

2007 ASSEMBLY BILL 23

January 24, 2007 – Introduced by Representatives WASSERMAN, NASS, SINICKI, BENEDICT, GUNDERSON, HINES, KLEEFISCH, F. LASEE, LEMAHIEU, LOTHIAN, MOLEPSKE, NEWCOMER, PRIDEMORE, STRACHOTA, TURNER, VUKMIR, ZEPNICK and ZIEGELBAUER, cosponsored by Senators ELLIS, LEHMAN, COWLES, DARLING, GROTHMAN, KAPANKE, LEIBHAM and SCHULTZ. Referred to Committee on Labor and Industry.

1 **AN ACT** *to renumber and amend* 13.121 (4); and *to create* 13.121 (4) (b) of the
2 statutes; **relating to:** the elimination of the accumulated unused sick leave
3 credit program for state legislators.

Analysis by the Legislative Reference Bureau

Under current law, a state employee in a position that is covered under the Wisconsin Retirement System (WRS) is entitled to receive paid sick leave credits as part of his or her compensation under the state compensation plan, at the election of the employer, or pursuant to a collective bargaining agreement. If a state employee does not use all of his or her sick leave credits during a calendar year, he or she may accumulate this unused sick leave from year to year in a sick leave account. Generally, if a state employee terminates covered employment under the WRS and meets certain conditions related to age or years of employment, the employee's accumulated unused sick leave may be converted, at his or her highest basic pay rate, to credits for the payment of postretirement health insurance premiums under a health insurance plan administered by the Group Insurance Board.

This bill provides that no member of the assembly or senate may accumulate unused sick leave from year to year in his or her sick leave account for work performed as a member of the legislature in any legislative session beginning on or after January 5, 2009. The bill, however, does permit senators who are currently serving a term of office that begins on or after January 3, 2007, but before January 5, 2009, to continue to accumulate unused sick leave for work performed as a member of the legislature before the commencement of the 2011–12 legislative session.

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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:

1 **SECTION 1.** 13.121 (4) of the statutes is renumbered 13.121 (4) (a) and amended
2 to read:

3 13.121 (4) (a) For the purpose of premium determinations under s. 40.05 (4) and
4 (5) each member of the legislature shall accrue sick leave at a rate equivalent to a
5 percentage of time worked recommended for such positions by the director of the
6 office of state employment relations and approved by the joint committee on
7 employment relations in the same manner as compensation for such positions is
8 determined under s. 20.923, except as provided in par. (b). This percentage of time
9 worked shall be applied to the sick leave accrual rate established under s. 230.35 (2).
10 The approved percentage shall be incorporated into the compensation plan under s.
11 230.12 (1).

12 **SECTION 2.** 13.121 (4) (b) of the statutes is created to read:

13 13.121 (4) (b) For the purpose of receiving benefits under s. 40.05 (4) (b) and
14 (bc) and (5), all of the following shall apply:

15 1. Except as provided in subd. 2., no member of the legislature may accumulate
16 unused sick leave from year to year in his or her sick leave account for work
17 performed as a member of the legislature in any legislative session beginning on or
18 after January 5, 2009.

19 2. No member of the senate, who is serving a term of office that begins on or
20 after January 3, 2007, but before January 5, 2009, may accumulate unused sick leave

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1 from year to year in his or her sick leave account for work performed as a member
2 of the legislature in any legislative session beginning on or after January 3, 2011.

3 (END)