

**2001 DRAFTING REQUEST**

**Bill**

Received: **07/10/2001**

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Tom Sykora (608) 266-1194**

By/Representing: **Martha**

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

Drafter: **champra**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - miscellaneous  
Employ Pub - retirement**

Extra Copies:

Submit via email: **NO**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Maximum annuity payments for protective occupation participants under the Wisconsin retirement system

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**Instructions:**

See Attached.

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**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>
/1	champra 08/21/2001	jdyer 09/05/2001	rschluet 09/05/2001	_____	lrb_docadmin 09/05/2001	lrb_docadminS&L 11/08/2001	Retire

FE Sent For:

*At intro*

<END>

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FE Sent For:

<END>



# AFSCME®

WISCONSIN OFFICE • 8033 Excelsior Drive, Suite A • Madison, Wisconsin 53717-1903 • Telephone 608/836-6666

Date: June 26, 2001  
To: Rep. Tom Sykora  
From: Dennis Boyer  
Re: Draft Requests

Thanks for meeting with me and agreeing to introduce these two items:

1. Adjustment of final average earnings cap for protectives by 5% to match increase to general employees under Act 11. (See attached language.)
2. Amend 40.65 to provide that duty disability and death benefits are extended to county jailers and corrections officers irrespective of whether they are in protective occupation status, provide for employer notice to ETF of covered jail employees under 40.06 (d), and provide that no claim for benefits can be made for injuries or disease occurring before the effective date of the bill (January 1, 2003?).

Have the drafter call me if there are questions. Thanks again.

DB:lm

Attachment

xc: Sandra Bloomfield (with attachment)  
Roy Kubista (with attachment)  
Beth Smith (with attachment)

*in the public service*

American Federation of State, County and Municipal Employees, AFL-CIO



A bill to amend 40.23 (2m) (b) of the statutes as amended by October 11 laws of 1999.

40.23 (2m) (b). Except as provided in s. 40.26 subject to the limitations under section 415 of the ~~internal revenue code~~ Internal Revenue Code the initial amount of the normal form annuity shall be an amount equal to ~~65%~~ 70% or ~~65%~~ 70% for participants where formula rate is determined under par. (e) 3 or ~~85%~~ 90% for participants whose formula rate is determined under par (e) 4 of the participants final average earnings plus the amount which can be provided under pars. (c) and (d) or, if less, shall be in the monthly amount equal to the sum of the amounts determined under pars. (c) (d) and (e) as modified by pars. (f) and in accordance with the actuarial tables in effect on the annuity effective date. If the participant has creditable service under both par. (e) 4 and another category under par. (e), the percent applied under this paragraph shall be determined by multiplying the percent that each type of creditable service is of the participant's total creditable service by ~~85%~~ 90 and ~~65%~~ 70 percent or 70 percent respectively and adding the results, except that the resulting benefit may not be less than the amount of the normal form annuity that could be paid based solely on the creditable service under par. (e) 4.



State of Wisconsin  
2001 - 2002 LEGISLATURE

LRB-3502/1

RAC:.....

*John*

*JLD*

**2001 BILL**

*Gen*

1 AN ACT ...; relating to: annuity payments for protective occupation participants  
2 under the Wisconsin retirement system. ✓

***Analysis by the Legislative Reference Bureau***

Under current law, when a participant in the Wisconsin retirement system (WRS) terminates state or local government employment and becomes eligible for a retirement annuity, one of the ways in which the amount of his or her retirement annuity is determined is by multiplying the participant's final average earnings by the participant's years of creditable service and by a percentage multiplier. Currently, the maximum amount of an initial retirement annuity that is calculated with the percentage multiplier is 70% of the participant's final average earnings, unless the participant is a protective occupation participant. For a protective occupation participant who is covered by social security, the maximum amount is 65% of the participant's final average earnings; for a protective occupation participant who is not covered by social security, the maximum amount is 85% of the participant's final average earnings. This bill increases the maximum initial annuity amount to 70% for protective occupation participants who are covered by social security and to 90% for protective occupation participants who are not covered by social security.

*retirement*

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.

**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. 40.23 (2m) (b) <sup>X</sup> of the statutes is amended to read:

2           40.23 (2m) (b) Except as provided in s. 40.26, subject to the limitations under  
3 section 415 of the Internal Revenue Code, the initial amount of the normal form  
4 annuity shall be an amount equal to 70%, or ~~65%~~ <sup>plain</sup> for participants whose formula rate  
5 ~~is determined under par. (e) 3.~~ or ~~85%~~ <sup>✓</sup> 90% for participants whose formula rate is  
6 determined under par. (e) 4., of the participant's final average earnings plus the  
7 amount which can be provided under pars. (c) and (d) or, if less, shall be in the  
8 monthly amount equal to the sum of the amounts determined under pars. (c), (d) and  
9 (e) as modified by par. (f) and in accordance with the actuarial tables in effect on the  
10 annuity effective date. If the participant has creditable service under both par. (e)  
11 4. and another category under par. (e), the percent applied under this paragraph  
12 shall be determined by multiplying the percent that each type of creditable service  
13 is of the participant's total creditable service by ~~85%~~ and ~~65%~~ <sup>✓</sup> 90% or 70%,  
14 respectively, and adding the results, except that the resulting benefit may not be less  
15 than the amount of the normal form annuity that could be paid based solely on the  
16 creditable service under par. (e) 4.

History: 1981 c. 96, 386; 1983 a. 141, 267, 391; 1987 a. 309, 372; 1987 a. 403 s. 256; 1989 a. 13; 1989 a. 56 s. 259; 1991 a. 152; 1995 a. 225, 302, 414; 1997 a. 35, 69; 1999 a. 11.

17           **SECTION 2. Initial applicability.**





# 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 5, 2001

### MEMORANDUM

To: Representative Sykora

From: Rick A. Champagne, Senior Attorney

Rc: LRB-3502/1 Maximum annuity payments for protective occupation participants 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.