

1999 DRAFTING REQUEST

Bill

Received: 12/17/98

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Stephen Freese (608) 266-7502

By/Representing: Himself

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. Drafters:

Subject: Employ Pub - retirement

Extra Copies:

Topic:

Classifying county jailers as protective occupation participants under the Wisconsin retirement system

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	champra 12/17/98	chanaman 12/17/98		_____			State Retire
/1			jfrantze 12/18/98	_____	lrb_docadmin 12/18/98	lrb_docadmin 12/18/98	

FE Sent For:

<END>

1/18/99

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1?	champra	cmu 12/18 /1					
		11/17/19	12/18	12/18			

FE Sent For:

11/17/19 12/18 12/18
<END>
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Memorandum

To: LRB Staff Attorney, Richard A. Champagne
From: Representative Steve Freese
Date: December 17, 1998
Re: Redraft of 1997 Assembly Bill 362

I would like to request that a bill be drafted with the exact same language as 1997 Assembly Bill 362, relating to classifying county jailers as protective occupation participants for the purposes of the Wisconsin retirement system.

Thank you for your assistance.



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-0960/1

RAC:cmh&jlg:ijs

LRB-1343/1

RAC
cmh + jlg

1999 BILL

1 ^{repen.} AN ACT *to amend* 40.02 (48) (am) and 40.02 (48) (c); and *to create* 40.02 (17) (n)
 2 and 40.65 (4w) of the statutes; **relating to:** classifying ~~certain state employees~~
 3 ~~who are teachers, librarians and social workers~~ county jailers as protective occupation
 4 participants for the purposes of the Wisconsin retirement system.

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 ~~librarians, social workers and teachers who are employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility for sexually violent persons~~ 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.

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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:

SECTION 1. 40.02 (17) (n) of the statutes is created to read:

40.02 (17) (n) Notwithstanding par. (d), each participant who is a librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m) on or after the effective date of this paragraph ... [revisor inserts date], shall be granted creditable service as a protective occupation participant for all covered service as a librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m) that was earned on or after the effective date of this paragraph ... [revisor inserts date], but may not be granted creditable service as a protective occupation participant for any covered service as a librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m) that was earned before the effective date of this paragraph ... [revisor inserts date], unless that service was earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as a protective occupation participant.

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

40.02 (48) (am) "Protective occupation participant" includes any participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant,

BILL

member of the state patrol, state motor vehicle inspector, police officer, fire fighter, sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, ~~librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m)~~, state forest ranger, fire watcher employed by the Wisconsin veterans home, state correctional-psychiatric officer, excise tax investigator employed by the department of revenue, special criminal investigation agent in the department of justice, assistant or deputy fire marshal, or person employed under s. 61.66 (1).

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COUNTY jailers

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

40.02 (48) (c) In s. 40.65, "protective occupation participant" means a participating employe who is a police officer, fire fighter, an individual determined by a participating employer under par. (a) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, state probation and parole officer, county traffic police officer, ~~librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m)~~, conservation warden, state forest ranger, field conservation employe of the department of natural resources who is subject to call for forest fire control or warden duty, member of the state traffic patrol, state motor vehicle inspector, university of Wisconsin system full-time police officer, guard or any other employe whose principal duties are supervision and discipline of inmates at a state penal institution, excise tax investigator employed by the department of revenue, person employed under s. 61.66 (1), or special criminal investigation agent employed by the department of justice.

SECTION 4. 40.65 (4w) of the statutes is created to read:

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40.65 (4w) A ~~librarian or social worker or teacher employed at a state correctional institution or secured correctional facility or a secure mental health unit or facility specified under s. 980.065 (1m)~~ who becomes a protective occupation participant on or after the effective date of this subsection ... [revisor inserts date], is not entitled to a duty disability benefit under this section for an injury or disease occurring before the effective date of this subsection ... [revisor inserts date].

COUNTY JAILER ✓

SECTION 5. Effective date.

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

(END) ✓

Handwritten scribbles and marks in the top right corner, possibly including the number '11'.

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 12/18/98

To: Representative Freese

Relating to LRB drafting number: LRB-1343

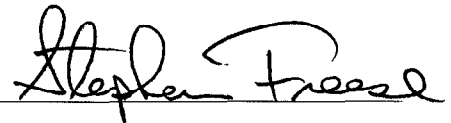
Topic

Classifying county jailers as protective occupation participants under the Wisconsin retirement system

Subject(s)

Employ Pub - retirement

1. **JACKET** the draft for introduction _____



in the **Senate** ____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Richard A. Champagne, Legislative Attorney
Telephone: (608) 266-9930