

2019 DRAFTING REQUEST

Bill

For: Van Wanggaard (608) 266-1832

Drafter: mshovers

By: Scott

Secondary Drafters: mkunkel

Date: 5/10/2019

May Contact:

Same as LRB: -0335

Submit via email: YES  
Requester's email: Sen.Wanggaard@legis.wisconsin.gov  
Carbon copy (CC) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring payment of health insurance premiums for survivors of a law enforcement officer who dies, or died, in the line of duty

Instructions:

See attached. Companion to LRB -0335/1. In effect, amend the statutes affected by 2009 WI Act 285, 2009 SB 520, so that it also applies to law enforcement officers. Also, apply to Marquette Univ. police officers

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mshovers 5/10/2019		lparisi 5/10/2019	lparisi 5/10/2019	State S&L

FE Sent For:

<END>

AF Intro

## Shovers, Marc

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**From:** Clark, Erin  
**Sent:** Friday, May 10, 2019 1:37 PM  
**To:** Shovers, Marc  
**Subject:** FW: Draft review: LRB -0335/P4

Can we go ahead and get these jacketed?

Thanks!

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**From:** Kelly, Scott <Scott.Kelly@legis.wisconsin.gov>  
**Sent:** Friday, May 10, 2019 9:32 AM  
**To:** Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>  
**Cc:** Clark, Erin <Erin.Clark@legis.wisconsin.gov>  
**Subject:** RE: Draft review: LRB -0335/P4

Thank you. Assuming Erin asks for a jacket, can you send me a Senate version jacket as well?

Thanks

Scott

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**From:** Shovers, Marc <Marc.Shovers@legis.wisconsin.gov>  
**Sent:** Friday, May 10, 2019 9:31 AM  
**To:** Kelly, Scott <Scott.Kelly@legis.wisconsin.gov>  
**Subject:** FW: Draft review: LRB -0335/P4

Hi Scott:

Erin Clark wanted you to get a copy of this draft. Please let me know if you have any questions.

Thanks,

Marc

Marc Shovers  
Senior Legislative Attorney  
Legislative Reference Bureau  
608-504-5876  
[marc.shovers@legis.wisconsin.gov](mailto:marc.shovers@legis.wisconsin.gov)

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**From:** Clark, Erin <Erin.Clark@legis.wisconsin.gov>  
**Sent:** Thursday, May 09, 2019 2:38 PM

**To:** Shovers, Marc <[Marc.Shovers@legis.wisconsin.gov](mailto:Marc.Shovers@legis.wisconsin.gov)>

**Subject:** FW: Draft review: LRB -0335/P4

Hi Marc,

Thanks for taking care of this so quickly! Could you make sure Scott Kelly in Senator Wanggaard's office has access and gets a copy as well?

Thanks!

Erin Clark  
Research Assistant  
Office of Rep. John Spiros  
86<sup>th</sup> Assembly District  
(608) 266-1182

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**From:** LRB.Legal <[lrblegal@legis.wisconsin.gov](mailto:lrblegal@legis.wisconsin.gov)>

**Sent:** Thursday, May 09, 2019 1:54 PM

**To:** Rep.Spiros <[Rep.Spiros@legis.wisconsin.gov](mailto:Rep.Spiros@legis.wisconsin.gov)>

**Subject:** Draft review: LRB -0335/P4

**Following is the PDF version of draft LRB -0335/P4.**



State of Wisconsin  
2019 - 2020 LEGISLATURE

CORRECTED COPY

LRB-3228/1  
MES&MDK:kjf&wlj

2019 BILL

New copies sent  
to senator  
Wanggaard  
for the bill jacket.

05-30-2019

1 AN ACT *to renumber and amend* 66.0137 (1) (ae); *to amend* 20.155 (3) (t),  
2 20.835 (1) (db), 20.835 (1) (r), 59.23 (2) (s), 66.0137 (3), 66.0137 (4m) (a), 66.0137  
3 (5) (c) 1. and 66.0137 (5) (c) 2.; *to repeal and recreate* 66.0137 (5) (c) 3.; and  
4 *to create* 20.155 (3) (u), 66.0137 (1) (af), 66.0137 (1) (am), 66.0137 (1) (ap),  
5 66.0137 (1) (c), 66.0137 (5) (c) 1m., 66.0137 (5) (c) 4. and 66.0137 (5) (d) of the  
6 statutes; **relating to:** requiring political subdivisions and Marquette  
7 University to pay health insurance premiums for survivors of a law  
8 enforcement officer who dies in the line of duty and making an appropriation.

***Analysis by the Legislative Reference Bureau***

This bill requires a political subdivision (a city, village, town, or county) and Marquette University to pay health insurance premiums for the surviving spouse and dependent children of a law enforcement officer who dies in the line of duty if the political subdivision or university paid such premiums for the law enforcement officer while he or she was employed by the political subdivision or university. The requirement does not apply to a surviving spouse who remarries or reaches the age of 65, or to a surviving child after he or she reaches the age of 26. Current law provides similar benefits to the surviving spouse and dependent children of a ~~fighter~~ <sup>fire</sup> fighter who dies, or has died, in the line of duty if the municipality (city, village, or

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town) paid such premiums for the fire fighter while he or she was employed by the municipality.

Also, under the bill, if a political subdivision or Marquette University pays such health insurance premiums, the political subdivision or university must file a request for reimbursement for its costs with the Public Service Commission, which is required to provide reimbursement. The bill allows the PSC to contract with the Department of Revenue to administer the reimbursements. The reimbursement payments are funded by a fee called the "police and fire protection fee," which current law requires communications providers and prepaid wireless retailers to collect from their customers.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 20.155 (3) (t) of the statutes is amended to read:

2           20.155 (3) (t) *Police and fire protection fee administration.* From the police and  
3 fire protection fund, the amounts in the schedule for the costs of administering s. ss.  
4 66.0137 (5) (d) and 196.025 (6).

5           **SECTION 2.** 20.155 (3) (u) of the statutes is created to read:

6           20.155 (3) (u) *Line of duty health insurance reimbursement.* From the police  
7 and fire protection fund, a sum sufficient to make reimbursements under s. 66.0137  
8 (5) (d).

9           **SECTION 3.** 20.835 (1) (db) of the statutes is amended to read:

10          20.835 (1) (db) *County and municipal aid account.* A sum sufficient to make  
11 payments to counties, towns, villages, and cities under s. 79.035, less the amount  
12 paid from the ~~appropriation~~ appropriations under par. (r) and s. 20.155 (3) (u).

13          **SECTION 4.** 20.835 (1) (r) of the statutes is amended to read:

14          20.835 (1) (r) *County and municipal aid account; police and fire protection*  
15 *fund.* From the police and fire protection fund, after deducting the amounts

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1 appropriated from that fund under ss. 20.155 (3) (t) and 20.465 (3) (q) and (qm) and  
2 the amount paid from the appropriation under s. 20.155 (3) (u), all moneys received  
3 from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

4 **SECTION 5.** 59.23 (2) (s) of the statutes is amended to read:

5 59.23 (2) (s) *List of local officials.* Annually, on the first Tuesday of June,  
6 transmit to the secretary of state a list showing the name, phone number, electronic  
7 mail address, and post-office address of local officials, including the chairperson,  
8 mayor, president, clerk, treasurer, council and board members, and assessor of each  
9 municipality, and of the elective or appointive officials of any other local  
10 governmental unit, as defined in s. 66.0135 (1) (c), that is located wholly or partly  
11 within the county. Such lists shall be placed on file for the information of the public.  
12 The clerk, secretary, or other administrative officer of a local governmental unit, as  
13 defined in s. 66.0137 (1) (~~ae~~) (as), shall provide the county clerk the information he  
14 or she needs to complete the requirements of this paragraph.

15 **SECTION 6.** 66.0137 (1) (ae) of the statutes is renumbered 66.0137 (1) (as) and  
16 amended to read:

17 66.0137 (1) (as) “Local governmental unit” means a ~~municipality, county~~  
18 political subdivision, school district (as enumerated in s. 67.01 (5)), sewerage district,  
19 drainage district, and, without limitation because of enumeration, any other political  
20 subdivision of the state.

21 **SECTION 7.** 66.0137 (1) (af) of the statutes is created to read:

22 66.0137 (1) (af) “Dies in the line of duty” means a death that occurs, or occurred,  
23 as a direct and proximate result of one or more of the following, sustained by a law  
24 enforcement officer or fire fighter while he or she was engaged in a line of duty

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1 activity or that arose out of and as a result of such an individual's performance of a  
2 line of duty activity:

- 3 1. A personal injury.
- 4 2. The contraction of an infectious disease.
- 5 3. Exposure to hazardous materials or conditions.

6 **SECTION 8.** 66.0137 (1) (am) of the statutes is created to read:

7 66.0137 (1) (am) "Law enforcement officer" means all of the following:

8 1. Any person employed by a political subdivision for the purpose of detecting  
9 and preventing crime and enforcing laws or ordinances and who is authorized to  
10 make arrests for violations of the laws or ordinances that the person is employed to  
11 enforce.

12 2. Any jailer who, under the direction of a sheriff under s. 59.27 (1), keeps  
13 persons in a county jail.

14 3. A Marquette University police officer, as defined in s. 175.42 (1) (b).

15 **SECTION 9.** 66.0137 (1) (ap) of the statutes is created to read:

16 66.0137 (1) (ap) "Line of duty activity" means any employment-related action  
17 taken by a law enforcement officer or fire fighter that is required or authorized by  
18 law, rule, regulation, or condition of employment and for which compensation is  
19 provided by his or her employing agency or would have been eligible to have been  
20 provided by the employing agency if the law enforcement officer or fire fighter had  
21 been on duty when he or she took the action in question.

22 **SECTION 10.** 66.0137 (1) (c) of the statutes is created to read:

23 66.0137 (1) (c) "Political subdivision" means any municipality or county.

24 **SECTION 11.** 66.0137 (3) of the statutes is amended to read:

**BILL**

1           66.0137 (3) HEALTH INSURANCE FOR UNEMPLOYED PERSONS. Any ~~municipality or~~  
2    ~~county~~ political subdivision may purchase health or dental insurance for  
3    unemployed persons residing in the ~~municipality or county~~ political subdivision who  
4    are not eligible for medical assistance under s. 49.46, 49.468, 49.47, or 49.471 (4) (a).

5           **SECTION 12.** 66.0137 (4m) (a) of the statutes is amended to read:

6           66.0137 (4m) (a) Notwithstanding sub. (1) (~~æ~~) (as), in this subsection, “local  
7    governmental unit” means a city, village, town, county, or school district.

8           **SECTION 13.** 66.0137 (5) (c) 1. of the statutes is amended to read:

9           66.0137 (5) (c) 1. Except as provided in subds. 2. and 3., if a municipality  
10   provides for the payment of premiums for hospital, surgical, and other health  
11   insurance for its fire fighters, it shall continue to pay such premiums for the  
12   surviving spouse and dependent children of ~~a~~ the fire fighter who dies in the line  
13   of duty.

14          **SECTION 14.** 66.0137 (5) (c) 1m. of the statutes is created to read:

15          66.0137 (5) (c) 1m. Except as provided in subds. 2. and 3., if a political  
16   subdivision or Marquette University provides for the payment of premiums for  
17   hospital, surgical, and other health insurance for its law enforcement officers, it shall  
18   continue to pay such premiums for the surviving spouse and dependent children of  
19   the law enforcement officer who dies while in the line of duty.

20          **SECTION 15.** 66.0137 (5) (c) 2. of the statutes is amended to read:

21          66.0137 (5) (c) 2. A ~~municipality~~ political subdivision or Marquette University  
22   may not be required to pay the premiums described in subd. 1. or 1m. for a surviving  
23   spouse upon the remarriage of the surviving spouse or upon the surviving spouse  
24   reaching the age of 65.

25          **SECTION 16.** 66.0137 (5) (c) 3. of the statutes is repealed and recreated to read:





**Barman, Mike**

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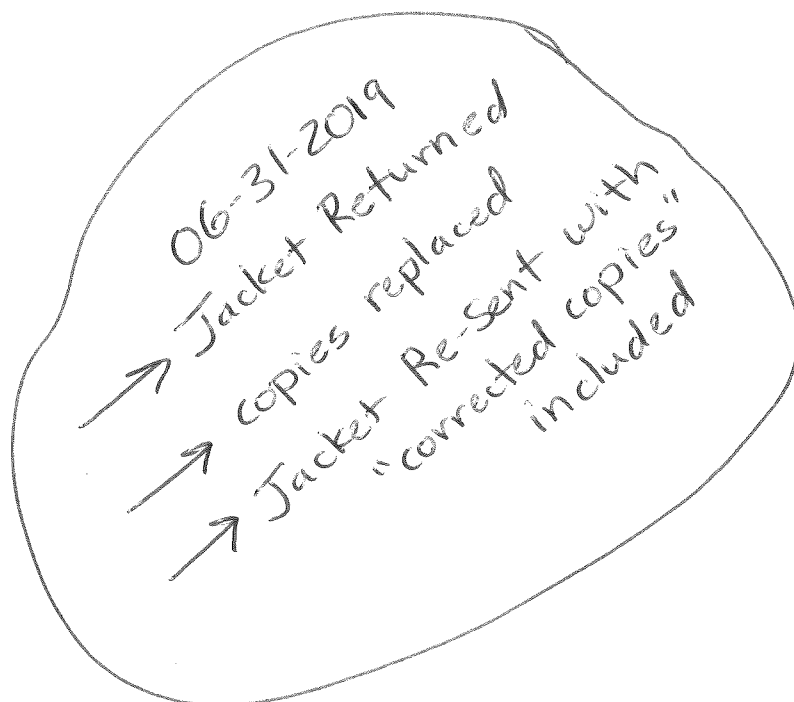
**From:** Shovers, Marc  
**Sent:** Thursday, May 30, 2019 3:17 PM  
**To:** Barman, Mike  
**Subject:** LRB -3228

All is good. Scott will send the old jacket back, and is on the lookout for the corrected copy.

Thanks, Mike!

Marc

Marc Shovers  
Senior Legislative Attorney  
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06-31-2019  
→ Jacket Returned  
→ copies replaced  
→ Jacket Re-sent with  
"corrected copies"  
included

## Barman, Mike

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**From:** Barman, Mike  
**Sent:** Friday, May 31, 2019 7:26 AM  
**To:** Sen.Wanggaard  
**Subject:** 2019 LRB-3228/1 (corrected version attached)



19-3228\_1 (2).pdf

*Mike Barman* (Lead Program Assistant)

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