

CA 82-211

CERTIFICATE

STATE OF WISCONSIN)
)
DEPARTMENT OF EMPLOYE TRUST FUNDS) SS

RECEIVED
MAR 1 1983
9:55
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Gary I. Gates, Secretary of the Department of Employee Trust Funds, and custodian of the official records do hereby certify that the annexed rules and repeal of rules relating to cancellation of applications for a lump sum benefit or annuity were duly approved by the Employee Trust Funds, Teachers Retirement and Wisconsin Retirement Boards and adopted by this department on March 1, 1983.

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 201 East Washington Avenue,
in the City of Madison, this
1st day of March, 1983.

Gary I. Gates
Gary I. Gates, Secretary
Department of Employee Trust Funds

REPEALING AND ADOPTING RULES

MAR 1 1983

Revisor of Statutes
Bureau

To repeal chapters Ret 5 and 6, TR 6 and 16; and to create ss. ETF 20.20 and 60.51 relating to cancellation of applications for a lump sum benefit or annuity.

Analysis Prepared by the Department of Employee Trust Funds

This order repeals rules which are either no longer needed or which conflict with or duplicate statutes. Those provisions which are still necessary to clarify a participant's or beneficiary's right to cancel an application for a lump sum benefit or annuity from the Wisconsin Retirement System have been rewritten and reorganized to correlate to the provisions in and arrangement of Chapter 40, Stats., as created by ch. 96, Laws of 1981.

These rules interpret ss. 40.02 (5), 40.08 (5), 40.21 (6) (a), 40.22 (3) (a), 40.23, 40.24, 40.26 (1), 40.27 (2), 40.63 (1) and (4) and (8), 40.71 (1) (a) and (d), and 40.71 (3), Stats.

Pursuant to the authority vested in the Department of Employee Trust Funds by s. 40.03 (2) (i), Stats., the Department of Employee Trust Funds hereby repeals and creates rules interpreting ss. 40.02 (5), 40.08 (5), 40.21 (6) (a), 40.22 (3) (a), 40.23, 40.24, 40.26 (1), 40.27 (2), 40.63 (1) and (4) and (8), 40.71 (1) (a) and (d), and 40.71 (3), Stats., as follows:

SECTION 1. Chapters Ret 5 and 6 are repealed.

SECTION 2. Chapter TR 6 is repealed.

SECTION 3. Chapter TR 16 is repealed.

SECTION 4. ETF 20.20 is created to read:

ETF 20.20 CANCELLATION OF RETIREMENT ANNUITY AND SEPARATION APPLICATIONS.

(1) Any separation, retirement or lump sum payment application cancelled pursuant to this section shall have no force or effect, and any subsequent application shall be treated as a new application. A written request to cancel an application under sub. (3) (a) or (4) shall be accompanied by repayment of any check issued pursuant to the application.

(2) A written request to cancel an application under this section which is due on a Saturday, Sunday or holiday when the state offices are closed shall be timely if received in the department the next working day.

(3) An application for a separation benefit under s. 40.25 (2), Stats., shall be cancelled if:

(a) The applicant's written request for cancellation is received by the department within 30 days after the application was received by the department.

(b) The applicant becomes a participating employe within 30 days after the application was received by the department.

(c) The applicant dies prior to the date of the separation benefit check.

(4) An application for a retirement annuity under s. 40.23 or 40.24, Stats., or s. ETF 20.04, or a lump sum payment under s. 40.25 (1), Stats., shall be cancelled if the participant's written request for cancellation is received by the department within 30 days after the application was received by the department or within 30 days after the annuity effective date, whichever is later.

SECTION 5. ETF 60.51 is created to read:

Subchapter 3

WISCONSIN RETIREMENT SYSTEM

DEATH BENEFITS

ETF 60.51 CANCELLATION OF DEATH BENEFIT AND BENEFICIARY ANNUITY APPLICATIONS.

(1) Any lump sum death benefit or beneficiary annuity application cancelled pursuant to this section shall have no force or effect, and any subsequent application shall be treated as a new application. A written request to cancel an application under sub. (2) or (3) shall be accompanied by repayment of any check issued pursuant to the application.

(2) An application for a lump sum death benefit payment under s. 40.73 (1) or (2), Stats., shall be cancelled if the applicant's written request for cancellation is received by the department within 30 days after the application was received by the department.

(3) An application for a beneficiary annuity under s. 40.73 (3), Stats., and any beneficiary designation filed by the applicant as a beneficiary, shall be cancelled if the applicant's written request for cancellation is received by the department within 30 days after the annuity application was received by the department or within 30 days after the annuity effective date, whichever is later.

NOTE: Chapters 40, 41 and 42, Stats., as they existed on December 31, 1981, were repealed and a new chapter 40 was created effective January 1, 1982, by ch. 96, Laws of 1981.

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

March 1, 1983
Date

Gary I. Gates
Gary I. Gates, Secretary
Department of Employee Trust Funds

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Ret 5&6, TR 6&16
Amendment No. if Applicable

Subject
The cancellation of applications submitted to the Wisconsin Retirement System

Fiscal Effect

State: No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation.

- Increase Existing Appropriation Increase Existing Revenues
 Decrease Existing Appropriation Decrease Existing Revenues
 Create New Appropriation

- Increase Costs — May Be Possible to Absorb Within Agency's Budget Yes No
 Decrease Costs

Local: No local government costs

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

The majority of this order is housekeeping in nature to repeal rules which are no longer needed, or which conflict with or duplicate statute. Sections ETF 20.20 and 60.51 are created to clarify a participant's or beneficiary's right to cancel an application for a separation benefit, single cash sum annuity, retirement annuity or beneficiary annuity.

We expect there will be no fiscal effect.

Long-Range Fiscal Implications

None

Agency

Department of Employee Trust Funds

Authorized Signature/Telephone No.

Gene M. Bass 266-5804

Date

10/19/82

FISCAL ESTIMATE WORKSHEET

1981 Session

Detailed Estimate of Annual Fiscal Effect
AD-MBA-22 (Rev. 11/80)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
Ret 5&6, TR 6&16

Amendment No.

Subject

The cancellation of applications submitted to the Wisconsin Retirement System.

I. One-time Costs or Revenue Fluctuations for State and/or Local Government (do not include in annualized fiscal effect):

None

II. Annualized Costs: Note: Treat fiscal costs like a "checkbook": increased costs reduce available funds (-); decreased costs increase available funds (+).

A. State Costs by Category	Annualized fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
Salaries and Fringes	\$ -	\$ +
Staff Support Costs	-	+
Other State Costs	-	+
Local Assistance	-	+
Aids to Individuals or Organizations	-	+
TOTAL State Costs by Category	\$ - 0	\$ + 0

B. State Costs by Source of Funds	Annualized fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
GPR	\$ -	\$ +
FED	-	+
PRO/PRS	-	+
SEG/SEG-S	-	+

C. FTE Position Changes	Increased Pos.	Decreased Pos.
	+ (0)	- (0)

III. State Revenues-Complete this only when proposal will increase or decrease state revenues, such as taxes, license fees, etc.

	Annualized fiscal impact on State funds from:	
	Decreased Rev.	Increased Rev.
GPR Taxes	\$ -	\$ +
GPR Earned	-	+
FED	-	+
PRO/PRS	-	+
SEG/SEG-S	-	+
TOTAL State Revenues	\$ - 0	\$ + 0

Net Annualized Fiscal Impact on State & Local Funds

State	Annual Increases	Annual Decreases	Local	Annual Increases	Annual Decreases
Total Costs	\$ -	\$ +	Total Costs	\$ -	\$ +
Total Revenues	+	-	Total Revenues	+	-
NET Impact on State Funds	\$ (+) or (-)	None	NET Impact on Local Funds	\$ (+) or (-)	None

Agency
Department of Employee Trust Funds

Authorized Signature/Telephone No.
Liane W. Bass 266-5804

Date
10/19/82