

**2003 DRAFTING REQUEST**

**Bill**

Received: **11/06/2003**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**

By/Representing: **Jonathan**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Employ Pub - miscellaneous**  
**Employ Pub - retirement**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Schultz@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

payment of fixed annuity increases unser the Wisconsin Retirement System

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**Instructions:**

See Attached.

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rchampag 11/06/2003	jdyer 11/07/2003		_____			S&L Retire
/1			jfrantze 11/07/2003	_____	Inorthro 11/07/2003	Inorthro 12/03/2003	

FE Sent For:

<END>

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1/?	rchampag	11/7 jld	10/14/11	Sell 11/7			

FE Sent For:

<END>

## Champagne, Rick

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**From:** Klein, Jonathan  
**Sent:** Thursday, November 06, 2003 9:44 AM  
**To:** Champagne, Rick  
**Subject:** Draft Request

Rick,

We have been asked to do a companion to LRB 3511/2 by Rep. Vrakas. I am writing to request an identical draft to be introduced in the Senate. Thank you.

Jonathan Klein  
Office of Senator Dale Schultz  
(800) 978-8008  
(608) 266-0703



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-351172

RAC:jld:jf

Sean  
2003 BILL

LRB-366411  
RAC:jld

Regen

- 1 AN ACT *to amend* 40.27 (2) (intro.) of the statutes; **relating to:** payment of fixed  
2 annuity increases under the Wisconsin Retirement System.

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

Current law governing annuity increases under the Wisconsin Retirement System (WRS) provides that no fixed annuity increase in any year may be granted to annuitants if the increase will not result in at least a two percent increase in the amount of annuities then in force. This bill eliminates this percentage threshold and, instead, provides that the percentage threshold for fixed annuity increases is to be established by rule by the Department of Employee Trust Funds.

Under current law, the secretary of employee trust funds, with the approval of the Employee Trust Funds Board, must promulgate all rules that are required for the efficient administration of the employee trust fund and the benefit plans offered under the WRS. Current law also requires that any rules relating to teachers must be approved by the Teachers Retirement Board and any rules affecting other WRS participants must be approved by the Wisconsin Retirement Board. This bill provides that for rules governing fixed annuity increases under the WRS the approval of the Teachers Retirement Board and the Wisconsin Retirement Board is not required.

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 this bill.

**BILL**

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.** 40.27 (2) (intro.) of the statutes is amended to read:

2           40.27 (2) FIXED ANNUITY RESERVE SURPLUS DISTRIBUTIONS. (intro.) Surpluses in  
3 the fixed annuity reserve established under s. 40.04 (6) and (7) shall be distributed  
4 by the board if the distribution will result in ~~at least a 2% an~~ an increase in the amount  
5 of annuities in force at least equal to the percentage threshold established by the  
6 department by rule, on recommendation of the actuary, as follows:

7           **SECTION 2. Nonstatutory provisions.**

8           (1) EMERGENCY RULES. The department of employee trust funds may, using the  
9 procedure under section 227.24 of the statutes, promulgate the rules under section  
10 40.27 (2) of the statutes, as affected by this act, for the period before permanent rules  
11 become effective, but not to exceed the period authorized under section 227.24 (1) (c)  
12 and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the  
13 statutes, the department is not required to provide evidence that promulgating a rule  
14 under this subsection as an emergency rule is necessary for the preservation of the  
15 public peace, health, safety, or welfare and is not required to provide a finding of  
16 emergency for a rule promulgated under this subsection.

17           (2) APPROVAL BY EMPLOYEE TRUST FUNDS BOARD. Notwithstanding section 40.03  
18 (2) (i), (7) (d), and (8) (d) of the statutes, the department of employee trust funds may  
19 promulgate the rules under section 40.27 (2) of the statutes, as affected by this act,



**BILL**

1 without the approval of the teachers retirement board and the Wisconsin retirement  
2 board.

3 (END)

**Barman, Mike**

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**From:** OBrien, John  
**Sent:** Wednesday, December 03, 2003 2:38 PM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 03-3664/1 Topic: payment of fixed annuity increases unser the Wisconsin Retirement System

It has been requested by <OBrien, John> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-3664/1 Topic: payment of fixed annuity increases unser the Wisconsin Retirement System