

2001 DRAFTING REQUEST

Bill

Received: **03/05/2001**

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Stephen Freese (608) 266-7502**

By/Representing: **Rob Richard**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

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

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Protective occupation participant status under the Wisconsin retirement system for county jailers

Instructions:

Redraft 1999 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 03/06/2001	jdyer 03/06/2001		_____			State Retire
/1			pgreensl 03/06/2001	_____	lrb docadmin 03/06/2001	lrb docadmin 03/07/2001	

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<END>

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1?	champra	1 3/6 jld	3/6 Pg	3/6 Pg/Ro.			

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<END>



2001-2002

State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-1343/1

RAC:cmh&jlg:jf

LRB-273111

RAC:jld

2001
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, PLOUFFE, MEYER and SERATTI, cosponsored by Senators MOEN, SCHULTZ, BRESKE, FITZGERALD and ROESSLER. Referred to Joint survey committee on Retirement Systems.

- regen. cat.

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^{traffic} 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 ~~at~~^{at}
19 Wisconsin veterans ~~at~~^{g facilities}, state correctional-psychiatric officer, excise tax
20 investigator employed by the department of revenue, special criminal investigation

ASSEMBLY BILL 48

RWF

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

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^e_λ 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, county jailer[✓], conservation warden, state forest ranger, field conservation employe^e_λ 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^e_λ 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:

40.65 (4w) A county jailer 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].

SECTION 5. Effective date.

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

(END)



STEPHEN R. MILLER
CHIEF

State of Wisconsin

LEGISLATIVE REFERENCE BUREAU

100 NORTH HAMILTON STREET
5TH FLOOR
MADISON, WI 53701-2037

LEGAL SECTION: (608) 266-3561
LEGAL FAX: (608) 264-6948

March 6, 2001

MEMORANDUM

To: Representative Freese

From: Rick A. Champagne, Senior Attorney

Re: LRB-2731 Protective occupation participant status under the Wisconsin retirement system for county jailers

The attached draft was prepared at your request. Please review it carefully to ensure that it is accurate and satisfies your intent. If it does and you would like it jacketed for introduction, please indicate below for which house you would like the draft jacketed and return this memorandum to our office. If you have any questions about jacketing, please call our program assistants at 266-3561. Please allow one day for jacketing.

JACKET FOR ASSEMBLY JACKET FOR SENATE

If you have any questions concerning the attached draft, or would like to have it redrafted, please contact me at (608) 266-9930 or at the address indicated at the top of this memorandum.

If the last paragraph of the analysis states that a fiscal estimate will be prepared, the LRB will request that it be prepared after the draft is introduced. You may obtain a fiscal estimate on the attached draft before it is introduced by calling our program assistants at 266-3561. Please note that if you have previously requested that a fiscal estimate be prepared on an earlier version of this draft, you will need to call our program assistants in order to obtain a fiscal estimate on this version before it is introduced.

Please call our program assistants at 266-3561 if you have any questions regarding this memorandum.