



## 1995 SENATE BILL 429

November 16, 1995 - Introduced by Senators SCHULTZ and RISSER, cosponsored by Representatives FREESE and MUSSER. Referred to Joint survey committee on Retirement Systems.

1     **AN ACT to amend** 40.02 (48) (am) and 40.02 (48) (c); and **to create** 40.02 (17) (m)  
2             and 40.65 (4v) of the statutes; **relating to:** classifying security officers at  
3             Wisconsin national guard facilities as protective occupation participants for the  
4             purposes of the Wisconsin retirement system.

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### *Analysis by the Legislative Reference Bureau*

Under current law, participants under the Wisconsin retirement system (WRS) whose principal duties involve law enforcement or fire suppression or prevention and require frequent exposure to a high degree of danger or peril and a high degree of physical conditioning are classified as protective occupation participants. Current law specifically classifies police officers, fire fighters and various other individuals as protective occupation participants. Under the WRS, the normal retirement age of a protective occupation participant is lower than that of other participants and the percentage multiplier used to calculate retirement annuities is higher for protective occupation participants than for other participants.

This bill specifically classifies security officers at Wisconsin national guard facilities as protective occupation participants for the purposes of the WRS.

This bill will be referred to the joint survey committee on retirement systems for a detailed analysis, which will 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.

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

5             **SECTION 1.** 40.02 (17) (m) of the statutes is created to read:

1           40.02 (17) (m) Notwithstanding par. (d), each participant who is a security  
2 officer at a Wisconsin national guard facility on or after the effective date of this  
3 paragraph .... [revisor inserts date], shall be granted creditable service as a  
4 protective occupation participant for all covered service as a security officer at a  
5 Wisconsin national guard facility that was earned on or after the effective date of this  
6 paragraph .... [revisor inserts date], but may not be granted creditable service as a  
7 protective occupation participant for any covered service as a security officer at a  
8 Wisconsin national guard facility that was earned before the effective date of this  
9 paragraph .... [revisor inserts date], unless that service was earned while the  
10 participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective  
11 occupation participant.

12           **SECTION 2.** 40.02 (48) (am) of the statutes is amended to read:

13           40.02 (48) (am) “Protective occupation participant” includes any participant  
14 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who  
15 is a conservation warden, conservation patrol boat captain, conservation patrol boat  
16 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,  
17 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,  
18 sheriff, undersheriff, deputy sheriff, security officer at a Wisconsin national guard  
19 facility, county traffic police officer, state forest ranger, fire watcher employed by the  
20 Wisconsin veterans home, state correctional-psychiatric officer, excise tax  
21 investigator employed by the department of revenue, special criminal investigation  
22 agent in the department of justice, assistant or deputy fire marshal, or person  
23 employed under s. 61.66 (1).

24           **SECTION 3.** 40.02 (48) (c) of the statutes is amended to read:

1           40.02 (48) (c) In s. 40.65, “protective occupation participant” means a  
2 participating employe who is a police officer, fire fighter, an individual determined  
3 by a participating employer under par. (a) or (bm) to be a protective occupation  
4 participant, county undersheriff, deputy sheriff, security officer at a Wisconsin  
5 national guard facility, county traffic police officer, conservation warden, state forest  
6 ranger, field conservation employe of the department of natural resources who is  
7 subject to call for forest fire control or warden duty, member of the state traffic patrol,  
8 state motor vehicle inspector, university of Wisconsin system full-time police officer,  
9 guard or any other employe whose principal duties are supervision and discipline of  
10 inmates at a state penal institution, excise tax investigator employed by the  
11 department of revenue, person employed under s. 61.66 (1), or special criminal  
12 investigation agent employed by the department of justice.

13           **SECTION 4.** 40.65 (4v) of the statutes is created to read:

14           40.65 (4v) A security officer at a Wisconsin national guard facility who becomes  
15 a protective occupation participant on or after the effective date of this subsection ....  
16 [revisor inserts date], is not entitled to a duty disability benefit under this section for  
17 an injury or disease occurring before the effective date of this subsection .... [revisor  
18 inserts date].

19           **SECTION 5. Effective date.**

20           (1) This act takes effect on the January 1 after publication.

21                               (END)