

CR 85-168

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 repeal and recreation of a rule relating to postmarks as evidence of timely receipt of reports and remittances by the Department of Employee Trust Funds, was duly approved by the Employee Trust Funds, Teachers Retirement and Wisconsin Retirement Boards and adopted by this department on March 11, 1986.

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.

**RECEIVED**

MAR 17 1986  
8:45 am  
Revisor of Statutes  
Bureau

IN TESTIMONY WHEREOF, I have hereunto set my hand at 201 East Washington Avenue, in the City of Madison, the 12<sup>th</sup> day of March, 19 86.

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

5-1-86

ORDER OF THE DEPARTMENT OF EMPLOYE TRUST FUNDS  
REPEALING AND RECREATING A RULE

To repeal and recreate ETF 10.63 (3), relating to postmarks as evidence of timely receipt of reports and remittances by the Department of Employee Trust Funds.

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Analysis Prepared by the Department of Employee Trust Funds

Prior to 1981, reports and remittances required in the administration of Ch. 40, Stats., were received directly by the Department of Employee Trust Funds. A lock box procedure was implemented at that time and section ETF 10.63 (3) was created to provide that reports and remittances be deemed timely if a review of the postmark indicated that it was mailed at least 2 days prior to the due date and received no more than 7 days after the due date.

The system established with the depository, however, does not allow for reviewing postmarks without incurring additional administrative fees. The department therefore finds that it is desirable to repeal and recreate s. ETF 10.63 (3) to eliminate the reference to reviewing postmarks for timeliness and allowing instead the Secretary to waive interest charges on payments received within one day of the due date if there are extenuating circumstances.

Small businesses are not affected by this rule.

This rule interprets s. 40.06 (1) (a) and (3), Stats.

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Pursuant to the authority vested in the secretary of the department of employe trust funds by ss. 40.03 (2) (1) and 40.06 (1) (a) and (3), Stats., the secretary of the department of employe trust funds hereby repeals and recreates a rule interpreting s. 40.06 (1) (a) and (3), Stats., as follows:

SECTION 1. ETF 10.63 (3) is repealed and recreated to read:

ETF 10.63 (3) The secretary may waive charges and interest calculated under s. 40.06 (3), Stats., on any employer's reports and remittances, which

are received within one day of the due date specified under subs. (1) and (2) if he or she determines that the waiver will not impair the objective of encouraging timely receipt of contributions and remittances.

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

March 12, 1986  
Date

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

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

CRS or Bill No./Adm. Rule No.  
ETF 10.63 (3)  
Amendment No. if Applicable

Subject  
Late reports and remittances submitted to the Dept. of Employee Trust Funds.

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 order eliminates the requirement to review postmarks on reports and remittances sent to the Department of Employee Trust Funds to determine if late reports and remittances can be deemed timely received. Instead, the Secretary will have the discretion of waiving interest charges on payments received one day after the due date. It is not expected that this change will cause any change in net interest charges. Minimal cost savings are expected in administering the revised system.

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

11/4/85

FISCAL ESTIMATE WORKSHEET

1985 Session

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

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

CRB or Bill No./Adm. Rule No.  
ETF 10.63 (3)

Amendment No.

Subject

Late reports and remittances submitted to the Dept. of Emoloye Trust Funds.

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
<b>A. State Costs by Category</b>		
Salaries and Fringes	\$ -	\$ +
Staff Support Costs	-	+
Other State Costs	-	+
Local Assistance	-	+
Aids to Individuals or Organizations	-	+
<b>TOTAL State Costs by Category</b>	<b>\$ -</b>	<b>\$ +</b>
<b>B. State Costs by Source of Funds</b>		
GPR	\$ -	\$ +
FED	-	+
PRO/PRS	-	+
SEG/SEG-S	-	+
<b>C. FTE Position Changes</b>	Increased Pos. + ( )	Decreased Pos. - ( )
<b>III. State Revenues—Complete this only when proposal will increase or decrease state revenues, such as taxes, license fees, etc.</b>	Decreased Rev.	Increased Rev.
GPR Taxes	\$ -	\$ +
GPR Earned	-	+
FED	-	+
PRO/PRS	-	+
SEG/SEG-S	-	+
<b>TOTAL State Revenues</b>	<b>\$ -</b>	<b>\$ +</b>

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	+	-
<b>NET Impact on State Funds</b>	\$ (+) or Insignificant (-)		<b>NET Impact on Local Funds</b>	\$ (+) or Insignificant (-)	

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

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

Authorized Signature/Telephone No.

*Diane M. Bass* 266-5804

Date

10/14/85



State of Wisconsin \ DEPARTMENT OF EMPLOYE TRUST FUNDS

March 11, 1986

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  
Suite 904, 30 West Mifflin  
Madison, WI 53703

**RECEIVED**

MAR 17 1986

Revisor of Statutes  
Bureau

Dear Gary:

Re: Clearinghouse Rule No. 85-168

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

Sincerely,

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

DMB/abc Td2