

2001 DRAFTING REQUEST

Bill

Received: 02/13/2001

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: nancy

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. 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 certain employees of the department of military affairs

Instructions:

Redraft 1999 SB 367

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 02/13/2001	jdye 02/14/2001		_____			State Retire
/1			martykr 02/14/2001	_____	lrb_docadmin 02/14/2001	lrb_docadmin 02/16/2001	

FE Sent For:

<END>

At Intro.

**2001 DRAFTING REQUEST**

**Bill**

Received: **02/13/2001**

Received By: **champra**

Wanted: **As time permits**

Identical to LRB:

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

By/Representing: **nancy**

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

Drafter: **champra**

May Contact:

Alt. 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 certain employees of the department of military affairs

**Instructions:**

Redraft 1999 SB 367

**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 02/13/2001	jdye 02/14/2001		_____			State Retire
/1			martykr 02/14/2001	_____	lrb_docadmin 02/14/2001		

FE Sent For:

**<END>**

**2001 DRAFTING REQUEST**

**Bill**

Received: 02/13/2001

Received By: champra

Wanted: As time permits

Identical to LRB:

For: Jon Erpenbach (608) 266-6670

By/Representing: nancy

This file may be shown to any legislator: NO

Drafter: champra

May Contact:

Alt. 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 certain employees of the department of military affairs

**Instructions:**

Redraft 1999 SB 367

**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	1/14 jld	1/24	PG 2 1/24			

FE Sent For:

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-322871

RAC:wlj:mrc

2001  
1999 SENATE BILL 367

LRB-2498/1  
RAC:jld

February 8, 2000 - Introduced by Senators ERPENBACH, RUDE, GROBSCHMIDT and  
RISSER, cosponsored by Representatives MUSSER, BLACK, RYBA, POCAN, TURNER,  
BOYLE and BERCEAU. Referred to Joint survey committee on Retirement  
Systems.

regr. cat.

1 AN ACT to renumber and amend 40.02 (48) (am) and 40.02 (48) (c); and to  
2 create 40.02 (17) (n), 40.02 (48) (am) 22., 40.02 (48) (c) 18. and 40.65 (4w) of the  
3 statutes; relating to: classifying employees of the department of military affairs  
4 who perform security functions at weapons facilities owned by the state as  
5 protective occupation participants under the Wisconsin retirement 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 employees of the department of military affairs who perform security functions at weapons facilities owned by the state 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.

**SENATE BILL 367**

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) <sup>✓</sup> of the statutes is created to read:

2 40.02 (17) (n) Notwithstanding par. (d), <sup>✓</sup> each participant who is an employe <sup>e</sup> of  
3 the department of military affairs who performs security functions at weapons  
4 facilities owned by the state on or after the effective date of this <sup>✓</sup> paragraph .... [revisor  
5 inserts date], shall be granted creditable service as a protective occupation  
6 participant for all covered service as an employe <sup>e</sup> of the department of military affairs  
7 who performs security functions at weapons facilities owned by the state that was  
8 earned on or after the effective date of this paragraph <sup>✓</sup> .... [revisor inserts date], but  
9 may not be granted creditable service as a protective occupation participant for any  
10 covered service as an employe <sup>e</sup> of the department of military affairs who performs  
11 security functions at weapons facilities owned by the state that was earned before  
12 the effective date of this paragraph .... [revisor inserts date], unless that service was  
13 earned while the participant was classified under sub. (48) (a) <sup>✓</sup> and s. 40.06 (1) (d) <sup>✓</sup> as  
14 a protective occupation participant.

15 SECTION 2. 40.02 (48) (am) <sup>✓</sup> of the statutes is renumbered 40.02 (48) (am) (intro.)  
16 and amended to read:

17 40.02 (48) (am) (intro.) “Protective occupation participant” includes any  
18 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)  
19 and who is <sup>↓ ↓</sup> any of the following:

20 1. A conservation warden.<sub>2</sub>

21 2. A conservation patrol boat captain.<sub>2</sub>

**SENATE BILL 367**

1           3. A conservation patrol boat engineer,

2           4. A conservation pilot,

3           5. A conservation patrol officer,

4           6. A forest fire control assistant,

5           7. A member of the state <sup>traffic</sup> patrol,

6           8. A state motor vehicle inspector,

7           9. A police officer,

8           10. A fire fighter,

9           11. A sheriff,

10          12. An undersheriff,

11          13. A deputy sheriff,

12          14. A state probation and parole officer,

13          15. A county traffic police officer,

14          16. A state forest ranger,

15          17. A fire watcher employed <sup>at</sup> ~~by the~~ Wisconsin veterans ~~hospitals~~ <sup>facilities</sup>

16          18. A state correctional-psychiatric officer,

17          19. An excise tax investigator employed by the department of revenue,

18          20. A special criminal investigation agent in the department of justice,

19          21. An assistant or deputy fire marshal, or person employed under s. 61.66 (1).

20          **SECTION 3.** 40.02 (48) (am) 22. <sup>✓</sup> of the statutes is created to read:

21          40.02 (48) (am) 22. An employe <sup>(e)</sup> of the department of military affairs who  
22 performs security functions at weapons facilities owned by the state.

23          **SECTION 4.** 40.02 (48) (c) <sup>✓</sup> of the statutes is renumbered 40.02 (48) (c) (intro.) and  
24 amended to read:

## SENATE BILL 367

1 40.02 (48) (c) (intro.) In s. 40.65, “protective occupation participant” means a  
2 participating employe<sup>e</sup> who is ~~is~~ <sup>is</sup> any of the following:

3 1. A police officer,

4 2. A fire fighter,~~an.~~

5 3. An individual determined by a participating employer under par. (a) or (bm)  
6 to be a protective occupation participant,

7 4. A county undersheriff,

8 5. A deputy sheriff,

9 6. A state probation and parole officer,

10 7. A county traffic police officer,

11 8. A conservation warden,

12 9. A state forest ranger,

13 10. A field conservation employe<sup>e</sup> of the department of natural resources who  
14 is subject to call for forest fire control or warden duty,

15 11. A member of the state traffic patrol,

16 12. A state motor vehicle inspector,~~university.~~

17 13. A University of Wisconsin system System full-time police officer,

18 14. A guard or any other employe<sup>e</sup> whose principal duties are supervision and  
19 discipline of inmates at a state penal institution,

20 15. An excise tax investigator employed by the department of revenue,

21 16. A person employed under s. 61.66 (1),~~or.~~

22 17. A special criminal investigation agent employed by the department of  
23 justice.

24 SECTION 5. 40.02 (48) (c) 18. <sup>✓</sup> of the statutes is created to read:

**SENATE BILL 367**

1

40.02 (48) (c) 18. An employe<sup>e</sup> of the department of military affairs who performs security functions at weapons facilities owned by the state.

2

3

**SECTION 6.** 40.65 (4w)<sup>✓</sup> of the statutes is created to read:

4

40.65 (4w) An employe<sup>e</sup> of the department of military affairs who performs security functions at weapons facilities owned by the state who becomes a protective occupation participant on or after the effective date of this<sup>✓</sup> subsection .... [revisor inserts date], is not entitled to a duty disability benefit under this section<sup>✓</sup> for an injury or disease occurring before the effective date of this subsection<sup>✓</sup>.... [revisor inserts date].

5

6

7

8

9

10

**SECTION 7. Effective date.**

11

(1) This act takes effect on the January 1 after publication.<sup>✓</sup>

12

(END)





# State of Wisconsin

## LEGISLATIVE REFERENCE BUREAU

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

FEB 14 2001

STEPHEN R. MILLER  
CHIEF

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

February 14, 2001

### MEMORANDUM

To: Senator Erpenbach

From: Rick A. Champagne, Senior Attorney

Re: LRB-2498 Protective occupation participant status under the Wisconsin retirement system for certain employees of the department of military affairs

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.