

## 2011 DRAFTING REQUEST

### Bill

Received: **01/20/2011**

Received By: **rchampag**

Wanted: **Soon**

Companion to LRB:

For: **Administration-Budget**

By/Representing: **Kraus**

May Contact:

Drafter: **rchampag**

Subject: **Employ Pub - retirement**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

---

### Pre Topic:

DOA:.....Kraus, BAB0029 -

---

### Topic:

WRS Coverage for LTEs

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### 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>
/?				_____			State Retire
/1	rchampag 01/21/2011	kfollett 01/21/2011	jfrantze 01/21/2011	_____	mbarman 01/21/2011		State Retire
/2	rchampag 02/03/2011	kfollett 02/03/2011	phenry 02/03/2011	_____	lparisi 02/03/2011		

FE Sent For:

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/?				_____			State Retire
/1	rchampag 01/21/2011	kfollett 01/21/2011 <i>12/5f</i> <i>2/3</i>	jfrantze 01/21/2011 <i>2/3</i> <i>Ph</i>	<i>2/3</i> <i>Ph/MO</i>	mbarman 01/21/2011		
FE Sent For:				<END>			

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/?	rchampag	1/1 kjf 1/21		1/21			

FE Sent For:

<END>

**Champagne, Rick**

---

**From:** Hanaman, Cathlene  
**Sent:** Wednesday, January 19, 2011 4:53 PM  
**To:** Champagne, Rick  
**Subject:** FW: Statutory Language Drafting Request - Budget Adjustment Bill

---

**From:** DOADLBASADMININTERNETSHAREPOINT@WI.GOV  
[mailto:DOADLBASADMININTERNETSHAREPOINT@WI.GOV]  
**Sent:** Wednesday, January 19, 2011 4:45 PM  
**To:** Hanaman, Cathlene  
**Cc:** Hetzel, Shayna - DOA; Thornton, Scott - DOA; Kraus, Jennifer - DOA; Kraus, Jennifer - DOA  
**Subject:** Statutory Language Drafting Request - Budget Adjustment Bill

Topic: Benefits for LTEs

Tracking Code: BAB0029

SBO Team: General Government and Economic Development

SBO Analyst: Kraus, Jennifer - DOA  
Phone: (608) 266-5878  
E-mail: Jennifer.Kraus@Wisconsin.gov

Agency Acronym: ETF

Agency Number: 515

Priority: High

Intent:  
Do not allow LTEs to qualify for WRS or health insurance benefits.

Attachments: False



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1121/1  
RAC:...

Man AM

D Note  
kf

DOA:.....Kraus, BAB0029 - WRS Coverage for LTEs

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

*do not join*

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

*Analysis by the Legislative Reference Bureau*

**RETIREMENT AND GROUP INSURANCE**

Under current law, state employees become participating employees in the Wisconsin Retirement System (WRS) if they are expected to work at least one-third of what is considered full-time employment by the Department of Employee Trust Funds, as determined by rule, and have an expected duration of employment of one year or more. If a state employee becomes a participating employee in the WRS, the employee is also entitled to receive health insurance under a program administered by the Group Insurance Board (GIB). A current group of state employees are appointed to state positions as limited term appointments in the state civil service, which are provisional appointments or appointments for less than 1,044 hours per year. This bill prohibits state employees who have limited term appointments from participating in the WRS, as well as prohibits these employees from receiving health insurance under the GIB program.

Because this bill relates to public employee retirement or pensions, it may be referred to the Joint Survey Committee on Retirement Systems for a report to be printed as an appendix to the bill.

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:***

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SECTION 1. 230.26 (4) of the statutes is amended to read:

230.26 (4) Fringe benefits specifically authorized by statutes, with the exception of deferred compensation plan participation under subch. VII of ch. 40, worker's compensation, unemployment insurance, group insurance, retirement, and social security coverage, shall be denied employees hired under this section. Such employees may not be considered permanent employees and do not qualify for tenure, vacation, paid holidays, sick leave, performance awards, or the right to compete in promotional examinations.

History: 1971 c. 270 ss. 54, 55; Stats. 1971 s. 16.21; 1975 c. 147 s. 54; 1977 c. 196 s. 51; Stats. 1977 s. 230.26; 1979 c. 97; 1979 c. 221 ss. 732, 909; 1981 c. 20, 26; 1983 a. 27 ss. 1613, 1614, 2202 (15); 1985 a. 332; 1997 a. 39, 307; 2001 a. 16.

SECTION 2. 40.02 (25) (b) 8. of the statutes is amended to read:

40.02 (25) (b) 8. Any other state employee for whom coverage is authorized under a collective bargaining agreement pursuant to subch. I, V, or VI of ch. 111 or under s. 230.12 or 233.10, other than an employee appointed to a limited term appointment under s. 230.26.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16, 38, 103, 104, 109; 2003 a. 33; 2005 a. 153, 335; 2007 a. 20, 131, 226; 2009 a. 15, 28.

SECTION 3. 40.22 (2) (n) of the statutes is created to read:

40.22 (2) (n) The employee is appointed to a limited term appointment under s. 230.26.

(END)

D-Not

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1121/1dn

RAC:...

*EF*

*Date*

Jenny Kraus:

This draft assumes that SELRA is repealed in other provisions of the bill.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.wisconsin.gov

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1121/1dn  
RAC:kjf:jf

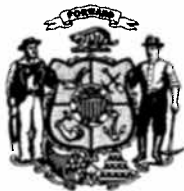
January 21, 2011

Jenny Kraus:

This draft assumes that SELRA is repealed in other provisions of the bill.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: [rick.champagne@legis.wisconsin.gov](mailto:rick.champagne@legis.wisconsin.gov)





*Today*

*RMR*

DOA:.....Kraus, BAB0029 - WRS Coverage for LTEs

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

*Don't Gen*

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

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*Analysis by the Legislative Reference Bureau*

**RETIREMENT AND GROUP INSURANCE**

Under current law, state employees become participating employees in the Wisconsin Retirement System (WRS) if they are expected to work at least one-third of what is considered full-time employment by the Department of Employee Trust Funds, as determined by rule, and have an expected duration of employment of one year or more. If a state employee becomes a participating employee in the WRS, the employee is also entitled to receive health insurance under a program administered by the Group Insurance Board (GIB). A current group of state employees are appointed to state positions as limited term appointments in the state civil service, which are provisional appointments or appointments for less than 1,044 hours per year. This bill prohibits state employees who have limited term appointments from participating in the WRS, as well as prohibits these employees from receiving health insurance under the GIB program.

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

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

Insert 2-5

1 SECTION 1. 40.02 (25) (b) 8. of the statutes is amended to read:

2 40.02 (25) (b) 8. Any other state employee for whom coverage is authorized  
3 under a collective bargaining agreement pursuant to subch. I, V, or VI of ch. 111 or  
4 under s. 230.12 or 233.10, other than an employee appointed to a limited term  
5 appointment under s. 230.26.

6 SECTION 2. 40.22 (2) (n) of the statutes is created to read:

7 40.22 (2) (n) The employee is appointed to a limited term appointment under  
8 s. 230.26.

9 SECTION 3. 230.26 (4) of the statutes is amended to read:

10 230.26 (4) Fringe benefits specifically authorized by statutes, with the  
11 exception of deferred compensation plan participation under subch. VII of ch. 40,  
12 worker's compensation, unemployment insurance, ~~group insurance, retirement,~~ and  
13 social security coverage, shall be denied employees hired under this section. Such  
14 employees may not be considered permanent employees and do not qualify for  
15 tenure, vacation, paid holidays, sick leave, performance awards, or the right to  
16 compete in promotional examinations.

17 (END)

D-Note

**2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1121/2ins  
RAC:kjf:jf

**Insert 2-5:**

✓  
**SECTION 1.** 40.05 (4) (a) 2. of the statutes is amended to read:

40.05 (4) (a) 2. For an insured employee who is an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the date on which the employee becomes insured. For an insured state employee who is currently employed, but who is not <sup>↓</sup> a limited term appointment under s. 230.26 or an eligible employee under s. 40.02 (25) (a) 2. or (b) 1m. or 2c., the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 3rd month beginning after the date on which the employee begins employment with the state, not including any leave of absence. ~~For an insured employee who has a limited term appointment under s. 230.26, the employer shall pay required employer contributions toward the health insurance premium of the insured employee beginning on the first day of the 7th month beginning after the date on which the employee first becomes a participating employee.~~

**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.

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-1121/2dn

RAC:kjf

*Date*

Jenny Kraus:

✓

This version of the draft amends s. 40.05 (4) (a) 2. as well. Otherwise, the draft remains unchanged.

Rick A. Champagne  
Senior Legislative Attorney  
Phone: (608) 266-9930  
E-mail: rick.champagne@legis.wisconsin.gov

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FROM THE  
LEGISLATIVE REFERENCE BUREAU**

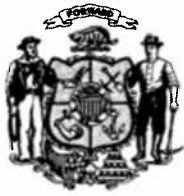
LRB-1121/2dn  
RAC:kjf:ph

February 3, 2011

Jenny Kraus:

This version of the draft amends s. 40.05 (4) (a) 2. as well. Otherwise, the draft remains unchanged.

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State of Wisconsin  
2011 - 2012 LEGISLATURE



LRB-1121/2  
RAC:kjf:ph

DOA:.....Kraus, BAB0029 - WRS Coverage for LTEs

**FOR 2011-13 BUDGET -- NOT READY FOR INTRODUCTION**

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