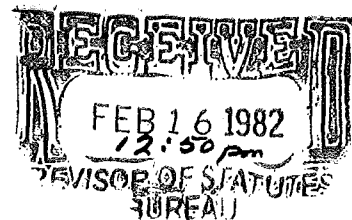


Adm 30




STATE OF WISCONSIN)
) SS.
DEPARTMENT OF ADMINISTRATION)

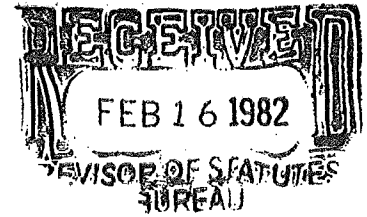
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Kenneth E. Lindner, Secretary of the department and custodian of the official records do hereby certify that the annexed rules relating to payroll deductions for charitable purposes, were duly approved and adopted by this department on February 16, 1982.

I further certify that this copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 101 South Webster Street in the city of Madison, this 16th day of February, 1982.


Kenneth E. Lindner, Secretary



ORDER OF THE
DEPARTMENT OF ADMINISTRATION
AMENDING, REPEALING AND RECREATING RULES

Relating to rules concerning the payroll deductions for charitable purposes.

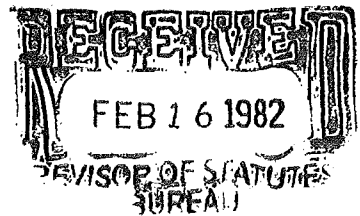
Analysis prepared by the Department of Administration:

On April 16, 1981, the Joint Subcommittee on Agency Policies and Procedures, of the Joint Committee for Review of Administrative Rules wrote our department as follows:

"The criteria in Chapter Adm 30 for collecting and disbursing charitable funds seem vague and arbitrary. In light of recent court decisions, we are concerned that these standards and practices may work to deny the first amendment rights of some charitable organizations that wish to collect funds through the State Employees Combined Campaign.

Portions of Chapter Adm 30 appear to affect the eligibility and fund raising practices of organizations in a fashion that: (a) discriminates against new organizations; (b) discriminates against organizations that are involved in advocacy which may be controversial in some segments of the community; and (c) places apparently unreasonable limitations upon the fund raising methods of organizations."

The department proposes to amend Chapter Adm 30 in order to conform with the suggestions of the subcommittee, to eliminate vague, unconstitutional and illegal terminology.



Pursuant to authority vested in the Department of Administration by s. 20.921 (1) (a) 4, Stats., the department proposes to amend, recreate, repeal and create rules interpreting s. 20.921 (1) (a) 4, Stats., as follows:

To repeal Adm 30.05 (6) to (8), (1) (a) 3 and 5 and (14), Adm 30.06 (4) (a), (c) and (e); Adm 30.08 (3); to amend Adm 30.02 (1) and (2) and 30.05 (2), (3) and (5), Adm 30.06 (intro.), Adm 30.08 (1); and to repeal and recreate Adm 30.06 (3); to Create Adm 30.13, relating to payroll deductions for charitable purposes.

SECTION 1. Adm 30.02 (1) and (2) are amended to read:

(1) Only responsible and approved charitable organizations are permitted to be designated for payroll deductions by state employees.

(2) The funds contributed by state employees by means of payroll deductions are used effectively for the announced purposes of the charitable organizations.

SECTION 2. Adm 30.05 (2), (3) and (5) are amended to read:

(2) UMBRELLA ORGANIZATION. Only charitable organizations that are members of an umbrella organization will be approved for a payroll deduction. Each umbrella organization must have as members at least 5 charitable organizations, each of whom must meet all of the requirements of this chapter. Any charitable organization may, under the provisions of this chapter and in conjunction with 4 other charitable organizations, form an umbrella organization.

(3) FEDERAL EXEMPTION. Each charitable organization must submit a copy of the internal revenue service ruling indicating that it is an exempt organization under Internal Revenue Code section 501 (c) (3). An advance ruling on its exempt status ~~or temporary tax-exempt status~~ shall ~~not~~ meet this requirement.

(5) INTEGRITY OF OPERATIONS. ~~Only charitable organizations which have exhibited a high degree of integrity and responsibility in the conduct of their affairs will be eligible for approval.~~ Funds contributed to charitable organizations by state employes must be used ~~effectively~~ for the announced purposes.

SECTION 3. Adm 30.05 (6) to (8) are repealed.

SECTION 4. Adm 30.05 (10) (a) 3 is repealed.

SECTION 5. Adm 30.05 (10) (a) 5 is repealed.

SECTION 6. Adm 30.05 (13) is amended to read:

(13) SPECIAL REPORT. To determine compliance with this chapter and upon request, the charitable organization shall submit a

special report giving such information as may be requested by the secretary of the ~~eligibility~~ committee.

SECTION 7. Adm 30.05 (14) is repealed.

SECTION 8. Adm 30.06 (Intro.) is amended to read:

Adm 30.06 APPLICATION. To be considered for eligibility for payroll deduction initially, the charitable organization must do the following:

SECTION 9. Adm 30.06 (3) is repealed and recreated to read:

(3) TIME OF FILING. (a) Except as provided in par. (b), applications must be received on or before February 1 of any year in order for a charitable organization to be considered for eligibility for payroll deduction during the following year.

(b) Applications must be received on or before February 1, 1982, or on or after April 1, 1982, and prior to April 17, 1982, in order for a charitable organization to be considered for eligibility for payroll deduction during 1983.

SECTION 10. Adm 30.06 (4) (a), (c) and (e) are repealed.

SECTION 11. Adm 30.08 (1) is amended to read:

(1) Review all initial requests for authorization for payroll deduction filed pursuant to s. Adm 30.06.

SECTION 12. Adm 30.08 (3) is repealed.

SECTION 13. Adm 30.13 is created to read:

Adm 30.13 ELIGIBILITY AFTER INITIAL ACCEPTANCE.

To be considered for eligibility for payroll deduction after initial acceptance, the following procedure must be followed:

(1) By February 1 of any year, the umbrella organization must certify in writing to the secretary that the charitable organization is in compliance with all provisions of this chapter in order for that charitable organization to be considered for eligibility for payroll deduction during the following year.


(2) The information required by this chapter must be on file in the office of the umbrella organization at the time the certification required by s. Adm 30.13 (1) is made.

(3) The information referred to in s. Adm 30.13 (2) must be maintained in the file of the umbrella organization for 2 years.

(4) The information required by this chapter must be available for audit by the secretary or his or her designee with 24 hours advance notice to the umbrella organization by the secretary or his or her designee.

(5) The secretary shall, by March 15 of each year, notify the umbrella organization in writing of the acceptance or rejection for payroll deduction of each charitable organization.

The rules contained in this order shall take effect as provided in
s. 227.026 (1) (intro.), Stats.



Kenneth E. Lindner, Secretary

Date February 16, 1982

LRB or Bill No./Adm./Rule No.
Adm 30
Amendment No. if Applicable

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

Subject
Payroll Deductions for Charitable Purposes

Fiscal Effect
State: Increase Existing Appropriation
 Decrease Existing Appropriation Increase Costs – May Be Possible to Absorb Within Agency's Budget Yes No
 Create New Appropriation
 Increase Existing Revenues Decrease Costs
 Decrease Existing Revenues No State Fiscal Effect

Local: No local fiscal effect.

1. Increase Costs
 Permissive Mandatory
2. Decrease Costs
 Permissive Mandatory

3. Increase Revenues
 Permissive Mandatory
4. Decrease Revenues
 Permissive Mandatory

5. Types of Local Governmental Units Affected:
 Towns Villages Cities
 Counties Others _____

Fund Sources Affected
 GPR FED PRO PRS SEG SEG-S

Affected Ch. 20 Appropriations

Assumptions Used in Arriving at Fiscal Estimate

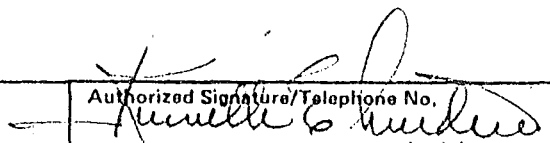
Long-Range Fiscal Implications

None.

Agency

Administration

Authorized Signature/Telephone No.


Kenneth E. Lindner/266-1741

Date

12-23-81