

No. 638, S.]

[Published August 8, 1919.

CHAPTER 698.

AN ACT to amend section 42.03, subsection (1) of section 42.08, section 42.10, the first paragraph and subsections (2) and (3) of section 42.11, subsection (3) of section 42.12, sections 42.13 and 42.14; to renumber section 42.17 to be subsection (1) of said section and to create subsection (2) of section 42.17 of the statutes, relating to the teachers' retirement fund.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section 42.03, subsection (1) of section 42.08, section 42.10, the first paragraph and subsections (2) and (3) of section 42.11, subsection (3) of section 42.12, sections 42.13 and 42.14 of the statutes are amended to read: 42.03 Said board shall meet during the month of September of each year at its office at a time to be fixed by the board and at any other time on the call of the president or of any two members thereof, * * * *and may prescribe rules and regulations for the administration of the teachers' retirement law.*

(42.08) (1) Any person or officer authorized by law to pay the salaries of teachers—as defined in * * * *the state teachers' retirement law*—shall retain on every pay day from the salary of each teacher the amounts herein provided. Each teacher shall be furnished a statement by such person or officer, showing the amount so deducted from his or her salary; *provided, however, that any person or officer whose duty it is to prepare the pay roll for the payment of any of said teachers who receive their salaries from the state treasury shall, on each such pay roll, indicate the entire monthly salary of each teacher, the amount to be paid such teacher, and the amount, if any, to be deducted for the teachers' insurance and retirement fund, and shall indicate on said pay roll the total of such deductions as the amount to be paid to the teachers' insurance and retirement fund. A copy of each such pay roll shall be sent to the board of trustees of the teachers' insurance and retirement fund.*

42.10 Any teacher coming from schools not included under the provisions of * * * *the state teachers' retirement law* shall pay assessments for said years of service in such schools, * * * *not to exceed seven years in the aggregate, based upon his or her first annual salary in said public schools of * * * this state, after such return to said public schools, subject to the conditions provided in section 42.11, together with the reg-*

ular assessments as provided in subsection (2) of section 42.08, before receiving any retirement annuity; *provided, however, that after such return to said public schools of this state no teacher shall retire and receive said annuity until he or she shall have earned a year of credit in said public schools; and provided further that after a teacher has a credit of twenty-five years of service no credit shall be given for any further teaching in such outside schools and no assessments made thereon.*

(42.11) (First paragraph) Any teacher who may be teaching in said public schools and who has complied with the provisions of * * * *the state teachers' retirement law and the rules and regulations prescribed pursuant thereto*, may retire and receive the annuity provided for in the following cases:

(2) (a) After eighteen years of service as teacher in the public schools of * * * *this state*, when said teacher suffers from a permanent mental or physical disability, to be determined by said board after an examination by two physicians appointed by said board, provided that payments by said teacher to the fund shall have amounted to a sum as provided in section 42.08. If said payments shall not have amounted to said sum, the teacher shall pay into the fund the deficiency before receiving the annuity. The examination fees of such physicians shall be paid by said applicant.

(b) *Once each year said board may require any disability annuitant to undergo examination by a physician or physicians designated by the board, which examination shall be held without cost to the beneficiary and be at or as near the residence of said beneficiary as practicable. If such physician or physicians thereupon report to the board that such disability annuitant is no longer incapacitated for service as teacher, the board may discontinue the annuity.*

(c) *If any disability annuitant refuses to submit to such examination his or her annuity shall cease, and all annuity accruing until the withdrawal of such refusal shall be forfeited; provided, however, that if such refusal continues for one year, all his or her rights in and to said annuity shall cease.*

(3) In computing the terms of service under subsections (1) and (2) of this section, a year of credit shall * * * *not be given for less than the number of weeks required to constitute a legal school year at the time and place, and in no case shall a year of credit be given for less than the number of weeks required to constitute a legal school year in this state at the time, but only such part of the year as the number of weeks is part of said legal school year; provided that not more than*

one year of credit shall be given to any teacher for any calendar year from July first of one year to July first of the next year following.

Where school is maintained a greater number of weeks than that required to constitute a legal school year at the time and place, a teacher shall receive credit for only such part of a year as the number of weeks of service as teacher is part of the number of weeks school is maintained.

A teacher giving less than full time to the service shall receive credit in proportion to the hours per day or days per week devoted to the work.

(42.12) (3) Any teacher who shall cease to teach in said public schools of *this state* before receiving any benefit or annuity from the fund, shall, * * * *be entitled to the return of one-half of the total assessments, without interest, which shall have been paid into the fund by such teacher, or which shall have been withheld from the salary of such teacher for the teachers' insurance and retirement fund; provided, however, that no such refund shall be made to such teacher unless written application be made to the board of trustees of said fund within six months after said teacher was last legally employed in said public schools of this state or under contract to teach in said public schools.*

If such teacher should again thereafter teach in said public schools, he or she shall, within one year from the date of his or her return to the service in said public schools, refund to said fund the amount so returned to such teacher, together with simple interest on said amount (but not to exceed four per centum per annum) for the time such amount was withdrawn from the fund.

42.13 One year's leave or leaves of absence granted by the proper authorities of any of said public schools of *this state* to any teacher under the provisions of * * * *the state teachers' retirement law* shall be computed as a part of * * * *a* * * * *teachers' first twenty-five years of credit*; provided, that * * * payments to said fund shall be continued during said leave of absence, and shall * * * *be based upon the annual salary of such teacher for the year next preceding the period or periods of absence respectively.* Not more than one full school year's leave or leaves of absence in the aggregate shall be computed as a part of said twenty-five years of * * * *credit of said teacher*; and in case of absence of less than a school year, only the time covered by such absence shall be so computed,

provided that no leave of absence shall be computed as a part of any teacher's last year of credit.

42.14 Any person retiring under * * * *the state teachers' retirement law*, may again enter upon the work of teaching: * * * during said term of teaching the annuity paid to such person shall cease. Said annuity shall again be paid to said person upon his or her further retirement.

SECTION 2. Section 42.17 of the statutes is renumbered to be subsection (1) of section 42.17.

SECTION 3. A new subsection is added to section 42.17 of the statutes to read: (42.17) (2) The term "teaching" wherever used in the state teachers' retirement law outside of this section shall include performing any of the services mentioned in this section.

SECTION 4. This act shall take effect upon passage and publication.

Approved July 30, 1919.

No. 636, S.]

[Published August 8, 1919.

CHAPTER 699.

AN ACT relating to the adjutant general and the securing of information concerning Wisconsin residents who fought in the war against Germany and her allies.

The people of the state of Wisconsin, represented in Senate and Assembly, do enact as follows:

Section 1. The adjutant general, upon orders from the governor, is hereby directed to secure such information relative to Wisconsin soldiers as may be necessary to furnish complete information concerning the qualifications, both educational or otherwise, of any Wisconsin residents who served in the war against Germany and her allies. Any expenses incurred in connection with such investigation shall be chargeable to the appropriation made by subsection (1) of section 20.03.

SECTION 2. This act shall take effect upon passage and publication.

Approved July 30, 1919.