

State of Misconsin 1997 - 1998 LEGISLATURE

1997 ASSEMBLY BILL 362

May 20, 1997 – Introduced by Representatives FREESE, DOBYNS, SYKORA, TURNER, SCHAFER, HUBER, KREIBICH, SPRINGER, JOHNSRUD, POWERS, GRONEMUS, BRANDEMUEHL, MEYER, MURAT, M. LEHMAN, BOYLE, HANDRICK, MUSSER, GOETSCH and OTT, cosponsored by Senators MOEN, ROESSLER, BRESKE, DRZEWIECKI, RISSER, SCHULTZ, PANZER and WINEKE. 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) (m) 2 and 40.65 (4v) 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.

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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:

SECTION 1. 40.02 (17) (m) of the statutes is created to read:

2 40.02 (17) (m) 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 $\mathbf{5}$ 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 earned before the effective date of this paragraph [revisor inserts date], unless 8 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.

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

1240.02 (48) (am) "Protective occupation participant" includes any participant 13whose name is certified to the fund as provided in s. 40.06 (1) (d) and (dm) and who 14is a conservation warden, conservation patrol boat captain, conservation patrol boat engineer, conservation pilot, conservation patrol officer, forest fire control assistant, 1516 member of the state patrol, state motor vehicle inspector, police officer, fire fighter, 17sheriff, undersheriff, deputy sheriff, county jailer, county traffic police officer, state 18 forest ranger, fire watcher employed by the Wisconsin veterans home, state 19 correctional-psychiatric officer, excise tax investigator employed by the department 20of revenue, special criminal investigation agent in the department of justice, 21assistant or deputy fire marshal, or person employed under s. 61.66 (1).

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

2 40.02 (48) (c) In s. 40.65, "protective occupation participant" means a 3 participating employe who is a police officer, fire fighter, an individual determined 4 by a participating employer under par. (a) or (bm) to be a protective occupation participant, county undersheriff, deputy sheriff, county jailer, county traffic police 5 6 officer, conservation warden, state forest ranger, field conservation employe of the 7 department of natural resources who is subject to call for forest fire control or warden 8 duty, member of the state traffic patrol, state motor vehicle inspector, university of 9 Wisconsin system full-time police officer, guard or any other employe whose 10 principal duties are supervision and discipline of inmates at a state penal institution, 11 excise tax investigator employed by the department of revenue, person employed 12under s. 61.66 (1), or special criminal investigation agent employed by the 13department of justice.

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SECTION 4. 40.65 (4v) of the statutes is created to read:

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

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SECTION 5. Effective date.

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(END)

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