

1999 DRAFTING REQUEST

Bill

Received: **04/16/99**

Received By: **champra**

Wanted: **Soon**

Identical to LRB:

For: **Rodney Moen (608) 266-8546**

By/Representing: **Terry**

This file may be shown to any legislator: **NO**

Drafter: **champra**

May Contact:

Alt. Drafters:

Subject: **Employ Pub - employe benefits
Employ Pub - retirement**

Extra Copics:

Pre Topic:

No specific pre topic given

Topic:

Classifying county jailers as protective occupation participants under the WRS

Instructions:

Companion to AB 48

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 04/16/99	ygeller 04/16/99		_____			State Retire
/1			martykr 04/20/99	_____	lrb_docadmin 04/20/99	lrb_docadmin 04/21/99	

FE Sent For:

G 05-05-99

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1/?	champra	1/4/99 jlg	km 4/19	<u>1/4/99</u> <u>km 4/19</u>			

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B I L L
REQUEST FORM

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

RAC

Use of this form is optional. It is often better to talk directly with the LRB attorney who will draft the bill.

Use this form only for **BILL** drafts. Attach more pages if necessary.

Legislator, agency or other body requesting this draft: Senator Moen

Date: 4/15 Person submitting request (name, phone number): Terry Tuschen
266-8546

Persons to contact for questions about this draft (names, phone numbers): Terry Tuschen
or Bruce Humphrey 266-8546

Describe the problem, including any helpful examples.

How do you want to solve the problem?

Please draft Senate Companion bill to
1999 Assembly Bill 48.

No changes.

Please attach a copy of any correspondence or other material that may help us.
If you know of any statute sections that might be affected, list them or provide a marked-up (not re-typed) copy.

You may attach a marked-up (not retyped) copy of any LRB draft, or provide its number (e.g., 1999 LRB-2345/1 or 1997 AB-67): 1999 AB 48

Requests are confidential unless stated otherwise.

- May we tell others that we are working on this for you? Yes No
- If yes: Anyone who asks? Yes No Any legislator? Yes No Only the following persons: _____

Do you consider this request urgent? Yes No If yes, please indicate why: _____

Should we give this request priority over any other pending request of this legislator, agency or body? Yes No If yes, sign your name here: _____



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1343/1

RAC:cmh&jlg:jf

LRB-2920/1

RAC:jlg &
cmh

1999 ASSEMBLY BILL 48

January 19, 1999 - Introduced by Representatives FREESE, KLUSMAN, HANDRICK, RYBA, UNDERHEIM, LASSA, HUEBSCH, GRONEMUS, TURNER, PETTIS, MUSSER, ALBERS, BOYLE, SYKORA, JOHNSRUD, PLOUFF, MEYER and SERATTI, cosponsored by Senators MOEN, SCHULTZ, BRESKE, FITZGERALD and ROESSLER. Referred to Joint survey committee on Retirement Systems.

Regen

- 1 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 county jailers as
- 3 protective occupation participants for the purposes of the Wisconsin retirement
- 4 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 county jailers 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.

ASSEMBLY BILL 48

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

2 40.02 (17) (n) Notwithstanding par. (d), each participant who is a county jailer
3 on or after the effective date of this paragraph [revisor inserts date], shall be
4 granted creditable service as a protective occupation participant for all covered
5 service as a county jailer 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 county jailer that was
8 earned before the effective date of this paragraph [revisor inserts date], unless
9 that service was earned while the participant was classified under sub. (48) (a) and
10 s. 40.06 (1) (d) as a protective occupation participant.

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

12 40.02 (48) (am) "Protective occupation participant" includes any participant
13 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
14 is a conservation warden, conservation patrol boat captain, conservation patrol boat
15 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
16 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,
17 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic
18 police officer, county jailer, state forest ranger, fire watcher employed by the
19 Wisconsin veterans home, state correctional-psychiatric officer, excise tax
20 investigator employed by the department of revenue, special criminal investigation

ASSEMBLY BILL 48

1 agent in the department of justice, assistant or deputy fire marshal, or person
2 employed under s. 61.66 (1).

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

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

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

17 40.65 (4w) A county jailer who becomes a protective occupation participant on
18 or after the effective date of this subsection [revisor inserts date], is not entitled
19 to a duty disability benefit under this section for an injury or disease occurring before
20 the effective date of this subsection [revisor inserts date].

21 **SECTION 5. Effective date.**

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

23

(END)

**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: 4/20/99

To: Senator Moen

Relating to LRB drafting number: LRB-2920

Topic

Classifying county jailers as protective occupation participants under the WRS

Subject(s)

Employ Pub - employe benefits, Employ Pub - retirement

1. **JACKET** the draft for introduction Richard A. Champagne

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