

2001 DRAFTING REQUEST

Assembly Amendment (AA-AB414)

Received: 11/21/2001

Received By: **champra**

Wanted: **Soon**

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:

Addl. Drafters:

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

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Musser@legis.state.wi.us**

Carbon copy (CC:) to: **rick.champagne@legis.state.wi.us**

Pre Topic:

No specific pre topic given

Topic:

Expanding coverage for creditable military service under the Wisconsin retirement system

Instructions:

See Attached.

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>
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FE Sent For:

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Champagne, Rick

From: Rep.Musser
Sent: Wednesday, November 21, 2001 9:53 AM
To: Champagne, Rick
Subject: Draft Request

Hi, Rick ... long time no see!

Terry would like an amendment to AB 414, creditable military service, which I believe you drafted.

The amendment would add the Public Health Service and the National Oceanic and Atmospheric Administration to service branches listed in the definition of "creditable military service" (Army, Navy, Air Force, Marine Corps, Coast Guard).

Attached is an email with further information on this amendment.



AB 414

If we can be of assistance, please don't hesitate ...

Thanks, Rick! Hope you had a great Thanksgiving holiday!

Kathie @ Rep. Musser's Office
266-7461

Champagne, Rick

From: Bennett, Frank-DTD7
Sent: Monday, October 08, 2001 4:07 PM
To: Rep.Musser
Subject: AB 414

Assembly Bill 414, currently in the Joint Survey Committee on Retirement Systems and the Committee on Veterans & Military Affairs, is a worthy effort to place current (post 1974) military service on the same level as pre 1974 service in the eyes of the Wisconsin Retirement System. It has particular significance these days. I am certain that all veterans applaud the effort of the legislators who introduced AB 414.

I am writing to request that AB 414 be expanded slightly to include all seven of America's Uniformed Services and be enacted as soon as reasonably possible.

Many are not aware that our country's servicemen and women also include commissioned officers of the U.S. Public Health Service and the National Oceanic and Atmospheric Administration. These individuals are subject to military orders like other servicemembers and the Uniform Code of Military Justice may also apply under certain circumstances. Two years' service with either fulfills a man's military obligation. Virtually all federal legislation regarding servicemembers uses the term "Uniformed Services" rather than "Armed Services" in order to include USPHS and NOAA officers. A recent court decision affirmed the applicability of the 1948 Soldiers' and Sailors' Civil Relief Act to these other services. I am proud to report that the Wisconsin Legislature recently included all the Uniformed Services in the income tax relief for military retirees as part of the 2001 budget bill.

USPHS and NOAA are small services within the Department of Health & Human Services and the Department of Commerce respectively. They get very little publicity, and I would estimate there are fewer than a dozen such officers stationed in Wisconsin - mainly healthcare professionals assigned to the Indian Reservations. It is doubtful that there are more than a handful working at ETF-covered second careers and so the cost of including these people in AB 414 would be negligible.

I ask you to specifically include these service members in AB 414 by defining 'creditable military service' to mean active duty service as an enlisted person or officer in the Army, Navy, Air Force, Marine Corps, Coast Guard, Public Health Service, and National Oceanic and Atmospheric Administration. In addition I respectfully request that this legislation be enacted as soon as reasonably possible. I would be pleased to answer any questions you might have about the Uniformed Services if I can. Thank you for your consideration.

Francis W. Bennett, P.E.
CAPT, USPHS (Ret)

4852 W. Birchwood Drive
Rhineland, WI 54501

(715) 365-5756 office
(715) 369-3980 home



State of Wisconsin
2001 - 2002 LEGISLATURE

LRBa0969/1

RAC: *amh*

Sean

**ASSEMBLY AMENDMENT ,
TO 2001 ASSEMBLY BILL 414**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 1, line 3: after "system" insert "and granting creditable service under
3 the Wisconsin retirement system for service in the federal public health service and
4 national oceanic and atmospheric administration".

5 **2.** Page 2, line 1: before that line insert:

6 "SECTION 1c. 40.02 (15) (a) (intro.) of the statutes is amended to read:

7 40.02 (15) (a) (intro.) "Creditable military, federal public health, or national
8 oceanic and atmospheric administration service" means active service in the U.S.
9 armed forces, federal public health service, or national oceanic and atmospheric
10 administration, based on the total period of service in the U.S. armed forces, federal
11 public health service, or national oceanic and atmospheric administration, provided:

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

12 **SECTION 1g. 40.02 (15) (a) 1. to 4. of the statutes are amended to read:**

1 40.02 (15) (a) 1. The participant enlisted or was ordered or inducted into active
2 service in the U.S. armed forces or joined the federal public health service or national
3 oceanic and atmospheric administration;

4 2. The participant left the employment of a participating employer to enter the
5 U.S. armed forces, federal public health service, or national oceanic and atmospheric
6 administration;

7 3. The participant returns to the employment of the employer whose
8 employment the participant left to enter the U.S. armed forces, federal public health
9 service, or national oceanic and atmospheric administration within 180 days of
10 release or discharge from the armed forces or resignation from the federal public
11 health service or national oceanic and atmospheric administration, or within 180
12 days of release from hospitalization because of injury or sickness resulting from
13 service in the armed forces, federal public health service, or national oceanic and
14 atmospheric administration;

15 4. The period of service in the U.S. armed forces, federal public health service,
16 or national oceanic and atmospheric administration is not more than 4 years, unless
17 involuntarily extended for a longer period;

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

18 **SECTION 1L.** 40.02 (15) (a) 6. of the statutes is amended to read:

19 40.02 (15) (a) 6. The participant upon return from service in the U.S. armed
20 forces, federal public health service, or national oceanic and atmospheric
21 administration furnishes evidence required to establish the participant's rights
22 under this chapter; and

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16,

263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

1 **SECTION 1p.** 40.02 (15) (b) of the statutes is amended to read:

2 40.02 (15) (b) The creditable military service, federal public health service, or
3 national oceanic and atmospheric administration under par. (a) shall be the same
4 type, as set forth in s. 40.23 (2m) (e), as the participant was receiving prior to entry
5 into the U.S. armed forces, federal public health service, or national oceanic and
6 atmospheric administration.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

7 **SECTION 1t.** 40.02 (15) (c) (intro.) of the statutes is amended to read:

8 40.02 (15) (c) (intro.) Notwithstanding sub. (17) (intro.) and any other law, any
9 person who is credited with 5, 10, 15 or 20 or more years of creditable service, not
10 counting any previously granted creditable military, federal public health, or
11 national oceanic and atmospheric administration service, may receive creditable
12 military, federal public health, or national oceanic and atmospheric administration
13 service at the time of retirement for not more than 1, 2, 3 or 4 years, respectively, of
14 active service which meets the standards under par. (a) 5., provided:”.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

15 **3.** Page 2, line 1: delete “SECTION 1” and substitute “SECTION 1x”.

16 **4.** Page 2, line 5: after “military” insert “, federal public health, or national
17 oceanic and atmospheric administration”.

18 **5.** Page 2, line 9: after “military” insert “, federal public health, or national
19 oceanic and atmospheric administration”.

20 **6.** Page 2, line 9: after that line insert:

21 “SECTION 3m. 40.02 (15) (c) 2. and 3. of the statutes are amended to read:

1 40.02 (15) (c) 2. Any creditable military, federal public health, or national
2 oceanic and atmospheric administration service otherwise granted shall be included
3 in determining the maximum years to be granted under this paragraph.

4 3. Creditable military, federal public health, or national oceanic and
5 atmospheric administration service under this paragraph shall be allocated at the
6 time of retirement in proportion to the amount of the participant's creditable service
7 for each of the types of creditable service set forth in s. 40.23 (2m) (e) on the date the
8 participant attains 5, 10, 15, or 20 years of creditable service.”

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

9 7. Page 2, line 18: after that line insert:

10 “SECTION 5b. 40.02 (17) (intro.) of the statutes is amended to read:

11 40.02 (17) (intro.) “Creditable service” means the creditable current and prior
12 service, expressed in years and fractions of a year to the nearest one-hundredth, for
13 which a participating employee receives or is considered to receive earnings under
14 sub. (22) (e) or (em) and for which contributions have been made as required by s.
15 40.05 (1) and (2) and creditable military, federal public health, or national oceanic
16 and atmospheric administration service, service credited under s. 40.25 (7) and
17 service credited under s. 40.29, expressed in years and fractions of years to the
18 nearest one-hundredth. How much service in any annual earnings period is the
19 full-time equivalent of one year of creditable service shall be determined by rule by
20 the department and the rules may provide for differing equivalents for different
21 types of employment. Except as provided under pars. (i) and (k), the amount of
22 creditable service for periods prior to January 1, 1982, shall be the amount for which
23 the participant was eligible under the applicable laws and rules in effect prior to

1 January 1, 1982. No more than one year of creditable service shall be granted for any
2 annual earnings period. Creditable service is determined in the following manner
3 for the following persons:

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

4 **SECTION 5d. 40.02 (40)** of the statutes is amended to read:

5 40.02 (40) "Leave of absence" means any period during which an employee has
6 ceased to render services for a participating employer and receive earnings and there
7 has been no formal termination of the employer–employee relationship. For
8 purposes of the fund every leave of absence, except a military, federal public health
9 service, or national oceanic and atmospheric administration leave or union service
10 leave, shall terminate 3 years after it begins or, if earlier, upon the date specified by
11 the employer in a notification to the department that the employer–employee
12 relationship has terminated. A leave of absence is not deemed ended or interrupted
13 by reason of resumption of active duty until the employee has resumed active
14 performance of duty for 30 consecutive calendar days for at least 50% of what is
15 considered that employee's normal work time with that employer. For the purpose
16 of group health insurance coverage, every leave of absence due to employee layoff
17 which has not been terminated before 3 years have elapsed shall continue for affected
18 insured employees until an additional 2 years elapse or until sick leave credits used
19 to pay health insurance premiums are exhausted, whichever occurs first.

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

20 **SECTION 5f. 40.02 (48m) (f)** of the statutes is amended to read:

21 40.02 (48m) (f) The judgment, decree, or order requires the participant to
22 certify, in a form prescribed by the department, all of the participant's active military,

1 federal public health, or national oceanic and atmospheric administration service,
2 as described in sub. (15) (a).

History: 1981 c. 96, 187, 250, 274, 386; 1983 a. 9, 27; 1983 a. 81 s. 11; 1983 a. 83 s. 20; 1983 a. 106, 140; 1983 a. 141 ss. 1 to 3, 20; 1983 a. 191 ss. 1, 6; 1983 a. 192 s. 304; 1983 a. 255 s. 6; 1983 a. 275, 290, 368; 1983 a. 435 s. 7; 1985 a. 29, 225; 1985 a. 332 ss. 52, 251 (1); 1987 a. 27, 62, 83, 107, 309, 340, 356, 363, 372, 399; 1987 a. 403 ss. 43 to 45, 256; 1989 a. 13, 14, 31; 1989 a. 56 s. 259; 1989 a. 166, 182, 189, 218, 230, 240, 323, 327, 336, 355, 357, 359; 1991 a. 32, 39, 113, 152, 229, 269, 315; 1993 a. 16, 263, 383, 490, 491; 1995 a. 27, ss. 1946 to 1953, 9130 (4); 1995 a. 81, 88, 89, 216, 240, 302, 381, 417; 1997 a. 3, 27, 39, 69, 110, 162, 237, 238; 1999 a. 9, 11, 42, 63, 65, 83; 2001 a. 16.

3 **SECTION 5h.** 40.05 (2) (b) of the statutes is amended to read:

4 40.05 (2) (b) Contributions shall be made by each participating employer for
5 unfunded prior service liability in a percentage of the earnings of each participating
6 employee. A separate percentage rate shall be determined for the employee
7 occupational categories under s. 40.23 (2m) as of the employer's effective date of
8 participation. The rates shall be sufficient to amortize as a level percent of payroll
9 over a period of 40 years from the later of that date or January 1, 1986, the unfunded
10 prior service liability for the categories of employees of each employer determined
11 under s. 40.05 (2) (b), 1981 stats., increased to reflect any creditable prior service
12 granted on or after January 1, 1986, increased to reflect the effect of 1983 Wisconsin
13 Act 141, increased at the end of each calendar year after January 1, 1986, by interest
14 at the assumed rate on the unpaid balance at the end of the year and adjusted under
15 pars. (bu), (bv) and, (bw), and (bx).

History: 1981 c. 96, 274, 278, 386; 1983 a. 9 s. 6; 1983 a. 27, 30; 1983 a. 46 ss. 2 to 4, 7; 1983 a. 140; 1983 a. 141 ss. 7 to 12, 20; 1983 a. 290, 504, 538; 1985 a. 29, 119, 135, 225; 1987 a. 27, 83, 107, 309, 356, 363; 1987 a. 403 s. 256; 1989 a. 13, 14, 31, 119, 122, 166; 182, 189, 230, 336, 355, 359; 1991 a. 32, 39, 107, 113, 141, 152, 189, 269; 1995 a. 27, 81, 88, 89, 240, 302; 1997 a. 35, 58, 149; 1999 a. 9, 11, 13, 104; 2001 a. 16.

16 **SECTION 5j.** 40.05 (2) (bx) of the statutes is created to read:

17 40.05 (2) (bx) The employer contribution rate determined under par. (b) for
18 participating employees who served in the federal public health service or national
19 oceanic and atmospheric administration shall be adjusted to reflect the cost of
20 granting creditable service for those participating employees under s. 40.02 (15) and
21 that rate shall be sufficient to amortize the unfunded prior service liability of the
22 employers over the remainder of the 40-year amortization period under par. (b).

1 **SECTION 5L.** 40.25 (7) (a) (intro.) of the statutes is amended to read:

2 40.25 (7) (a) (intro.) Each participating employee whose creditable service
3 terminates on or after May 1, 1992, and who has performed service, other than
4 military, federal public health, or national oceanic and atmospheric administration
5 service, as an employee of the federal government or a state or local governmental
6 entity in the United States, other than a participating employer, that is located
7 within or outside of this state, or each participating employee whose creditable
8 service terminates on or after May 4, 1994, and who has performed service as an
9 employee for an employer who was not at the time a participating employer but who
10 subsequently became a participating employer, may receive creditable service for
11 such service if all of the following conditions are met:

12 History: 1981 c. 96, 201; 1981 c. 386 ss. 14 to 16, 19; 1983 a. 290; 1989 a. 13, 166; 1991 a. 152, 269; 1993 a. 229, 360, 426; 1995 a. 302; 1997 a. 69, 173, 237; 1999 a. 32.

12 **SECTION 5n.** 40.25 (7) (b) of the statutes is amended to read:

13 40.25 (7) (b) Creditable service granted under par. (a) shall be calculated in an
14 amount equal to the year and fractions of a year to the nearest one-hundredth of a
15 year for service other than military, federal public health, or national oceanic and
16 atmospheric administration service performed for the governmental entity, as
17 determined by evidence of such service furnished under par. (a) 4. Creditable service
18 granted under par. (a) shall be the same type of creditable service as the type that
19 is granted to participants who are not executive participating employees, elected
20 officials or protective occupation participants. A participating employee may apply
21 to receive part or all of the creditable service that he or she is eligible to receive under
22 par. (a).

23 History: 1981 c. 96, 201; 1981 c. 386 ss. 14 to 16, 19; 1983 a. 290; 1989 a. 13, 166; 1991 a. 152, 269; 1993 a. 229, 360, 426; 1995 a. 302; 1997 a. 69, 173, 237; 1999 a. 32.

23 **SECTION 5p.** 40.30 (3) of the statutes is amended to read:

