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1999 DRAFTING REQUEST

Bill

Received: 06/21/1999

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: Julie

This file may be shown to any legislator: NO

Drafter: champra

May Contact: DER, DMA

Alt. Drafters:

Subject: Employ Pub - employ benefits
Employ Pub - retirement

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Protective occupation participant status under the Wisconsin retirement system for certain employes of the department of military affairs

Instructions:

DMA employes who are security guards at weapons facilities

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Required</u>
/?	champra 07/12/1999	wjackson 07/12/1999		_____		State Retire
/1			mclark 07/13/1999	_____	lrb_docadmin 07/13/1999	lrb_docadmin 08/04/1999

FE Sent For:

02-08-00

<END>

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/?	champra	1 Mlj 7/12	7/12 MRC	MRC/JF 7/13			

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<END>



(D-Note)
State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-2342/1

RAC:pgt:lp

LRB-3228/1

RAC:Wlj:

1999 BILL

employee of the department of military affairs who probably perform security functions at weapons facilities owned by the state

Regen

1 AN ACT ~~to renumber and amend~~ 40.02 (48) (am) and 40.02 (48) (c); and to
2 create 40.02 (17) (n), 40.02 (48) (am) 22., 40.02 (48) (c) 18. and 40.65 (4w) of the
3 statutes; relating to: classifying ~~certain teachers employed by the state~~
4 protective occupation participants under 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 ~~teachers and librarians employed at state correctional institutions, secured correctional facilities, the mental health institutes at Mendota and Winnebago, the Wisconsin resource center or any 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.

BILL

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 teacher or librarian employed at a state correctional institution, a secured correctional facility, as defined in s. 938.02 (15m), a mental health institute specified in s. 51.05 (1), the Wisconsin resource center, established under s. 46.056, or a secure mental health unit or facility, established under s. 980.065 (2), 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 teacher or librarian employed at a state correctional institution, a secured correctional facility, as defined in s. 938.02 (15m), a mental health institute specified in s. 51.05 (1), the Wisconsin resource center, established under s. 46.056, or a secure mental health unit or facility, established under s. 980.065 (2), 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 teacher or librarian employed at a state correctional institution, a secured correctional facility, as defined in s. 938.02 (15m), a mental health institute specified in s. 51.05 (1), the Wisconsin resource center, established under s. 46.056, or a secure mental health unit or facility, established under s. 980.065 (2), 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.

an employee of the department of military affairs who performs security functions at weapons facilities owned by the state

BILL

1 **SECTION 2.** 40.02 (48) (am) of the statutes is renumbered 40.02 (48) (am) (intro.)
2 and amended to read:

3 40.02 (48) (am) (intro.) “Protective occupation participant” includes any
4 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)
5 and who is a any of the following:

- 6 1. A conservation warden.
- 7 2. A conservation patrol boat captain.
- 8 3. A conservation patrol boat engineer.
- 9 4. A conservation pilot.
- 10 5. A conservation patrol officer.
- 11 6. A forest fire control assistant.
- 12 7. A member of the state patrol.
- 13 8. A state motor vehicle inspector.
- 14 9. A police officer.
- 15 10. A fire fighter.
- 16 11. A sheriff.
- 17 12. An undersheriff.
- 18 13. A deputy sheriff.
- 19 14. A state probation and parole officer.
- 20 15. A county traffic police officer.
- 21 16. A state forest ranger.
- 22 17. A fire watcher employed by the Wisconsin veterans home.
- 23 18. A state correctional–psychiatric officer.
- 24 19. An excise tax investigator employed by the department of revenue.
- 25 20. A special criminal investigation agent in the department of justice.

BILL

1 21. An assistant or deputy fire marshal, or person employed under s. 61.66 (1).

2 **SECTION 3.** 40.02 (48) (am) 22. of the statutes is created to read:

3 40.02 (48) (am) 22. A teacher or librarian employed at a state correctional
 4 institution, a secured correctional facility, as defined in s. 938.02 (15m), a mental
 5 health institute specified in s. 51.05 (1), the Wisconsin resource center, established
 6 under s. 46.056, or a secure mental health unit or facility, established under s.
 7 980.065 (2).

An employe of the department of military affairs who performs security functions at weapons facilities owned by the state.

8 **SECTION 4.** 40.02 (48) (c) of the statutes is renumbered 40.02 (48) (c) (intro.) and amended to read:

9 40.02 (48) (c) (intro.) In s. 40.65, "protective occupation participant" means a participating employe who is a any of the following:

- 10 1. A police officer,
- 11 2. A fire fighter, an.
- 12 3. An individual determined by a participating employer under par. (a) or (bm)
 13 to be a protective occupation participant,
- 14 4. A county undersheriff,
- 15 5. A deputy sheriff,
- 16 6. A state probation and parole officer,
- 17 7. A county traffic police officer,
- 18 8. A conservation warden,
- 19 9. A state forest ranger,
- 20 10. A field conservation employe of the department of natural resources who
 21 is subject to call for forest fire control or warden duty,
- 22 11. A member of the state traffic patrol,
- 23 12. A state motor vehicle inspector, university.

BILL

- 1 13. A University of Wisconsin system System full-time police officer,
- 2 14. A guard or any other employe whose principal duties are supervision and
- 3 discipline of inmates at a state penal institution,
- 4 15. An excise tax investigator employed by the department of revenue,
- 5 16. A person employed under s. 61.66 (1), or,
- 6 17. A special criminal investigation agent employed by the department of
- 7 justice.

8 **SECTION 5.** 40.02 (48) (c) 18. of the statutes is created to read:

9 40.02 (48) (c) 18. ~~A teacher or librarian employed at a state correctional~~

10 ~~institution, a secured correctional facility, as defined in s. 938.02 (15m), a mental~~

11 ~~health institute specified in s. 51.05 (1), the Wisconsin resource center, established~~

12 ~~under s. 46.056, or a secure mental health unit or facility, established under s.~~

13 ~~980.065 (2).~~

14 **SECTION 6.** 40.65 (4w) of the statutes is created to read:

15 40.65 (4w) ~~A teacher or librarian employed at a state correctional institution,~~

16 ~~a secured correctional facility, as defined in s. 938.02 (15m), a mental health institute~~

17 ~~specified in s. 51.05 (1), the Wisconsin resource center, established under s. 46.056,~~

18 ~~or a secure mental health unit or facility, established under s. 980.065 (2), who~~

19 becomes a protective occupation participant on or after the effective date of this

20 subsection [revisor inserts date], is not entitled to a duty disability benefit under

21 this section for an injury or disease occurring before the effective date of this

22 subsection [revisor inserts date].

23 **SECTION 7. Effective date.**

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

25 (END)

An employe of the department of military affairs who performs security functions at weapons facilities owned by the state.

please take out period in second use inserted in s. 40.65(4w)

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3228/1dn
RAC.wlj.mrc

July 12, 1999

Please review the language of the draft carefully to make certain that I have accurately described the individuals whom you wish to classify as protective occupation participants under the WRS.

Rick Champagne
Legislative Attorney
Phone: (608) 266-9930
E-mail: Rick.Champagne@legis.state.wi.us

**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.

JUL 13 1999

Date: 7/13/99

To: Senator Erpenbach

Relating to LRB drafting number: LRB-3228

Topic

Protective occupation participant status under the Wisconsin retirement system for certain employes of the department of military affairs

Subject(s)

Employ Pub - employe benefits, 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

Williams, Landon

To: Laundrie, Julie
Cc: Champagne, Rick
Subject: 99-3228 per your request



99-3228/1

Landon T. Williams
Legislative Program Assistant
Legislative Reference Bureau
100 N. Hamilton
(608) 266-3561
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