

No. 138, S.]

[Published June 21, 1909.]

CHAPTER 510.

AN ACT to repeal section 925—xx of the statutes, and to create a new section to be numbered 925—xx, relating to a public school teachers' annuity and retirement fund in cities of the first class.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Section 925—xx of the statutes is repealed.

SECTION 2. There is added to the statutes a new section to be numbered section 925—xx and to read: Section 925—xx.

1. The president of the board of school directors, of the managing body, ex-officio, two female teachers, not more than one of whom shall be a principal or vice-principal, two male teachers, not more than one of whom shall be a principal or vice-principal, and four members of the board of school directors of the managing body of the schools in cities of the first class, are hereby constituted a board of trustees of the public school teachers' annuity and retirement fund to manage the same as hereinafter directed. Said board shall be known as the public school teachers' annuity and retirement fund trustees, and its members shall serve without pay.

2. All teachers employed in the public schools of cities of the first class, at the time of the organization of said board of public school teachers' annuity and retirement fund trustees, in such cities, desiring to come under the provisions of this act, shall file a written application therefor with the superintendent of schools, the clerk or secretary of the school board, or other managing body of such schools, together with written authority addressed to the board of school directors or other managing body authorizing said board or other managing body to deduct from each monthly salary due the applicant, the sum of two dollars and pay the same regularly into the city treasury as part of said annuity and retirement fund as herein provided.

3. One year after the first meeting of said board of trustees for organizing as herein provided and forever thereafter, every teacher desiring to enter the service of such city as teacher and not actually in the service of said city as teacher at the time of the first meeting of said board of trustees, before entering upon the duties of his or her position may be required by the board of directors or other managing body to

sign a contract, agreeing to serve said city under the provisions of this act and accept the benefits derived under this act as a part of consideration for the services so to be rendered.

4. When twenty-five or more teachers in such schools shall have filed their application as aforesaid, and otherwise fully complied with the terms of this act, a meeting of all the teachers who have made such application may be called by five or more of such teachers, who shall designate the time and place of holding such meeting, and publish notice thereof at least once a week for two successive weeks, in a newspaper published in such city. Such teachers shall, at such meeting, elect by ballot, one female teacher, who shall hold office as trustee aforesaid, for a term of one year, one female teacher who shall hold office as trustee for a term of two years, one male teacher who shall hold office as trustee for a term of one year, and one male teacher who shall hold office for a term of two years; and a majority of all the votes cast shall be necessary in each case for an election.

5. Annually thereafter, at a meeting duly called by the board of trustees of the public school teachers' annuity and retirement fund, on the last Saturday of September, one female and one male teacher shall be elected in the same manner for a term of two years. At the next meeting of the board of school directors or managing body, held after the election of such trustees as aforesaid, the board of school directors, or other managing body in such cities, shall elect two of their number to be members of the board of trustees, of the public school teachers' annuity and retirement fund, for the term of one year, and two of their number to be members of said board of trustees for a term of two years, and annually thereafter at their first regular meeting held after the last Saturday of September, the board of school directors or other managing bodies of schools in such cities, shall elect two of their members to be members of the board of trustees of the public school teachers' annuity and retirement fund, for the term of two years. Such trustees shall hold office until their successors are elected and qualified.

6 A majority of the members of said board of trustees hereby created shall constitute a quorum for the transaction of business. Such board of trustees shall, within ten days after the election of such trustees, as hereinbefore provided, hold a meeting and organize, by the election from their members, of a president, vice-president, and secretary, and may adopt rules of order not inconsistent with this act. In case

of a vacancy, the board of trustees shall, within ten days after its occurrence, fill the same for the unexpired term.

7. A teachers' annuity and retirement fund is hereby created in cities of the first class, and the fund shall consist of: A permanent and general fund. The permanent fund shall be made up of gifts and legacies, specifically given to said permanent fund.

The general fund shall be made up of:

(a) Gifts and legacies not specifically given to said permanent fund.

(b) Interest derived from said permanent fund.

(c) All moneys obtained by such other methods of increment as may be duly and legally devised for the increase of said fund.

The general fund may be drawn upon for the purposes of this act by said board of trustees.

8. Said board shall have control of the annuity and retirement fund and the investment thereof, investing the same only in such securities as savings banks are authorized by law to invest in. The board shall receive and consider all applications for annuity under this act, shall determine the amount if not otherwise provided and direct payment of the annuities. Whenever any member of the board shall cease to hold a position as a member of the board of school directors or other managing body or as a teacher in the public schools, his or her membership in said board of trustees shall thereupon cease.

9 The city treasurer shall, ex-officio, be the custodian of said annuity and retirement fund, and shall make payments therefrom; he shall keep the books of account concerning such fund, in such manner as may be prescribed by said board of trustees, which books of account shall always be subject to the inspection of the board of trustees, or any member thereof, and any contributing teacher. He shall also keep and truly account for all moneys, profits and securities coming to his hands as such treasurer, belonging to such fund, and at the expiration of his term of office shall pay over, surrender and deliver to his successor all moneys, profits, securities, and other property of whatever kind, nature, or description which may be in his hands or under his control as custodian aforesaid.

10. Beginning with the monthly payment of teachers' salaries in November, after the first meeting of the board of trustees aforesaid, the board of school directors, or other man-

aging body, shall reserve from the salary of each teacher who has come under the provisions of this act, pursuant to authority theretofore given, and from every monthly payment thereafter, for the period of twenty-five years, or until the total sum of five hundred dollars is paid, the sum of two dollars, and shall pay the sums so reserved into the public school teachers' annuity and retirement fund as herein provided.

11. The city treasurer, upon the order of warrant of the board of trustees, shall pay out of said annuity and retirement fund, in monthly payments, to each teacher who shall retire from the service of the city upon the recommendation of the board of trustees determined by a majority vote, and under the provisions of this act, and be entitled thereto, the sum of four hundred dollars annually; provided, however, that if said annuity and retirement fund shall at any time be insufficient to make such payments, the amount in said fund during said period shall be pro-rated among the parties entitled thereto, but in no case shall any teacher receive such annuity until he has taught twenty-five years, and for at least fifteen years in the public schools of the city to which this act applies, except as hereinbefore provided; provided, however, that should a teacher who has taught for fifteen years or more in any such city, become incapacitated, having paid the amount of fifteen years contributions or more, as herein provided, the board of trustees may, in its discretion allow such teacher, six months after he has ceased active service in the school, upon a certificate of such incapacity furnished by the attending physician and by a physician employed by the board of trustees, an annuity, the amount of which shall be determined by the board of trustees, and such annuity shall cease when the incapacity ceases. Should such incapacity become permanent and such teacher retire from the service of such city, the board of trustees may pay to such teacher a proportionate annuity. Such annuity shall be as nearly as practicable, as many twenty-fifths of the full annuity provided in this section as the years of service of such teacher in said city are a part of twenty-five.

12. All annuities granted by the board of trustees or other managing body under the provisions of this act, shall be uniform in amount except as otherwise provided.

13. No annuity shall be paid to any teacher until such teacher shall have contributed to the general fund a sum equal to all the assessments for twenty-five years, to-wit: five hundred dollars, except as herein otherwise provided. Any con-

tributing teacher who has taught in said city for a period of four years or more may in addition to the monthly payments provided by section five, pay into the city treasury as a part of said fund in sums of ten dollars or any multiple thereof, until the entire sum of five hundred dollars is paid by such teacher, whereupon all monthly payments shall cease.

14. Any contributing teacher who shall retire voluntarily or involuntarily from the service, not being in receipt of an annuity, or being less than sixty-five years old, shall, if application is made within three months after date of his retirement, receive the total amount paid by him into said fund, and in case of the death of any contributing teacher, his heirs or legatees shall be entitled to receive the total amount paid by such teacher into said fund, upon application therefore within three months after the date of death, and upon proof of death and upon said claim made to the satisfaction of said board of trustees.

15. Any member of the teaching or supervising force who shall have attained the age of sixty-five years and who shall have been engaged in the work of teaching or supervision for a period aggregating twenty-five years, at least fifteen years of which shall have been in the public schools of said city, shall, if he or she desires to retire, be entitled to receive, after retirement, out of the teachers' annuity and retirement fund an annuity of four hundred dollars per year, if the general fund shall permit this sum to be paid to other retired members; otherwise he or she shall receive the same amount as is permitted to be paid to the other retired members.

16. All annuities granted under the provisions of this act shall be exempt from execution, attachments and garnishment process, and no annuitant shall have the right to transfer or assign his or her annuity.

17. All elections or appointments of teachers by the board of school directors or other managing bodies in cities of the first class shall be on probation, and after a successful probation for four years, the election or appointment shall be permanent, during efficiency or good behavior, provided that teachers having taught four years or more in cities to which this act applies shall be deemed to have served their term of probation. No teacher who has become permanently employed as herein provided by reason of four or more years of continuous service, shall be discharged, except for cause upon written charges, which shall after ten days' written notice thereof to such teacher, upon such teacher's written request,

be investigated, heard and determined by the board of school directors, whose action and decision in the matter shall be final.

18. The term "teacher" in this act shall include all superintendents, principals, supervisors, and regular instructors employed in the public schools of cities of the first class, provided, however, that nothing herein contained shall be taken to effect the election, appointment or tenure of the superintendent, the assistant superintendent and special supervisors.

19. If at any time the general fund derived from the sources hereinbefore mentioned in this act, shall be found insufficient to pay in full the annuities allowed and due under the foregoing provisions of this act, then the board of school directors shall pay into the public school teachers' annuity and retirement fund out of the school fund assessed, levied, and collected from the taxable property of such city for general school purposes, a sum not to exceed one per cent. of the gross amount thereof and in no case exceeding in any one year the amount paid into the annuity and retirement fund during the preceding year by the teachers, as hereinbefore provided.

SECTION 3. Laws or parts of laws inconsistent with this act are hereby repealed.

SECTION 4. This act shall take effect and be in force from and after its passage and publication.

Approved June 16, 1909.

No. 939, A.]

[Published June 21, 1909.

CHAPTER 511.

AN ACT to amend section 111g of the statutes, relating to the employes of the legislature.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. Subsection 8 of section 111g of the statutes is amended to read: 8. The chief clerk of each house may each detail * * * clerks * * * after the close of the session to do mailing, *indexing, proofreading, completing the bulletin*, and such other work as the clerk may direct at a compensation not exceeding five dollars a day, *the whole expense not to exceed one hundred and twenty-five dollars for the assembly and seventy-five dollars for the senate.*

SECTION 2. This act shall take effect and be in force from and after its passage and publication.

Approved June 16, 1909.