

## 2011 DRAFTING REQUEST

### Senate Substitute Amendment (SSA-SB514)

Received: 03/02/2012

Received By: **rchampag**

Wanted: **Today**

Companion to LRB:

For: **Pam Galloway (608) 266-2502**

By/Representing: **Jen**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - employee benefits  
Legislature - miscellaneous**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

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

Carbon copy (CC:) to:

---

#### Pre Topic:

No specific pre topic given

---

#### Topic:

Elimination of legislator sick leave

---

#### Instructions:

See Attached

---

#### 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>
/?	rchampag 03/02/2012	kfollett 03/02/2012		_____			State
/1			jmurphy 03/02/2012	_____	sbasford 03/02/2012	sbasford 03/02/2012	

FE Sent For:

<END>

2011 DRAFTING REQUEST

Senate Substitute Amendment (SSA-SB514)

Received: 03/02/2012

Received By: rchampag

Wanted: Today

Companion to LRB:

For: Pam Galloway (608) 266-2502

By/Representing: Jen

May Contact:

Drafter: rchampag

Subject: Employ Pub - employee benefits  
Legislature - miscellaneous

Addl. Drafters:

Extra Copies:

Submit via email: YES

Requester's email: Sen.Galloway@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Elimination of legislator sick leave

Instructions:

See Attached

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>
/?	rchampag	1/1/5f 3/2	jm 3/2	PH JK			

FE Sent For:

<END>

## Champagne, Rick

---

**From:** Esser, Jennifer  
**Sent:** Friday, March 02, 2012 11:21 AM  
**To:** Champagne, Rick  
**Cc:** Vebber, Lucas; Kaeppel, Mark; Lee, Crystal; Lovell, David  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

Thanks, Rick.

Yes you are absolutely correct. January 7<sup>th</sup> of 2013 is the date.

---

**From:** Champagne, Rick  
**Sent:** Friday, March 02, 2012 11:09 AM  
**To:** Esser, Jennifer  
**Cc:** Vebber, Lucas; Kaeppel, Mark; Lee, Crystal; Lovell, David  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

Jen:

I will do a sub right away.

1. So the idea is that members can continue to accrue sick leave, but that any sick leave accrued during a term of office that begins after the bill's effective date cannot be used for purposes of conversion for payment of health insurance premiums?
2. This applies to terms of office that begin after bill's effective date? Or to terms of office that begin on or after January 7, 2013?

Rick

---

**From:** Esser, Jennifer  
**Sent:** Friday, March 02, 2012 11:04 AM  
**To:** Champagne, Rick  
**Cc:** Vebber, Lucas; Kaeppel, Mark; Lee, Crystal; Lovell, David  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave  
**Importance:** High

Rick,

Not sure how you want to draft this...likely a sub but Senator Galloway is going to need an amendment drafted ASAP that amends the sick leave bill (SB 514) to say:

Sick leave conversion is eliminated. In other words, sick leave can continue to accrue for members of the Legislature for purposes of participation in Income Continuation and to use for actual sick days. But when a lawmaker retires, gets voted out, vacates, etc. there is no conversion of sick leave allowed. Not sure how you draft this, but that's your area of expertise.

I do need to send a notice out to committee members telling them that I'm working on getting this drafted so any language you have will be helpful...sorry for the time crunch. Almost over.

Jen

---

**From:** Champagne, Rick  
**Sent:** Wednesday, February 29, 2012 1:00 PM

**To:** Esser, Jennifer; Lee, Crystal  
**Cc:** Vebber, Lucas; Kaepffel, Mark  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

Jennifer:

If this bill is enacted, say, in March, and we have a new senator take office as a result of a recall election, say, in May or June, then that new senator could not accrue for any future service. If you wanted that new senator to be able to accrue like the others until the start of the next term of office, then you would need to change the effective date provision in the text of s. 13.121 (4) (b) to be January 7, 2013. Let me know if I should prepare an amendment for you to do this.

Rick

---

**From:** Esser, Jennifer  
**Sent:** Wednesday, February 29, 2012 12:50 PM  
**To:** Champagne, Rick; Lee, Crystal  
**Cc:** Vebber, Lucas; Kaepffel, Mark  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

So January of 2013 which is what I'll point out in her testimony. Thanks for the clarification.

I just need to ensure I'm reading the special election point correct. If there are any changes as a result of a special election, I want to be certain that those folks still should be eligible to accrue until January 1, 2013. There should be a level playing field for all lawmakers through 2012.

---

**From:** Champagne, Rick  
**Sent:** Wednesday, February 29, 2012 12:19 PM  
**To:** Esser, Jennifer; Lee, Crystal  
**Cc:** Vebber, Lucas; Kaepffel, Mark  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

I just sent Crystal and you an email in which I point out that the effective date is built into the statute. We are good.

---

**From:** Esser, Jennifer  
**Sent:** Wednesday, February 29, 2012 12:18 PM  
**To:** Lee, Crystal; Champagne, Rick  
**Cc:** Vebber, Lucas; Kaepffel, Mark  
**Subject:** RE: Senate Bill 514: Elimination of Sick Leave

Rick,

The bill is up for a public hearing tomorrow at 1pm in Senate Judiciary. I imagine a corrected version with the dates could be made available asap.

It was my understanding that this legislation would take place immediately upon January 1, 2013 or January 2, 2013...when the lawmakers begin their new term of office or continue their new term. I don't believe they can change their benefits around anyway until January 1, 2013 even if there is a recall/special election that sweeps new members into office prior to that.

---

**From:** Lee, Crystal  
**Sent:** Wednesday, February 29, 2012 12:08 PM  
**To:** Champagne, Rick  
**Cc:** Esser, Jennifer; Lee, Crystal  
**Subject:** Senate Bill 514: Elimination of Sick Leave

Rick,

I hope you're doing well!

After reviewing the senate version of the bill, Galloway's office found that in the last paragraph, there is no effective date.

Was this the intention? We were thinking like, January of 2013 for the newly elected reps and sens after this year's election.

Thank you!

Sincerely,

*Crystal Lee*

Legislative Assistant

Office of State Representative Howard Marklein

51st Assembly District

608-266-7502

Crystal.Lee@legis.wi.gov



Today  
State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-413071  
RAC:jld:jf

LRBs 0375/1  
RAC: jld &  
KF

SSA  
+u

2011 SENATE BILL 514

February 24, 2012 - Introduced by Senators GALLOWAY, MOULTON, VUKMIR and WANGGAARD, cosponsored by Representatives MARKLEIN, STRACHOTA, AUGUST, CRAIG, ENDSLEY, JACQUE, KAPENGA, KESTELL, KNODL, KNUDSON, KOOYENGA, KRAMER, KUGLITSCH, LITJENS, MURTHA, NYGREN, J. OTT, PETERSEN, STEINEKE, THIESFELDT, VAN ROY, WEININGER, WYNN and ZIEGELBAUER. Referred to Committee on Judiciary, Utilities, Commerce, and Government Operations.

Regen

1 AN ACT ~~to renumber and amend~~ 13.121 (4); and ~~to create~~ 13.121 (4) (b) of the  
2 statutes; relating to: ~~primary~~ sick leave <sup>the use of accrued</sup> by state senators and  
3 representatives to the assembly. <sup>by</sup> for health insurance purposes

**Analysis by the Legislative Reference Bureau**

Currently, individuals employed by the state, including state senators and representatives to the assembly, are generally entitled to receive paid sick leave as part of their compensation. If a state employee does not use all of his or her sick leave during a calendar year, he or she may accumulate unused sick leave from year to year in a sick leave account. Generally, if a state employee terminates employment 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 state senator or representative to the assembly may accrue any new sick leave as a state senator or representative to the assembly during any term of office that begins after the bill's effective date. The bill does not affect any sick leave accrued by a state senator or representative to the assembly during a term of office that began before the bill's effective date.

Insert Analysis →

**SENATE BILL 514**

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)  
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).

Handwritten note: Fight 2-11

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 accrue any new sick leave as  
14 a member of the legislature during any term of office that begins after the effective  
15 date of this paragraph .... [LRB inserts date]. Nothing in this paragraph affects any  
16 sick leave accrued by a member of the legislature during a term of office that began  
17 before the effective date of this paragraph .... [LRB inserts date].

(END)

18

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBs0375/1insRC  
RAC:.....

**Insert Analysis:**

This bill provides that no state senator or representative to the assembly may use any new sick leave accrued as a state senator or representative to the assembly during any term of office that begins on or after January 7, 2013, for the payment of postretirement health insurance premiums. The bill does not affect the use of any sick leave accrued by a state senator or representative to the assembly during a term of office that began before January 7, 2013.

**Insert 2-11:**

**SECTION 1.** 13.121 (4) (b) of the statutes is created to read:

13.121 (4) (b) No member of the legislature may use any new sick leave accrued while a member of the legislature during any term of office that begins on or after January 2013, for purposes of paying health insurance premiums under s. 40.05 (4) or 40.95. Nothing in this paragraph affects the use of any sick leave accrued by a member of the legislature during a term of office that began before January 7, 2013.

7,