

## 2005 DRAFTING REQUEST

### Bill

Received: **06/28/2005**

Received By: **mshovers**

Wanted: **As time permits**

Identical to LRB:

For: **Mark Honadel (608) 266-0610**

By/Representing: **Chris Reiter**

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

Drafter: **mshovers**

May Contact:

Addl. Drafters:

Subject: **Local Gov't - munis generally**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Honadel@legis.state.wi.us**

Carbon copy (CC:) to:

---

### Pre Topic:

No specific pre topic given

---

### Topic:

Expand membership eligibility on police relief association boards

---

### Instructions:

Allow retired cops to run for a board position on a police relief assoc. board. AM; s. 213.11 (5)

---

### 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>
/?							
/1	mshovers 07/12/2005	kfollett 08/09/2005	rschluet 08/09/2005	_____	lemery 08/09/2005		
/2	mshovers 08/23/2005	kfollett 09/13/2005	jfrantze 09/13/2005	_____	lemery 09/13/2005		
/3	mshovers 10/17/2005	lkunkel 10/17/2005	pgreensl 10/17/2005	_____	sbasford 10/17/2005	mbarman 10/26/2005	

FE Sent For:

*None  
needed*

<END>

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Pre Topic:

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Topic:

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/2	mshovers 08/23/2005	kfollett 09/13/2005	jfrantze 09/13/2005	_____	lemery 09/13/2005		

13 MES 10/17/05  
 FE Sent For: 13/mk 10/17 PB  
 19/n  
 08/17  
 <END>

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/1	mshovers 07/12/2005	kfollett 08/09/2005	rschluet 08/09/2005	_____	lemery 08/09/2005		

FE Sent For:

12/16/05  
9/13

*[Handwritten signature]*  
9/13 <END>

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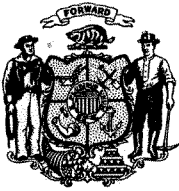
<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/?	mshovers						
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11 MES 7/12/05  
1/16 F  
8/9

895  
<END>

FE Sent For:



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-3334/1

MES...*kjf*

*8/10*

*Rmk*

**2005 BILL**

*Wgn*

1 **AN ACT ...; relating to:** expanding membership eligibility on the board of trustees  
2 of a police relief association.

---

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

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 pension or annuity 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:***



**BILL**

1           **SECTION 1.** 213.11 (5) of the statutes is amended to read:

2           213.11 (5) The control and disposal of the funds, property and estate and the

3 direction and management of all the concerns of such corporation, under such

4 direction and restrictions as may be imposed by the bylaws thereof, shall be vested

5 in a board of trustees to consist of a president, vice president, treasurer, secretary and

6 executive committee of 3, who shall be elected for such terms, at such time and place

7 and by such members of the corporation as the bylaws of the corporation may

8 provide; and such officers so elected shall hold their respective offices until their

9 successors are elected and qualified; and such corporation may elect or appoint such

10 other officers and for such terms as its bylaws may prescribe. The officers of such

11 corporation shall give bonds for the faithful performance of their respective duties

12 when required so to do by the laws thereof. No person may be elected to or hold any

13 office in such corporation unless that person is employed by the city to which this

14 section becomes effective and in the active employment of the police department of

15 the city, or no longer in the active employment of the police department because the

16 person is serving as a liaison between the police department and the city, or retired

17 from active service employment of the police department of the city on a pension or

18 annuity. If that person's employment with such city is terminated while holding the

19 office of trustee or any other office of such corporation, that person's term of office

20 shall thereupon be terminated, and the members of such corporation as are, by the

21 bylaws thereof, entitled to vote, shall forthwith elect that person's successor in the

22 manner prescribed by the constitution and bylaws of the corporation.

History: 1981 c. 390 s. 252; 1991 a. 316; 1997 a. 223, 254.

**Shovers, Marc**

---

**From:** Reader, Chris  
**Sent:** Tuesday, July 26, 2005 10:38 AM  
**To:** Shovers, Marc  
**Subject:** Honadel drafting request

Marc,

We'd like to add a provision to our request dealing with allowing retirees to run for the Police Relief Association. We'd like to add a similar request to the Fire Fighter Relief Association, created in 213.10. The changes we'd like to 213.10 are as follows:

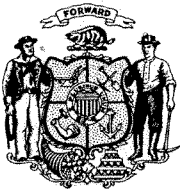
213.10 (3) amend to read: Each person on becoming a member of a fire department whose members have formed a fire fighters relief association shall be required to pay the association an initiation fee <sup>of \$50</sup> and annual dues so long as the person remains a member of the fire department. A person shall become a member of the association when that person's name is placed on the payroll of the fire department.

213.10 (5) (b) No person shall be elected to or hold any office in a fire fighters relief association unless the person is <sup>employed by that city</sup> a member of the firefighters relief association. If a person's membership in the association is terminated while the person holds any office of the association, the person's term of office shall thereupon be terminated, and the members of the association who are entitled to vote, as provided in the association's bylaws, shall immediately elect a successor.

Thanks,

**Chris Reader**

State Representative Mark Honadel  
P.O. Box 8952, State Capitol  
Madison, WI 53708  
(888) 534-0021 toll free  
(608) 266-0610



State of Wisconsin  
2005 - 2006 LEGISLATURE

LRB-3334/2

MES:kjf:rs

2  
RMR

2005 BILL

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

*Analysis by the Legislative Reference Bureau*

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 pension or annuity 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:*

INS  
ANL

resen

BILL

INS 2  
1

SECTION ~~I~~. 213.11 (5) of the statutes is amended to read:

2           213.11 (5) The control and disposal of the funds, property and estate and the

3 direction and management of all the concerns of such corporation, under such

4 direction and restrictions as may be imposed by the bylaws thereof, shall be vested

5 in a board of trustees to consist of a president, vice president, treasurer, secretary and

6 executive committee of 3, who shall be elected for such terms, at such time and place

7 and by such members of the corporation as the bylaws of the corporation may

8 provide; and such officers so elected shall hold their respective offices until their

9 successors are elected and qualified; and such corporation may elect or appoint such

10 other officers and for such terms as its bylaws may prescribe. The officers of such

11 corporation shall give bonds for the faithful performance of their respective duties

12 when required so to do by the laws thereof. No person may be elected to or hold any

13 office in such corporation unless that person is employed by the city to which this

14 section becomes effective and in the active employment of the police department of

15 the city, or no longer in the active employment of the police department because the

16 person is serving as a liaison between the police department and the city, or retired

17 from active service employment of the police department of the city on a pension or

18 annuity. If that person's employment with such city is terminated while holding the

19 office of trustee or any other office of such corporation, that person's term of office

20 shall thereupon be terminated, and the members of such corporation as are, by the

21 bylaws thereof, entitled to vote, shall forthwith elect that person's successor in the

22 manner prescribed by the constitution and bylaws of the corporation.

(END)

2005-2006 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU

LRB-3334/2ins  
MES:kjf:rs

INSERT ANL

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.

X  
X  
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 10 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 10 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. *ten*

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 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.

INSERT 2-1

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

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

History: 1983 a. 242; 1991 a. 316; 1997 a. 254.

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

213.10 (5) (b) No person shall be elected to or hold any office in a fire fighters relief association unless the person is ~~in the active employment of the fire department of the city in which the association is organized~~ a member of the fire fighters relief association. If a person's ~~employment with that city~~ membership in the association is terminated while the person holds any office of the association, the person's term of office shall thereupon be terminated, and the members of the association who are entitled to vote, as provided in the association's bylaws, shall immediately elect a successor.

History: 1983 a. 242; 1991 a. 316; 1997 a. 254.

## Shovers, Marc

---

**From:** Reader, Chris  
**Sent:** Thursday, October 13, 2005 3:33 PM  
**To:** Shovers, Marc  
**Subject:** LRB 3334

Marc,

I need make a quick change to LRB 3334/2 again

**Page 3, lines 22-23 should read, "...or retired from active service employment of the police department of the city on a service pension. If that person's membership in the association is terminated while holding the...."**

If you have any questions, give me a call.

If you can get this to me as soon as possible, we'd appreciate it. This should be the last change before we introduce the bill.

Thanks,

**Chris Reader**

*Policy Advisor*

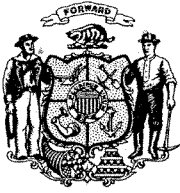
*State Representative Mark Honadel*

*P.O. Box 8952, State Capitol*

*Madison, WI 53708*

*(888) 534-0021 toll free*

*(608) 266-0610*



3  
RMR

2005 BILL

today

D-NOTE

repeal

✓

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



**BILL**

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 <sup>service</sup> ~~pension or annuity~~ 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

**BILL**

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  
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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 pension <sup>service</sup> ~~annuity~~  
23 annuity. If that person's <sup>membership in the association</sup> ~~employment with such city~~ is terminated while holding the  
24 office of trustee or any other office of such corporation, that person's term of office  
25 shall thereupon be terminated, and the members of such corporation as are, by the

**BILL**

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

3 (END)



**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-3334/3dn

MES:kjf:jf

(date)

Imk

✓ ✓  
Representative Honadel:

This version of the draft makes the change you requested by changing "pension or annuity" to "service pension" in the amendment of s. 213.11 (5). ✓ Section 213.11 (2)(a) ✓ of the statutes, which is not affected by the bill but which served as the basis for the language I used in the /2 version of the draft, refers to a person who is "retired from active service on a **pension or annuity**." Do these 2 phrases need to be the same? ✓ Please let me know if you'd like s. 213.11 (2)(a) to be amended to be consistent with s. 213.11 (5), as amended in this version of the bill. ✓

Marc E. Shovers  
Senior Legislative Attorney  
Phone: (608) 266-0129  
E-mail: marc.shovers@legis.state.wi.us

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-3334/3dn  
MES:kjf:pg

October 17, 2005

Representative Honadel:

This version of the draft makes the change you requested by changing "pension or annuity" to "service pension" in the amendment of s. 213.11 (5). Section 213.11 (2) (a) of the statutes, which is not affected by the bill but which served as the basis for the language I used in the /2 version of the draft, refers to a person who is "retired from active service on a **pension or annuity**." Do these 2 phrases need to be the same? Please let me know if you'd like s. 213.11 (2) (a) to be amended to be consistent with s. 213.11 (5), as amended in this version of the bill.

Marc E. Shovers  
Senior Legislative Attorney  
Phone: (608) 266-0129  
E-mail: marc.shovers@legis.state.wi.us

**Barman, Mike**

---

**From:** Reader, Chris  
**Sent:** Wednesday, October 26, 2005 11:20 AM  
**To:** LRB.Legal  
**Subject:** Draft review: LRB 05-3334/3 Topic: Expand membership eligibility on police relief association boards

It has been requested by <Reader, Chris> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-3334/3 Topic: Expand membership eligibility on police relief association boards