

CR 85-84

CERTIFICATE

Received
Sept. 24, 1985
2:50 pm

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 rule relating to the definition of earnings for purposes of the Department of Employee Trust Funds benefit plans was duly approved by the Employee Trust Funds, Teachers Retirement, and Wisconsin Retirement Boards and adopted by this department on September 23, 1985.

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 24th day of September, 1985.

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

11-1-85

ORDER OF THE DEPARTMENT OF EMPLOYE TRUST FUNDS
ADOPTING A RULE

To create ETF 10.01 (2m), relating to the definition of earnings for purposes of the Department of Employee Trust Funds benefit plans.

Analysis Prepared by the Department of Employee Trust Funds

Work relief or training programs in lieu of welfare or public assistance is becoming more prevalent in Wisconsin. This has caused an increasing number of questions on how to handle the "earnings" from these programs for purposes of ETF benefit plans. This proposed rule codifies the meaning of earnings under different training and work programs for purposes of ETF benefit plans.

This rule will not have any impact on small businesses.

This rule interprets ss. 40.02 (22) and (26), and 40.41 (6) (a), Stats.

Pursuant to the authority vested in the secretary of the department of employee trust funds by s. 40.03 (2) (i), Stats., the secretary of the department of employee trust funds hereby creates a rule interpreting ss. 40.02 (22) and (26), and 40.41 (6) (a), Stats., as follows:

SECTION 1. ETF 10.01 (2m) is created to read:

ETF 10.01 (2m) "Earnings" under s. 40.02 (22), Stats., except as otherwise provided by federal regulations for OASDHI purposes, does not include payments made in lieu of welfare, payments made to reimburse welfare costs, or payments made as part of a work relief, general relief or public assistance program under ch. 49, Stats., unless employment is part of a training program to improve skills or increase employability and the employment satisfies the requirements under s. 40.22 (1), Stats.

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

Sept. 24, 1985
Date

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

FISCAL ESTIMATE
AO-MBA-23 (Rev. 11/84)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB Bill No./Adm. Rule No.
ETF 10.01 (2m)
Amendment No. if Applicable

Subject

Definition of earnings for purposes of ETF benefit plans.

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 rule clarifies when "earnings" received in lieu of welfare or as part of a training program are "earnings" for purposes of ETF benefit plans. Since this rule is merely a clarification we anticipate there will be no fiscal effect.

Long-Range Fiscal Implications

None.

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

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

Authorized Signature/Telephone No.

Diane M. Bass 266-5804

Date

4/29/85

FISCAL ESTIMATE WORKSHEET

1985 Session

Detailed Estimate of Annual Fiscal Effect
AD-MBA-22 (Rev. 11/84)

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.
ETF 10.01 (2m)

Amendment No.

Subject

Definition of earnings for purposes of ETF benefit plans.

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:

A. State Costs by Category	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/Prepared by: (Name & Phone No.)
Diane M. Bass 266-5804
Dept. of Employee Trust Funds

Authorized Signature/Telephone No.

Diane M. Bass 266-5804

Date

4-29-85



State of Wisconsin \ DEPARTMENT OF EMPLOYE TRUST FUNDS

September 23, 1985

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
411 West State Capitol
Madison, WI 53702

RECEIVED

SEP 24 1985

Revisor of Statutes
Bureau

Dear Gary:

Re: Clearinghouse Rule No. 85-84

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

Sincerely,

Diane M. Bass
Policy Analyst
(608) 266-5804

DB/abc Md7