

**CHAPTER 552.**

AN ACT to amend 66.904 (1) (b) 4., 66.905 (2) (d), 66.909 (1) (a) and (b); and to create 66.908 (2) (aa) and 66.909 (1) (c) of the statutes, relating to survivors' benefits under the Wisconsin retirement fund.

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

SECTION 1. 66.904 (1) (b) 4. of the statutes is amended to read:

66.904 (1) (b) 4. Upon the granting of a retirement annuity, a disability annuity, a death benefit or a separation benefit, \* \* \* all of the \* \* \* accumulated credits of such employe shall thereupon be terminated *and no further right to such credits shall exist other than the right to such annuity or benefit so granted except as provided by section 66.908 (2) (c) and (d).*

SECTION 2. 66.905 (2) (d) of the statutes is amended to read:

66.905 (2) (d) The amount of the one-year term premium required to provide the excess, if any, of the death benefits expected to be granted during such year on account of the employes of such municipality, over the available accumulated *additional and normal* credits of such employes.

SECTION 3. 66.908 (2) (aa) of the statutes is created to read:

66.908 (2) (aa) If at the time of his death a participating employe who is currently in the service of a participating municipality or is on a leave of absence therefrom, subject to the limitations in section 66.903 (1) (b), has then to his credit prior or current service credit, or both, for at least 60 months as a participating employe for any one participating municipality and, if the beneficiary or beneficiaries to whom the death benefit is payable are a spouse, parent, child (including legally adopted child), grandchild, brother or sister of such employe, there shall be added to the death benefit payable to such beneficiary or beneficiaries under paragraph (a) the accumulated municipality and prior service credits of such employe on the date of his death; except that the total accumulated municipality and prior service credits used to provide the total death benefit shall not exceed such respective credits which could have been used to provide an annuity for the deceased employe at this age at the time of his death, assuming that an annuity could have been granted to him at such age. If any beneficiary who is entitled to an additional death benefit under this subsection shall also be entitled to an award under chapter 102 because of the death of such participating employe, the amount of the award under chapter 102 shall be reduced by the amount of the accumulated municipality and prior service credits payable to such beneficiary under this subsection. The executive director shall forthwith notify the industrial commission in writing of the payment of any such additional death benefit, specifying the amount thereof and the names of the payees and their relationship to the deceased participating employe.

SECTION 4. 66.909 (1) (a) and (b) of the statutes are amended to read:

66.909 (1) (a) The beneficiary is the widow *or minor child* of the employe or annuitant, or

(b) The beneficiary is other than the widow *or minor child* of the employe or annuitant, but such beneficiary has specified in the application for the death benefit, or the employe \* \* \* has so specified in a written notice received by the board *prior to his death*, that such benefit shall be paid as an annuity.

SECTION 5. 66.909 (1) (c) is created to read:

66.909 (1) (c) A beneficiary who is a spouse may, in lieu of a life annuity, elect to receive an annuity pursuant to section 66.906 (3) and all of the provisions of section 66.906 (3) relating to a participating employe shall apply to such spouse except that the provisions of section 66.906 (3) (aa) shall be completely inapplicable.

Approved July 6, 1951.