

2011 DRAFTING REQUEST

Bill

Received: 12/04/2010

Received By: **rchampag**

Wanted: **Soon**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - retirement**
Employ Pub - collective bargain

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Frederick, BAB0034 -

Topic:

Payment of Health Insurance Premiums for State Employees; Collective Bargaining and health insurance

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>
/?				_____			S&L
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13 ijs 2/4 *[Signature]* 2/4
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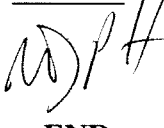
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Wanted: **Soon**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - retirement**
Employ Pub - collective bargain

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Frederick, BAB0034 -

Topic:

Payment of Health Insurance Premiums for State Employees; Collective Bargaining and health insurance

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>
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/1	rchampag 12/06/2010	csicilia 12/06/2010	jfrantze 12/07/2010	_____	mbarman 12/07/2010		S&L
/2	rchampag 12/08/2010	csicilia 12/08/2010	jfrantze 12/08/2010	_____	lparisi 12/08/2010		S&L
/3	rchampag 12/19/2010	jdye 12/20/2010	phenry 12/20/2010	_____	sbasford 12/20/2010		S&L

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/4	rchampag 12/20/2010	kfollett 12/21/2010	rschluet 12/21/2010	_____	sbasford 12/21/2010		S&L
/5	rchampag 12/30/2010	csicilia 01/03/2011	rschluet 01/03/2011	_____	cduerst 01/03/2011		S&L
/6	rchampag 01/19/2011	csicilia 01/19/2011	mduchek 01/19/2011	_____	mbarman 01/19/2011		S&L
/7	rchampag 01/24/2011	csicilia 01/24/2011	mduchek 01/24/2011	_____	sbasford 01/24/2011		S&L
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FE Sent For:

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2011 DRAFTING REQUEST

Bill

Received: 12/04/2010

Received By: **rchampag**

Wanted: **Soon**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Frederick**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - retirement**
Employ Pub - collective bargain

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Frederick, BB0133 -

Topic:

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Instructions:

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FE Sent For:

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FE Sent For:

17 g's $\frac{1/24}{11}$

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Received: 12/04/2010

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/3	rchampag 12/19/2010	jdye 12/20/2010	phenry 12/20/2010	_____ 1/19	sbasford 12/20/2010		S&L

Handwritten signatures and initials:
1/19 [Signature] [Signature] [Signature]

<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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16 cjs $\frac{1/19}{11}$

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Received: 12/04/2010

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Wanted: Soon

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For: Administration-Budget

By/Representing: Frederick

May Contact:

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FE Sent For:

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Received By: **rchampag**

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/1	rchampag 12/06/2010	csicilia 12/06/2010	jfrantze 12/07/2010	_____	mbarman 12/07/2010		

FE Sent For:

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Wanted: **Soon**

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For: **Administration-Budget**

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1/?	rchampag	1 cys 12/6/10	Jb 12/6	12/7 PH/JF			

FE Sent For:

<END>

Champagne, Rick

From: Hanaman, Cathlene
Sent: Friday, December 03, 2010 3:49 PM
To: Champagne, Rick
Subject: FW: Statutory Language Drafting Request
I can do the collective bargaining part if you want.

From: DOADLBASADMININTERNETSHAREPOINT@WI.GOV
[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]
Sent: Friday, December 03, 2010 3:47 PM
To: Hanaman, Cathlene
Cc: Shayna.Hetzel@wisconsin.gov; Thornton, Scott - DOA; Pawasarat, Jane - DOA
Subject: Statutory Language Drafting Request

Topic: Employer Contributions to Health Insurance

Tracking Code: BB0133

SBO Team: GGED

SBO Analyst: Frederick, Caitlin - DOA
Phone: (608) 266-8777
E-mail: Caitlin.Frederick@Wisconsin.gov

Agency Acronym: ETF

Agency Number: 515

Priority: Medium

Intent:

- For the state employee plans, prohibit the employer from paying more than 88% of the average health insurance premium as designated by the tier (for fulltime) and 50% (for parttime) in which the insurance plan is placed.
- Contribution rates will be adjusted annually based on average premium rates per tier and the amounts approved by the Director of the office of state employment relations.
- Prohibit health insurance as a subject of bargaining (state and local)
- Effective date January 1, 2011

↳ change to 1st day of 1st month after bill's effective date

Attachments: False

12/3/2010

Champagne, Rick

From: Frederick, Caitlin - DOA [caitlin.frederick@wisconsin.gov]
Sent: Sunday, December 05, 2010 3:02 PM
To: Champagne, Rick
Subject: RE: Sunday

Yes and yes.

From: Champagne, Rick [Rick.Champagne@legis.wisconsin.gov]
Sent: Sunday, December 05, 2010 11:21 AM
To: Frederick, Caitlin - DOA
Subject: RE: Sunday

Hi Caitlin:

I finished the WRS contribution one yesterday, so you should have that I hope on Monday. I've been working on the health insurance one. So it looks like you want OSER director to annually set percent that state will pay for health insurance. In terms of timing, I guess we need Director to set the percent before October 1 each year for health insurance coverage beginning on the following January 1. Sound good?

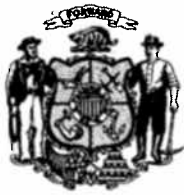
Also, should we by a nonstatutory provision set the amount at 88% for the remainder of this year, to be effective on the first day of the first month after the bill is enacted?

Rick

From: Frederick, Caitlin - DOA [mailto:caitlin.frederick@wisconsin.gov]
Sent: Sunday, December 05, 2010 9:44 AM
To: Champagne, Rick
Subject: Sunday

Rick,
You had mentioned you might be in today. Just wanted to let you know I am in at the moment (perhaps until noon) if questions come up you may have.

Caitlin Morgan Frederick
Executive Policy and Budget Analyst-Senior
State of Wisconsin Division of Budget & Finance
101 E. Wilson, 10th fl
Madison, WI 53702
608-266-8777



ej

DOA:.....Frederick, BB0133 - Payment of Health Insurance Premiums for State Employees; Collective Bargaining and health insurance

FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION

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- do not see

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

RETIREMENT AND GROUP INSURANCE ✓

Currently, state employees receive health care coverage under plans offered by the Group Insurance Board. The employer share of premium costs for employees who work more than 1,565 hours a year is an amount not less than 80 percent of the average premium costs under the various health care coverage plans. The amount for represented employees is subject to collective bargaining and the amount for nonrepresented employees is established in various compensation plans.

instead

This bill provides that under the state health insurance plan, the employer may not pay more than 88 percent of the premium costs for employees who work more than 1,565 hours a year. Under the bill, the actual employer share of premium costs is established on an annual basis by the director of the Office of State Employment Relations. For the remainder of 2011, however, the bill provide that the employer's share is 88 percent of the average premium costs under the various health care coverage plans.

Finally, the bill makes the selection of health care coverage plans by public employers for their employees and the amount of the employer's and the employee's share of premium costs for health care coverage under the plans a prohibited subject of collective bargaining under the Municipal Employment Relations Act, the State Employment Labor Relations Act, and the UW System Faculty and Academic Staff Labor Relations Act.

For further information see the **state and local** 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. 40.05 (4) (ag) of the statutes is amended to read:

2 40.05 (4) (ag) Beginning on January 1, 2004, ~~except as otherwise provided in~~
3 ~~accordance with a collective bargaining agreement under subch. I, V, or VI of ch. 111~~
4 ~~or s. 230.12 or 233.10~~ the first day of the first month ^{beginning} after the effective date of this
5 paragraph ... [LRB inserts date], the employer shall pay for its currently employed
6 insured employees:

7 1. For insured part-time employees other than employees specified in s. 40.02
8 (25) (b) 2., including those in project positions as defined in s. 230.27 (1), who are
9 appointed to work less than 1,566 hours per year, an amount equal to 50% 50 percent
10 of the employer contribution under subd. 2.

11 2. For eligible employees not specified in subd. 1., regardless of the plan
12 selected by the employee, not less than 80% more than 88 percent of the average
13 premium cost of plans offered in the tier with the lowest employee premium cost
14 under s. 40.51 (6), as determined under s. 230.04 (19) established

History: 1981 c. 96, 274, 278, 386; 1983 a. 9 s. 6; 1983 a. 27, 30; 1983 a. 46 ss. 2 to 4, 7; 1983 a. 140; 1983 a. 141 ss. 7 to 12, 20; 1983 a. 290, 504, 538; 1985 a. 29, 119, 135, 225; 1987 a. 27, 83, 107, 309, 356, 363; 1987 a. 403 s. 256; 1989 a. 13, 14, 31, 119, 122, 166, 182, 189, 230, 336, 355, 359; 1991 a. 32, 39, 107, 113, 141, 152, 189, 269; 1995 a. 27, 81, 88, 89, 240, 302; 1997 a. 35, 58, 149; 1999 a. 9, 11, 13, 104; 2001 a. 16; 2003 a. 33 ss. 1004 to 1015, 9160; 2003 a. 69, 117; 2005 a. 22, 153; 2007 a. 20, 131, 200, 226; 2009 a. 15, 28.

15 SECTION 2. 40.05 (4) (ar) of the statutes is amended to read:

16 40.05 (4) (ar) The employer shall pay under par. (a) for ~~for~~ employees who are
17 not covered by a collective bargaining agreement under subch. I, V, or VI of ch. 111
18 and for employees of state agencies whose health insurance premium contribution
19 rates are not determined under s. 230.12 or 233.10 230.04 (19), the employer shall
20 pay an amount equal to the amount specified in par. (ag) unless a different amount

all scored → BEGINNING on the first day of the first month
BEGINNING after the effective date of this paragraph
... [LRB inserts date] ...

are appointed to

established

1 is recommended by the director of the office of state employment relations and
 2 approved by the joint committee on employment relations in the manner provided
 3 for approval of changes in the compensation plan under s. 230.12 (3) 1. for employees
 4 who work less than 1,566 hours per year and the amount determined under s. 230.04
 5 (19) for all other eligible employees. an amount equal to

History: 1981 c. 96, 274, 278, 386; 1983 a. 9 s. 6; 1983 a. 27, 30; 1983 a. 46 ss. 2 to 4, 7; 1983 a. 140; 1983 a. 141 ss. 7 to 12, 20; 1983 a. 290, 504, 538; 1985 a. 29, 119, 135, 225; 1987 a. 27, 83, 107, 309, 356, 363; 1987 a. 403 s. 256; 1989 a. 13, 14, 31, 119, 122, 166, 182, 189, 230, 336, 355, 359; 1991 a. 32, 39, 107, 113, 141, 152, 189, 269; 1995 a. 27, 81, 88, 89, 240, 302; 1997 a. 35, 58, 149; 1999 a. 9, 11, 13, 104; 2001 a. 16; 2003 a. 33 ss. 1004 to 1015, 9160; 2003 a. 69, 117; 2005 a. 22, 153; 2007 a. 20, 131, 200, 226; 2009 a. 15, 28.

SECTION 3. 111.70 (4) (mc) 6. of the statutes is created to read:

7 111.70 (4) (mc) 6. The selection of health care coverage plans by the municipal
 8 employer for municipal employees and the amount of the municipal employer's and
 9 the municipal employee's share of premium costs for health care coverage under the
 10 plans, and the impact of the selection of the health care coverage plans and the
 11 determination of the municipal employer's and the municipal employee's share of
 12 premium costs on the wages, hours, and conditions of employment of the municipal
 13 employees.

SECTION 4. 111.91 (1) (cm) of the statutes is amended to read:

14 111.91 (1) (cm) Except as provided in sub. (2) (g) and (h) and ss. 40.02 (22) (e)
 15 and 40.23 (1) (f) 4., all laws governing the Wisconsin retirement system under ch. 40
 16 and all actions of the employer that are authorized under any such law which apply
 17 to nonrepresented individuals employed by the state shall apply to similarly situated
 18 employees, unless otherwise specifically provided in a collective bargaining
 19 agreement that applies to those employees.
 20

History: 1971 c. 270; 1975 c. 39, 224; 1977 c. 196; 1979 c. 221; 1983 a. 27; 1985 a. 42; 1987 a. 27, 287, 331; 1989 a. 13, 31, 323; 1991 a. 269, 289; 1995 a. 27, 289; 1995 a. 302 s. 48; 1997 a. 27, 35, 155, 237; 1999 a. 9, 95, 115, 155; 2001 a. 16, 26; 2003 a. 33; 2007 a. 36; 2009 a. 14, 28, 56, 140, 218, 276, 346; s. 13.92 (1) (bm) 2.

SECTION 5. 111.91 (2) (fp) of the statutes is created to read:

21

of ch. 40 ✓

1 111.91 (2) (fp) The selection of health care coverage plans under subch. IV and
2 the amount of the employer's and the employee's share of premium costs for health
3 care coverage under the plans.

SECTION 6. 111.998 (1) (d) of the statutes is amended to read:

111.998 (1) (d) Except as provided in sub. (2) ~~(d) and (e)~~ and ss. 40.02 (22) (e)
and 40.23 (1) (f) 4., all laws governing the Wisconsin Retirement System under ch.
40 and all actions of the board that are authorized under any such law which apply
to nonrepresented individuals employed by the state shall apply to similarly situated
employees, unless otherwise specifically provided in a collective bargaining
agreement that applies to those employees.

History: 2009 a. 28.

SECTION 7. 111.998 (2) (fp) of the statutes is created to read:

111.998 (2) (fp) The selection of health care coverage plans under subch. IV and
the amount of the employer's and the employee's share of premium costs for health
care coverage under the plans.

SECTION 8. 230.04 (19) of the statutes is created to read:

230.04 (19) Annually, before October 1, the director shall establish the
employer's share of premium costs for health care coverage plans under s. 40.05 (4)
(ag) 2., for health care coverage beginning on the following January 1.

SECTION 9115. Nonstatutory provisions; Employee Trust Funds.

(1) PAYMENT OF PREMIUMS FOR STATE EMPLOYEE HEALTH CARE COVERAGE.
Notwithstanding section 230.04 (19) of the statutes, as created by this act,
beginning on the first day of the first month after the effective date of this subsection,
and ending on December 31, 2011, the employer, under section 40.05 (4) (ag) 2. of the
statutes, as affected by this act, shall pay 88 percent of the average premium cost of

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and under section 40.05 (4) (ar) of the statutes, as affected by this act, for employees who are appointed to work more than 1565 hours per year.

of ch. 40 ✓

x

1 plans offered in the tier with the lowest employee premium cost under section 40.51
2 (6) of the statutes.

3 **SECTION 9355. Initial applicability; Other.** ✓

4 (1) HEALTH CARE COVERAGE PLANS AND PREMIUMS. The treatment of sections 40.05
5 (4) (ag), 111.70 (4) (mc) 6., 111.91 (1) (cm) and (2) (fp), 111.998 (1) (d) and (2) (fp), and
6 230.04 (19) of the statutes and section 9115 (1) of this act first applies to employees
7 who are covered by a collective bargaining agreement that contains provisions
8 inconsistent with this act on the day on which the agreement expires or is extended,
9 modified, or renewed, whichever occurs first.

10 (END)

use x-ref A
from p. 4

Champagne, Rick

From: Frederick, Caitlin - DOA [caitlin.frederick@wisconsin.gov]

Sent: Tuesday, December 07, 2010 2:04 PM

To: Champagne, Rick

Subject: RE:

\$50 Single, \$125 Fam. Increase for 2011.

*Caitlin Morgan Frederick
Wisconsin Division of Budget & Finance
608-266-8777*

From: Champagne, Rick [mailto:Rick.Champagne@legis.wisconsin.gov]

Sent: Tuesday, December 07, 2010 11:30 AM

To: Frederick, Caitlin - DOA

Subject:

Caitlin:

When you've had a chance to go over the two drafts, we can talk. There are some things in there I think are a little awkward, due to our editor's comments and insertions, that I may want to take out in a redraft.

Rick

Change to to
88
83
78