

CR 83-2

CERTIFICATE

RECEIVED

APR 29 1983
4:10 pm
Revisor of Statutes
Bureau

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

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 repeal and creation of rules relating to definitions of the Department of Employee Trust Funds and creditable service under the Wisconsin Retirement System were duly approved by the Teachers Retirement, Wisconsin Retirement and Employee Trust Funds Boards and adopted by this department on April 28, 1983.

I further certifiy 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
29th day of April,
19 83.

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

ORDER OF THE DEPARTMENT OF
EMPLOYE TRUST FUNDS
REPEALING AND CREATING RULES

To repeal chapter ETF 1; to amend s. ETF 10.01 (2) (intro.); to repeal and recreate s. ETF 10.01 (intro.); and to create s. ETF 10.05, relating to definitions of the Department of Employee Trust Funds and creditable service under the Wisconsin Retirement System.

Analysis Prepared by the Department of Employee Trust Funds

This order is mostly housekeeping in nature to repeal definitions which duplicate the statutes or are no longer necessary due to the enactment of ch. 96, Laws of 1981. The introduction of s. ETF 10.01, which is being promulgated by a separate rule prior to the promulgation of this rule, is repealed and recreated making it unnecessary to repeat all the definitions of ch. 40, Stats., as created by ch. 96, Laws of 1981. The definition of dependent is amended to specify that the employe must provide at least 50% of the dependent's support and maintenance. This phrase, which is contained in the life insurance contract, was inadvertently left out of the rule when recently recreated and renumbered. Provisions pertaining to creditable service for Milwaukee teachers, which were formerly in chapter ETF 1, are being placed in the newly created chapter ETF 10 to correspond to the organization of ch. 40, Stats., as created by ch. 96, Laws of 1981.

These rules interpret ss. 40.02, 40.25 (6) (a) 3, and 40.73 (2) (b) 4, Stats., and ss. 42.70 (2) (s), 42.78 (1) (a), 42.80, 42.81 and 42.91, 1979 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, amends, and recreates and creates rules interpreting ss. 40.02, 40.25 (6) (a) 3, and 40.73 (2) (b) 4, Stats.; and ss. 42.70 (2) (s), 42.78 (1) (a), 42.80, 42.81 and 42.91, 1979 Stats., as follows:

SECTION 1. Chapter ETF 1 is repealed.

SECTION 2. ETF 10.01 (intro.) is repealed and recreated to read:

ETF 10.01 DEFINITIONS. Words, phrases and terms used in all ETF chapters which are not defined in this section shall have the meaning set forth in s. 40.02, Stats.:

SECTION 3. ETF 10.01 (2) (intro.) is amended to read:

(2) "Dependent" means, for life insurance purposes, an employe's spouse, unmarried child, including stepchild and adopted child, who is dependent upon the employe for at least 50% of support and maintenance and who is:

SECTION 4. ETF 10.05 is created to read:

ETF 10.05 CREDITABLE SERVICE FOR MILWAUKEE TEACHERS. Creditable service for Milwaukee teachers shall be granted for teaching service performed for governmental agencies other than the city of Milwaukee pursuant to ss. 42.70 (2) (s), 42.78 (1) (a), 42.81 and 42.91, 1979 Stats., only if the requirements in subs. (1) to (6) are satisfied:

(1) The teacher was a member, as defined in s. 42.70 (k), 1979 Stats., of the former Milwaukee teachers retirement fund on August 31, 1958, has not received a separation benefit since that date and the teaching service for which creditable service is requested was prior to September 1, 1958.

(2) The participant has 10 or more years of teaching service in the city of Milwaukee and the outside teaching credit granted, when added to the participant's separate, combined and formula teaching service in the city of Milwaukee, does not exceed 35 years for benefit computation purposes. If at the time of a benefit computation the total service exceeds 35 years, any payment made previously for outside teaching service which cannot be used shall be transferred to the additional contributions of that participant.

(3) The participant applies in writing for the outside teaching credit giving pertinent details on when, where and for whom the outside teaching service was performed.

(4) The outside teaching service is verified by the school district, successor school district or public retirement plan.

(5) The applicable public retirement plan certifies to the department that the participant is not entitled to any benefit, absolute, contingent or otherwise, from that retirement plan as a result of the teaching service.

(6) The participant makes the contributions which would have been required if the service to be credited had been subject to s. 42.80, 1979 Stats., at the time the teacher became a member, as defined in s. 42.70 (k), 1979 Stats., of the former Milwaukee teachers retirement fund, or if later, at the time the teacher returned to covered Milwaukee teaching after the period of outside teaching. The amount due shall be increased with interest at the effective rate, as defined in s. 40.02 (23), Stats., as though the contributions were in the fund on September 1, 1959.

The rules contained in this order shall take effect as provided in s. 227.026

(1) (intro.), Stats.

April 29, 1983
Date

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

FISCAL ESTIMATE

AD-MBA-23 (Rev. 11/80)

1981 Session

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

ETF or Bill No./Adm. Rule No.
 ETF 1.01, 10.01, 10.05
 Amendment No. if Applicable

Subject

Definitions of the Dept. of Employe Trust Funds & creditable service under the WRS.

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

This proposed order is mostly housekeeping in nature to repeal definitions which duplicate the statutes or are no longer necessary due to the enactment of ch. 96, Laws of 1981. ETF 10.01 (2) (intro.) is amended to include a stipulation for dependency which was inadvertently left out of the newly recreated and renumbered definition. The introduction of s. ETF 10.01 is repealed and recreated to make all the definitions of ch. 40, Stats., applicable to all ETF rules unless specifically stated elsewhere. Provisions pertaining to creditable service for Milwaukee teachers are being updated and placed in chapter ETF 10 to correspond more closely to the organization of ch. 40, Stats.

We expect there will be no fiscal effect.

Long-Range Fiscal Implications

None

Agency

Department of Employe Trust Funds

Authorized Signature/Telephone No.

James H. Bass 266-5804

Date

12-6-82

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. Amendment No.
ETF 1.01, 10.01, 10.05

Subject

Definitions of the Dept. of Employee Trust Funds & creditable service under the WRS

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

	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.

	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

Authorized Signature/Telephone No.

Date

Department of Employee Trust Funds

Gene M. Bass 266-5804

12/6/82



State of Wisconsin \ DEPARTMENT OF EMPLOYEE TRUST FUNDS

April 28, 1983

Gary I. Gates
Secretary

201 EAST WASHINGTON AVENUE
P.O. BOX 7931
MADISON, WISCONSIN 53707

IN REPLY REFER TO:

Gary Poulson
Assistant Revisor of Statutes
Room 411 West, State Capitol
Madison, WI 53702

RECEIVED

APR 29 1983

Revisor of Statutes
Bureau

Dear Gary

Re Clearinghouse Rule No. 83-2

Enclosed is a Certificate and two copies of an Order Repealing and Creating Rules. A certified copy of this order has also been forwarded to the Secretary of State.

Sincerely

Diane M. Bass
Board Coordinator
(608) 266-5804

DMB/sb2 4/A6