

Senate Bill 170

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**CHAPTER 324**

AN ACT to create 20.548 (1) (c), 20.810 (1) (d), 38.24 (12a) and 42.49 (16) of the statutes, relating to teachers pensions and making an appropriation.

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

SECTION 1. 20.548 (1) (c) of the statutes is created to read:

20.548 (1) (c) *Supplemental benefit payments.* A sum sufficient to provide the supplemental benefit payments authorized by s. 38.24 (12a).

SECTION 2. 20.810 (1) (d) of the statutes is created to read:

20.810 (1) (d) *Supplemental benefit payments.* A sum sufficient to provide the supplemental benefit payments authorized by s. 42.49 (16).

SECTION 3. 38.24 (12a) of the statutes is created to read:

38.24 (12a) SUPPLEMENTAL BENEFIT. (a) Any member of a teachers annuity and retirement fund created pursuant to this section who, having completed not less than 20 years of teaching in the public schools of a city of the 1st class prior to June 1, 1965, and having attained the age of 60 years (whether before or after the date of termination of such teaching service or the effective date of this subsection, 1965), is not eligible for a retirement annuity computed pursuant to sub. (7a), shall be eligible to receive monthly a supplemental benefit, subject to a continuation of the appropriation made by s. 20.548 (1) (c), determined as follows:

1. \$5 for each year of teaching in the public schools of a city of the 1st class while a member of such fund (but not to exceed 32 such years), reduced by the total of the following amounts:

a. The initial monthly amount of any annuity payable from such fund resulting from service as a teacher (other than any annuity provided by voluntary additional deposits), adjusted for purposes of this subsection to the initial amount of any such annuity which would have been payable on a straight life annuity basis.

b. The monthly amount of any other benefit payable from such fund resulting from service as a teacher, adjusted as provided in subd. 1. a.

c. The monthly amount of any payment made pursuant to s. 39.35.

d. The monthly amount of any OASI primary or disability insurance benefit payable to the member as of January 1, 1966, or, if later, as of the first day of the month for which the member would, upon application therefor, be entitled to such OASI benefit. For purposes of this subsection, OASI primary or disability insurance benefits shall be deemed to have been paid for every month for which the member was eligible for such a benefit, notwithstanding the fact that payment of such benefit was not made due to lack of application therefor or for any other reason.

(b) The age and service requirements specified in par. (a) shall not apply with respect to any member who is otherwise eligible for a supplemental benefit hereunder who is receiving a disability annuity pursuant to sub. (4) (f) 2. The service requirement specified in par. (a) shall not apply with respect to any member who is otherwise eligible for a supplemental benefit hereunder who is receiving a disability annuity under any provision of this section.

(c) Any supplemental benefit payable by virtue of the operation of this subsection shall not in any way augment, reduce or affect the death benefit otherwise payable to a beneficiary of any member.

(d) Any supplemental benefit payable by virtue of the operation of this subsection shall be paid from the general purpose revenues of the state, from the appropriation made by s. 20.548 (1) (c), but no such supplemental benefit shall be paid for any month prior to January 1966.

(e) Determinations of eligibility and the amount of any payment to be made pursuant to this subsection shall be made by the board, and shall be certified by the board for payment as specified in sub. (1) (e).

SECTION 4. 42.49 (16) of the statutes is created to read:

42.49 (16) SUPPLEMENTAL BENEFIT. (a) Any member of the state teachers retirement system who, having completed not less than 20 years of service as a teacher in Wisconsin teaching prior to June 1, 1965, and having attained the age of 60 years (whether before or after the date of termination of such teaching or the effective date of this subsection, 1965),

is not eligible for a retirement annuity computed pursuant to s. 42.245, shall be eligible to receive monthly a supplemental benefit, subject to a continuation of the appropriation made by s. 20.810 (1) (d), determined as follows:

1. \$5 for each year of service as a teacher in Wisconsin teaching (but not to exceed 32 such years), reduced by the total of the following amounts:

a. The initial monthly amount of any annuity payable from such system resulting from service as a teacher (other than any annuity provided by voluntary additional deposits), adjusted for purposes of this subsection to the initial amount of any such annuity which would have been payable on a straight life annuity basis, including any annuity which could be provided by member or state deposit accumulations not yet applied to the purchase of an annuity.

b. The monthly amount of any other benefit payable from such system resulting from service as a teacher, including amounts paid to a member as dividends pursuant to action of the board under s. 42.34 and amounts paid pursuant to sub. (10), all adjusted as provided in subd. 1. a.

c. The monthly amount of any payment made pursuant to s. 39.35.

d. The monthly amount of any OASI primary or disability insurance benefit payable to the member as of January 1, 1966 or, if later, as of the first day of the month for which the member would, upon application therefor, be entitled to such OASI benefit. For purposes of this subsection, OASI primary or disability insurance benefits shall be deemed to have been paid for every month for which the member was eligible for such a benefit, notwithstanding the fact that payment of such benefit was not made due to lack of application therefor or for any other reason.

e. The monthly amount of any straight life annuity which could have been provided by member deposit accumulations which were withdrawn, computed as of the earliest date any annuity was paid to a member by the system.

(b) The age and service requirements specified in par. (a) shall not apply with respect to any member who is otherwise eligible for a supplemental benefit hereunder who is receiving a disability annuity pursuant to s. 42.242 (4). The service requirement specified in par. (a) shall not apply with respect to any member who is otherwise eligible for a supplemental benefit hereunder who is receiving a disability annuity pursuant to sub. (9).

(c) Any supplemental benefit payable by virtue of the operation of this subsection shall not in any way augment, reduce or affect the death benefit otherwise payable to a beneficiary of any member.

(d) Any supplemental benefit payable by virtue of the operation of this subsection shall be paid from the general purpose revenues of the state, from the appropriation made by s. 20.810 (1) (d), but no such supplemental benefit shall be paid for any month prior to January 1966.

(e) Determinations of eligibility and the amount of any payment to be made pursuant to this subsection shall be made by the board, and shall be certified by the board for payment in the manner specified in s. 42.48.

(f) No payment shall be made pursuant to this subsection, nor shall any right accrue hereunder, for any month for which a member's annuity or other benefit is withheld pursuant to s. 42.242 (6) or sub. (13).

Approved November 3, 1965.