



1995 SENATE BILL 235

June 1, 1995 - Introduced by Senators RUDE, PANZER, RISSER and BRESKE, cosponsored by Representatives BALDWIN, MUSSER, ALBERS, RILEY, PLACHE, HUBER, R. POTTER, WILDER, MEYER, RYBA, BALDUS, CULLEN, HASENOHRL, WIRCH, BOYLE and TURNER, by request of American Federation of State, County and Municipal Employees and the Professional Firefighters of Wisconsin. Referred to Joint survey committee on Retirement Systems.

1 **AN ACT to amend** 40.07 (1) (c) and (d); and **to create** 20.515 (1) (g), 40.02 (29m),
2 40.02 (39m), 40.03 (2) (im), 40.07 (1) (e), 40.07 (1) (f), 40.07 (1) (g), 40.08 (2e),
3 40.08 (2m) and 40.08 (2s) of the statutes; **relating to:** allowing checkoffs of
4 retirement annuities to be paid for membership dues or donations to labor
5 organizations, professional organizations, affiliated retiree organizations and
6 charitable organizations, granting rule-making authority and making an
7 appropriation.

Analysis by the Legislative Reference Bureau

Under current law, retired employes may not authorize the department of employe trust funds (DETF) to deduct from their retirement annuities any membership dues to a labor organization, professional organization or a retiree organization affiliated with a labor organization or professional organization, or membership dues or donations to a charitable organization.

This bill allows retired employes to authorize DETF to deduct from their retirement annuities these membership dues and donations beginning on January 1, 1999, and grants DETF rule-making authority to provide for the deduction of these membership dues and donations.

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.

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:

1 **SECTION 1.** 20.515 (1) (g) of the statutes is created to read:

2 20.515 (1) (g) *Membership dues and charitable donations checkoff fees.* All
3 moneys received from fee payments under ss. 40.07 (1) (e), (f) and (g) and 40.08 (2e),
4 (2m) and (2s) to provide for the checkoff of membership dues and charitable
5 donations and the release of retiree personal information to labor organizations,
6 professional organizations, affiliated retiree organizations and charitable
7 organizations.

8 **SECTION 2.** 40.02 (29m) of the statutes is created to read:

9 40.02 (29m) “Exclusive representative” means an exclusive representative of
10 all employes in a collective bargaining unit, as provided under s. 111.70 (4) (d) 1. or
11 111.825 (4).

12 **SECTION 3.** 40.02 (39m) of the statutes is created to read:

13 40.02 (39m) “Labor organization” means a labor organization, as defined in s.
14 111.70 (1) (h) or 111.81 (12).

15 **SECTION 4.** 40.03 (2) (im) of the statutes is created to read:

16 40.03 (2) (im) Shall promulgate all rules required for the deduction of labor
17 organization membership dues, professional organization membership dues,
18 affiliated retiree organization membership dues or charitable organization
19 membership dues or donations from a retired employe’s retirement annuity under
20 s. 40.08 (2e), (2m) and (2s). The department shall submit the proposed rules allowing
21 for the deduction of these membership dues or donations beginning on January 1,
22 1999, to the legislative council staff, under s. 227.15 (1), no later than January 1,
23 1998.

24 **SECTION 5.** 40.07 (1) (c) and (d) of the statutes are amended to read:

1 40.07 (1) (c) The information is required to be disclosed under a court order duly
2 obtained upon a showing to the court that the information is relevant to a pending
3 court action; or

4 (d) The information is required to be disclosed for the proper administration
5 of the department or to assist in locating participants or beneficiaries the
6 department is otherwise unable to contact;

7 **SECTION 6.** 40.07 (1) (e) of the statutes is created to read:

8 40.07 (1) (e) The information is requested by a labor organization or an
9 affiliated retiree organization for the purpose of mailing membership applications
10 to those retired employees who were at any time employed in a collective bargaining
11 unit in which the labor organization was the exclusive representative, and the labor
12 organization or affiliated retiree organization pays a fee to cover the costs incurred
13 by the department in providing the individual personal information;

14 **SECTION 7.** 40.07 (1) (f) of the statutes is created to read:

15 40.07 (1) (f) The information is requested by a charitable organization for the
16 purpose of mailing membership applications or soliciting charitable donations, and
17 the charitable organization pays a fee to cover the costs incurred by the department
18 in providing the individual personal information; or

19 **SECTION 8.** 40.07 (1) (g) of the statutes is created to read:

20 40.07 (1) (g) The information is requested by a professional organization or an
21 affiliated retiree organization for the purpose of mailing membership applications
22 to those retired employees who were at any time eligible to join the professional
23 organization, and the professional organization or affiliated retiree organization
24 pays a fee to cover the costs incurred by the department in providing the individual
25 personal information.

1 **SECTION 9.** 40.08 (2e) of the statutes is created to read:

2 40.08 **(2e)** PROFESSIONAL ORGANIZATION MEMBERSHIP DUES DEDUCTIONS.

3 Beginning on January 1, 1999, the secretary shall permit a retired employe who was
4 at any time eligible for membership in a professional organization to have the
5 department deduct from the retired employe's retirement annuity membership dues
6 in the professional organization or a retiree organization affiliated with the
7 professional organization. The secretary shall promulgate rules under s. 40.03 (2)
8 (im) to establish the amounts of membership dues that may be authorized, the
9 schedule of payments and the procedures for authorization and for designating the
10 professional organizations and affiliated retiree organizations that are eligible to
11 receive the membership dues. The department shall charge a professional
12 organization or affiliated retiree organization a fee to cover the costs incurred by the
13 department in deducting these dues from a retired employe's annuity.

14 **SECTION 10.** 40.08 (2m) of the statutes is created to read:

15 40.08 **(2m)** LABOR ORGANIZATION MEMBERSHIP DUES DEDUCTIONS. Beginning
16 January 1, 1999, the secretary shall permit a retired employe who was at any time
17 eligible for membership in a labor organization, recognized as the exclusive
18 representative of the employes in the collective bargaining unit in which the retired
19 employe was employed, to have the department deduct from the retired employe's
20 retirement annuity membership dues in the labor organization or a retiree
21 organization affiliated with the labor organization. The secretary shall promulgate
22 rules under s. 40.03 (2) (im) to establish the amounts of membership dues that may
23 be authorized, the schedule of payments and the procedures for authorization and
24 for designating the labor organizations and affiliated retiree organizations that are
25 eligible to receive the membership dues. The department shall charge a labor

1 organization or affiliated retiree organization a fee to cover the costs incurred by the
2 department in deducting these dues from a retired employee's annuity.

3 **SECTION 11.** 40.08 (2s) of the statutes is created to read:

4 40.08 (2s) CHARITABLE DEDUCTIONS. Beginning on January 1, 1999, the
5 secretary shall permit a retired employe to have the department deduct from the
6 retired employe's retirement annuity membership dues or donations to a charitable
7 organization. The secretary shall promulgate rules under s. 40.03 (2) (im) to
8 establish the amounts of membership dues and donations that may be authorized
9 and the schedule of payments and, after consulting with the department of
10 administration and the department of regulation and licensing, rules limiting the
11 number of and designating the charitable organizations that are eligible to receive
12 the membership dues or donations. The department shall charge a charitable
13 organization a fee to cover the costs incurred by the department in deducting these
14 dues or donations from a retired employe's annuity.

15 (END)