BILL HISTORY FOR SENATE BILL 152 (LRB –1017)

An Act to repeal 230.35 (1m) (a); and to amend 230.35 (1) (a) (intro.) and 230.35 (1m) (bt) (intro.) of the statutes; relating to: providing additional paid vacation leave for certain state agency employees. (FE) 2003

103	
	Introduced by joint committee on Employment Relations.
05–05. S.	Read first time and referred to committee on Senate Organization.
	Placed on calendar 5–5–2003 by committee on Senate Organization.
	Considered for action at this time.
05–06. S.	Read a second time.
05–06. S.	Ordered to a third reading.
05–06. S.	Rules suspended.
05–06. S.	Read a third time and passed.
05–06. S.	Ordered immediately messaged.
05-06. A.	Received from Senate
05-06. A.	Read first time.
05–06. A.	Rules suspended and taken up
05–06. A.	Read a second time
05-06. A.	Ordered to a third reading
05-06. A.	Rules suspended
05-06. A.	Read a third time and concurred in, Ayes 79, Noes 19
05-06. A.	Ordered immediately messaged
05–07. S.	Received from Assembly concurred in.
	Report correctly enrolled on 5–7–2003.

2003 **ENROLLED BILL**

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ADOPTED DOCUMENTS:	
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Amendments to above (if none, write "NO	ONE"): her
	10002
Corrections - show date (if none, write "N	NONE"):
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Topic	
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Date /	Enrolling Drafter
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2003 SENATE BILL 152

May 5, 2003 – Introduced by Joint Committee on Employment Relations. Referred to Committee on Senate Organization.

- 1 AN ACT to repeal 230.35 (1m) (a); and to amend 230.35 (1) (a) (intro.) and 230.35
- 2 (1m) (bt) (intro.) of the statutes; relating to: providing additional paid vacation
- 3 leave for certain state agency employees.

Analysis by the Legislative Reference Bureau

This bill is introduced under s. 230.12, stats., which requires that it be put on the calendar. The bill accomplishes certain statutory changes necessary to implement the nonrepresented state employee compensation plan, as modified and approved by the Joint Committee on Employment Relations.

Under current law, nonrepresented employees of any state agency in the executive branch are entitled to paid vacation based on their years of service, usually beginning with two weeks of paid vacation at the time of their initial employment with the state (general vacation provisions). However, certain nonrepresented employees who are in career executive positions, division administrator positions, attorney positions, professional employee positions at the State Investment Board, and senior state agency positions are entitled to three weeks of paid vacation at the time of their initial employment with the state (executive vacation provisions). Represented state employees are not subject to either the general vacation provisions or the executive vacation provisions, but have their vacation provisions determined in applicable collective bargaining agreements.

This bill authorizes the Department of Employment Relations to promulgate rules excluding any nonrepresented state employee from the general vacation provisions. In addition, the bill changes current law to provide that the executive

SENATE BILL 152

vacation provisions apply only to nonrepresented employees who are not subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act (FLSA). Generally, under FLSA, employees who are not subject to the minimum wage and overtime requirements are those employees holding executive, administrative, or professional positions.

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:

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

230.35 (1) (a) (intro.) Except as provided in subs. (1m), (1r), and (1s), appointing authorities shall grant to each person in their employ, except employees excluded from coverage under this subsection by the department by rule and limited—term employees, based on accumulated continuous state service, annual leave of absence without loss of pay at the rate of:

SECTION 2. 230.35 (1m) (a) of the statutes is repealed.

SECTION 3. 230.35 (1m) (bt) (intro.) of the statutes is amended to read:

230.35 (1m) (bt) (intro.) An employee appointed to a position listed under par.

(a) who is not subject to the minimum wage and overtime requirements under the federal Fair Labor Standards Act, 29 USC 201 to 219, shall be entitled to annual leave of absence without loss of pay based upon accumulated continuous state service at the rate of:

SECTION 4. Effective date.

(1) This act takes effect on July 1, 2003, or on the day after publication, whichever is later.

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