

2005 DRAFTING REQUEST

Bill

Received: **12/02/2004**

Received By: **rchampag**

Wanted: **As time permits**

Identical to LRB:

For: **David Zien (608) 266-7511**

By/Representing: **Himself**

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

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - retirement**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Zien@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Classifying county jailers as protective occupation participants 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>
/?	rchampag 12/02/2004	jdyer 12/03/2004		_____			State Retire
/1			rschluet 12/06/2004	_____	lnorthro 12/06/2004	lnorthro 02/11/2005	

FE Sent For:

<END>

At Intro.

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LRB-1104

12/06/2004 01:39:18 PM

Page 2

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FE Sent For:

4
<END>

Champagne, Rick

From: LRB.Legal
Sent: Thursday, December 02, 2004 11:20 AM
To: Champagne, Rick
Cc: Sen.Zien
Subject: FW: Drafting Request

See Below

Mike Barman

Mike Barman - Senior Program Asst. (PH. 608-266-3561)
(E-Mail: mike.barman@legis.state.wi.us) (FAX: 608-264-6948)

State of Wisconsin
Legislative Reference Bureau - Legal Section - Front Office
1 East Main, Suite 200 Madison, WI 53703

-----Original Message-----

From: Sen.Zien
Sent: Thursday, December 02, 2004 11:14 AM
To: LRB.Legal
Subject: Drafting Request

I am requesting that 1999 SB 142 be drafted. I have attached a copy of the bill. Thank you for your help.

<http://www.legis.state.wi.us/1999/data/SB142.pdf>

Sincerely,

Sen. Dave Zien

1999 SENATE BILL 142

May 5, 1999 - Introduced by Senators MOEN, BRESKE, SCHULTZ, FITZGERALD, WIRCH, PLACHE, BAUMGART and ERPENBACH, cosponsored by Representatives FREESE, KLUSMAN, RYBA, HANDRICK, MUSSER, UNDERHEIM, GRONEMUS, HUEBSCH, TURNER, PETTIS, BOYLE, LASSA, ALBERS, PETROWSKI, SYKORA, JOHNSRUD, PLOUFF, MEYER and SERATTI. Referred to Joint survey committee on Retirement Systems.

1 AN ACT *to amend* 40.02 (48) (am) and 40.02 (48) (c); and *to create* 40.02 (17) (n)
2 and 40.65 (4w) of the statutes; **relating to:** classifying county jailers as
3 protective occupation participants for the purposes of the Wisconsin retirement
4 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 county jailers 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 142

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 county jailer
3 on or after the effective date of this paragraph [revisor inserts date], shall be
4 granted creditable service as a protective occupation participant for all covered
5 service as a county jailer that was earned on or after the effective date of this
6 paragraph [revisor inserts date], but may not be granted creditable service as a
7 protective occupation participant for any covered service as a county jailer that was
8 earned before the effective date of this paragraph [revisor inserts date], unless
9 that service was earned while the participant was classified under sub. (48) (a) and
10 s. 40.06 (1) (d) as a protective occupation participant.

11 **SECTION 2.** 40.02 (48) (am) of the statutes is amended to read:

12 40.02 **(48)** (am) “Protective occupation participant” includes any participant
13 whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who
14 is a conservation warden, conservation patrol boat captain, conservation patrol boat
15 engineer, conservation pilot, conservation patrol officer, forest fire control assistant,
16 member of the state patrol, state motor vehicle inspector, police officer, fire fighter,
17 sheriff, undersheriff, deputy sheriff, state probation and parole officer, county traffic
18 police officer, county jailer, state forest ranger, fire watcher employed by the
19 Wisconsin veterans home, state correctional–psychiatric officer, excise tax
20 investigator employed by the department of revenue, special criminal investigation

SENATE BILL 142

1 agent in the department of justice, assistant or deputy fire marshal, or person
2 employed under s. 61.66 (1).

3 **SECTION 3.** 40.02 (48) (c) of the statutes is amended to read:

4 40.02 (48) (c) In s. 40.65, “protective occupation participant” means a
5 participating employe who is a police officer, fire fighter, an individual determined
6 by a participating employer under par. (a) or (bm) to be a protective occupation
7 participant, county undersheriff, deputy sheriff, state probation and parole officer,
8 county traffic police officer, county jailer, conservation warden, state forest ranger,
9 field conservation employe of the department of natural resources who is subject to
10 call for forest fire control or warden duty, member of the state traffic patrol, state
11 motor vehicle inspector, university of Wisconsin system full-time police officer,
12 guard or any other employe whose principal duties are supervision and discipline of
13 inmates at a state penal institution, excise tax investigator employed by the
14 department of revenue, person employed under s. 61.66 (1), or special criminal
15 investigation agent employed by the department of justice.

16 **SECTION 4.** 40.65 (4w) of the statutes is created to read:

17 40.65 (4w) A county jailer who becomes a protective occupation participant on
18 or after the effective date of this subsection [revisor inserts date], is not entitled
19 to a duty disability benefit under this section for an injury or disease occurring before
20 the effective date of this subsection [revisor inserts date].

21 **SECTION 5. Effective date.**

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

23 (END)



State of Wisconsin
2005 - 2006 LEGISLATURE

LRB-0853/1

RAC:jld:pg

LRB-1104/1

RAC:jld

2005 BILL

Regen

- 1 AN ACT *to amend* 40.02 (48) (c); and *to create* 40.02 (17) (n), 40.02 (48) (am) 23.
2 and 40.65 (4w) of the statutes; **relating to:** classifying county jailers as
3 protective occupation participants for the purposes of the Wisconsin
4 Retirement System.

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BILL

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5 service as a county jailer that was earned on or after the effective date of this
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7 protective occupation participant for any covered service as a county jailer that was
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15 participating employee who is a police officer, fire fighter, an individual determined
16 by a participating employer under par. (a) or (bm) to be a protective occupation
17 participant, county undersheriff, deputy sheriff, state probation and parole officer,
18 county traffic police officer, county jailer, conservation warden, state forest ranger,
19 field conservation employee of the department of natural resources who is subject to
20 call for forest fire control or warden duty, member of the state traffic patrol, state
21 motor vehicle inspector, University of Wisconsin System full-time police officer,

BILL

1 guard or any other employee whose principal duties are supervision and discipline
2 of inmates at a state penal institution, excise tax investigator employed by the
3 department of revenue, person employed under s. 61.66 (1), or special criminal
4 investigation agent employed by the department of justice.

5 **SECTION 4.** 40.65 (4w) of the statutes is created to read:

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7 or after the effective date of this subsection [revisor inserts date], is not entitled
8 to a duty disability benefit under this section for an injury or disease occurring before
9 the effective date of this subsection [revisor inserts date].

10 **SECTION 5. Effective date.**

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

12 (END)

Northrop, Lori

From: Sen.Zien
Sent: Friday, February 11, 2005 10:12 AM
To: Northrop, Lori
Subject: RE: LRB-0853

Yes.

-----Original Message-----

From: Northrop, Lori
Sent: Friday, February 11, 2005 10:10 AM
To: Sen.Zien
Subject: RE: LRB-0853

So, you would like that one jacketed then?

-----Original Message-----

From: Sen.Zien
Sent: Friday, February 11, 2005 10:02 AM
To: Northrop, Lori
Subject: RE: LRB-0853

Actually, we had the companion bill -- 1104/1. Thanks.

-----Original Message-----

From: Sen.Zien
Sent: Friday, February 11, 2005 9:33 AM
To: Northrop, Lori
Subject: RE: LRB-0853

Yes. Thanks much.

-----Original Message-----

From: Northrop, Lori
Sent: Friday, February 11, 2005 9:28 AM
To: Sen.Zien
Subject: RE: LRB-0853

Hello again,

I am so sorry, but I rechecked the file and actually 05-0853 was not requested by your office. Is that the correct LRB number?

Thank you

-----Original Message-----

From: Sen.Zien
Sent: Friday, February 11, 2005 9:16 AM
To: Northrop, Lori
Subject: RE: LRB-0853

Hi Lori,

We have been unable to locate the jacket. My office said we received the draft, but not the jacket. I apologize if we lost it, but no one remembers seeing it. Could we get another jacket?

Thank you.