

*July 1983 Spec. Sess.*  
**Senate Bill 3**

Date of enactment: **July 15, 1983**  
Date of publication: **July 19, 1983**

**1983 Wisconsin Act 30**

**AN ACT** *to repeal 230.35 (1) (a) 4.a to d and 230.35 (1m) (d); to renumber and amend 230.35 (1) (a) 4. (intro.), 230.35 (1m) (b) and (c) and 230.35 (4) (a) 2 to 8; to amend 20.917 (1) (c) and (3) (a), 40.05 (1) (b) and 230.35 (4) (c) and (d) (intro.); to repeal and recreate 230.35 (4) (a) 9; and to create 20.917 (6) and 230.35 (4) (a) 7 of the statutes, relating to state employees' annual leave of absence, paid legal holidays and temporary lodging allowances, moving expense reimbursement for persons reemployed in the state civil service, delegation of authority by the secretary of employment relations and employer contributions to the retirement fund for certain state employees.*

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

SECTION 1. 20.917 (1) (c) and (3) (a) of the statutes, as affected by 1983 Wisconsin Act 27, are amended to read:

20.917 (1) (c) Reimbursement for moving expenses may be granted to a person reporting to his or her first place of employment or reporting upon reemployment after leaving the civil service, if reimbursement is recommended by the appointing authority and approved in writing by the secretary of ~~the department of~~ employment relations prior to the time when the move is made.

(3) (a) An appointing authority may recommend payment of a temporary ~~living quarters lodging~~ allowance for not to exceed 30 days to ~~a an employe or person reporting to his or her initial~~ employment in the civil service, other than on a limited term basis, if the employe or person is eligible for moving expense reimbursement under sub. (1), whether or not that reimbursement is granted, and must establish a temporary residence at his or her headquarters city, subject to the following:

1. Allowances Lodging allowances shall be in accordance with the schedule established by the secretary of employment relations, but may not exceed the rate established under s. 13.123 (1) (a) 1.

2. ~~Allowance~~ Lodging allowance payments are subject to ~~the~~ prior approval in writing by the secretary of ~~the department of~~ employment relations.

3. Claims for lodging allowance payments shall be approved and paid in the same manner as travel expenses.

SECTION 2. 20.917 (6) of the statutes is created to read:

20.917 (6) The secretary of employment relations may, in writing, delegate to an appointing authority the authority to approve reimbursement for moving expenses under sub. (1) (c), a temporary lodging allowance under sub. (3) (a) 2 or expenses under sub. (5) (b).

SECTION 3. 40.05 (1) (b) of the statutes is amended to read:

40.05 (1) (b) In lieu of employe payment, the employer may pay all or part of the contributions required by par. (a), but all the payments shall be available for benefit purposes to the same extent as required contributions deducted from earnings of the participating employes. Action to assume employe contributions as provided under this paragraph shall be taken at the time and in the form determined by the governing body of the participating employer. The state shall pay under this paragraph for employes covered by a collective bargaining agreement under subch. V of ch. 111 and for employes whose fringe benefits are determined under s. 230.12 an amount equal to 4% of the earnings paid by the state unless otherwise provided in accordance with a collective bargaining agreement under subch. V of ch. 111 or unless otherwise determined under s. 230.12. The state shall pay under this paragraph for employes who are not covered by a collective bargaining agreement under subch. V of ch. 111 and for employes whose fringe benefits are not determined under s. 230.12 an amount equal to 4% of the earnings paid by the state unless a different amount is recommended by the secretary of employment relations and approved by the joint committee on employment relations in the manner provided for approval of changes in the compensation plan under s. 230.12 (3).

SECTION 4. 230.35 (1) (a) 4. (intro.) of the statutes is renumbered 230.35 (1) (a) 4 and amended to read:

230.35 (1) (a) 4. Two hundred hours each year for a full year of service after 25 years of service ~~but the employe, subject to the rules of the administrator, may elect to receive not to exceed 40 hours of such 200 hours earned annual leave among one or more of these options:~~

SECTION 5. 230.35 (1) (a) 4. a to d of the statutes are repealed.

SECTION 6. 230.35 (1m) (b) and (c) of the statutes are renumbered 230.35 (1p) (a) and (b), and 230.35 (1p) (a) (intro.) and (b) (intro.), as renumbered, are amended to read:

230.35 (1p) (a) (intro.) Employees at the 160-hour or 176-hour rate under sub. (1) or (1m) may, in the year earned, elect to receive not to exceed 40 hours of such 160 those hours of earned annual leave among one or more of these options:

(b) (intro.) Employees at the 200-hour or 216-hour rate under sub. (1) or (1m) may, in the year earned, elect to receive not to exceed 80 hours of such 200 those hours of earned annual leave among one or more of these options:

SECTION 7. 230.35 (1m) (d) of the statutes is repealed.

SECTION 8. 230.35 (4) (a) 2 to 8 of the statutes are renumbered 230.35 (4) (a) 3, 4, 5, 6, 8, 10 and 2, and 230.35 (4) (a) 10, as renumbered, is amended to read:

230.35 (4) (a) 10. The day following if January 1, July 4 or December 25 falls on Sunday;

SECTION 9. 230.35 (4) (a) 7 of the statutes is created to read:

230.35 (4) (a) 7. December 24;

SECTION 10. 230.35 (4) (a) 9 of the statutes is repealed and recreated to read:

230.35 (4) (a) 9. December 31;

SECTION 11. 230.35 (4) (c) and (d) (intro.) of the statutes are amended to read:

230.35 (4) (c) ~~It is the intent of the legislature that all~~ All employees except limited term employees ~~be granted 7.5~~ shall receive 8.5 paid holidays annually in addition to any other authorized paid leave, the time to be at the discretion of the appointing authorities.

(d) (intro.) In addition to the holidays granted under ~~pars. (a) and par.~~ (c), all employees except limited term employees shall earn a total of ~~3~~ 2 paid personal holidays each calendar year. Eligibility to take the personal holidays during the year earned is subject to the following:

SECTION 12. **Nonstatutory provisions; retirement contributions.** Notwithstanding section 40.05 (1) (b) of the statutes, as affected by this act, if the secretary of employment relations recommends and the joint committee on employment relations approves a change in the amount of the state payment of the employee retirement contribution for state employees whose fringe benefits are determined under section 230.12 of the statutes after July 1, 1983, and before the effective date of this act, the state payment of the employee retirement contribution for state employees whose fringe benefits are not determined under section 230.12 of the statutes or under a collective bargaining agreement shall be changed to the same percentage approved by the committee for state employees whose fringe benefits are determined under section 230.12 of the statutes, commencing with the date that the committee's action is effective. This section does not preclude any further action under section 40.05 (1) (b) of the statutes, as affected by this act, to change the amount of the state payment of the employee retirement contribution for any state employee whose fringe benefits are not determined under a collective bargaining agreement.

SECTION 13. **Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

(1) EMPLOYMENT RELATIONS DEPARTMENT.

A	B	C
Statute Sections	References Deleted	References Inserted
15.171 (intro.)	none	20.917 40.05 (1)(b)

(2) LEGISLATURE.

A	B	C
Statute Sections	References Deleted	References Inserted
13.111 (2)	none	40.05 (1)(b)

**SECTION 14. Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
230.35 (1)(d)	par. (a) 4 and sub. (1m)	sub. (1p)
230.35 (4)(b)	par. (a) 1 to 6, 8 and 9	par. (a) 1 to 9

**SECTION 15. Initial applicability.** (1) The treatment of section 20.917 (1) (c) of the statutes by this act applies to any reemployed person reporting to employment on or after the effective date of this act.

(2) The treatment of section 40.05 (1) (b) of the statutes by this act first applies to the payroll period beginning on June 26, 1983, or to the payroll period beginning closest to that date.

**SECTION 16. Effective date.** The treatment of sections 230.35 (1) (a) 4. (intro.) and a to d, (1m) (b) to (d) and (4) (a) 2 to 9, (c) and (d) (intro.) of the statutes and the creation of section 230.35 (4) (a) 7 of the statutes take effect on the first January 1 following the date of publication.

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