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CHAPTER 223

AN ACT to amend 38.24 (1) (d), (2) (e), (4) (g), (12) (o), (14) (d), (20) and (23) (a) of the statutes, relating to Milwaukee teachers retirement law.

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

SECTION 1. 38.24 (1) (d), (2) (e) and (4) (g) of the statutes are amended to read:

38.24 (1) (d) An administrative account in the custody of the city treasurer, which shall be made up of an amount certified annually by the board of trustees to be sufficient for the expenses of administering the fund. The board of trustees shall certify to the * * * *department of administration* not later than * * * *April 1* each year the amount required for such expenses for the fiscal year beginning the following * * * *July 1*. The * * * *department of administration* shall not later than * * * *July 1* draw an order upon the state treasurer for such amount which shall be transferred from the teachers annuity and retirement fund, to the city treasurer for the administrative account of the fund. If additional amounts are required for administrative expenses during the fiscal year they shall be provided in the same manner upon the certification of the board of trustees.

(2) (e) "Fiscal year" is the year beginning * * * *July 1* and ending * * * *June 30*.

(4) (g) Any member who has ceased to be employed as a teacher in the public schools of a city of the first class, and is not on leave of absence from a teaching position in such city, may be paid the accumulation from the member's deposits made while a member of the combined group, on filing with the board before the fifty-fifth birthday anniversary of such member a written request therefor and a full and complete discharge and release of all right, interest or claim on the part of such member to state deposit accumulations which accrued while he was a member of the combined group. Such state deposit accumulations shall thereupon be transferred to the state general fund in accordance with s. 25.28 (3). Withdrawal of member's deposits made before said member became a member of the combined group shall be governed by sub. (16). *Any member who has ceased to be employed as a teacher in the public schools of a city of the first class, and is not on leave of absence from a teaching position in such city and who has attained the age of 55 years, and whose total accumulation from required deposits and state deposits which accrued while he was a member of the combined group, does not exceed \$3,000 may be paid such accumulation in a single payment upon filing an application therefor in such form as the board requires.*

SECTION 2. 38.24 (12) (o), (14) (d), (20) and (23) (a) of the statutes are amended to read:

38.24 (12) (o) Any teacher who is entitled to any annuity under * * * this section may elect that in lieu of the annuity payable for the life of the annuitant as herein provided, the annuity shall be paid as follows:
(1) An annuity payable monthly to the annuitant during life, *with a guarantee of at least 180 monthly payments*, and in the event of the death of the annuitant before 180 monthly payments have been made, *the remainder of the monthly * * * payments shall be continued to the * * * beneficiary * * * designated by the annuitant * * *, and, in the event of the death of said beneficiary before 180 monthly payments have been made, the remainder of the 180 monthly payments shall be continued to a beneficiary designated by the primary beneficiary; in the absence of such designation by the primary beneficiary, or in the event of the prior death of the person so designated by the primary beneficiary, the then present value of the remainder of the monthly payments shall be paid in a single sum to the estate of the primary beneficiary; in the event of the death of the secondary beneficiary after becoming entitled to receive monthly payments but before all such payments have been received, the then present value of the remaining payments shall be paid in a single sum to the estate of the secondary beneficiary; in the event of the death of the annuitant before 180 monthly payments have been made with no beneficiary surviving the annuitant, the then present value of the remaining*

payments shall be paid in a single sum to the estate of the annuitant; or (2) an annuity payable monthly to the annuitant during life and after the death of the annuitant monthly payments of, (a) the amount paid to the annuitant, or (b) of one-half the amount paid to the annuitant, to be continued during life to the beneficiary designated by the annuitant in the original application for the annuity. Any such optional annuity shall be the actuarial equivalent of the life annuity herein provided. Any form of annuity entered upon by the annuitant can not thereafter be changed.

(14) (d) No teacher shall be required to pay into such fund under sub. (11) (a) to (e) for more than 40 years, *except that such limitation shall not apply to the requirements of pars. (a), (b), (c), (e) and (f).* An annuity may be applied for by a contributing teacher and may be granted or allowed by the board of trustees prior to the retirement of the applicant from teaching service, but no annuity shall be paid until all requirements of this section have been complied with by the applicant.

(20) The board of trustees shall at all times maintain assets in the annuity and retirement fund: (a) in the reserve fund at least equal to the present value of the prospective benefit payments under annuities which have been granted; (b) in the retirement deposit fund equal to the liabilities for deposits and interest accretions; and (c) in the general fund, as of * * * *June 30* of each year, at least equal to the following ratios to the present value of all future payments of benefits from the general fund, namely: the actual percentage of such assets to such present value on August 31, 1957, which percentage shall be increased by 2½ per cent on August 31, 1957; and the actual percentage of such assets to such present value on August 31, 1958, which percentage shall be increased by 2½ per cent on August 31, 1958, and on August 31 of each year thereafter, *until and including August 31, 1960, and on June 30 thereafter*, but not to exceed 100 per cent. The board of trustees shall as of August 31 of each year beginning in 1957 *and on August 31 of each year thereafter, until and including August 31, 1960, and on June 30 thereafter*, cause a valuation to be made of the funds on such basis as they may establish to determine the amount necessary to maintain the assets of the fund as provided in this subsection, and shall certify the amount required to maintain the assets of the fund each year to the state treasurer.

(23) (a) When a member of the state teachers retirement system ceases to be employed in a school or school system to which the state teachers retirement law applies and becomes employed in a position in a school or school system to which this section applies such member may elect in writing, filed with the state teachers retirement board, to withdraw the *total accumulation* from such member's deposits in the state teachers retirement system * * * , under s. 42.49 (1), and to discharge, release, waive and forfeit all interest, right or claim on the part of such member or his heirs, assigns, beneficiaries or estate under the state teachers retirement law. *This amendment (1961) is retroactive to August 16, 1957 and shall apply to all withdrawals under this section since that date. The member's deposits based on teaching service after September 1, 1958 which, prior to this amendment, were forfeited under this section shall be paid to any member who has suffered such forfeiture.*

SECTION 3. Wherever the phrase "August 31" appears in section 38.24 (6) (c) 2, (d) 3, (e) 2 and 3, (f) 2, (h) and (i) and (11) (f) 3 of the statutes, "June 30" shall be substituted. The revisor of statutes shall show the change in printing the statutes.

Approved July 11, 1961.