



CHUCK WICHGERS

STATE REPRESENTATIVE • 84th ASSEMBLY DISTRICT

Assembly Committee on Workforce Development
Public Hearing on Assembly Bill 36
Testimony of Rep. Chuck Wichgers
April 29, 2025

Chairman Melotik and Committee Members,

Thank you for holding a hearing on Assembly Bill 36 relating to law enforcement and firefighter annuitants in the Wisconsin Retirement System (WRS) who are rehired by a participating employer. This bill is needed today more than ever, for reasons including workforce flexibility, and an aging population.

Law enforcement and firefighter professionals who retire at 55 due to the physical strains of their jobs are often able and willing to pursue careers that complement their skills.

The bill has broader support than ever and is the simplest and easiest way to begin making real world changes that provide for Wisconsin's growing workforce demands in public safety. This bill comes down to a policy decision for the state of Wisconsin – how do we want to meet the employment needs of protective occupation employers? How do we tap into a well-qualified, willing population of employees? Should people who have worked for the state of Wisconsin – hopefully the best and most qualified first responders – be penalized?

The Department of Employee Trust Funds (ETF) has testified that changes to WRS are evaluated in several ways. The changes proposed in this bill would not be inconsistent with state or federal laws, and we have confidence that the changes in this bill will not diminish the sustainability and integrity of the trust fund itself. To the objection of adding unnecessary complexity, or diminishing administrative efficiency, these are important considerations. If changes need to be made, however, it is well within the responsibility of the Legislature to direct change to meet the “boots on the ground” needs of our public safety workforce. This bill has bi-partisan support, and I urge the committee's support as well. Thank you.



ANDRÉ JACQUE

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Testimony before the Assembly Committee on Workforce Development, Labor, and Integrated Employment

Senator André Jacque

Assembly Bill 36

April 29, 2025

Chairman Melotik and Members:

Thank you for the opportunity to testify as the Senate co-author of Assembly Bill 36, which would allow firefighters and law enforcement officers to fill critically needed roles in public safety, teaching and other government positions in a more meaningful and realistic way without suspending their pensions, as long as they do not participate further in the WRS system.

Law enforcement officers and firefighters are generally allowed to retire at an earlier age than other professions due to the physical nature of the job. They are not allowed to collect their pensions and work full time if their new employer participates in the WRS program.

Law enforcement officers, along with other WRS retirees, do already have the ability to get another job after retirement anywhere without suspending their annuity, except with an employer that uses the WRS system. For Wisconsin government employers, that effectively blocks our law enforcement and firefighters from even considering a return to work to protect and serve in Wisconsin. Unfortunately, it also creates an incentive for them to fill equivalent vital roles across our state line. And nothing prevents an officer from retiring and getting a job at a place like Menard's, in private security or elsewhere. This legislation would allow them to get jobs at police and fire training facilities, technical colleges and firing ranges, and even expand the applicant pool for leading our local departments, helping Wisconsin retain essential experience.

Wisconsin's Technical College System is experiencing a shortage of instructors including Tactical Unit and Firing Range Supervisors. Many who would be applicants are not allowed to apply due to present restrictions. We are also experiencing a shortage of qualified applicants to staff departments across our state even with a significant drop in officers on the street.

This bill would allow these dedicated firefighters and law enforcement officers to be able to fill these imperative vacancies without suspending their pensions, provided they do not participate further in the WRS system. It should be noted that the changes that would be enacted under this legislation were successfully put into place across Wisconsin throughout the COVID-19 public emergency. I have circulated versions of this proposal in past sessions that included correctional employees as well, and I've also previously introduced legislation with Rep. Tittl to allow the rehire of teachers as substitutes. So please know that I am very open to further discussion and amendments to expand or modify this bill to the liking of this committee and the body as a whole, so long as we can get passed something that approaches a more reasonable policy for the treatment of retired public safety employees than chasing them out of public service.

I have introduced this proposal over several sessions and I am very pleased to receive this hearing and to note that the Wisconsin Professional Police Association, Wisconsin Sheriffs and Deputy Sheriffs Association, Badger State Sheriff's Association, Professional Fire Fighters of Wisconsin, and Wisconsin Towns Association are formally registered in support of this legislation, some of whom you will be hearing from later in this hearing.

Thank you for your consideration of Assembly Bill 36. I'd be happy to answer any questions.



MANITOWOC COUNTY SHERIFF

Sheriff - Daniel L. Hartwig

In Partnership with the Community. Dedicated to Your Safety.

Testimony In Support of 2025 Assembly Bill 36

Committee on Workforce Development, Labor, and Integrated Employment:

Thank you for the opportunity to provide testimony today in support of **Assembly Bill 36**, critical legislation to help address the serious staffing shortages impacting public safety agencies across Wisconsin, including Manitowoc County.

When I began my law enforcement career 27 years ago, Manitowoc County routinely received 300 to 400 applicants for a single public safety position. Today, despite aggressive recruiting efforts, our applicant pools for law enforcement and corrections officer positions have shrunk to fewer than 10 individuals. We face the harsh reality that there simply are not enough qualified candidates entering the field to meet the needs of our communities.

This bill offers a real, immediate solution. **Assembly Bill 36** would allow retirees who have honorably completed decades of public service to return to work in critical roles—such as law enforcement, corrections, technical college instruction, or small-town policing—**without forfeiting or suspending their well-earned pensions.**

In Manitowoc County, one of our local village police departments was disbanded due to a lack of applicants. If this policy change had already been in place, one of my recently retired deputies could have seamlessly stepped into that role, preserving public safety for that community.

Personally, I've coached high school football in Two Rivers for over 25 years. As my law enforcement career winds down, I would love the opportunity to continue serving my community at the school district or local technical college. However, under current WRS rules, pursuing that path would jeopardize my retirement benefits—an unfair and unnecessary obstacle for many of us who still have much to offer.

Law enforcement, jail staffing, and technical education are all suffering from shallow candidate pools, and Assembly Bill 36 addresses this problem directly. Allowing retirees to return to the workforce without penalties is not "double dipping"—it is honoring the commitment they have already made to our state, while making smart use of their talents and experience.

This bill is supported by the Badger State Sheriffs' Association, Wisconsin Sheriffs and Deputy Sheriffs Association, and the Professional Fire Fighters of Wisconsin. They recognize—as I do—that this is a **positive for all entities:**

- It helps fill critical vacancies with trained professionals.
- It respects and protects the pensions retirees have earned.
- It saves taxpayers money by not requiring new WRS contributions from re-employed retirees.

I respectfully urge you to support Assembly Bill 36.

By passing this legislation, you will bolster public safety, strengthen technical education, and ensure that small communities across Wisconsin do not suffer simply because the current rules prevent willing, capable individuals from continuing to serve.

Thank you for your time and consideration. I would be happy to answer any questions.

Sheriff Dan Hartwig

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Remarks to the Assembly Committee on Workforce Development, Labor, and

Integrated Employment

2025 Assembly Bill 36

Tarna Hunter, Budget and Management Director, Department of Employee Trust Funds

April 29, 2025

ETF is the state agency that administers the Wisconsin Retirement System (WRS) and several other fringe benefit programs for state and local government, university, and school district employees across Wisconsin. ETF is a non-cabinet agency. We do retirement estimates and calculations, member counseling, education presentations, and all accounting and actuarial work. Our sister agency, the State of Wisconsin Investment Board, is responsible for investing the assets of the WRS.

ETF administers the WRS on behalf of over 1600 public employers, who have a diverse range of workforce needs and employment practices. The WRS has over 690,000 total members; of which approximately 237,000 are retirees and 265,000 are active employees. The vast majority of active employees work for local units of government and school districts around the state.

The topic of rehired annuitants is important for the WRS, both in terms of practice and perception. In 2012, the Legislative Audit Bureau completed an audit of WRS annuitants hired by WRS employers. Following the audit, 2013 Act 20 made statutory changes to WRS return-to-work laws, including increasing the break-in-service from 30 days to 75 days and requiring annuity suspension if a retiree works over two-thirds of full-time in a 12-month period. To properly administer these laws, ETF has invested additional resources to enhance our employer compliance and education efforts. We have revised the WRS Administration Manual, issued new Employer Bulletins, and developed training materials, including print and video. We put in place new systems to track rehired annuitants to ensure compliance with the law and gather more complete data on the rehiring of annuitants.

Since 2013 Act 20, every legislative session has included proposals to change the return-to-work laws (to both the break in service requirement and the annuity suspension requirement). Further, there have been bills that have individually targeted return-to-work laws for teachers, protectives, and law enforcement officers. There have also been proposals to apply changes to all employment categories uniformly.

When evaluating any change to the WRS, ETF begins its assessment by asking the following questions:

- Is the change inconsistent with state and federal laws?

- Will the change diminish the sustainability and integrity of the trust fund?
- Does it add unnecessary complexity?
- Will it diminish the administrative efficiency for ETF, employers, or members?

If the answer to any of these questions is yes, we try to identify alternative approaches to the issue.

AB 36 allows an annuitant who was a law enforcement officer or a firefighter to return to work with an employer who participates in the WRS, work two-thirds of full-time, and elect to not become a participating employee for purposes of the WRS, and instead continue to receive their annuity.

The bill carves out a group of participants that have different rules. This will increase the difficulty of administrative responsibilities for ETF and participating employers and may make employer and employee compliance more complex.

Additionally, the bill defines a “law enforcement officer” as any person employed by the state or any political subdivision of the state, for the purpose of detecting and preventing crime and enforcing laws or ordinances and who is authorized to make arrests for violations of the laws or ordinances that the person is employed and sworn to enforce, including university police officers.

The WRS does not use the definition of “law enforcement officer” and does not track or get information from the employing entity down to the position type. Rather, the WRS uses the category of protective occupation participants and is able to track those participants.

We understand the practice of rehiring annuitants is an important tool for most of the employers who engage in the practice, allowing them to fill a position for a relatively short term until a permanent replacement can be found. With that in mind, we are ready to assist if you are interested in considering alternative approaches that could reduce unnecessary complexity and ensure we are complying with the law.



To: Members, Assembly Committee on Workforce Development, Labor, and Integrated Employment
From: Badger State Sheriffs' Association (BSSA)
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)
Date: April 29th, 2025
RE: Testimony in Support of Assembly Bill 36

The Badger State Sheriffs' Association and Wisconsin Sheriffs and Deputy Sheriffs Association respectfully submit our support for AB 36. This important legislation will allow retired law enforcement officers the ability to return to duty without restrictions on their ability to continue collecting their hard-earned pensions. Our organizations have long advocated for this policy change, recognizing it as a critical tool to address the ongoing staffing shortages faced by Sheriff Offices across Wisconsin.

The ability to recruit and retain qualified law enforcement officers is imperative to maintain public safety. County law enforcement statewide continues to experience significant workforce challenges, including increasing vacancies and difficulties in attracting new hires. While agencies are deploying various recruitment and retention strategies, the demand for experienced and skilled officers remains high. Allowing retired law enforcement officers to return to duty without pension restrictions provides an immediate and effective way to help fill these vacancies with seasoned professionals who are ready to serve their communities.

While AB 36 is a significant step forward, we respectfully urge the legislature to include county correctional officers (jailers) in this policy change. Sheriff's offices across the state are experiencing severe shortages in jail staff, creating operational challenges that put added strain on our corrections system. Just as retired law enforcement officers can help fill gaps in patrol and investigative roles, retired jailers can play a crucial role in alleviating staffing shortages in county jails. Expanding the bill's scope to include correctional officers would provide an additional, much-needed solution to the growing personnel crisis in Wisconsin's correctional facilities.

Our organizations support this bill as it is due time for Wisconsin to fix this issue and help our local communities with the public safety staffing gaps.

The Badger State Sheriffs' Association represents all of Wisconsin's 72 elected county sheriffs. The Wisconsin Sheriffs and Deputy Sheriffs Association is a professional organization representing over 1,000 members, including sheriffs, deputies, and jail officers. Our organizations have a joint legislative committee and work closely on public safety issues of concern to our members.



Testimony to the Assembly Workforce Development, Labor, and Integrated Employment Committee

Assembly Bill 36

Wisconsin Education Association Council

April 29, 2025

The Wisconsin Education Association Council (WEAC) represents teachers and other education employees in every part of Wisconsin. WEAC also represents many retired educators who have given their lives to preparing our state's young people for the challenges and successes of the future.

You have all heard about the state's teacher shortage and the severe challenges our state's school districts are facing in hiring quality teachers and staff. Making it easier for retirees to go back into the classroom is one way to address these challenges and make sure all our students have top-notch educators. For this reason, **WEAC respectfully asks committee members to amend Assembly Bill 36 to include teachers and other school employees.**

It certainly makes sense to provide an easier pathway for law enforcement employees and firefighters to fill vacant positions where specific training and experience are needed, as AB 36 would do. The same logic applies in schools. We have well-trained professionals who are willing to help fill these roles. Let's make it easier to get them back into classrooms.

We at WEAC will be happy to work with you on language to most effectively amend the legislation to include school employees/retirees. Thank you for considering the views of WEAC members.

Peggy Wirtz-Olsen, President
Bob Baxter, Executive Director

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MEMBER OF WISCONSIN STATE AFL-CIO



MAHLON MITCHELL
STATE PRESIDENT

RYAN HINTZ
STATE VICE-PRESIDENT

STEVE WILDING
STATE SEC. / TREAS.

Date: April 29, 2025

To: Members of the Workforce Development, Labor, and Integrated Employment

Re: Testimony in Support of Assembly Bill 36 relating to law enforcement and firefighter annuitants in the Wisconsin Retirement System who are rehired by a participating employer

The Professional Fire Fighters of Wisconsin is in strong support of Assembly Bill 36. This is common sense legislation and long overdue.

We all want to ensure that qualified public safety professionals are available to serve our communities. This legislation is a simple, cost-effective solution to help address the shortages of critically needed public safety positions, particularly the ability of WRS employers to recruit and retain qualified public safety professionals as instructors for Fire and EMS programs. Current law limits the applicant pool for these positions, especially for full-time faculty positions.

First, it is widely understood that in Wisconsin Fire and EMS retirees interested in further serving their communities post-retirement as faculty for training programs would see their hard-earned WRS retirement benefits negatively impacted. As a result, these individuals do not apply for roles at technical colleges.

Second, state prohibitions make it difficult to expand public safety training programs. We are seeing vacancies for public safety positions across Wisconsin. We know there is a need for qualified public safety professionals across communities in our state, yet current state prohibitions make it even more difficult to recruit and retain qualified instructors to grow these training programs. ***Without instructors you cannot grow training programs, and you cannot put qualified public safety professionals in our communities.*** Technical colleges have shared that often they need to hire multiple faculty members to cover what a single retiree could have handled, if state law wasn't so restrictive.

Last, current state law disadvantages experienced public safety professionals who have served their community – ***in Wisconsin*** – the option to come out of retirement and train future public safety professionals or serve their community in a leadership role. It creates a playing field that makes it easier to hire out-of-state retirees from Illinois, Iowa, Minnesota, Michigan and every other state, but Wisconsin. This seems counterproductive to putting Wisconsin and Wisconsinites first. We all want qualified public safety professionals in our communities, but to get there we need to be able to recruit and retain qualified leaders and instructors. Why penalize Wisconsinites who spent their careers serving their communities?

Again, on behalf of the Professional Fire Fighters of Wisconsin we urge your support of Assembly Bill 36.