

**2011 DRAFTING REQUEST**

**Assembly Amendment (AA-SB18)**

Received: **08/05/2011**

Received By: **mshovers**

Wanted: **As time permits**

Companion to LRB:

For: **Richard Spanbauer (608) 267-7990**

By/Representing: **Matt**

May Contact:

Drafter: **mshovers**

Subject: **Employ Pub - employee benefits**

Addl. Drafters: **rchampag**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Spanbauer@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

State payment of health insurance premiums of survivors of fallen state fire fighters

---

**Instructions:**

See attached. Include state fire fighters for coverage under created s. 16.14, using definition provided by DNR.

---

**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	mshovers 08/12/2011	chanaman 08/12/2011	rschluet 08/12/2011	_____	ggodwin 08/12/2011	ggodwin 08/12/2011	
/2	rchampag 08/15/2011	kfollett 08/15/2011		_____	mbarman 08/15/2011	lparisi 08/15/2011	
		kfollett 08/15/2011		_____	lparisi 08/15/2011		

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/3	jkreye 08/29/2011	kfollett 08/29/2011	phenry 08/30/2011	_____	sbasford 08/30/2011	sbasford 08/30/2011	

FE Sent For:

<END>

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/2	rchampag 08/15/2011	kfollett 08/15/2011 kfollett 08/15/2011 12/5/11 8/29		_____	mbarman 08/15/2011 lparisi 08/15/2011	lparisi 08/15/2011	

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FE Sent For:

12/gf  
8/15

<END>

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**Assembly Amendment (AA-SSA1-SB18)**

Received: 08/05/2011

Received By: mshovers

Wanted: As time permits

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By/Representing: Matt

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/? mshovers

11 MS 8/11/11

8/24

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FE Sent For:

<END>

**Shovers, Marc**

**From:** Pulda, Matt  
**Sent:** Wednesday, August 03, 2011 11:32 AM  
**To:** Shovers, Marc  
**Subject:** FW: DRAFT AMENDMENT - SB 18 - Surviving Spouses - state fire fighters.  
**Attachments:** SB 18 Memo.doc; Assembly SB 18 floor amendment proposed language (DNR 7 8 11) (2).doc

Hi, Marc,

Please draft an amendment to SB 18 along the lines prepared by Quinn in the attachment. (The plan is for the amendment to be introduced by the Urban and Local Affairs committee.)

Please let me know if you have any questions.

Thanks!

Matt Pulda  
 Research Assistant/Committee Clerk  
 Office of State Rep. Dick Spanbauer  
 Assembly Committee on Veterans and Military Affairs  
 (608) 267-7990

*see 50099  
 a1015*

---


**From:** Williams, Quinn L - DNR [<mailto:Quinn.Williams@Wisconsin.gov>]  
**Sent:** Friday, July 08, 2011 12:23 PM  
**To:** Spanbauer, Richard; Pulda, Matt; Bellin, Charlie  
**Cc:** Gunderson, Scott L - DNR; Moroney, Matt S - DNR; Stepp, Cathy L - DNR; DeLong, Paul J - DNR; Marty, Trent L - DNR; Williams, Quinn L - DNR; Zastrow, Darrell E - DNR  
**Subject:** RE: DRAFT AMENDMENT - SB 18 - Surviving Spouses - state fire fighters.

Dear Representative Spanbauer,

Executive Assistant Gunderson let me know that there was concern regarding the potential breadth of the original amendment language for what constituted a state fire fighter. I understand that concern, and have modified the definition accordingly to be very restrictive. Please see the attached memo which explains how limited of a scope the amendment is with respect to who is covered and the level of risk incurred by the state, and updated definition included in both the memo and the proposed amendment.

I would be more than happy to meet or discuss over the phone with your staff and legislative counsel if you have any questions, but I believe that this narrowing language addresses the valid concern that you raised.

Sincerely,

 *Quinn L. Williams*

Staff Attorney  
 Bureau of Legal Services  
 Wisconsin Department of Natural Resources  
 (☎) phone: (608) 266-1318  
 (☎) fax: (608) 266-6983  
 (✉) e-mail: [quinn.williams@wisconsin.gov](mailto:quinn.williams@wisconsin.gov)

**CONFIDENTIALITY:** This message may contain information which, by law, is privileged, confidential or exempt from disclosure. Contact the sender for permission prior to disclosing the contents of this message to any other person.

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8/4/2011

DATE: July 1, 2011 FILE REF: 2400

TO: Representative Spanbauer

FROM: Quinn Williams – LS/8

SUBJECT: Definition of State Firefighter

Following a recent discussion with DNR Executive Secretary Scott Gunderson regarding SB 18, he asked that I provide you with some definitional language about state firefighters and clarification on the implications from the Department's perspective of including the state firefighters in SB 18.

The Department would propose that the following definitional language be utilized to define the state firefighters that the proposed provisions in SB 18 would apply to:

"Fire fighter" means any person employed by this state, including forest rangers, foresters or pilots, whose principal duties include fire fighting or forest fire control.

This definition would clearly define the Department forest fire fighters eligible for the provisions provided under SB 18 and would be approximately 150 Department employees. The key phrase that limits the application of SB 18 to a broader number of state employees is "Principal duties" of the position. The Department definition is that duties assigned the position must involve active law enforcement, fire suppression or prevention, expose the employee to a high degree of danger or peril and require that the employee possess a high degree of physical conditioning. These principal duties are defined within individual Department employee's position descriptions as dealing with forest fire management, fire suppression and prevention, along with the employee's key role in the protection of public health and safety.

In the 100 years the Department has been providing forest fire protection to the citizens of Wisconsin there have only been two unfortunate circumstances where a Department firefighter was killed in the line of duty and the provisions of SB 18 would have been enacted to provide support to the surviving family. Currently, only the wife and two young boys of Department pilot and firefighter Heath Van Handel, who died in the line of duty in April 2009, would be eligible under the provisions of SB 18.

The Department very much appreciates your consideration of this material as you continue your deliberations on the provisions of SB 18.

If you need any further information or have questions, please feel free to contact me directly at (608) 266-1318.

Cc: Cathy Stepp – AD/8  
Matt Moroney – AD/8  
Scott Gunderson – AD/8  
Paul DeLong – AD/8  
Darrel Zastrow – FR/4  
Trent Marty – FR/4



**ASSEMBLY AMENDMENT 1,  
TO SENATE SUBSTITUTE AMENDMENT 1,  
TO 2011 SENATE BILL 18**

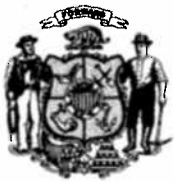
May 20, 2011 - Offered by \_\_\_\_\_

At the locations indicated, amend the substitute amendment as follows:

1. Page 1, line 3: after "officers" insert "or fire fighters".
2. Page 1, line 7: after "officer" insert "or fire fighter".
3. Page 7, line 11: after that line insert:

"Fire fighter" means any person employed by this state, including forest rangers, foresters or pilots, whose principal duties include fire fighting or forest fire control.

4. Page 1, line 16: after "officer" insert "or fire fighter".
5. Page 1, line 19: after "officer" insert "or fire fighter".
6. Page 2, line 1: after "officer" insert "or fire fighter".
7. Page 2, line 4: after "officer" insert "or fire fighter".
8. Page 2, line 18: after "officer" insert "or fire fighter".
9. Page 3, line 2: after "officers" insert "or fire fighters".
10. Page 3, line 9: after "officers" insert "or fire fighters".
11. Page 3, line 19: after "officer" insert "or fire fighter".
12. Page 4, line 3: after "officers" insert "or fire fighters".
13. Page 4, line 5: after "officers" insert "or fire fighters".



*cmh* **RMR**

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

ASSEMBLY AMENDMENT,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2011 SENATE BILL 18

LPS  
phase  
fix  
request  
sheet

#Page 3, line 3: after  
"officers" insert "or fire fighters".

**WANTED!**  
Tues 8/16

bill, as shown by *senate*

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 **1.** Page 3, line 7: on lines 7, 16, and 19 after "officer" insert "or fire fighter".
- 3 **2.** Page 3, line 11: after that line insert:
- 4 "(ae) "Fire fighter" means any individual employed by the state, including
- 5 forest rangers, foresters, and pilots, whose principal duties include fire fighting or
- 6 forest fire control."
- 7 **3.** Page 4, line 1: on lines 1, 4, and 18 after "officer" insert "or fire fighter".
- 8 **4.** Page 5, line 2: on lines 2, 9, and 19 after "officer" insert "or fire fighter".
- 9 **5.** Page 6, line 3: after "officers" insert "or fire fighters".





State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa1456/1  
MES&RAC:cmh:rs

NOW

Stays RMR

ASSEMBLY AMENDMENT,  
TO 2011 SENATE BILL 18

1 At the locations indicated, amend the bill, as shown by senate substitute  
2 amendment 1, as follows:

- 3 1. Page 3, line 3: after "**officers**" insert "**or fire fighters**".
- 4 2. Page 3, line 7: on lines 7, 16 and 19 after "officer" insert "or fire fighter".
- 5 3. Page 3, line 11: after that line insert:
- 6 "(ae) "Fire fighter" means any individual employed by the state, including
- 7 forest rangers, foresters, and pilots, whose principal duties include fire fighting or
- 8 forest fire control."
- 9 4. Page 4, line 1: on lines 1, 4 and 18 after "officer" insert "or fire fighter".
- 10 5. Page 5, line 2: on lines 2, 9 and 19 after "officer" insert "or fire fighter".
- 11 6. Page 6, line 3: after "*officers*" insert "*or fire fighters*".

#. Page 5, line 2: on lines 2 and 9, after "officers" insert "or fire fighters".

1

**7.** Page 6, line 5: after “officers” insert “or fire fighters”.

2

**(END)**



State of Wisconsin  
2011 - 2012 LEGISLATURE



LRBa1456/2  
MES:RAC/cmh/kjt  
stays JK: +kf

ASSEMBLY AMENDMENT,  
TO 2011 SENATE BILL 18

in Mar 8 29

due Tues 9AM

- 1 At the locations indicated, amend the bill, as shown by senate substitute  
2 amendment 1, as follows:
- 3 1. Page 3, line 3: after “**officers**” insert “**or fire fighters**”.
  - 4 2. Page 3, line 7: on lines 7, 16 and 19, after “officer” insert “or fire fighter”.
  - 5 3. Page 3, line 11: after that line insert:  
6 “(ae) “Fire fighter” means any individual employed by the state, including  
7 forest rangers, foresters, and pilots, whose principal duties include fire fighting or  
8 forest fire control.”.
  - 9 4. Page 4, line 1: on lines 1, 4 and 18, after “officer” insert “or fire fighter”.
  - 10 5. Page 5, line 2: on lines 2 and 9, after “officers” insert “or fire fighters”.
  - 11 6. Page 5, line 19: after “officer” insert “or fire fighter”.
  - 12 7. Page 6, line 3: after “*officers*” insert “*or fire fighters*”.

1 **8.** Page 6, line 5: after "officers" insert "or fire fighters".

2 (END)



INSERT 2-1  
JK

2011-2012 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRBa1456/3ins  
JK:cmh:kjf

Insert 2 -1 JK

1           1. Page 6, line 6: after "statutes" insert ", as affected by 2011 Wisconsin Act 32,  
2 section 770f,".

3           2. Page 6, line 9: delete "(m), (q)," and substitute "(q)".

4           3. Page 6, line 11: after that line insert:

5           "**SECTION 3d.** 20.835 (1) (db) of the statutes, as affected by 2011 Wisconsin Act 32  
6           ~~section 770g,~~ and ~~...~~ (this act), is repealed and recreated to read:  
7           20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make

8 payments to counties, towns, villages, and cities under s. 79.035, less the amount  
9 paid from the appropriation under par. (r), and to pay the premiums and  
10 reimbursements and make loans under s. 16.14 for surviving spouses identified in  
11 s. 66.0137 (5) (c) 1. or 1m."

12           4. Page 9, line 7: delete lines 7 to 21 and substitute:

13           "**SECTION 16d.** 79.01 (2d) of the statutes, as affected by 2011 Wisconsin Act 32,  
14 is amended to read:

15           79.01 (2d) There is established an account in the general fund entitled the  
16 "County and Municipal Aid Account." The total amount to be distributed in 2011 to  
17 counties and municipalities from the county and municipal aid account is  
18 \$824,825,715, less the amounts paid under s. 16.14, and the total amount to be  
19 distributed to counties and municipalities in 2012, and in each year thereafter, from  
20 the county and municipal aid account is \$748,075,715, less the amounts paid under  
21 s. 16.14.



1           **SECTION 16f.** 79.035 (3) of the statutes, as affected by 2011 Wisconsin Act 32,  
2 is amended to read:

3           79.035 (3) ~~For~~ Except as provided in s. 79.035 (6), for the distribution in 2011,  
4 each county and municipality shall receive a payment under this section that is equal  
5 to the amount of the payment determined for the county or municipality under s.  
6 79.02 (4), 2009 stats., in 2010.

History: 2001 a. 109; 2003 a. 33, 164, 320, 327; 2009 a. 28; 2011 a. 32 ss. 2191b to 2191k, 2193d.

7           **SECTION 16g.** 79.035 (4) (a) of the statutes, as created by 2011 Wisconsin Act  
8 32, is amended to read:

9           79.035 (4) (a) ~~For~~ Except as provided in s. 79.035 (6), for the distribution in  
10 2012, the total amount of the payments to all municipalities under this section shall  
11 be reduced by \$47,663,400 and the total amount of the payments to all counties under  
12 this section shall be reduced by \$29,086,600.

History: 2001 a. 109; 2003 a. 33, 164, 320, 327; 2009 a. 28; 2011 a. 32 ss. 2191b to 2191k, 2193d.

13           **SECTION 16h.** 79.035 (5) of the statutes, as created by 2011 Wisconsin Act 32,  
14 is amended to read:

15           79.035 (5) ~~For~~ Except as provided in s. 79.035 (6), for the distribution in 2013  
16 and subsequent years, each county and municipality shall receive a payment under  
17 this section that is equal to the amount of the payment determined for the county or  
18 municipality under this section for 2012.

History: 2001 a. 109; 2003 a. 33, 164, 320, 327; 2009 a. 28; 2011 a. 32 ss. 2191b to 2191k, 2193d.

19           **SECTION 16i.** 79.035 (6) of the statutes is created to read:

20           79.035 (6) For the distribution in 2011 and subsequent years, each county and  
21 municipality's payment under this section shall be reduced, in proportion to the  
22 county's or municipality's share of total payments under this section, to reflect the  
23 reduction in the county and municipal aid account as a result of payments made  
24 under s. 16.14 for surviving spouses identified in s. 66.0137 (5) (c) 1. or 1m."

✓  
1           **5.** Page 10, line 2: after that line insert:

2           **"SECTION 18d. Effective date.**

3           (1) The repeal and recreation of section 20.835 (1) (db) of the statutes takes  
4           effect on December 31, 2012." ✓