

1999 DRAFTING REQUEST

Bill

Received: 07/19/1999

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Gary Drzewiecki (608) 266-5670

By/Representing: Louie

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. Drafters:

Subject: Employ Pub - retirement

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Protective occupation status under the Wisconsin retirement system for state correctional institution employees

Instructions:

POP status for all DOC employees who work at state correctional institutions

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 07/19/1999	jgeller 07/19/1999		_____			State Retire
/1			jfrantze 07/19/1999	_____	lrb_docadmin 07/19/1999	lrb_docadmin 12/03/1999	

FE Sent For: 12/03/1999.

Handwritten circled note: 12/03/1999 with a checkmark and an arrow pointing to the text.

<END>

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/?	champra	1 7/19 jlg		_____			

FE Sent For:

<END>



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3229/1

RAC:jlg:km

LRB-3297/1

RAC:jlg

1999 BILL

Regen

State correctional institutions

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., 40.02 (57c) and 40.65
 3 (4w) of the statutes; **relating to:** classifying ~~within~~ employees of the University
 4 of Wisconsin Hospitals and Clinics Authority and the University of Wisconsin
 5 Hospitals and Clinics board as protective occupation participants under the
 6 Wisconsin retirement system. ~~department of corrections~~

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.

analysis insert

This bill specifically classifies employees of the University of Wisconsin Hospitals and Clinics Authority or the University of Wisconsin Hospitals and Clinics board who provide security services at the University of Wisconsin Hospitals and Clinics and whose duties include direct contact with any person who is receiving

BILL

~~services for mental illness, developmental disability, alcoholism or drug dependency or who is a prisoner while that person is on the premises of the University of Wisconsin Hospitals and Clinics~~ 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.

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 ~~University~~

3 ~~of Wisconsin Hospitals and Clinics security~~ employe on or after the effective date of
4 this paragraph [revisor inserts date], shall be granted creditable service as a

5 ~~University of Wisconsin Hospitals and Clinics security~~ employe that was earned on
6 or after the effective date of this paragraph [revisor inserts date], but may not be

7 granted creditable service as a protective occupation participant for any covered
8 service as a ~~University of Wisconsin Hospitals and Clinics security~~ employe that was

9 earned before the effective date of this paragraph [revisor inserts date], unless
10 that service was earned while the participant was classified under sub. (48) (a) and

11 s. 40.06 (1) (d) as a protective occupation participant.

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

14 40.02 (48) (am) (intro.) "Protective occupation participant" includes any
15 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)

16 and who is a any of the following:

17 1. A conservation warden,

18 2. A conservation patrol boat captain,

State Correctional Institution del

BILL

- 1 3. A conservation patrol boat engineer,
- 2 4. A conservation pilot,
- 3 5. A conservation patrol officer,
- 4 6. A forest fire control assistant,
- 5 7. A member of the state patrol,
- 6 8. A state motor vehicle inspector,
- 7 9. A police officer,
- 8 10. A fire fighter,
- 9 11. A sheriff,
- 10 12. An undersheriff,
- 11 13. A deputy sheriff,
- 12 14. A state probation and parole officer,
- 13 15. A county traffic police officer,
- 14 16. A state forest ranger,
- 15 17. A fire watcher employed by the Wisconsin veterans home,
- 16 18. A state correctional-psychiatric officer,
- 17 19. An excise tax investigator employed by the department of revenue,
- 18 20. A special criminal investigation agent in the department of justice,
- 19 21. An assistant or deputy fire marshal, or person employed under s. 61.66 (1).

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

(21) 40.02 (48) (am) 22. A ~~University of Wisconsin Hospitals and Clinics security~~
State Correctional Institution

22 employe.

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

BILL

1 40.02 (48) (c) (intro.) In s. 40.65, “protective occupation participant” means a
2 participating employe who is a any of the following:

3 1. A police officer,

4 2. A fire fighter,~~an~~

5 3. An individual determined by a participating employer under par. (a) or (bm)
6 to be a protective occupation participant,

7 4. A county undersheriff,

8 5. A deputy sheriff,

9 6. A state probation and parole officer,

10 7. A county traffic police officer,

11 8. A conservation warden,

12 9. A state forest ranger,

13 10. A field conservation employe of the department of natural resources who
14 is subject to call for forest fire control or warden duty,

15 11. A member of the state traffic patrol,

16 12. A state motor vehicle inspector,~~university.~~

17 13. A University of Wisconsin ~~system~~ System full-time police officer,

18 14. A guard or any other employe whose principal duties are supervision and
19 discipline of inmates at a state penal institution,

20 15. An excise tax investigator employed by the department of revenue,

21 16. A person employed under s. 61.66 (1),~~or.~~

22 17. A special criminal investigation agent employed by the department of
23 justice.

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

BILL

state correctional institution

1 40.02 (48) (c) 18. A ~~University of Wisconsin Hospitals and Clinics security~~
2 employe.

3 **SECTION 6.** 40.02 (57c) of the statutes is created to read:
4 40.02 (57c) "University of Wisconsin Hospitals and Clinics security employe"
5 means any employe of the University of Wisconsin Hospitals and Clinics Authority
6 or the University of Wisconsin Hospitals and Clinics board who provides security
7 services at the University of Wisconsin Hospitals and Clinics and whose duties
8 include direct contact with any person who is a patient, as defined in s. 51.61 (1)
9 (intro.), or a prisoner, as defined in s. 301.01 (2), while that person is on the premises
10 of the University of Wisconsin Hospitals and Clinics.

Insert 5-11

11 **SECTION 7.** 40.65 (4w) of the statutes is created to read:

state correctional institution

12 40.65 (4w) A ~~University of Wisconsin Hospitals and Clinics security~~ employe
13 who becomes a protective occupation participant on or after the effective date of this
14 subsection [revisor inserts date], is not entitled to a duty disability benefit under
15 this section for an injury or disease occurring before the effective date of this
16 subsection [revisor inserts date].

17 **SECTION 8. Effective date.**

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

19 (END)

1999-2000 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3297/?ins

.....

Insert Analysis:

~~NO~~ department of corrections who are employed at a state prison or a secured
correctional facility ~~NO~~ ~~TP~~

Insert 5-11:

SECTION 1. 40.02 (54~~p~~^X) of the statutes is created to read:

40.02 (54~~p~~^X) "State correctional institution employe" means an employe of the
department of corrections who is employed at a state correctional institution, as
defined in s. 301.01 (4).[✓]

**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: 7/19/99

To: Senator Drzewiecki

Relating to LRB drafting number: LRB-3297

Topic

Protective occupation status under the Wisconsin retirement system for state correctional institution employees

Subject(s)

Employ Pub - retirement

1. **JACKET** the draft for introduction Mary F. Drzewiecki
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 Mary F. Drzewiecki

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

Done
12-03-99
9MP