

1991 Senate Bill 250

Date of enactment: **April 22, 1992**  
Date of publication\*: **April 29, 1992**

# 1991 WISCONSIN ACT 229

AN ACT *to amend* 40.02 (17) (intro.) and 40.02 (33) (a) 1; and *to create* 40.02 (22) (em) of the statutes, **relating to**: providing for the continued accrual of retirement benefits under the Wisconsin retirement system for university of Wisconsin system faculty on sabbatical leave.

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

**SECTION 1.** 40.02 (17) (intro.) of the statutes is amended to read:

40.02 (17) (intro.) "Creditable service" means the creditable current and prior service, expressed in years and fractions of a year to the nearest one-hundredth, for which a participating employe receives or is considered to receive earnings under sub. (22) (e) or (em) and for which contributions have been made as required by s. 40.05 (1) and (2) and creditable military service and service credited under s. 40.29, expressed in years and fractions of years to the nearest one-hundredth. How much service in any annual earnings period is the full-time equivalent of one year of creditable service shall be determined by rule by the department and the rules may provide for differing equivalents for different types of employment. Except as provided under pars. (i) and (k), the amount of creditable service for periods prior to January 1, 1982, shall be the amount for which the participant was eligible under the applicable laws and rules in effect prior to January 1, 1982. No more than one year of creditable service shall be granted for any annual earnings period. Creditable service is determined in the following manner for the following persons:

**SECTION 2.** 40.02 (22) (em) of the statutes is created to read:

40.02 (22) (em) For Wisconsin retirement system purposes only, for a member of the faculty, as defined in

s. 36.05 (8), of a university who is on sabbatical leave under s. 36.11 (17), means the compensation that would have been payable to the participant, at the participant's rate of pay immediately prior to beginning the sabbatical leave, for service that would have been rendered at the university during the period of the sabbatical leave if the participant had continued to render services for the participant's employer during that period. Contributions and premiums on earnings considered to be received under this paragraph shall be paid as required under s. 40.05.

**SECTION 3.** 40.02 (33) (a) 1. of the statutes is amended to read:

40.02 (33) (a) 1. The participant's total earnings received or considered to be received under sub. (22) (e) or (em) and for which contributions are made under s. 40.05 (1) and (2) during the 3 annual earnings periods (excluding any period more than 3 years prior to the effective date for any participating employer) in which the earnings were the highest; by

**SECTION 4. Nonstatutory provisions; continued accrual of retirement benefits for university of Wisconsin system faculty on sabbatical leave.** The treatment of section 40.02 (22) (em) of the statutes first applies to services of university of Wisconsin system faculty who are on sabbatical leave that would have been rendered on the first day of the first month beginning after the effective date of this SECTION.