

State of Wisconsin



2005 Senate Bill 359

Date of enactment: **March 21, 2006**

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2005 WISCONSIN ACT 145

AN ACT to repeal 230.32 (6) and 230.337 (1); and to renumber 230.337 (2) of the statutes; relating to: employment rights of certain employees in the state civil service (suggested as remedial legislation by the Office of State Employment Relations).

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

LAW REVISION COMMITTEE PREFATORY NOTE: This bill is a remedial legislation proposal, requested by the Office of State Employment Relations and introduced by the Law Revision Committee under s. 13.83 (1) (c) 4., stats. After careful consideration of the various provisions of the bill, the Law Revision Committee has determined that this bill makes minor substantive changes in the statutes, and that these changes are desirable as a matter of public policy.

SECTION 1. 230.32 (6) of the statutes is repealed.

NOTE: Under current law, a specific group of employees have their seniority rights determined as if they were in the classified service of the state during a period of employment with the federal government. To qualify, a person must have been in the classified service of the state on June 5, 1953; have begun employment with the federal government in civilian war emergency employment on or after January 1, 1942; not have been a state employee at the time of such entry; and have

been transferred to the service of this state on November 16, 1946, pursuant to P.L. 79-549. According to the Office of State Employment Relations, no employees are currently in this category, nor will any employees ever become eligible in the future. SECTION 1 eliminates this right.

SECTION 2. 230.337 (1) of the statutes is repealed.

SECTION 3. 230.337 (2) of the statutes is renumbered 230.337.

NOTE: Section 230.337 (1) currently provides restoration rights and reinstatement privileges to a very specific group of employees. The employee must have served in a classified position in the department of health and family services on January 1, 1990; the employee's position must have been transferred and unclassified under 1989 Wisconsin Act 31; and the incumbent to the position must either not have been appointed to the unclassified position, or have been appointed to the position but then terminated for a reason other than just cause. According to the Office of State Employment Relations, no such unclassified position was ever created. SECTIONS 2 and 3 eliminate those employee rights.

* Section 991.11, WISCONSIN STATUTES 2003-04 : Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].