



2005 ASSEMBLY BILL 1185

April 21, 2006 - Introduced by Representatives MUSSER and TURNER, cosponsored by Senators BROWN, MILLER, S. FITZGERALD and ZIEN. Referred to Joint Committee on Employment Relations.

1 **AN ACT to amend** 230.315 (3) (b) of the statutes; **relating to:** differential pay for
2 activated state employees.

Analysis by the Legislative Reference Bureau

Current law authorizes state employees who are activated to serve on military duty in the U.S. armed forces, or who are required to serve in the U.S. public health service and who are on detail with any of the U.S. armed forces, to be paid their state salaries, less any military or federal pay and allowances that they receive while on duty, and to continue to accumulate sick leave and vacation as though no interruption in service has occurred. Currently, an employee may receive differential pay and benefits for not more than 179 days, except that the governor may extend that period to not more than two years. This bill authorizes the governor to make up to three additional extensions, each of which may not exceed two years.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 230.315 (3) (b) of the statutes is amended to read:
4 230.315 (3) (b) The governor, by executive order, may extend the period that
5 an employee receives the pay and benefits under par. (a) up to a period of 2 years from

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1 the date on which the person is activated to serve on military duty in the U.S. armed
2 forces or to serve in the U.S. public health service. The governor may make up to 3
3 additional extensions under this paragraph, each of which may not exceed a period
4 of 2 years. Any extension granted by the governor under this paragraph may apply
5 to an individual employee or to a group of employees, as determined by the governor.

SECTION 2. Nonstatutory provisions.

(1) COVERAGE.

6 (a) Except as provided in paragraph (b) and notwithstanding sections 111.84
7 (1) and (2), 111.91 (1) and (2), and 111.93 (3) of the statutes, section 230.315 (3) (b)
8 of the statutes, as affected by this act, applies to state employees, regardless of
9 whether the employees are nonrepresented or represented by a labor organization,
10 as defined in section 111.81 (12) of the statutes.

11 (b) Beginning on July 1, 2007, for any state employee represented by a labor
12 organization, as defined in section 111.81 (12) of the statutes, section 230.315 (3) (b)
13 of the statutes, as affected by this act, applies until the day before the effective date
14 of any act ratifying the collective bargaining agreement for the 2007-09 fiscal
15 biennium that covers that employee. Beginning on the effective date of any such act,
16 section 230.315 (3) (b) of the statutes, as affected by this act, applies only if provided
17 by the terms of the collective bargaining agreement.

18
19
20 (END)