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State of Misconsin 2011 - 2012 LEGISLATURE



ASSEMBLY SUBSTITUTE AMENDMENT 1, TO 2011 ASSEMBLY BILL 653

March 6, 2012 – Offered by Representative MARKLEIN.

1 AN ACT to renumber and amend 13.121 (4); and to create 13.121 (4) (b) of the

- statutes; relating to: the use of accrued sick leave by state senators and
- representatives to the assembly 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 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. 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 $\mathbf{5}$ 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).

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SECTION 2. 13.121 (4) (b) of the statutes is created to read:

13 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 7, 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.
(END)