

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 state employees at the University of Wisconsin Hospitals and Clinics Authority

Instructions:

Redraft 1999 SB 366

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			rschluet 02/14/2001	_____	lrb_docadmin 02/14/2001	lrb_docadmin 02/16/2001	

FE Sent For:

<END>

At intro

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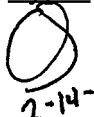
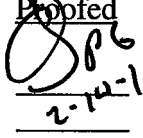
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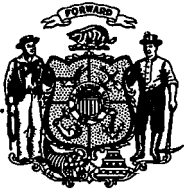
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/?	champra	1 2/14 jld	 2-14-1	 2-14-1			

FE Sent For:

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State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-3229/2

RAC:jlg:km

2001
1999 SENATE BILL 366

LRB-2499/11

RAC:jld

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

repen. 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., 40.02 (57c) and 40.65
3 (4w) of the statutes; **relating to:** classifying state employes assigned as
4 security officers at facilities owned, leased, or operated by the University of
5 Wisconsin Hospitals and Clinics Authority as protective occupation
6 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 as a protective occupation participant any state employe assigned as a security officer at any facility owned, leased, or operated by the University of Wisconsin Hospitals and Clinics Authority and whose duties include direct contact with any person who is a patient, including a person who is receiving

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services for mental illness, developmental disability, alcoholism, or drug dependency, *
or who is a prisoner while the person is on the premises of a facility owned, leased, *
or operated by the University of Wisconsin Hospitals and Clinics Authority.

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.

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) [✓] of the statutes is created to read:

2 40.02 (17) (n) Notwithstanding par. (d), [✓] each participant who is a University
3 of Wisconsin Hospitals and Clinics security employe [ⓔ] on or after the effective date of
4 this paragraph [✓] [revisor inserts date], shall be granted creditable service as a
5 University of Wisconsin Hospitals and Clinics [✓] security employe [ⓔ] that was earned on
6 or after the effective date of this paragraph [revisor inserts date], but may not be
7 granted creditable service as a protective occupation participant for any covered
8 service as a University of Wisconsin Hospitals and Clinics security employe [ⓔ] that was
9 earned before the effective date of this paragraph [revisor inserts date], unless
10 that service was earned while the participant was classified under sub. (48) (a) and
11 s. 40.06 (1) (d) [✓] as a protective occupation participant.

12 **SECTION 2.** 40.02 (48) (am) of the statutes is renumbered 40.02 (48) (am) (intro.)
13 and amended to read:

14 40.02 (48) (am) (intro.) “Protective occupation participant” includes any
15 participant whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm)
16 and who is ^{↓ ↓} any of the following:

17 1. A conservation warden_{5.}

18 2. A conservation patrol boat captain_{5.}

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PWF

- 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 ^{traffic} 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 ^{at} by the Wisconsin veterans ^{facilities} ~~Army~~,
- 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).

SECTION 3. 40.02 (48) (am) 22. [✓] of the statutes is created to read:

40.02 (48) (am) 22. A University of Wisconsin Hospitals and Clinics security
employe^e.

SECTION 4. 40.02 (48) (c) [✓] of the statutes is renumbered 40.02 (48) (c) (intro.) and
amended to read:

SENATE BILL 366

1 40.02 (48) (c) (intro.) In s. 40.65, "protective occupation participant" means a
 2 participating employe^e who is ~~a~~ ^{↓ ↓} 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^e 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^e 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. [✓] of the statutes is created to read:

SENATE BILL 366

1 40.02 (48) (c) 18. A University of Wisconsin Hospitals and Clinics security
2 employe^e.

3 SECTION 6. 40.02 (57c)[✓] of the statutes is created to read:

4 40.02 (57c)[✓] "University of Wisconsin Hospitals and Clinics security employe^e"
5 means any state employe^e assigned as a security officer at any facility owned, leased,
6 or operated by the University of Wisconsin Hospitals and Clinics Authority and
7 whose duties include direct contact with any person who is a patient, including a
8 person who is receiving services for mental illness, developmental disability,
9 alcoholism, or drug dependency, or who is a prisoner while the person is on the
10 premises of a facility owned, leased, or operated by the University of Wisconsin
11 Hospitals and Clinics Authority.

12 SECTION 7. 40.65 (4w)[✓] of the statutes is created to read:

13 40.65 (4w) A University of Wisconsin Hospitals and Clinics security employe^e
14 who becomes a protective occupation participant on or after the effective date of this
15 subsection[✓] [revisor inserts date], is not entitled to a duty disability benefit under
16 this section[✓] for an injury or disease occurring before the effective date of this
17 subsection [revisor inserts date].[✓]

18 SECTION 8. Effective date.

19 (1) This act takes effect on the January 1 after publication.[✓]

20

(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

February 14, 2001

MEMORANDUM

To: Senator Erpenbach

From: Rick A. Champagne, Senior Attorney

Re: LRB-2499 Protective occupation participant status under the Wisconsin retirement system for certain state employees at the University of Wisconsin Hospitals and Clinics Authority

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.