

CR 86-108

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SEP 9 1986
10:20am
Revisor of Statutes
Bureau

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 Employe Trust Funds, and custodian of the official records do hereby certify that the annexed amendment and creation of rules relating to interest on late reported contributions were duly approved by the Employe Trust Funds, Teachers Retirement and Wisconsin Retirement Boards and adopted by this department on September 8, 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 an original.

IN TESTIMONY WHEREOF, I have hereunto set my hand at 201 East Washington Avenue, in the City of Madison, this 8th day of September, 1986.

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

ORDER OF THE DEPARTMENT OF EMPLOYE TRUST FUNDS
AMENDING AND ADOPTING RULES

To amend ETF 10.64 (1); and to create ETF 10.64 (3), relating to interest on late reported contributions for programs administered by the Department of Employee Trust Funds.

Analysis Prepared by the Department of Employee Trust Funds

This rule order provides that when interest is due at the effective rate under s. 40.06 (5), Stats., and the current year effective rate is not yet known, the previous calendar year effective rate shall be used. Interest is charged on a daily basis under s. 40.06 (3), Stats., from the billing notice due date to the date payment is actually received. The due date shall always be on the next scheduled due date for regular remittances which is at least 30 days from the date of the billing notice.

The rule further clarifies that due dates specified in contract or Chapter 40 of the statutes, as well as those provided for by rule are subject to the interest and charges provided under s. 40.06, Stats.

Small businesses are not affected by these rules.

This rule order is being promulgated pursuant to the authority vested in the Secretary of the Department of Employee Trust Funds by s. 40.03 (2) (1), Stats., and interprets s. 40.06 (3) and (5), Stats.

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 amends and creates rules interpreting s. 40.06 (3) and (5), Stats., as follows:

SECTION 1. ETF 10.64 (1) is amended to read:

ETF 10.64 LATE REPORTING CHARGES AND INTEREST. (1) Except as provided in s. ETF 10.63 (2) and (3) and this subsection, any report or remittance not received within the period specified in this chapter, chapter 40, Stats., or an insurance contract between the group insurance board and an insurance carrier shall be subject to the charges and interest calculated in accordance with the

provisions of s. 40.06, Stats. Reports and remittances required under ss. ETF 10.61, ETF 10.62 and ETF 10.63 (1) (f) are not subject to the interest charges under s. 40.06 (5), Stats.

SECTION 2. ETF 10.64 (3) is created to read:

ETF 10.64 (3) When interest is due under s. 40.06 (5), Stats., and the effective rate for the current year is unavailable, the effective rate for the previous calendar year shall be used. The due date specified on the billing notice shall be the next regularly scheduled due date for regular payments specified under s. ETF 10.63, chapter 40 of the statutes, or contracts between the group insurance board and any insurance carrier, but in no case less than 30 days from the date of the billing notice. When interest is due under s. 40.06 (3), Stats., it shall be assessed on a daily basis from the billing notice due date to the date payment is actually received.

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

Sept. 8, 1986
Date

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

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

ORIGINAL UPDATED
 CORRECTED SUPPLEMENTAL

~~0800280000~~ Adm. Rule No
ETF 10.64(1) & (3)
Amendment No. if Applicable

Subject
Late reported contributions for programs administered by 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 clarifies that the previous year's interest rate is to be used when interest is due at the effective rate and the rate for the current year is not yet known. When interest is due under s. 40.06 (3), Stats., it shall be assessed on a daily basis from the billing notice due date to the date payment is actually received.

It is expected that any fiscal effect this amendment has will be minimal.

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
5-9-86

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 10.64 (1) & (3)	Amendment No.
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Subject

Late reported contributions for programs administered by the Dept. of Emp. 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
A. State Costs by Category		
Salaries and Fringes	\$ -	\$ +
Staff Support Costs	-	+
Other State Costs	-	+
Local Assistance	-	+
Ask to Individuals or Organizations	-	+
TOTAL State Costs by Category	\$ -	\$ +
B. State Costs by Source of Funds		
GPR	\$ -	\$ +
FED	-	+
PRO PRS	-	+
SEG SEG S	-	+
C. FTE Position Changes	Increased Pos. + ()	Decreased Pos. - ()
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	\$ -	\$ +

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	\$ (+)	Indeterminate	NET Impact on Local Funds	\$ (+)	Indeterminate

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

4/17/86



State of Wisconsin \ DEPARTMENT OF EMPLOYEE TRUST FUNDS

Gary I. Gates
Secretary

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

September 8, 1986

IN REPLY REFER TO:

Gary Poulson
Assistant Revisor of Statutes
Suite 904, 30 West Mifflin
Madison, WI 53703

RECEIVED

SEP 9 1986

Revisor of Statutes
Bureau

Dear Gary:

Re: Clearinghouse Rule Number 86-108.

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

Sincerely,

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

DMB/ep wt2-9/3
Enclosure