

CHAPTER 262

AN ACT to create 16.31 of the statutes, relating to continuing salaries to certain state employes unable to work due to injuries incurred in line of duty in hazardous employments, and granting rule-making authority.

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

16.31 of the statutes is created to read:

16.31 HAZARDOUS EMPLOYEES' INJURIES; SALARY CONTINUED. (1) Whenever a conservation warden, state forest ranger, field employe of the conservation department who is subject to call for fire control duty, member of the state patrol, full-time member of the state fair police department, state university full-time policeman, state beverage tax investigator, fire watchman employed at the Grand Army home, or guard or institutional aid or any other employe whose duties include supervision and discipline of inmates at a state penal institution, including central state hospital, or supervision and care of patients at a state mental institution, suffers injury while in the performance of his duties, as defined in subs. (2) and (3), he shall continue to be paid his full monthly salary by his employing department upon the same basis as he was paid prior to the injury. Such full monthly salary shall be paid to the employe while he is unable to work as the result of the injury for not to exceed 3 months. When the employe is paid such salary under this section there shall be no deduction from his sick leave credits, compensatory time for overtime accumulations or vacation.

(2) "Injury" as used in this section is physical harm to an employe caused by accident or disease.

(3) As used in this section "Performance of duties" means duties performed in line of duty by:

(a) A forest ranger or field employe of the conservation department who is subject to call for forest fire control duty or fire watchman employed at the Grand Army home at all times while:

1. Driving or riding in a vehicle, aircraft or boat under circumstances which require hazardous maneuvering or speed in excess of the normal or posted limits in the performance of fire control duties;
2. Engaged in an effort to save lives, recover dead bodies, or protect public or private property;
3. Going to or returning from a fire and while engaged in the suppression of a fire; or
4. Engaged in public demonstration or training exercises provided such demonstration or training exercises are authorized by the appointing authority.

(b) A conservation warden, a member of the state patrol, university full-time policemen, full-time member of the state fair police department, and state beverage tax investigator at all times while:

1. In the process of making an arrest or investigating any violation or suspected violation of the law or the quelling of a riot or any other violence;
2. Engaged in an effort to save lives, recover dead bodies or protect public or private property;
3. Driving or riding in a vehicle, aircraft or boat under circumstances which require hazardous maneuvering or speed in excess of the normal or posted limits in the performance of law enforcement duties; or

4. Engaged in public demonstration or training exercises provided such demonstration or training exercises are authorized by the appointing authority.

(c) A guard, institution aid, or other employe of state penal and mental institutions, at all times while:

1. In the process of quelling a riot or disturbance or other act of violence;

2. In the process of restraining patients or inmates and apprehending runaways or escapees;

3. When injury is inflicted by act of patients or inmates; or

4. In the process of making an arrest or investigating any violation or suspected violation of law pursuant to police powers authorized by s. 46.05 (2) and rules adopted pursuant thereto.

(4) In case an employe is denied benefits provided by this section by the employing department, the employe shall have a right of appeal to the personnel board. The personnel board shall conduct hearings under the rules prescribed by the board and shall make an order granting or denying the application for benefits or making a determination as to the duration thereof. The personnel board shall, pursuant to s. 16.05, adopt rules for the administration of this section.

Approved July 17, 1961.

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