

2001 DRAFTING REQUEST

Bill

Received: **11/14/2000**

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

For: **Jon Erpenbach (608) 266-6670**

By/Representing: **Nancy Bills**

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:

Status of court commissioners 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>
/?	champra 11/15/2000	jdyer 11/15/2000		_____			S&L Retire
/1			pgreensl 11/16/2000	_____	lrb_docadmin 11/16/2000		S&L Retire
/2	champra 12/01/2000	jdyer 12/04/2000	pgreensl 12/04/2000	_____	lrb_docadmin 12/04/2000	lrb_docadmin 02/02/2001	

FE Sent For:

<END>

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/1		1/2 12/4	pgreensl 11/16/2000	PG/5F 12/4	lrb_docadmin 11/16/2000		
FE Sent For:			12/4 p6				

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1?	champra	1 11/15 JLD	11/16 pg	11/16 pg / PS			

FE Sent For:

<END>

Champagne, Rick

From: Bills, Nancy
Sent: Monday, November 13, 2000 3:06 PM
To: Champagne, Rick
Cc: Laundrie, Julie; Erpenbach, Jon
Subject: request for bill draft

TO: Rick Champagne

FROM: Nancy Bills,
State Senator Jon Erpenbach's Office

DATE: November 13, 2000

Senator Erpenbach would like to request that Senate Bill 365 be redrafted for next session. This bill, otherwise known as the court commissioner's retirement bill, had a legislative hearing but received no executive action.

If you have any questions, please give me a call at 266-6670. Thank you for your help.



State of Wisconsin
1999 - 2000 LEGISLATURE

2001-2002

LRB-3809/1
RAC:jlg&wlj:hmh

2001

LRB-0996/1
RAC:jld

1999 SENATE BILL 365

February 8, 2000 - Introduced by Senators ERPENBACH, GEORGE, BURKE, RISSER, PLACHE and ROESSLER, cosponsored by Representatives TOWNSEND, BERCEAU, SCHOOFF, COGGS, SKINDRUD, POCAN, HEBL and KREUSER. Referred to Joint survey committee on Retirement Systems.

regr. cot.

- 1 AN ACT to amend 40.02 (30) of the statutes; relating to: executive participating
- 2 employe status under the Wisconsin retirement system for certain court
- 3 commissioners.

Analysis by the Legislative Reference Bureau

Under current law, when a participant in the Wisconsin retirement system (WRS) terminates covered employment and becomes eligible for a retirement annuity, one of the ways in which the amount of his or her 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. For a protective occupation participant who is covered by the federal Social Security Act, an elected official and an executive participating employe, the percentage multiplier is 2%; for a protective occupation participant who is not covered by the federal Social Security Act, the percentage multiplier is 2.5%; and for all other participants in the WRS, the percentage multiplier is 1.6%.

In addition, under current law, the normal retirement age under the WRS for a protective occupation participant is when he or she attains the age of 54, or 53 if the participant has 25 or more years of creditable service; the normal retirement age for an elected official and an executive participating employe is when he or she attains the age of 62; and the normal retirement age for any other participant in the WRS is when he or she attains the age of 65.

This bill provides that court commissioners, juvenile court commissioners, probate court commissioners and family court commissioners are executive

(For service prior to January 1, 2000, these multipliers are increased by 0.165%.)

SENATE BILL 365

RAC:jlg&wlj:hmh

as a commissioner
for service ~~as~~ on or after January 1, 2000, and 2.165% for service as a commissioner before January 1, 2000,

participating employees under the WRS. As such, the commissioners will be eligible to receive a WRS retirement annuity calculated with a percentage multiplier of 2% and to have a normal retirement age of 62. Currently, the commissioners are eligible to receive a WRS retirement annuity calculated with a percentage multiplier of 1.6% and have a normal retirement age of 65.

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.

for service as a commissioner on or after January 1, 2000, and 1.765% for service as a commissioner before January 1, 2000,

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 40.02 (30) of the statutes is amended to read:

40.02 (30) "Executive participating employee^e means a participating employee^e in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), ~~(4m)~~ (8) or (9), a participating employee^e who is a court commissioner appointed under s. 48.065 (1), 757.68 (1) (a), 757.72 (1), 767.13 (1) (a), or 938.065 (1) or a participating employee^e in a position authorized under s. 230.08 (2) (e) during the time of employment. All service credited prior to May 17, 1988, as executive service as defined under s. 40.02 (31), 1985 stats., shall continue to be treated as executive service as defined under s. 40.02 (31), 1985 stats., but no other service rendered prior to May 17, 1988, may be changed to executive service as defined under s. 40.02 (31), 1985 stats.

SECTION 2. Initial applicability.

(1) This act first applies to the calculation of a retirement annuity under the Wisconsin retirement system for individuals who are participating employees^e on the effective date of this subsection.

SECTION 3. Effective date.

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

(END) ✓

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State of Wisconsin
2001 - 2002 LEGISLATURE

LRB-0996/1-2
RAC:jld:pg

RMR

2001 BILL

-gen. cod.

1 AN ACT *to amend* 40.02 (30) of the statutes; **relating to:** executive participating
2 employee status under the Wisconsin retirement system for certain court
3 commissioners.

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Under current law, when a participant in the Wisconsin retirement system (WRS) terminates covered employment and becomes eligible for a retirement annuity, one of the ways in which the amount of his or her 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. For a protective occupation participant who is covered by the federal Social Security Act, an elected official and an executive participating employee, the percentage multiplier is 2%; for a protective occupation participant who is not covered by the federal Social Security Act, the percentage multiplier is 2.5%; and for all other participants in the WRS, the percentage multiplier is 1.6%. (For service prior to January 1, 2000, these multipliers are increased by 0.165%.)

In addition, under current law, the normal retirement age under the WRS for a protective occupation participant is when he or she attains the age of 54, or 53 if the participant has 25 or more years of creditable service; the normal retirement age for an elected official and an executive participating employee is when he or she attains the age of 62; and the normal retirement age for any other participant in the WRS is when he or she attains the age of 65.

This bill provides that court commissioners, juvenile court commissioners, probate court commissioners and family court commissioners are executive

BILL

participating employees under the WRS. As such, the commissioners will be eligible to receive a WRS retirement annuity calculated with a percentage multiplier of 2% for service as a commissioner on or after January 1, 2000, and 2.165% for service as a commissioner before January 1, 2000, and to have a normal retirement age of 62. Currently, the commissioners are eligible to receive a WRS retirement annuity calculated with a percentage multiplier of 1.6% for service as a commissioner on or after January 1, 2000, and 1.765% for service as a commissioner before January 1, 2000, and have a normal retirement age of 65.

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.

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1 **SECTION 1.** 40.02 (30) of the statutes is amended to read:

2 40.02 (30) "Executive participating employee" means a participating employee
3 in a position designated under s. 19.42 (10) (L) or 20.923 (4), (4g), (8), or (9), a
4 participating employee who is a court commissioner appointed under s. 48.065 (1),
5 757.68 (1) (a), 757.72 (1), 767.13 (1) (a), or 938.065 (1) or a participating employee in
6 a position authorized under s. 230.08 (2) (e) during the time of employment. All
7 service credited prior to May 17, 1988, as executive service as defined under s. 40.02
8 (31), 1985 stats., shall continue to be treated as executive service as defined under
9 s. 40.02 (31), 1985 stats., but no other service rendered prior to May 17, 1988, may
10 be changed to executive service as defined under s. 40.02 (31), 1985 stats.

11 **SECTION 2. Initial applicability.**

12 (1) This act first applies to the calculation of a retirement annuity under the
13 Wisconsin retirement system for individuals who are participating employees on the
14 effective date of this subsection.

15 **SECTION 3. Effective date.**

Insert
2-1

1



SENATE AMENDMENT,
TO 1999 SENATE BILL 365

2 - 1

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

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

3 ~~SECTION 1c.~~ [#] 40.02 (17) (n) [✓] of the statutes is created to read:

4 40.02 (17) (n) Each participant who is a court commissioner under s. 48.065 (1),
5 757.68 (1) (a), 757.72 (1), 767.13 (1) (a) ³ or 938.065 (1) [✓] on or after the effective date
6 of this paragraph [✓] [revisor inserts date], shall be granted creditable service as an
7 executive participating employe ^e for all covered service as a court commissioner on
8 or after the effective date of this paragraph [revisor inserts date], but may not be
9 granted creditable service as a court commissioner for any covered service as a court
10 commissioner that was earned before the effective date of this paragraph [revisor
11 inserts date]. ^e

12 2. Page 2, line 1: delete "SECTION 1" and substitute "SECTION 1r".

(end)
of Insert



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

December 4, 2000

MEMORANDUM

To: Senator Erpenbach

From: Rick A. Champagne, Senior Attorney

Re: LRB-0996 Status of court commissioners 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 X JACKET FOR SENATE

Jon Erpenbach

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.