

**2007 DRAFTING REQUEST**

**Bill**

Received: **11/30/2006**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **Ted Kanavas (608) 266-9174**

By/Representing: **Mike**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - employee benefits**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Kanavas@legis.wisconsin.gov**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

---

**Topic:**

Elimination of accumulated sick leave credit program for all state elected officials

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**Instructions:**

See Topic

---

**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>
/?				_____			State
/1	rchampag 12/06/2006	kfollett 12/06/2006	rschluet 12/06/2006	_____	sbasford 12/06/2006		State
/2	rchampag 12/06/2006	kfollett 12/06/2006	nmatzke 12/06/2006	_____	cduerst 12/06/2006		State
/3	rchampag 12/07/2006	kfollett 12/08/2006	rschluet 12/08/2006	_____	sbasford 12/08/2006	cduerst 12/08/2006	

Vers.    Drafted    Reviewed    Typed    Proofed    Submitted    Jacketed    Required

FE Sent For:

 At Intro.

<END>

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/2	rchampag 12/06/2006	kfollett 12/06/2006	nnatzke 12/06/2006	_____	cduerst 12/06/2006		

FE Sent For:

13/10/06  
12/18/06  
12/18/06  
JK

<END>

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Subject: **Employ Pub - employee benefits**

Extra Copies:

Submit via email: **YES**

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### Pre Topic:

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### Topic:

Elimination of accumulated sick leave credit program for all state elected officials

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### Instructions:

See Topic

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<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1	rchampag 12/06/2006	kfollett 12/06/2006	rschluet 12/06/2006	_____	sbasford 12/06/2006		
FE Sent For:		12/6 12/6	nwn 12/6	nwn 12/6			

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**Topic:**

Elimination of accumulated sick leave credit program for all state elected officials

*Also, per Mike  
all appointed  
officials who  
need senate  
confirmation*

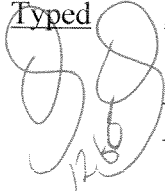
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**Instructions:**

See Topic

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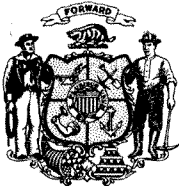
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1/?	rchampag	11/16/06 12/16/06		_____	_____	_____	_____

FE Sent For:

<END>





State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-0945/1  
RAC: *kgf*

*FRI AM*

**2007 BILL**

*gen. cat.*

1 **AN ACT ...; relating to:** elimination of accumulated sick leave credit program for  
2 legislators, justices and judges, all other state elected officials, and certain  
3 appointed executive branch officials.

*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:

- 1. No member of the legislature 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 during any term of office that begins after the bill's effective date.
- 2. No supreme court justice, court of appeals judge, or circuit court judge may accumulate unused sick leave from year to year in his or her sick leave account for

**BILL**

work performed as a supreme court justice, court of appeals judge, or circuit court judge during any term of office that begins after the bill's effective date.

3. No other state elected official may accumulate unused sick leave from year to year in his or her sick leave account for work performed as a state elected official during any term of office that begins after the bill's effective date.

4. No person who is appointed to a position in the unclassified service after the bill's effective date, and whose appointment requires confirmation by the senate, may accumulate unused sick leave from year to year in his or her sick leave account for work performed while serving in that position.

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) No member of the legislature may accumulate unused sick leave  
14 from year to year in his or her sick leave account for work performed as a member

**BILL**

1 of the legislature during any term of office that begins after the effective date of this  
2 paragraph <sup>✓</sup> .... [revisor inserts date].

3 **SECTION 3.** 230.35 (2) of the statutes <sup>✓</sup> is renumbered 230.35 (2) (a) and amended  
4 to read:

5 230.35 (2) (a) ~~Leave~~ <sup>✓</sup> Subject to pars. (b) and (c), <sup>✓</sup> leave of absence with pay owing  
6 to sickness and leave of absence without pay, other than annual leave and leave  
7 under s. 103.10, shall be regulated by rules of the director, except that unused sick  
8 leave shall accumulate from year to year. After July 1, 1973, employees appointed  
9 to career executive positions under the program established under s. 230.24 or  
10 positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized  
11 under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are  
12 reemployed in a career executive position or in a position under s. 19.42 (10) (L) or  
13 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the  
14 duration of their absence. Restoration of unused sick leave credits if reemployment  
15 is to a position other than those specified above shall be in accordance with rules of  
16 the director.

*and (c) are*

**History:** 1971 c. 91, 125, 183, 211, 226; 1971 c. 270 ss. 70, 71, 83, 104; Stats. 1971 s. 16,30; 1973 c. 51, 243; 1975 c. 28, 39, 41; 1975 c. 147 s. 54; 1975 c. 189, 199, 421, 422; 1977 c. 44; 1977 c. 187 s. 135; 1977 c. 196 ss. 56, 118, 130 (3), (5), (12), 131; 1977 c. 273; 1977 c. 418 ss. 726, 727, 924 (13m); Stats. 1977 s. 230.35; 1979 c. 34, 89; 1979 c. 110 s. 60 (11); 1979 c. 221; 1981 c. 20, 96, 140; 1983 a. 27 s. 2200 (15); 1983 a. 30 ss. 4 to 11, 14; 1983 a. 71, 140; 1983 a. 192 ss. 220, 221, 304; 1985 a. 119; 1987 a. 63, 287, 340, 399, 403; 1989 a. 56 s. 259; 1991 a. 39; 1993 a. 12, 47; 1995 a. 37, 178; 1997 a. 18, 307; 1999 a. 42, 85, 101, 125; 2001 a. 16, 109; 2003 a. 22, 33, 117; 2005 a. 21.

17

**SECTION 4.** 230.35 (2) (b) <sup>✓</sup> of the statutes <sup>✓</sup> is created to read:

18 230.35 (2) (b) A state elected official who accrues sick leave under this  
19 subsection <sup>✓</sup> may not accumulate unused sick leave from year to year in his or her sick  
20 leave account for work performed as a state elected official during any term of office  
21 that begins after the effective date of this paragraph <sup>✓</sup> .... [revisor inserts date].

22 (c) A person who is appointed to a position in the unclassified service after the  
23 effective date of this paragraph <sup>✓</sup> .... [revisor inserts date], and whose appointment

**BILL**

1 requires confirmation by the senate, may not accumulate unused sick leave from  
2 year to year in his or her sick leave account for work performed while serving in that  
3 position.

4 **SECTION 5.** 757.02 (5) of the statutes is renumbered 757.02 (5) (a) and amended  
5 to read:

6 757.02 (5) (a) Except for retired judges appointed under s. 753.075, and except  
7 as provided in par. (b), each supreme court justice, court of appeals judge and circuit  
8 court judge included under ch. 40 shall accrue sick leave at the rate established  
9 under s. 230.35 (2) for the purpose of credits under s. 40.05 (4) (b) and for premium  
10 payment determinations under s. 40.05 (4) and (5).

11 History: 1977 c. 187 s. 96; 1977 c. 305 s. 64; 1977 c. 418, 449; Stats. 1977 s. 757.02; 1979 c. 32; 1981 c. 96, 353; 1987 a. 83; 1989 a. 355; 1997 a. 250.

11 **SECTION 6.** 757.02 (5) (b) of the statutes is created to read:

12 757.02 (5) (b) No supreme court justice, court of appeals judge, or circuit court  
13 judge may accumulate unused sick leave from year to year in his or her sick leave  
14 account for work performed as a supreme court justice, court of appeals judge, or  
15 circuit court judge included under ch. 40 during any term of office that begins after  
16 the effective date of this paragraph .... [revisor inserts date].

17 (END)



State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-0945/1

RAC:kjf

FR I

2007 BILL

RMR

gen. cat

1 AN ACT *to renumber and amend* 13.121 (4), 230.35 (2) and 757.02 (5); and *to*  
2 *create* 13.121 (4) (b), 230.35 (2) (b) and (c) and 757.02 (5) (b) of the statutes;  
3 **relating to:** elimination of accumulated sick leave credit program for  
4 legislators, justices and judges, all other state elected officials, and certain  
5 appointed executive branch officials.

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***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:

1. No member of the legislature 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 during any term of office that begins after the bill's effective date.

**BILL**

2. No supreme court justice, court of appeals judge, or circuit court judge may accumulate unused sick leave from year to year in his or her sick leave account for work performed as a supreme court justice, court of appeals judge, or circuit court judge during any term of office that begins after the bill's effective date.

3. No other state elected official may accumulate unused sick leave from year to year in his or her sick leave account for work performed as a state elected official during any term of office that begins after the bill's effective date.

4. No person who is appointed to a position in the unclassified service after the bill's effective date, and whose appointment requires confirmation by the senate, may accumulate unused sick leave from year to year in his or her sick leave account for work performed while serving in that position.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

*in the executive branch*

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***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)  
4 and (5) each member of the legislature shall accrue sick leave at a rate equivalent  
5 to a 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:

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1 of the legislature during any term of office that begins after the effective date of this  
2 paragraph .... [revisor inserts date].

3 **SECTION 3.** 230.35 (2) of the statutes is renumbered 230.35 (2) (a) and amended  
4 to read:

5 230.35 (2) (a) Leave Subject to pars. (b) and (c), leave of absence with pay owing  
6 to sickness and leave of absence without pay, other than annual leave and leave  
7 under s. 103.10, shall be regulated by rules of the director, except that unused sick  
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9 to career executive positions under the program established under s. 230.24 or  
10 positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized  
11 under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are  
12 reemployed in a career executive position or in a position under s. 19.42 (10) (L) or  
13 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the  
14 duration of their absence. Restoration of unused sick leave credits if reemployment  
15 is to a position other than those specified above shall be in accordance with rules of  
16 the director.

17 **SECTION 4.** 230.35 (2) (b) and (c) of the statutes are created to read:

18 230.35 (2) (b) A state elected official who accrues sick leave under this  
19 subsection may not accumulate unused sick leave from year to year in his or her sick  
20 leave account for work performed as a state elected official during any term of office  
21 that begins after the effective date of this paragraph .... [revisor inserts date].

22 (c) A person who is appointed to a position in the unclassified service after the  
23 effective date of this paragraph .... [revisor inserts date], and whose appointment  
24 requires confirmation by the senate, may not accumulate unused sick leave from

*in the executive branch*

**BILL**

1 year to year in his or her sick leave account for work performed while serving in that  
2 position.

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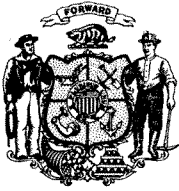
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13 account for work performed as a supreme court justice, court of appeals judge, or  
14 circuit court judge included under ch. 40 during any term of office that begins after  
15 the effective date of this paragraph ... [revisor inserts date].

16 (END)





State of Wisconsin  
2007 - 2008 LEGISLATURE

LRB-0945/23  
RAC:kjf:my

Today

RMR

**2007 BILL**

-gen. cat.

1 **AN ACT** *to renumber and amend* 13.121 (4), 230.35 (2) and 757.02 (5); and *to*  
2 **create** 13.121 (4) (b), 230.35 (2) (b) and (c) and 757.02 (5) (b) of the statutes;  
3 **relating to:** elimination of accumulated sick leave credit program for  
4 legislators, justices and judges, all other state elected officials, and certain  
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**BILL**

2. No supreme court justice, court of appeals judge, or circuit court judge may accumulate unused sick leave from year to year in his or her sick leave account for work performed as a supreme court justice, court of appeals judge, or circuit court judge during any term of office that begins after the bill's effective date.

3. No other state elected official may accumulate unused sick leave from year to year in his or her sick leave account for work performed ~~as a state elected official~~ during any term of office that begins after the bill's effective date.

4. No person who is appointed to a position ~~in the unclassified service~~ in the executive branch after the bill's effective date, and whose appointment requires confirmation by the senate, may accumulate unused sick leave from year to year in his or her sick leave account for work performed while serving in that position.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

13           13.121 (4) (b) No member of the legislature may accumulate unused sick leave  
14 from year to year in his or her sick leave account for work performed as a member

by the governor

**BILL**

1 of the legislature during any term of office that begins after the effective date of this  
2 paragraph .... [revisor inserts date].

3 **SECTION 3.** 230.35 (2) of the statutes is renumbered 230.35 (2) (a) and amended  
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5 230.35 (2) (a) Leave Subject to pars. (b) and (c), leave of absence with pay owing  
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13 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the  
14 duration of their absence. Restoration of unused sick leave credits if reemployment  
15 is to a position other than those specified above shall be in accordance with rules of  
16 the director.

17 **SECTION 4.** 230.35 (2) (b) and (c) of the statutes are created to read:

18 230.35 (2) (b) <sup>A person who holds a state office, as defined</sup> ~~A state elected official~~ who accrues sick leave under this  
19 subsection may not accumulate unused sick leave from year to year in his or her sick  
20 leave account for work performed ~~as a state elected official~~ during any term of office  
21 that begins after the effective date of this paragraph .... [revisor inserts date].

22 (c) A person who is appointed to a position ~~in the unclassified service~~  
23 executive branch after the effective date of this paragraph .... [revisor inserts date],  
24 and whose appointment requires confirmation by the senate, may not accumulate

by the governor

S. 5.02 (2-2), AND

**BILL**

1 unused sick leave from year to year in his or her sick leave account for work  
2 performed while serving in that position.

3 **SECTION 5.** 757.02 (5) of the statutes is renumbered 757.02 (5) (a) and amended  
4 to read:

5 757.02 (5) (a) Except for retired judges appointed under s. 753.075, and except  
6 as provided in par. (b), each supreme court justice, court of appeals judge and circuit  
7 court judge included under ch. 40 shall accrue sick leave at the rate established  
8 under s. 230.35 (2) for the purpose of credits under s. 40.05 (4) (b) and for premium  
9 payment determinations under s. 40.05 (4) and (5).

10 **SECTION 6.** 757.02 (5) (b) of the statutes is created to read:

11 757.02 (5) (b) No supreme court justice, court of appeals judge, or circuit court  
12 judge may accumulate unused sick leave from year to year in his or her sick leave  
13 account for work performed as a supreme court justice, court of appeals judge, or  
14 circuit court judge included under ch. 40 during any term of office that begins after  
15 the effective date of this paragraph .... [revisor inserts date].

16 (END)

**Duerst, Christina**

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**From:** Richards, Mike  
**Sent:** Friday, December 08, 2006 11:11 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-0945/3 Topic: Elimination of accumulated sick leave credit program for all state elected officials

Please Jacket LRB 07-0945/3 for the SENATE.