

**SENATE AMENDMENT 10,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

June 26, 2007 – Offered by Senators DARLING, KANAVAS, COWLES, S. FITZGERALD, GROTHMAN, HARSDORF, KAPANKE, KEDZIE, A. LASEE, LAZICH, LEIBHAM, OLSEN and ROESSLER.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 4, line 23: after that line insert:

3 “**SECTION 5h.** 13.121 (4) of the statutes is renumbered 13.121 (4) (a) and
4 amended to read:

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

1 The approved percentage shall be incorporated into the compensation plan under s.
2 230.12 (1).

3 **SECTION 5p.** 13.121 (4) (b) of the statutes is created to read:

4 13.121 (4) (b) No member of the legislature may accumulate unused sick leave
5 from year to year in his or her sick leave account for work performed as a member
6 of the legislature during any term of office that begins after the effective date of this
7 paragraph [revisor inserts date].”.

8 **2.** Page 1312, line 8: after that line insert:

9 “**SECTION 3019d.** 230.35 (2) of the statutes is renumbered 230.35 (2) (a) and
10 amended to read:

11 230.35 (2) (a) ~~Leave~~ Subject to pars. (b) and (c), leave of absence with pay owing
12 to sickness and leave of absence without pay, other than annual leave and leave
13 under s. 103.10, shall be regulated by rules of the director, except that unused sick
14 leave shall accumulate from year to year. After July 1, 1973, employees appointed
15 to career executive positions under the program established under s. 230.24 or
16 positions designated in s. 19.42 (10) (L) or 20.923 (4), (7), (8), and (9) or authorized
17 under s. 230.08 (2) (e) shall have any unused sick leave credits restored if they are
18 reemployed in a career executive position or in a position under s. 19.42 (10) (L) or
19 20.923 (4), (7), (8), and (9) or authorized under s. 230.08 (2) (e), regardless of the
20 duration of their absence. Restoration of unused sick leave credits if reemployment
21 is to a position other than those specified above shall be in accordance with rules of
22 the director.

23 **SECTION 3019h.** 230.35 (2) (b) and (c) of the statutes are created to read:

1 230.35 (2) (b) A person who holds a state office, as defined in s. 5.02 (23), and
2 who accrues sick leave under this subsection may not accumulate unused sick leave
3 from year to year in his or her sick leave account for work performed during any term
4 of office that begins after the effective date of this paragraph [revisor inserts date].

5 (c) A person who is appointed by the governor to a position in the executive
6 branch after the effective date of this paragraph [revisor inserts date], and whose
7 appointment requires confirmation by the senate, may not accumulate unused sick
8 leave from year to year in his or her sick leave account for work performed while
9 serving in that position.”.

10 **3.** Page 1510, line 21: after that line insert:

11 “**SECTION 3706d.** 757.02 (5) of the statutes is renumbered 757.02 (5) (a) and
12 amended to read:

13 757.02 (5) (a) Except for retired judges appointed under s. 753.075, and except
14 as provided in par. (b), each supreme court justice, court of appeals judge and circuit
15 court judge included under ch. 40 shall accrue sick leave at the rate established
16 under s. 230.35 (2) for the purpose of credits under s. 40.05 (4) (b) and for premium
17 payment determinations under s. 40.05 (4) and (5).

18 **SECTION 3706h.** 757.02 (5) (b) of the statutes is created to read:

19 757.02 (5) (b) No supreme court justice, court of appeals judge, or circuit court
20 judge may accumulate unused sick leave from year to year in his or her sick leave
21 account for work performed as a supreme court justice, court of appeals judge, or
22 circuit court judge included under ch. 40 during any term of office that begins after
23 the effective date of this paragraph [revisor inserts date].”.

24 **(END)**