



Legislation Text

File #: 061555, Version: 0

061555
ORIGINAL

THE CHAIR

A charter ordinance relating to deductions from benefit payments for insurance premiums and their direct payment by the Employees' Retirement System for public safety officers in the Employees' Retirement System.

36-10-4 cr

This charter ordinance allows retired public safety officers in the Employees' Retirement System to elect to deduct up to \$3,000 annually from benefit payments the premiums for accident, health or long-term care insurance which the Employees' Retirement System will pay directly to the insurance provider.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 36-10-4 of the charter is created to read:

36-10. Exemption from Taxation, Execution and Assignment.

4. Notwithstanding sub. 1., a beneficiary who (a) was a public safety officer as defined in s. 1204(9)(A) of the Omnibus Crime Control and Safe Streets Act of 1968, at the time of separation, (b) has separated from service with all participating employers due to disability or the attainment of normal retirement age, and (c) is entitled to a service retirement allowance or a disability retirement allowance, may elect that an amount be deducted from his or her benefit payments to pay the premiums for coverage of the beneficiary, the beneficiary's spouse or the beneficiary's dependents (as defined in s. 152 of the Internal Revenue Code) under an accident or health insurance plan or qualified long-term care insurance contract (as defined in s. 7702B(b) of the Internal Revenue Code) maintained by the Employees' Retirement System. The Employees' Retirement System shall pay any amounts withheld from a beneficiary's benefit payments under this subsection directly to the provider of the accident or health insurance plan or qualified long-term care insurance contract under such plan or contract. The beneficiary shall designate the annual amount to be deducted from his or her benefit payments. The annual amount to be deducted from the beneficiary's payments, shall not exceed the lesser of (a) three thousand dollars (\$3,000), reduced by any amounts deducted from the beneficiary's benefit for this purpose under any other eligible retirement plan as defined in s. 402(c)(8)(B) of the Internal Revenue Code, or (b) the amount required to pay such premiums. Elections pursuant to this subsection shall be made in a time and manner established by the Employees' Retirement System and

may only be changed in accordance with rules established by the system.

Part 2. This is a charter ordinance and shall take effect 60 days after its passage and publication, unless within 60 days a referendum petition is filed as provided in s. 66.0101(5), Wis. Stat., in which event this ordinance shall not take effect until submitted to a referendum and approved by a majority of the electors voting thereon.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Employes' Retirement System

City Attorney

1054-2007-264:116412

LRB07099-1

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3/1/2007