

CHAPTER 393.

AN ACT to amend 38.24 (16) (b) and to create 38.24 (11) (d), (12) (p) and (14) (e) of the statutes, relating to public school teachers' annuity and retirement funds in cities of the first class and the payment of contributions and benefits thereunder.

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

SECTION 1. 38.24 (11) (d), (12) (p), and (14) (e) of the statutes are created to read:

38.24 (11) (d) Beginning with the first monthly payment of teachers' salaries after September 1, 1951, the managing body of such schools in any such city shall reserve from the salary of each teacher who enters teaching service, and from the salary of each teacher who elects to come under the provisions of this paragraph, and from every monthly payment thereafter, the sum of \$12 for the first 10 years of service, and thereafter the sum of \$20, but such reservations shall be limited to 10 in any school year, and shall pay the sums so reserved into the annuity and retirement fund. Any teacher from whose salary reservations or deductions have been made under the provisions of section 925-xx or of paragraphs (a), (b) or (c) may elect in such manner as the board of trustees may prescribe to have reservations made from salary under the provisions of this paragraph and become entitled to benefits as provided herein, except that any teacher from whose salary reservations or deductions are being made under the provisions of section 925-xx or of paragraphs (a) or (b) shall within one year after making such election pay into the annuity and retirement fund the difference between the amount of salary reservations provided under paragraph (c) and the salary reservations actually made during the period from September 1, 1946, to the date of such election with interest at 3 per cent per annum, in order that such election may become effective. Any teacher who does not elect to come under the provisions of this paragraph within one year from its effective date shall be forever barred from coming under the provisions of this paragraph, except that any teacher on leave at the effective date of this paragraph may elect to come under its provisions within one year after returning to teaching service upon termination of such leave. Annuities payable to teachers coming under the provisions of this paragraph shall be determined as provided in subsection (12) (p), subject to the provisions of subsection (14) (e), and payment of refunds shall be governed by the provisions of subsection (16) (b).

(12) (p) Any teacher from whose salary reservations have been made in accordance with the provisions of subsection (11) (d) shall become eligible for an annuity under the following conditions: (1) Upon certification for total and permanent disability as provided in paragraph (f); or (2) upon certification for temporary disability after 5 years or more of teaching service in the public schools of a city to which this section applies, as provided in paragraph (d); or (3) after 10 or more years of service in a city to which this section applies, having ceased to render teaching service in the public schools of a city to which this section applies and having attained the age of 55 years and upon compliance with the provisions of subsection (14) (e) and if no refund of contributions has been paid to such teacher as provided in subsection (16) (b). The annuity payable shall be determined as follows: where the period of service is less than 10 years, the annuity shall be as many tenths of \$450 as the years of teaching service are a part of 10, and for the periods of service of 10 years or more the annuity shall be \$450 for the first 10 years of service, increased by \$66 for each additional year of service, but shall not exceed \$2100 in any event.

(14) (e) No annuity shall be paid on retirement to any teacher from whose salary reservations have been made in accordance with the provisions of subsection (11) (d) until such teacher shall have contributed to the annuity and retirement fund at least \$1000 under said subsection (11) (d) in addition to the amounts required, if any, while under the provisions of subsection (11) (a), (b) or (c). Any teacher making application for retirement under subsection (12) (p) who has not contributed the sum of at least \$1000 under subsection (11) (d) in addition to the amounts required, if any, while under the provisions of subsection (11) (a), (b) or (c), shall pay into the annuity and retirement fund the difference between the amounts actually contributed under subsection (11) (d) and \$1000 which amount may be paid, at the option of the member, by deduction from the annuity payments for the first year. The provisions of this paragraph shall not be required to qualify for a temporary disability annuity.

SECTION 2. 38.24 (16) (b) of the statutes is amended to read:

38.24 (16) (b) Any contributing teacher from whose salary reservations shall have been made in accordance with the provisions of subsection (11) (b) * * *, (c) * * * or (d) and who shall retire voluntarily or involuntarily from the service, not being in re-

cept of an annuity, shall be entitled to receive the total amount paid by him into said fund under the provisions of said paragraph or paragraphs, and in case of the death of any such contributing teacher, his designated beneficiary, or in the absence of such designation, his executors or administrators shall be entitled to receive the total amount paid by such teacher into said fund as above provided, upon application therefor and upon proof of death of said contributing teacher, and establishment of said claim to the satisfaction of said board of trustees. In case of the death of an annuitant who has contributed to said fund the amounts provided for in subsection (11) (b) * * *, (c) or (d) and subsection (14) (b) * * *, (e) or (e) prior to the time when such annuitant shall have received as annuity, in monthly payments, an aggregate amount equal to the amount paid into said fund by said annuitant under said paragraphs (b) * * *, (c) or (e), the designated beneficiary, or in the absence of such designation, the executors or administrators of said deceased annuitant shall be entitled to receive an amount equal to the difference between the amount paid into said fund as aforesaid by said annuitant and the amount paid to said annuitant, as annuity, during said annuitant's life, upon application therefor and upon proof of death of said annuitant and establishment of said claim to the satisfaction of said board of trustees.

Approved June 26, 1951.
