAC:jli
Kjf

~~March 5, 2012 - Offered by Senator GALLOWAY.~~

X
- rejected

1 AN ACT *to renumber and amend* 13.121 (4); and *to create* 13.121 (4) (b) of the
2 statutes; **relating to:** the use of accrued sick leave by state senators and
3 representatives to the assembly for health insurance purposes. ✓

Analysis by the Legislative Reference Bureau

Currently, individuals employed by the state, including state senators and representatives to the assembly, are generally entitled to receive paid sick leave as part of their compensation. If a state employee does not use all of his or her sick leave during a calendar year, he or she may accumulate unused sick leave from year to year in a sick leave account. Generally, if a state employee terminates employment and meets certain conditions related to age or years of employment, the employee's accumulated unused sick leave may be converted, at his or her highest basic pay rate, to credits for the payment of postretirement health insurance premiums under a health insurance plan administered by the Group Insurance Board.

This bill provides that no state senator or representative to the assembly may use any new sick leave accrued as a state senator or representative to the assembly during any term of office that begins on or after January 7, 2013, for the payment of postretirement health insurance premiums. The bill does not affect the use of any sick leave accrued by a state senator or representative to the assembly during a term of office that began before January 7, 2013.

