

**2001 DRAFTING REQUEST**

**Bill**

Received: 09/21/2000

Received By: **champra**

Wanted: As time permits

Identical to LRB:

For: **Terry Musser (608) 266-7461**

By/Representing: **Kathie**

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:**

Creditable military service under the Wisconsin retirement system

**Instructions:**

Redraft 1999 AB 124

**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 09/25/2000	hhagen 09/26/2000		_____			S&L Retire
/1			martykr 09/27/2000	_____	lrb_docadmin 09/27/2000	lrb_docadmin 10/02/2000	

FE Sent For:

<END>

→ AT  
Intro.

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For: Terry Musser (608) 266-7461

By/Representing: Kathie

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1?	champra	1/16/00 1/19/00 jld	1/19/00	1/19/00			

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<END>

LRB-0484/1  
RAC: hnh  
+  
jld

2001  
**1999 ASSEMBLY BILL 124**

February 16, 1999 - Introduced by Representatives MUSSER, RHOADES, RYBA, PETTIS, BRANDEMUEHL, OWENS, SCHNEIDER, PLOUFF, ALBERS, HANDRICK, KELSO, SYKORA, FREESE, SPILLNER, REYNOLDS, TURNER, SERATTI, POWERS, HASENOHR, BOYLE, HAHN and KREUSER, cosponsored by Senators CLAUSING, DECKER, FITZGERALD, SCHULTZ, DARLING, ROESSLER and BRESKE. Referred to Joint survey committee on Retirement Systems.

gen. cat.

1 **AN ACT to repeal** 40.02 (15) (c) 1. and 40.02 (15) (c) 5.; **to amend** 40.02 (15) (c)  
2 4.; and **to create** 40.02 (15) (c) 1g. and 40.02 (15) (c) 1r. of the statutes; **relating**  
3 **to:** creditable military service under the Wisconsin retirement system.

**Analysis by the Legislative Reference Bureau**

\* Under current law, a participating employee under the Wisconsin retirement system (WRS) may receive one year of creditable service under the WRS for each year of military service, up to a maximum of four years of military service credit, at the time of retirement in either of the following ways:

1. If the participant left employment covered under the WRS to enter military service and returned to the same employer within 180 days after being discharged, the participant may receive one year of military service credit for each year of military service (regardless of the amount of the participant's creditable service).

\* 2. If the participant's military service was performed before 1974, the participant may receive up to one, two, three, or four years of military service credit if the participant has at least five, ten, fifteen, or twenty years, respectively, of creditable service (not counting previously granted military service credit).

✓ This bill provides that a participating employee in the WRS who terminates covered service on or after the effective date of the bill may receive creditable military service under item 2 for active military service served at any time.

In addition, the bill provides that, for the purposes of item 2., the participant may receive military service credits under the WRS for military service that is used for the purpose of establishing entitlement to a retirement benefit that is paid by the federal government.

**ASSEMBLY BILL 124**

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 this bill.

For further information see the *state and local* 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 (15) (c) 1. of the statutes is repealed.

2           **SECTION 2.** 40.02 (15) (c) 1g. of the statutes is created to read:

3           40.02 (15) (c) 1g. For a participant who terminates creditable service on or after  
4 January 1, 1982, but before the effective date of this subdivision ... [revisor inserts  
5 date], this paragraph applies only to active military service prior to January 1, 1974.

6           **SECTION 3.** 40.02 (15) (c) 1r. of the statutes is created to read:

7           40.02 (15) (c) 1r. For a participant who terminates creditable service on or after  
8 the effective date of this subdivision ... [revisor inserts date], this paragraph applies  
9 to active military service served at any time.

PROOF WITH FOLIO

10           **SECTION 4.** 40.02 (15) (c) 4. of the statutes is amended to read:

11           40.02 (15) (c) 4. This If the participant makes an election under s. 40.30 (2), this  
12 paragraph does not apply to any active service used for the purpose of establishing  
13 entitlement to, or the amount of, any benefit, other than a disability benefit, to be  
14 paid by ~~any federal retirement program except OASDHI and the retired pay for~~  
15 ~~nonregular military service program under 10 USC 1331 to 1337 or, if the participant~~  
16 ~~makes an election under s. 40.30 (2),~~ by any retirement system specified in s. 40.30  
17 (2) other than the Wisconsin retirement system.

18           **SECTION 5.** 40.02 (15) (c) 5. of the statutes is repealed.

19           **SECTION 6. Initial applicability.**

**ASSEMBLY BILL 124**

1 (1) The treatment of section 40.02 (15) (c) 4. of the statutes first applies to  
2 participating employees under the Wisconsin retirement system who terminate  
3 covered employment on the effective date of this subsection.

4 (END)



# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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

STEPHEN R. MILLER  
CHIEF

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

September 27, 2000

### MEMORANDUM

To: Representative Musser

From: Rick A. Champagne, Senior Attorney

Re: LRB-0484 Creditable military service under the Wisconsin retirement system

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.