

1999 DRAFTING REQUEST

Bill

Received: 12/21/1998

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Stephen Nass (608) 266-5715**

By/Representing: **Himself**

This file may be shown to any legislator: **NO**

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - collective bargain
Employ Pub - employe benefits**

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Prohibiting domestic partner benefits for state employees

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>
/1	champra 02/06/1999	jgeller 02/06/1999	lpaasch 02/08/1999	_____	lrb_docadmin 02/08/1999	lrb_docadminState 08/31/1999	

FE Sent For:

10/4/99

<END>

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/?	champra	1/1 <i>2/10/98</i>	2-7 LP	2-7 LP JK			

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<END>

LEGISLATIVE REFERENCE BUREAU

BILL REQUEST FORM

Legal Section, 5th Floor, 100 N. Hamilton St.
(608) 266-3561

PG 2

Use of this form is optional. It is often helpful to talk directly with the LRB attorney who will draft the bill. Use this form only for **BILL** drafts. Attach more pages if necessary.

Date of request: <i>12/18/98</i>	Legislator or agency requesting this draft: <i>Rep. Steve Nass</i>
Name/phone number of person submitting request: <i>Rep. Nass 266-5715</i>	
Persons to contact for questions about this draft (names and phone numbers please): <i>Mike Mikalsen 266-5715</i>	
Describe the problem, including any helpful examples. How do you want to solve the problem? <i>See attached memo.</i>	
If you know of any statute sections that might be affected, please list them or provide a marked (not re-typed) copy.	

Please attach a copy of any correspondence or material that may help us. You may also attach a marked (not re-typed) copy of any LRB draft, or provide its number (e.g., 1997 LRB-2345/1 or 1995 AB-67):

Refer to 1997 AB 759

Requests are confidential unless stated otherwise.

May we tell others that we are working on this for you? YES NO

If yes, anyone who asks? YES NO

Any legislator? YES NO ONLY the following persons:

Do you consider this urgent? YES NO If yes, please indicate why:

But we would like drafts in early January.

Is this request of higher priority than other pending request(s) you have made?

YES NO If yes, please sign your name here:

Stephen Nass



TO: LRB Drafting

FROM: Representative Steve Nass

DATE: December 18, 1998

RE: DRAFTING REQUESTS RELATING TO DOMESTIC PARTNERS

I am requesting two drafts relating to provision of Domestic Partner Benefits by units of state and local government. Please refer to 1997 Assembly Bill 759 for the definition of "domestic partners" used last session. In my request last session, I defined domestic partners as same sex adult couples and opposite sex adult couples that aren't legally married.

NO
Such
Definition

Draft Request #1:

I request a bill be drafted making the negotiation of domestic partner benefits a permissive subject of bargaining for local units of government (excluding the Wisconsin Technical College System because they are covered in #2).

Draft Request #2:

I request a bill be drafted prohibiting the State of Wisconsin from offering domestic partner benefits as a part of any benefit program offered to state employees. This prohibition should apply to all state agencies including the Wisconsin Technical College System and the University of Wisconsin System.

If you have any questions on either request, please contact Mike Mikalsen on my staff.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1391/1

RAC:.....

Seen

JLg

1999 BILL

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1 AN ACT ...; relating to: prohibiting the provision of certain insurance benefits to
2 any adult who resides with a state employe and who is not related to the state
3 employe or the state employe's spouse by blood, marriage or adoption.

Analysis by the Legislative Reference Bureau

This bill prohibits the state from providing any health and long-term[✓] care insurance coverage to an adult who resides with a state employe and who is not related to the state employe or the state employe's spouse by blood, marriage or adoption. In addition, the bill makes the provision of any health and long-term care insurance coverage to an adult who resides with a state employe and who is not related to the state employe or the state employe's spouse by blood, marriage or adoption a prohibited subject of collective bargaining under the state employe labor relations act.

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:

4 SECTION 1. 40.02 (20)^x of the statutes is amended to read:
5 40.02 (20) "Dependent" means the spouse, minor child, including stepchildren
6 of the current marriage dependent on the employe for support and maintenance, or

BILL

SECTION 1

1 child of any age, including stepchildren of the current marriage, if handicapped to
 2 an extent requiring continued dependence. For group insurance purposes only, the
 3 department may promulgate rules with a different definition of “dependent” than the
 4 one otherwise provided in this subsection for each group insurance plan, except that
 5 the department may not promulgate a rule that includes within the definition of
 6 “dependent” any adult who resides with an employe and who is not related to the
 7 employe or the employe’s spouse by blood, marriage or adoption.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20, 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399, 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315, 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238.

8 **SECTION 2.** 40.56 of the statutes is created to read:

9 **40.56 Prohibited insurance coverage.** The state may not provide any
 10 insurance coverage under this subchapter to an adult who resides with an employe
 11 and who is not related to the employe or the employe’s spouse by blood, marriage or
 12 adoption.

13 **SECTION 3.** 111.91 (2) (r) of the statutes is created to read:

14 111.91 (2) (r) The definition of “dependent” in s. 40.02 (2) and the restrictions
 15 on the scope of insurance coverage specified in s. 40.56.

16 **SECTION 4. Initial applicability.**

17 (1) The treatment of section 111.91 (2) (r) of the statutes first applies to
 18 employes who are affected by a collective bargaining agreement that contains
 19 provisions inconsistent with that treatment on the day on which the collective
 20 bargaining agreement expires or is extended, modified or renewed, whichever occurs
 21 first.

22 (END)

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and **sign** on the appropriate line(s) below.

Date: 2/8/99

To: Representative Nass

Relating to LRB drafting number: LRB-1391

Topic

Prohibiting domestic partner benefits for state employees

Subject(s)

Employ Pub - collective bargain, Employ Pub - employe benefits

1. **JACKET** the draft for introduction

Stew Nass

in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Richard A. Champagne, Legislative Attorney
Telephone: (608) 266-9930



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