

No. 216, S.]

[Published July 1, 1907.]

CHAPTER 453.

AN ACT to create section 925—xx of the statutes, and to provide a public school teachers' 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. There is hereby added to the statutes, a new section to be known as section 925—xx, to read as follows:

* * * * *

SECTION 2. All laws or parts of laws which are inconsistent with this act, or any of the provisions thereof, are hereby repealed.

SECTION 3. This act shall take effect and be in force from and after its passage and publication.

Approved June 25, 1907.

No. 156, S.]

[Published June, 29, 1907.]

CHAPTER 454.

AN ACT to create sections 1797—39 to 1797—60, inclusive, of the statutes, regulating the construction and operation of railways in the state of Wisconsin.

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

SECTION 1. There are added to the statutes twenty-two new sections, numbered 1797—39 to 1797—60, inclusive, to read:

SECTION 2. All acts or parts of acts conflicting with the provisions of this act are hereby repealed insofar as they are inconsistent herewith.

Approved June 29, 1907.

(In effect from and after date of publication.)

board of supervisors in determining the amount to be raised by tax in the city for the support of common schools therein, for any one year, to fix an amount greater than the amount apportioned to said city, in the last apportionment of the income of the school fund of the state.

(Ch. 494, 1907.)

City officers to pay over receipts monthly. SECTION 925—164* Each city officer shall keep an itemized and accurate account of all moneys received by him in his official capacity for fees, commissions and otherwise, and shall at the end of each month, during his term of office, pay into the city treasury all such money remaining in his hands and file a duly verified copy of his account with the city comptroller, together with a receipt of the city treasurer showing that such money has been paid into the city treasury. Until such account and receipt is so filed, it shall not be lawful for the common council or city officer, to order, draw, countersign or deliver any warrant for the payment of the salary or allowance of any such delinquent officer.

(Ch. 494, 1907.)

Cities other than first class. SECTION 925q—165.* Other cities may adopt the provisions of sections 925q—160 and 925q—161 of this act, in the same manner in which the general law is adopted.

(Ch. 494, 1907.)

Cities, 1st class, teachers' retirement fund: trustees. SECTION 925—xx. 1. Two female teachers, two male teachers, and four members of the board of school directors, in cities of the first class, shall constitute in their respective cities a board of trustees for the purpose herein set forth. The teachers who shall elect to come under the provisions of this act shall hold their first annual meeting on the first Saturday of October, 1907, and shall elect by ballot, one female teacher who shall hold office for a term of one year, one female teacher who shall hold office for a term of two years, one male teacher who shall hold office 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. Such

*See note on page 210.

meeting shall be called by the secretary of the school board by giving due notice to all such teachers of the hour and place where the meeting shall be held. Annually, thereafter, at a meeting duly called by the board of trustees on the first Saturday of October, one female teacher and one male teacher shall be elected in the same manner for a term of two years. The boards of school directors of cities of the first class shall, at their regular meeting in October, 1907, elect two of their number to be members of the board of trustees for a term of one year, and two of their number to be members of the board of trustees for a term of two years; and annually thereafter, at their regular October meetings, the boards of school directors shall elect one of their number to be a member of the board of trustees for a term of two years. The board of trustees shall organize within ten days after the regular October meeting of the board of school directors by the election from their members of a president, a vice president and a 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.

Fund sources. 2. A teachers' retirement fund is hereby created in cities of the first class, and the fund shall consist of: A permanent and a general fund.

The permanent fund shall be made up of gifts and legacies specifically given to said permanent fund, and the sums set apart by the board of trustees.

The general fund shall be made up of:

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

(b) All amounts retained from salaries of teachers under the provision of this act, and the interest derived from said permanent fund.

(c) The board of school directors in cities of the first class may pay out of the school fund into the teachers' retirement fund a sum not to exceed one per cent. of the gross receipts raised by taxation for school purposes.

(d) 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.

Fund investment; annuity grants; trustees' records, reports, expenses. 3. Said board shall have control of the retirement fund, 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 annuities under this act, and when in their opinion the best interests of the school are served by the retirement of the applicants, shall determine and direct payment of the annuities. The board shall keep full and complete records of the receipts and disbursements of this fund, and a complete list of all annuitants, and shall make a report of the same at each annual meeting of the teachers in October. All necessary expenses incurred by the board in carrying out the provisions of this act shall be paid out of the retirement fund, in accordance with the votes of the board. The members of the board shall serve without compensation. Whenever any member of the board shall cease to hold a position as member of the board of school directors, or as teacher in the public schools, his or her membership in the board shall thereupon cease.

Custodian. 4. The city treasurer shall be the custodian of the retirement fund, and shall make payments therefrom as ordered by the board of trustees.

Teachers' contributions. 5. Beginning with the monthly payments in November, 1907, the board of school directors shall reserve from the salary of each teacher who has come under the provisions of this act the sum of four dollars (\$4.00), and from every monthly payment thereafter for a period of twenty-five years, shall reserve the sum of two dollars (\$2.00), and shall pay the sums so reserved into the school teachers' retirement fund, as herein provided.

Annuity payments; years of service entitling. 6. The city treasurer upon the order of the board of trustees, shall pay out of said retirement fund, in monthly payments, such an annuity to any teacher who shall retire from the service of the city, as the fund will allow, and said board of trustees shall determine; but in no case shall a teacher receive such annuity unless such teacher has taught for twenty-five years, and for at least fifteen years in the public schools of the city or cities to which this act applies, except as hereinafter provided.

Uniform annuities. 7. All annuities granted by the board of trustees under the provisions of section six shall be uniform in amount except as provided in section eight of this act.

Contributions and annuities; amounts. 8. 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. Should any teacher retire under section six and be unable to pay the full amount of assessments as above specified, the board of trustees shall pay to such retiring teacher an annuity directly proportionate to the amount of money paid by such retiring teacher into the public school teachers' retirement fund.

Retirement without annuity—one-half repaid. 9. Any teacher who shall have been a contributing member, who shall retire from the service, not being in receipt of an annuity, shall, if application is made within three months after date of his retirement, receive one-half of the total amount paid by him into the retirement fund.

Annuities exempt from process; non-transferable. 10. All annuities granted under the provisions of this act shall be exempt from attachments and garnishment process, and no annuitant shall have the right to transfer or assign his or her annuity, either by way of mortgage or otherwise.

Teachers' appointments and removals relative to fund. 11. All elections or appointments of teachers by the board of school directors shall be subject to the provisions of this act, and all such elections and appointments shall be on probation; but on a successful probation of four years the election or appointment shall become permanent during efficiency and good behavior. No teacher who is a contributor of said fund, and whose position has become permanent by virtue of successful probation, shall be removed or discharged by the board of education except for cause upon written charges. The teacher shall receive a copy of such written charges at least three days before the hearing thereof.

Teachers' membership. 12. This act shall be binding on all teachers employed in cities of the first class at the time of its enactment, who shall thereafter elect to come under its pro-

visions. Notice in writing to the superintendent of schools shall constitute such election. All teachers not employed in cities of the first class at the time of the enactment of this law, who may be elected or appointed subsequent thereto, shall be bound by the provisions of this act, when their respective appointments shall have become permanent as herein provided.

“Teacher” defined. 13. The term “teacher” in this act shall include all superintendents, principals, and regular instructors employed in the public schools of cities of the first class, provided, however, that the election or appointment of the superintendent, the assistant superintendents, and special supervisors shall not be affected by paragraph eleven of this act.

(Ch. 453, 1907.)

Cities, special charter: bonds for parental schools.

SECTION 926—11. 3. For the erection, construction and completion of school buildings and the purchase of school sites, *and for the erection, construction and completion of buildings for a parental school and the purchase of a site and other necessary lands for the same.*

(Ch. 114, 1907.)

Cities of third and fourth class: park districts. SECTION

926—17. In every city of the third and fourth class in this state, operating under a special charter, the common council may by a vote of three-fourths of all the members elect, * * * by an ordinance duly made, passed and enacted for that purpose, *create out of the territory embraced within the limits of such city one or more park districts.*

(Ch. 585, 1907.)

Taxation for parks and playgrounds. SECTION 926—19.

* * * *Whenever one or more such park districts shall have been created as provided in the preceding two sections, the common council may, annually, by a vote of three-fourths of all the members elect, levy and cause to be collected, a tax upon the taxable property in any district so created, the same to be collected as other general taxes are collected; but which said tax shall not exceed, in any year one mill on the dollar on all property, real or personal, subject to taxation in said district, the same to constitute a fund to be used to procure land for park*