

Senate Bill 140

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### CHAPTER 171

AN ACT to amend 16.31 (1), (3) (a) (intro. par.), (b) (intro. par.) and (c) (intro. par.) and (4); and to create 16.31 (3) (c) 5 and 6, (d) and (e) of the statutes, relating to continuation of salary of certain state employes while performing hazardous duties.

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

SECTION 1. 16.31 (1) and (3) (a) (intro. par.), (b) (intro. par.) and (c) (intro. par.) of the statutes are amended to read:

16.31 (1) Whenever a conservation warden, *conservation patrol boat captain, conservation patrol boat engineer*, state forest ranger, field employe of the conservation department who is subject to call for fire control duty, member of the state patrol, state motor vehicle inspector, ~~full time~~ *fire marshal, lifeguard, special agent for the attorney general, special tax agent, state drivers' license examiner*, member of the state fair police department, state university ~~full time~~ policemen, state beverage tax investigator, *engineer, engineering aid*, fire watchman employed at the Grand Army home, or guard or institutional aid or a state probation and parole officer or any other employe whose duties include supervision and discipline of inmates *or wards of the state at the Wisconsin child center or at a state penal institution, including central state hospital, the state school for boys, the state school for girls, or while on parole supervision outside of the confines of the institutions, or supervision of persons placed on probation by a court of record, or supervision and care of patients at a state mental institution, and university hospitals* suffers injury while in the performance of his duties, as defined in subs. (2) and (3), he shall continue to be paid his full monthly salary by his employing department upon the same basis as he was paid prior to the injury. Such full monthly salary shall be paid to the employe while he is unable to work as the result of the injury for not to exceed 3 months *upon recommendation of the appointing officer and approval of the director of personnel*. When the employe

is paid such salary under this section there shall be no deduction from his sick leave credits, compensatory time for overtime accumulations or vacation.

(3) (a) (intro. par.) A forest ranger or field employe of the conservation department who is subject to call for forest fire control duty or fire watchman employed at the Grand Army home, *and lifeguard*, at all times while:

(b) (intro. par.) A conservation warden, *conservation patrol boat captain, conservation patrol boat engineer*, a member of the state patrol, state motor vehicle inspector, university ~~full time~~ policemen, ~~full time~~ member of the state fair police department, ~~and state beverage tax investigator, special tax agent, special agent of the attorney general and fire marshal~~ at all times while:

(c) (intro. par.) A guard, institution aid, or other employe ~~of~~ *at the Wisconsin child center, university hospitals or at state penal and mental institutions, including central state hospital, the state school for boys, the state school for girls and state probation and parole officers*, at all times while:

SECTION 2. 16.31 (3) (c) 5 and 6, (d) and (e) of the statutes are created to read:

16.31 (3) (c) 5. Going to or returning from a fire, engaging in the suppression of a fire, evacuating patients or inmates because of a fire or engaging in fire drills.

6. When disease is contracted as a result of exposure to such disease arising out of the care of inmates or patients.

(d) A drivers' license examiner at all times while examining drivers, conducting road tests or checking motor vehicles.

(e) An engineering aid or engineer at all times while:

1. Driving or riding in vehicles which require hazardous maneuvering of excessively slow speed while marking or measuring physical characteristics of highways.

2. Surveying or inspecting within the right of way of highways on which traffic is maintained.

3. Surveying or inspecting on construction sites where heavy equipment is operating.

4. Investigating or inspecting highways, structures or terrain under hazardous conditions.

SECTION 3. 16.31 (4) of the statutes is amended to read:

16.31 (4) In case an employe is denied benefits provided by this section by the employing department *or the director of personnel*, the employe shall have a right of appeal to the personnel board. The personnel board shall conduct hearings under the rules prescribed by the board and shall make an order granting or denying the application for benefits or making a determination as to the duration thereof. The personnel board shall, pursuant to s. 16.05, adopt rules for the administration of this section.

Approved July 30, 1965.