

Filed 8-17-83
2:30 pm

CR 83-57

CERTIFICATE

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 rules relating to disability benefits and the cancellation of a disability annuity application under the Wisconsin Retirement System were duly approved by the Employee Trust Funds, Teachers Retirement and Wisconsin Retirement Boards and adopted by this department on August 16, 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 17th day of August, 1983.

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

ORDER OF THE DEPARTMENT OF EMPLOYE TRUST FUNDS
ADOPTING A RULE

To create chapter ETF 50 relating to disability benefits and the cancellation of a disability annuity application under the Wisconsin Retirement System.

Analysis Prepared by the Department of Employee Trust Funds

This proposed order creates chapter ETF 50 which will contain all rules relating to a disability benefit under the Wisconsin Retirement System. Eventually, all rules of the Department of Employee Trust Funds will be reorganized into chapters which correspond more closely to the organization of chapter 40, Stats., as created by ch. 96, Laws of 1981.

Section ETF 50.30 allows an applicant 30 days to appeal a determination by the department that the applicant does not meet the minimum service eligibility requirements under s. 40.63 (5), Stats.

The creation of s. ETF 50.31 allows an applicant for a disability annuity to voluntarily cancel that application up to 30 days after the department's determination is sent to the applicant. The time limit specified in this rule correlates with those stipulated in ss. ETF 20.20 and 60.51 which are being created by the promulgation of another rule order.

These rules interpret s. 40.63, Stats., as created by ch. 96, Laws of 1981.

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 creates rules interpreting s. 40.63, Stats., as follows:

SECTION 1. Chapter ETF 50 is created to read:

CHAPTER ETF 50

DISABILITY BENEFITS

ETF 50.30 ELIGIBILITY FOR A DISABILITY ANNUITY. If the department determines that an applicant does not meet the disability application eligibility requirements of s. 40.63 (1) (a), Stats., the department shall deny the application unless the applicant files a written request for a hearing with the department no later than 30 days after the date the department's determination was mailed to the applicant.

ETF 50.31 CANCELLATION OF A DISABILITY ANNUITY APPLICATION. An application for a disability annuity under s. 40.63, Stats., shall be cancelled upon request of the applicant if the applicant's written request for cancellation is received by the department no later than 30 days after the date the report required under s. 40.63 (5), Stats., was mailed to the applicant by the department.

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.

Aug. 17, 1983
Date

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

FISCAL ESTIMATE WORKSHEET

1983 Session

Detailed Estimate of Annual Fiscal Effect

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

CRB or Bill No./Adm. Rule No.
 ETF 50.30 & 50.31

Amendment No.

AD-MBA 22 (Rev. 11/82)

Subject: **Cancellation of a disability annuity application under 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 (+).

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

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

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

	Annualized fiscal impact on State funds from:	
	Decreased Rev.	Increased Rev.
III. State Revenues-Complete this only when proposal will increase or decrease state revenues, such as taxes, license fees, etc.		
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 (-)
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Agency/Prepared by: (Name & Phone No.)
 Department of Employee Trust Funds

Authorized Signature/Telephone No.

Date

Diane M. Bass

266-5804

Diane M. Bass

266-5804

4/18/83

FISCAL ESTIMATE
AD-MBA-23 (Rev. 11/82)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

~~XXXXXX~~ No./Adm. Rule No.
ETF 50.30 & 50.31
Amendment No. if Applicable

Subject Cancellation of a disability annuity application under 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

Section ETF 50.30 sets forth an applicant's appeal rights if he or she does not meet the eligibility requirements under s. 40.63 (5), Stats.

Section ETF 50.31 is created to clarify a participant's right to cancel an application for a disability annuity under the Wisconsin Retirement System.

We expect there will be no fiscal effect.

Long-Range Fiscal Implications

None

Agency/Prepared by: (Name & Phone No.)

Department of Employee Trust Funds
Diane M. Bass 266-5804

Authorized Signature/Telephone No.

Diane M. Bass 266-5804

Date

4/18/83