

1973 Assembly Bill 1120

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CHAPTER 51 , Laws of 1973

AN ACT to amend 16.30 (1) (a) (intro.) and (2), 20.916 (4) (a) and 40.13 (1); and to create 13.121 (4), 16.086 (5) (a) 1. h, 16.30 (1) (gf) and (1m), 20.926 and 40.13 (9) and (10) of the statutes, relating to legislation required to implement the provisions of the 1973-75 compensation plan proposals of the director of personnel.

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

SECTION 1. 13.121 (4) of the statutes is created to read:

13.121 (4) SICK LEAVE. For the purpose of premium determinations under ss. 40.146 and 40.16 (3) each member of the legislature shall accrue sick leave at a rate equivalent to the percentage of time worked as established by the legislative compensation council for salary purposes under s. 16.09 or at the rate equivalent to the percentage of time worked established for such positions under s. 20.923. Such rate of time worked shall be applied to the sick leave accrual rate established under s. 16.30 (2).

SECTION 2. 16.086 (5) (a) 1. h of the statutes is created to read:

16.086 (5) (a) 1. h. It is declared to be legislative intent that the amount of merit increase funds generated in pay ranges 1-01 through 1-08 of schedule 1 shall be distributed to eligible employees in these pay ranges only.

SECTION 3. 16.30 (1) (a) (intro.) of the statutes is amended to read:

16.30 (1) (a) (intro.) Except as provided in par. (f) and sub. (1m), heads of departments shall grant to each person in their employ, except limited-term employees, based on his accumulated continuous state service, annual leave of absence without loss of pay at the rate of:

SECTION 4. 16.30 (1) (gf) and (1m) of the statutes are created to read:

16.30 (1) (gf) The continuous service of an employe appointed to a career executive position under the program established pursuant to s. 16.19 or to a position designated in s. 20.923 (4), (8), (9) and (12) as set forth in section 152, Chapter 90, Laws of 1973, shall not be considered interrupted if he leaves the service and is reemployed by the state in another position as designated above for purposes of determining eligibility for length of service payments under s. 16.086 (1) (am).

(1m) (a) Employes appointed to career executive positions under the program established pursuant to s. 16.19 or positions designated in s. 20.923 (4), (8), (9) and (12) as set forth in section 152, Chapter 90, Laws of 1973, shall be entitled to annual

leave of absence without loss of pay based upon accumulated continuous state service at the rate of:

1. 120 hours for a full year of service during the first 5 years of service;
2. 160 hours each year for a full year of service during the next 10 years of service;
3. 200 hours each year for a full year of service after 15 years of service.

(b) Employees at the 160-hour rate may, in the year earned, elect to receive 40 hours of such earned annual leave as:

1. Vacation during the year earned;
2. As credit for termination leave;
3. As accumulated sabbatical leave.

(c) Employees at the 200-hour rate may, in the year earned, elect to receive 80 hours of such earned annual leave as:

1. 40 hours in cash during the year earned;
2. Vacation during the year earned;
3. As credit for termination leave;
4. As accumulated sabbatical leave.

(d) Employees who previously were covered under s. 16.30 (1) (a), or other statutory provision regarding annual leave, who become subject to this subsection shall have their present continuous service credits for annual leave purposes applied to the career executive schedule at the appropriate rate. In no case shall the employee receive a reduction in annual leave hours earned by such change in schedules.

(e) The continuous service of an employe eligible for annual leave under this subsection shall not be considered interrupted if he leaves the service and is reemployed by the state in another position covered under this subsection. If reemployed in a position not covered under this subsection the employe shall be required to meet the continuous service requirements of sub. (1) (g). This paragraph applies to all persons who are employes covered under this subsection on or after the effective date of this act (1973).

SECTION 5. 16.30 (2) of the statutes is amended to read:

16.30 (2) Leave of absence with pay owing to sickness and leave of absence without pay, other than annual leave, shall be regulated by rules of the director, except that unused sick leave shall accumulate from year to year. After the effective date of this act (1973) employes appointed to career executive positions under the program established pursuant to s. 16.19 or positions designated in s. 20.923 (4), (8), (9) and (12) as set forth in section 152, Chapter 90, Laws of 1973, shall have any unused sick leave credits restored if they are reemployed in a career executive position or in a position under s. 20.923 (4), (8), (9) and (12), regardless of the duration of their absence. Restoration of unused sick leave credits if reemployment is to a position other than those specified above shall be in accordance with rules of the director.

SECTION 6. 20.916 (4) (a) of the statutes is amended to read:

20.916 (4) (a) Whenever any state agency determines that the duties of any employe require the use of an automobile, it may authorize such employe to use his personal automobile in his work for the state, and reimburse him for such at a rate of ~~10~~ 11 cents per mile for the first ~~400~~ 500 miles per month and 7 cents per mile for each mile over ~~400~~ 500 miles per month. Effective July 1, 1974, the reimbursement rate shall be 11 cents per mile for the first 600 miles per month and 7 cents per mile for each mile over 600 miles per month.

SECTION 7. 20.926 of the statutes is created to read:

20.926 Adjusted retirement benefits. (1) As an integral part of the executive salary plan under s. 20.923, the retirement programs under chs. 41 and 42 are modified as hereinafter provided, but only for those persons holding positions designated in s. 20.923 (4), (8), (9) and (12) as set forth in section 152, Chapter 90, Laws of 1973. Any person serving in such a position on the effective date of this act (1973) shall become subject to this section by filing written notice with the department of employe trust funds, no later than December 31, 1973, electing to become subject to this section. Any person who begins service in such a position after the effective date of this act (1973) is subject to this section without right of election. For any person subject to this section:

(a) The formula annuity factor to be applied under ss. 41.11 (6) (d), 41.13 (2) (c) 2, 42.245 (2) (c) and 42.245 (3) (b) 2 for all service in a position designated in this section is 1.8%. Such service shall include all service before the effective date of this act (1973) in a position the duties of which are now included substantially in a position designated in this section, but shall not include service in any such designated position after the end of the calendar quarter year in which a person subject to this section attained or attains age 62.

(b) The normal retirement date, except for purposes of ss. 41.13 (2) (c) 2 and 42.245 (3) (b) 2, is the date on which any such person attains age 62, and each such person shall be retired at the end of the calendar quarter year in which his normal retirement date occurs unless in any case his employment is continued by his appointing authority. Nothing in this paragraph shall be construed to prevent any person subject to this section from continuing in state employment in any position not designated in this section.

(c) If such person qualified for a retirement annuity to begin before age 65, and has credit for service in a position for which the normal retirement age is 65, his annuity based on such service shall be computed as though age 62 was the normal retirement age, but this paragraph shall not apply to the number of years of such service which is in excess of the number of years of service determined pursuant to par. (a), or who begins service in a position subject to the provisions of this section after the effective date of this act (1973).

(d) Formula final rate of earnings or final average compensation shall not include any amount paid for service in a position subject to this section after December 31, 1973, or, if later, after the end of the calendar quarter year in which such person attains age 62.

(e) For earnings paid on or after January 1, 1974, the employe normal retirement contribution or deposit rate shall be 5-1/2%, but ss. 41.07 (2) (d) and 42.40 (8) shall be fully applicable.

(2) Additional costs arising from the operation of this section shall be included in the computations required under ss. 41.105 and 42.46.

SECTION 8. 40.13 (1) of the statutes is amended to read:

40.13 (1) Except as provided in sub. (2) ~~or~~, (7) or (9), the amount of group life insurance of an employe shall be \$1,000 of insurance for each \$1,000 or part thereof of his earnings, but not in excess of any limitation of amount that may otherwise be provided by law.

SECTION 9. 40.13 (9) and (10) of the statutes are created to read:

40.13 (9) Any state employe under age 65 and insured under sub. (1) may elect an additional amount of such group life insurance which shall terminate at age 65 and be equal to:

(a) 50% of his earnings rounded to the next higher \$1,000, if earnings are not in even \$1,000 increments; or

(b) 100% of his earnings rounded to the next higher \$1,000, if earnings are not in even \$1,000 increments.

(10) Notwithstanding s. 40.20 (3), the optional group insurance provided under sub. (9) shall be available only to eligible state employes.

SECTION 10. **Effective date.** SECTIONS 8 and 9 of this act shall take effect on July 1, 1974.
