

No. 705, S.]

[Published September 9, 1961.

**CHAPTER 438**

AN ACT to amend chapter 201, laws of 1937, section 5 (2) (ba) 2, as created by chapter 658, laws of 1957, and section 5 (1) (g), as repealed and recreated by chapter 323, laws of 1959, relating to the retirement system for employes of counties with a population of 500,000 or more.

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

SECTION 1. Chapter 201, laws of 1937, section 5 (1) (g), as repealed and recreated by chapter 323, laws of 1959, is amended to read:

(Chapter 201, laws of 1937) Section 5 (1) (g) Notwithstanding the provisions of pars. (d) and (e), the service retirement allowance for mem-

bers of group B shall be computed under par. (d) 1 to 3 for members other than deputy sheriffs and par. (e) for deputy sheriffs, except that after the attainment of the age of eligibility for an unreduced OASI primary retirement benefit or attainment of eligibility for an OASI disability benefit, the pension payable to members other than deputy sheriffs shall be reduced by one-two hundred and fortieth, and the pension payable to deputy sheriffs shall be reduced by one-two hundredth, of that part of the member's final average salary which does not exceed the maximum annual earnings upon which OASI benefits are based, for each year of creditable service. In the event a \* \* \* member elects to receive a reduced OASI benefit at age 62 or such other age of eligibility for a reduced OASI benefit, then the reduction as computed shall immediately go into effect and shall permanently be applied proportionately in respect to the reduction in benefits as computed under the reduced OASI benefit. Paragraph (d) 4 and 5 shall not apply to members of group B, except that in the case of a person employed by the state where part of his wage or salary is paid by the county, as described in par. (d) 5, the final average salary used in calculating his pension shall be the average of his annual county earnable compensation during all his years of creditable service in state and county employment.

SECTION 2. Chapter 201, laws of 1937, section 5 (2) (ba) 2, as created by chapter 658, laws of 1957, is amended to read :

(Chapter 201, laws of 1937) Section 5 (2) (ba) 2. A pension equal to 90 per cent of one-one hundred and twentieth of the member's final average salary multiplied by the number of years of *membership* service which would be credited to him if his service were continued to age 60, and

Approved September 5, 1961.

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