

July 1, 1947 to June 30, 1948, on payment of the annual license fee of \$50, shall be granted a license under subsection (3) (a), and the \$50 shall be applied on the license fees due from said licensee under subsection (3) (b).

SECTION 9. 115.09 (14) and (15) of the statutes are created to read:

115.09 (14) The changes made in section 115.07 and this section on the effective date hereof (1947) shall not be construed so as to impair or affect the obligation of any loan contract lawfully made prior to such effective date.

(15) The legislature intends that the provisions contained in the several sections of this chapter shall be independent of each other and that the invalidity, for any reason, of any provision shall not affect the validity of any other provision.

SECTION 10. This act, if passed and published prior to July 1, 1947, shall become effective July 1, 1947; and if passed and published on or subsequent to July 1, 1947 shall become effective 10 days after publication.

Approved July 30, 1947.

No. 53, S.]

[Published August 2, 1947.

### CHAPTER 463.

AN ACT to amend 42.20 ("Required deposit"), 42.40, 42.41 (1), 42.42 (1), 42.45 (1), 42.49 (3) and (4) and to create 42.49 (8) of the statutes, relating to the state retirement system.

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

SECTION 1. 42.20 (paragraph entitled "Required deposit") of the statutes is amended to read:

42.20 (paragraph entitled "Required deposit") "Required deposit" means the deduction \* \* \* *in accordance with sections 42.40 and 42.42 (1)* from the compensation received by a senior teacher deposited in the retirement fund.

SECTION 1a. 42.40 of the statutes is amended to read:

42.40 Each senior teacher shall make a deposit in the retirement deposit fund equal to \* \* \* 6 per cent of all compensation received for teaching service performed by such teacher.

Any member, or any person on behalf of any member, may make additional deposits whenever said member has any credits in the retirement deposit fund. All amounts deposited by or on behalf of any teacher shall be held for the benefit of the individual teacher in the retirement deposit fund for the purpose of providing an annuity or other benefit as provided by *sections 42.20 to 42.54*.

SECTION 1b. 42.41 (1) of the statutes is amended to read:

42.41 (1) Every employer shall deduct and withhold from the compensation as a teacher of each senior teacher on each and every pay roll for each and every pay roll period hereafter \* \* \* 6 per cent of the compensation of such senior teacher, which is paid by such employer. 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 retirement deposit fund, and shall indicate on said pay roll the total of such deductions as the amount to be paid to the retirement deposit fund.

SECTION 1c. 42.42 (1) of the statutes is amended to read:

42.42 (1) Every contract of employment as a teacher made after July 8, 1921 shall specify that it is subject to the provisions of the state retirement law, and give the date of the birth of the teacher, and such other information as the retirement board having jurisdiction may require for the identification of the teacher. In any case when such contract was made before \* \* \* *July 1, 1947* no deduction without the consent of the teacher shall be made in excess of the deduction authorized when the contract was made.

SECTION 2. 42.45 (1) of the statutes is amended to read:

42.45 (1) The state deposit on behalf of each teacher shall be an amount equal to the following percentage upon the required deposit made by such teacher during the fiscal year, namely, to 50 per cent of the required deposit add 5 per cent of the required deposit for each year of teaching experience excluding the year for which deposit is made, and deduct one per cent of the required deposit for each \$100 of compensation received during the fiscal year *for teaching service* in excess of \$1,200, provided that the total shall not exceed 200 per cent of the required deposit; provided, that in computing the state

deposit, any amount of required deposit on account of any amount of annual compensation in excess of \$3,000 shall be disregarded in applying the above percentages. If the teacher received compensation for service as a teacher *in the public schools, the teachers colleges, or the university*, for not less than a school year during the fiscal year the state deposit shall be increased \$25.

SECTION 3. 42.49 (3) and (4) of the statutes are amended to read:

42.49 (3) When a member has ceased to be employed as a teacher, *and is not on leave of absence from a teaching position*, the accumulation from the state deposits may be applied by the member, *except as provided in subsection (7)*, to the purchase of an annuity in the same manner as provided in subsection (2) (a), (b), (c) or (d), except that the first payment cannot be made before the fiftieth birthday anniversary of the member; provided, that the retirement board having jurisdiction, upon application by or on behalf of any member accompanied by satisfactory evidence that such member by reason of a physical or mental disability is incapable of rendering further satisfactory service as a teacher, may authorize such annuity payments to be made prior to the fiftieth birthday anniversary of such member. *When a member ceases to be employed as a teacher after the effective date of this subsection (1947) and is not on a leave of absence from a teaching position, and has attained the age of 60 years or more, and has had not less than 30 years of teaching experience of which not less than 20 years were in the public schools, the teachers colleges, or the university in this state, and has applied the entire accumulation from the member's deposits as provided in subsection (2), and the accumulation from the state deposits has been applied by the member to the purchase of an annuity as herein provided, and when the annuity purchased by such accumulation from the state deposits, together with the annuity, if any, provided for the member under section 42.51 (3), when computed as an annuity payable monthly to the member during life is less than an annuity of \$2 per month for each year of the member's teaching experience, not exceeding 35 years, in the public schools, teachers colleges or university in this state, the annuity to the member shall be increased so that the member shall be paid an annuity for life equal to such annuity, or the actuarial*

*equivalent of such life annuity. The increase in the annuity shall be paid from the contingent fund. The increased annuity herein provided shall not be available for any member who has at any time withdrawn any amount from the retirement deposit fund or received any annuity under sections 42.20 to 42.54, except that the increased annuity shall be available for any member who has withdrawn any amount from the retirement deposit fund provided that the amount withdrawn be repaid to the retirement deposit fund, with interest at the rate of 3 per cent per annum from the date of withdrawal to the date of repayment, before application is made for an annuity under this section.*

(4) If a member before attaining age 50, having made required deposits for not less than a school year during each of 5 fiscal years immediately preceding, becomes physically or mentally incapacitated to such extent that the member is and will be wholly and presumably permanently unable to engage in any occupation or perform any work for compensation of financial value, and furnishes due proof thereof and that such disability has then existed for 60 days, the member shall be paid from the contingent fund an annuity during the continuance of such disability in monthly payments of \$25 each in addition to any other benefit payable to such member. The said retirement board may at any time not more than once in any year require proof of the continuance of such total disability, and if the member shall fail to furnish satisfactory proof thereof, or if it appears at any time that the member has become able to engage in any occupation for remuneration or profit, such annuity shall cease. *A member who has attained age 50 having made required deposits for not less than a school year during each of 5 fiscal years immediately preceding, and becomes physically or mentally incapacitated as provided in this subsection, and furnishes due proof thereof, and that such disability has then existed for 60 days, shall be entitled to the increased annuity provided in subsection (3) provided that said member has had not less than 20 years of teaching experience in the public schools, teachers colleges, or the university, and has applied the entire accumulation from the member's deposits toward the purchase of an annuity.*

SECTION 4. 42.49 (8) of the statutes is created to read:

42.49 (8) The accumulation from any state deposits made

as of June 30, 1948, and thereafter, except state deposits made for teaching service under a contract existing on the effective date (1947) of this subsection, for any member who withdraws any part of the accumulation from the member's deposits as provided in subsection (1) before such member becomes entitled to an annuity from the accumulation of the state deposits in accordance with subsection (3), except as provided in subsection (7), shall be forfeited. Any accumulation of the state deposits so forfeited shall be credited to the general fund for the current fiscal year.

Approved July 30, 1947.

No. 220, S.]

[Published August 2, 1947.

#### CHAPTER 464.

AN ACT to amend 252.20 of the statutes, relating to transcripts and folio costs.

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

252.20 of the statutes is amended to read:

252.20 Every reporter shall, upon the request of a party to any action, transcribe in longhand or typewriting, the evidence or any other proceedings taken by him in such action or any part thereof so requested, and make, when requested, any number from 1 to 4 carbon copies, each duly certified by him to be a correct transcript thereof, for which he shall be entitled to receive from the party requesting the same \* \* \* 15 cents per folio for single transcript and \* \* \* 5 cents per folio for each carbon copy; *except that when transcript is requested by the state or any political subdivision thereof, the charge shall be 10 cents per folio for single transcript and 2-1/2 cents per folio for each carbon copy.* In the trial of any criminal action or proceeding the court may, in its discretion, and, in case of commitment to any state penal or reformatory institution, or to a house of correction in counties having and maintaining same, shall order such transcript of the evidence and proceedings to be made and certified by the reporter and filed with the clerk of the court, and a certified duplicate of such transcript to be filed with the warden or superintendent of the institution to which