

2005 ASSEMBLY BILL 849

November 29, 2005 – Introduced by Representatives HONADEL, KRUSICK, ALBERS, BALLWEG, BIES, GUNDERSON, JESKEWITZ, KAUFERT, KERKMAN, KRAWCZYK, LEHMAN, MUSSER, NELSON, PETROWSKI, TRAVIS, VOS and ZEPNICK, cosponsored by Senators ZIEN, BROWN, CARPENTER, DARLING, GROTHMAN, KANAVAS, PLALE and WIRCH. Referred to Committee on Urban and Local Affairs.

1 **AN ACT to amend** 213.10 (3), 213.10 (5) (b) and 213.11 (5) of the statutes;
2 **relating to:** expanding membership eligibility on the board of trustees of a
3 police relief association and a fire fighters relief association.

Analysis by the Legislative Reference Bureau

A fire fighters relief association is a corporate body that may be formed by the members of the paid fire department in any city. Such an association collects an initiation fee and annual dues for as long as the person remains a member of the fire department. The purpose of such an association is to give relief to the sick and disabled members of the association and their families, and to others for whom the association's bylaws and constitution provide. An association may also purchase group life insurance for its members.

A member of a fire fighters relief association who ceases to be a member of that city's fire department after being a fire fighter for ten consecutive years may continue to be a member of the association. A member of the association who ceases to be a member of that city's fire department after being a fire fighter for less than ten consecutive years may continue to be a member of the association if the member is retired on a pension due to service-related permanent disability or, under certain circumstances, if the member has been granted a service-related duty disability.

The board of trustees of a fire fighters relief association controls the funds and property of the association, and directs the association's concerns. The members of the board of trustees are elected as provided in the bylaws of the association, although current law prohibits any person from being elected to the board of, or

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holding office in, such an association unless the person is in the active employment of the fire department of the city in which the association is organized. Under the bill, any member of the fire fighters relief association may hold office in, or be elected to the board of, a fire fighters relief association.

Currently, the initiation fee that is charged by a fire fighters relief association may not exceed \$50. This bill repeals limitation on this fee.

A police relief association is a corporate body that may be formed by the members of the paid police department in any city. An association collects an initiation fee and annual dues from members in good standing of the police department. The purpose of such an association is to provide death benefits to the beneficiaries of the members of an association and their families in an amount that is specified in each association's bylaws and constitution. An association may also purchase group life insurance for its members.

Under current law, the officers and executive committee members of a board of trustees of a police relief association are elected as provided in the bylaws of the association, although the only people who are eligible to be elected to such a board are active members of the police force from which an association was formed, or a person who is no longer in the active employment of a police department because the person is serving as a liaison between the police department and the city.

Under this bill, persons who are retired from active service with a police department on a service pension may also run for election to an association's board of trustees.

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

1 **SECTION 1.** 213.10 (3) of the statutes is amended to read:

2 213.10 **(3)** Each person on becoming a member of a fire department whose
3 members have formed a fire fighters relief association shall be required to pay the
4 association an initiation fee ~~not exceeding \$50~~ and annual dues so long as the person
5 remains a member of the fire department. A person shall become a member of the
6 association when that person's name is placed on the payroll of the fire department.

7 **SECTION 2.** 213.10 (5) (b) of the statutes is amended to read:

8 213.10 **(5)** (b) No person shall be elected to or hold any office in a fire fighters
9 relief association unless the person is ~~in the active employment of the fire~~
10 ~~department of the city in which the association is organized~~ a member of the fire

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1 fighters relief association. If a person's employment with that city membership in
2 the association is terminated while the person holds any office of the association, the
3 person's term of office shall thereupon be terminated, and the members of the
4 association who are entitled to vote, as provided in the association's bylaws, shall
5 immediately elect a successor.

6 **SECTION 3.** 213.11 (5) of the statutes is amended to read:

7 213.11 (5) The control and disposal of the funds, property and estate and the
8 direction and management of all the concerns of such corporation, under such
9 direction and restrictions as may be imposed by the bylaws thereof, shall be vested
10 in a board of trustees to consist of a president, vice president, treasurer, secretary and
11 executive committee of 3, who shall be elected for such terms, at such time and place
12 and by such members of the corporation as the bylaws of the corporation may
13 provide; and such officers so elected shall hold their respective offices until their
14 successors are elected and qualified; and such corporation may elect or appoint such
15 other officers and for such terms as its bylaws may prescribe. The officers of such
16 corporation shall give bonds for the faithful performance of their respective duties
17 when required so to do by the laws thereof. No person may be elected to or hold any
18 office in such corporation unless that person is employed by the city to which this
19 section becomes effective and in the active employment of the police department of
20 the city, or no longer in the active employment of the police department because the
21 person is serving as a liaison between the police department and the city, or retired
22 from active service employment of the police department of the city on a service
23 pension. If that person's employment with such city membership in the association
24 is terminated while holding the office of trustee or any other office of such
25 corporation, that person's term of office shall thereupon be terminated, and the

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1 members of such corporation as are, by the bylaws thereof, entitled to vote, shall
2 forthwith elect that person's successor in the manner prescribed by the constitution
3 and bylaws of the corporation.

4 (END)