1999 DRAFTING REQUEST

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Received: 03/22/99 Wanted: Soon For: Jon Erpenbach (608) 266-6670					Received By: champra Identical to LRB: By/Representing: Julie												
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1999 DRAFTING REQUEST

Bill

Received: 03/22/99

Received By: champra

Wanted: Soon

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. Drafters:

Subject:

Employ Pub - miscellaneous

Employ Pub - employe benefits

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Social security coverage for students employed by public schools, colleges, and universities

Instructions:

Companion bill to LRB-2519/1

Drafting History:

Vers.

Drafted

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State of Misconsin 1999 - 2000 LEGISLATURE

500N

1999 BILL

LRB-2519/1 RAC-jlg:km

LRB-2573/1 RAC: jlg

AN ACT to amend 40.41 (6) (b); and to create 40.41 (6) (c) of the statutes; relating to: social security coverage for students employed at public schools, colleges and universities.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, public employers are required to provide social security coverage to all of their employes. One of the exceptions to this social security coverage requirement involves students. Currently, public employers are not required to provide social security coverage to students if their employment is in a position that does not normally require actual performance of duty for at least 600 hours in each calendar year.

On October 21, 1998, Congress enacted P.L. 105–277, which provides a limited window of opportunity for states to modify their existing social security coverage agreements with the federal government to exclude from social security coverage services performed by students employed by the public school, college or university where they are enrolled and regularly attending classes. In order to qualify for this provision, a state must enact legislation before July 1, 2000, to provide for the exclusion from social security coverage for these students.

This bill creates this legislation. Under the bill, social security coverage is not provided for services performed in the employ of a school, college or university, if the service is performed by a student who is enrolled and regularly attending classes at the school, college or university.

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For further information see the *state and local* 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:

SECTION 1. 40.41 (6) (b) of the statutes is amended to read:

40.41 (6) (b) Services performed by a student or a member of a board or commission, except members of governing bodies, in a position or office which does not normally require actual performance of duty for at least 600 hours in each calendar year. For purposes of this paragraph, a "board" or "commission" is a body referred to in the statutes as a board or commission.

Section 2. 40.41 (6) (c) of the statutes is created to read:

40.41 (6) (c) Service performed in the employ of a school, college or university, if the service is performed by a student who is enrolled and regularly attending classes at the school, college or university.

SECTION 3. Initial applicability.

(1) This act first applies to services performed by a student in the employ of a school, college or university specified in section 40.41 (6) (c) of the statutes on July 1, 2000.

(END)

SUBMITTAL FORM

LEGISLATIVE REFERENCE BUREAU Legal Section Telephone: 266-3561 5th Floor, 100 N. Hamilton Street

NOVI

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: 3/22/99	To: Senator Erpenbach
	Relating to LRB drafting number: LRB-2573
Topic Social security coverage for students employed by pu	blic schools, colleges, and universities
Subject(s) Employ Pub - miscellaneous, Employ Pub - employe 1. JACKET the draft for introduction	benefits herefits nly one). Only the requester under whose name the
	cords may authorize the draft to be submitted. Please
allow one day for the preparation of the required co	opies.
2. REDRAFT. See the changes indicated or attached	<u> </u>
A revised draft will be submitted for your approval	with changes incorporated.
3. Obtain FISCAL ESTIMATE NOW, prior to intro	oduction
If the analysis indicates that a fiscal estimate is requ	uired because the proposal makes an appropriation or
increases or decreases existing appropriations or sta	ate or general local government fiscal liability or
revenues, you have the option to request the fiscal e	estimate prior to introduction. If you choose to
introduce the proposal without the fiscal estimate, t	the fiscal estimate will be requested automatically upon
introduction. It takes about 10 days to obtain a fisca	al estimate. Requesting the fiscal estimate prior to
introduction retains your flexibility for possible red	rafting of the proposal.
If you have any questions regarding the above proced	ures, 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