

CR 86-74

CERTIFICATE

RECEIVED

AUG 15 1986

4:15 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 Employe Trust Funds, and custodian of the official records do hereby certify that the annexed creation of a rule relating to requiring a spouse's signature on the Wisconsin Retirement System annuity application, was duly approved by the Employe Trust Funds, Teachers Retirement and Wisconsin Retirement Boards and adopted by this department on August 13, 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.

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

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

10-1 86

ORDER OF THE DEPARTMENT OF EMPLOYE TRUST FUNDS  
ADOPTING A RULE

To create ETF 20.055, relating to requiring a spouse's signature on the Wisconsin Retirement System annuity application.

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Analysis Prepared by the Department of Employee Trust Funds

Section 40.24 (7), Stats., as created by 1985 Wisconsin Act 151, requires a Wisconsin Retirement System participant to choose a joint survivorship annuity, naming the spouse as beneficiary, unless the application is signed by both the participant and the participant's spouse. Pursuant to s. 40.24 (7) (a), Stats., this requirement may be waived under certain circumstances.

This rule provides that the spouse's signature will not be required if the spouse is incompetent or the participant certifies that he or she does not now know and has not known the spouse's whereabouts for at least 90 consecutive days.

Small businesses are not affected by this rule.

This rule interprets s. 40.24 (7) (a), Stats., as created by 1985 Wisconsin Act 151.

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Pursuant to the authority vested in the secretary of the department of employee trust funds by s. 40.03 (2) (1), Stats., the secretary of the department of employee trust funds hereby creates a rule interpreting s. 40.24 (7) (a), Stats., as created by 1985 Wisconsin Act 151, as follows:

SECTION 1. ETF 20.055 is created to read:

ETF 20.055 SPOUSE'S SIGNATURE ON AN ANNUITY APPLICATION. Documentation of inability to obtain a spouse's signature on an annuity application as required under s. 40.24 (7) (a), Stats., shall be accepted for the following reasons only:

(1) The spouse is incompetent as defined under s. 880.01 (4), Stats., and a copy of the court order appointing the spouse's guardian is submitted to the

department, except guardianship papers are not required when payment is a single sum benefit payable under s. 40.25 (1), Stats. The guardian's signature shall be required on the annuity application in lieu of the spouse's signature if the participant chooses an annuity option other than an option specified under s. 40.24 (7) (a), Stats.; or

(2) The participant certifies, on a form provided by the department, that the participant does not now know and has not known the whereabouts of the spouse for at least the 90 days immediately prior to the date the application is signed.

NOTE: Section ETF 20.055 (2) requires forms which are available at no cost by contacting the Department of Employee Trust Funds, P. O. Box 7930, Madison, WI 53707.

The rule created in this order shall take effect on the first day of the month following publication as provided in s. 227.22 (2) (intro.), Stats.

August 13, 1986  
Date

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

ORIGINAL       UPDATED  
 CORRECTED       SUPPLEMENTAL

~~OFFICE OF THE CLERK~~ / Adm. Rule No.  
ETF 20,055  
Amendment No. if Applicable

Subject  
Spouse's Signature on a Wisconsin Retirement System Annuity Application

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 40.24 (7), Stats., as created by 1985 Wisconsin Act 151, requires a Wisconsin Retirement System participant to choose a joint survivorship annuity unless the application is signed by both the participant and the participant's spouse. The statutes authorize waiving this requirement when the department determines that it is not possible for the participant to obtain the spouse's signature. This proposed rule provides the circumstances under which this requirement may be waived.

Any administrative costs to revise forms and brochures to reflect this new requirement are expected to be minimal. As such, the fiscal effect is expected to be insignificant.

Long-Range Fiscal Implications

None.

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

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

Authorized Signature/Telephone No.

266-5804  
*Diane M. Bass*

Date  
3/19/86

**FISCAL ESTIMATE WORKSHEET**

1985 Session

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

ORIGINAL  UPDATED  
 CORRECTED  SUPPLEMENTAL

House Bill / Adm. Rule No.  
ETF 20,055

Amendment No.

Subject

Spouse's Signature on a Wisconsin Retirement System Annuity Application

**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	-	+
<b>TOTAL State Costs by Category</b>	\$ - 0	\$ + 0

**B. State Costs by Source of Funds**

	Increased Costs	Decreased Costs
GPR	\$ -	\$ +
FED	-	+
PRO PRS	-	+
SEG SEG S	-	+

**C. FTE Position Changes**

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	-	+
<b>TOTAL State Revenues</b>	\$ - 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	+	-
<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  
Department of Employee Trust Funds

Authorized Signature/Telephone No.

*Diane M. Bass* 266-5804

Date

3/20/86



State of Wisconsin \ DEPARTMENT OF EMPLOYE TRUST FUNDS

August 12, 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 Street  
Madison, WI 53703

RECEIVED

AUG 15 1986

Revisor of Statutes  
Bureau

Dear Gary:

Re: Clearinghouse Rule Number 86-74

Enclosed is a Certificate and two copies of an Order Adopting 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/MISHE2/15  
Enclosures