

**ASSEMBLY AMENDMENT 1,  
TO 2007 ASSEMBLY BILL 354**

June 12, 2007 – Offered by Representative MUSSER.

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

2           **1.** Page 1, line 3: after “Commission” insert “; psychologists employed by the  
3 Department of Corrections who perform duties related to sexually violent person  
4 commitments; clerical employees employed at a probation, extended supervision,  
5 and parole office;”.

6           **2.** Page 3, line 14: after that line insert:

7           “**SECTION 2d.** 40.02 (17) (pm) of the statutes is created to read:

8           40.02 (17) (pm) Notwithstanding par. (d), each participant who is a  
9 psychologist employed by the department of corrections and who performs duties  
10 related to ch. 980 on or after the effective date of this paragraph .... [revisor inserts  
11 date], shall be granted creditable service as a protective occupation participant for  
12 all covered service while a psychologist employed by the department of corrections  
13 and performing duties related to ch. 980 that was earned on or after the effective date

1 of this paragraph .... [revisor inserts date], but may not be granted creditable service  
2 as a protective occupation participant for any covered service while a psychologist  
3 employed by the department of corrections and performing duties related to ch. 980  
4 that was earned before the effective date of this paragraph .... [revisor inserts date],  
5 unless that service was earned while the participant was classified under sub. (48)  
6 (a) and s. 40.06 (1) (d) as a protective occupation participant.

7 **SECTION 2h.** 40.02 (17) (pt) of the statutes is created to read:

8 40.02 (17) (pt) Notwithstanding par. (d), each participant who is a clerical  
9 employee employed at a probation, extended supervision, and parole office on or after  
10 the effective date of this paragraph .... [revisor inserts date], shall be granted  
11 creditable service as a protective occupation participant for all covered service while  
12 a clerical employee employed at a probation, extended supervision, and parole office  
13 that was earned on or after the effective date of this paragraph .... [revisor inserts  
14 date], but may not be granted creditable service as a protective occupation  
15 participant for any covered service while a clerical employee employed at a  
16 probation, extended supervision, and parole office that was earned before the  
17 effective date of this paragraph .... [revisor inserts date], unless that service was  
18 earned while the participant was classified under sub. (48) (a) and s. 40.06 (1) (d) as  
19 a protective occupation participant.”.

20 **3.** Page 4, line 14: after that line insert:

21 **“SECTION 4d.** 40.02 (48) (bdm) of the statutes is created to read:

22 40.02 (48) (bdm) “Protective occupation participant” includes any participant  
23 who is a psychologist employed by the department of corrections and who performs  
24 duties related to ch. 980 if the participant’s employer classifies the participant as a

1 protective occupation participant and the department receives notification of the  
2 participant's name as provided in s. 40.06 (1) (d) and (dm). Notwithstanding par. (a),  
3 an employer shall classify a participant who is a psychologist employed by the  
4 department of corrections and who performs duties related to ch. 980 as a protective  
5 occupation participant without making a determination that the principal duties of  
6 the participant involve active law enforcement or active fire suppression or  
7 prevention.

8 **SECTION 4h.** 40.02 (48) (bg) of the statutes is created to read:

9 40.02 **(48)** (bg) "Protective occupation participant" includes any participant  
10 who is a clerical employee employed at a probation, extended supervision, and parole  
11 office if the participant's employer classifies the participant as a protective  
12 occupation participant and the department receives notification of the participant's  
13 name as provided in s. 40.06 (1) (d) and (dm). Notwithstanding par. (a), an employer  
14 shall classify a participant who is a clerical employee employed at a probation,  
15 extended supervision, and parole office as a protective occupation participant  
16 without making a determination that the principal duties of the participant involve  
17 active law enforcement or active fire suppression or prevention."

18 **4.** Page 4, line 18: after "(bd)." insert "(bdm). (bg).".

19 **5.** Page 5, line 8: after that line insert:

20 **"SECTION 6d.** 40.65 (4vn) of the statutes is created to read:

21 40.65 **(4vn)** A participant who is a psychologist employed by the department  
22 of corrections and who performs duties related to ch. 980, who becomes a protective  
23 occupation participant on or after the effective date of this subsection .... [revisor  
24 inserts date], is not entitled to a duty disability benefit under this section for an

1 injury or disease occurring before the effective date of this subsection .... [revisor  
2 inserts date].

3 **SECTION 6h.** 40.65 (4vr) of the statutes is created to read:

4 40.65 (**4vr**) A participant who is a clerical employee employed at a probation,  
5 extended supervision, and parole office, who becomes a protective occupation  
6 participant on or after the effective date of this subsection .... [revisor inserts date],  
7 is not entitled to a duty disability benefit under this section for an injury or disease  
8 occurring before the effective date of this subsection .... [revisor inserts date].”.

9 (END)