

No. 675, A.]

[Published August 7, 1951.

CHAPTER 667.

AN ACT to create 60.73, 60.731 and 66.901 (5) (k) of the statutes, relating to firemen's pension funds in towns within counties of 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. 60.73 of the statutes is created to read:

60.73 SOURCE OF PENSION FUND. When duly authorized to establish a board of police and fire commissioners, pursuant to section 60.18 (19), the town board has proceeded pursuant to section 60.29 (36) to establish a fire department, the town board may establish a firemen's pension fund, in which event the provisions of section 62.13 (10) applicable to cities of the second and third class shall be applicable and governing except as herein otherwise provided. All amounts in any firemen's pension fund of such town shall become part of such fund. When the amount of the firemen's pension fund shall be \$50,000, only the income therefrom with the other revenues of such fund shall be available for the payment of pensions. In carrying out the provisions of this section:

- (1) "City" means "town".
- (2) "Council" means "town board".
- (3) "Mayor" means "chairman of the town".
- (4) "Comptroller" means "town clerk".
- (5) "City treasurer" means "town treasurer".

(6) The introductory paragraph and subsections (1) to (5) shall be effective as of June 7, 1947, and retroactive to that time; it being the intent that said provisions be a reenactment, effective June 7, 1947, of section 60.73 of the statutes of 1945, said section 60.73 having been inadvertently repealed by chapter 206, laws of 1947.

SECTION 2. 60.731 of the statutes is created to read:

60.731 PARTICIPANTS IN FUND. No person who, prior to January 1, 1948, had not contributed to a firemen's pension fund established pursuant to section 60.73 shall be permitted to contribute to such fund or become a member thereof on or after such date; nor shall he or his widow, child or dependent parent be, or become, entitled to receive any benefit from such fund. Any person who, after December 31, 1947, becomes a member of the fire department in any town in a county of a population of 500,000 or more, or who was a member of such department on said date, but who, in each such case had not, on or before such date, properly contributed to a firemen's pension fund established pursuant to section 60.73, and who can otherwise qualify, shall be, or become, a participating employe under sections 66.90 to 66.919. If any such participating employe shall be entitled to a prior service credit, he shall be given such credit at the 2 rate unless such town by which he is employed shall have elected to become a participating municipality under said sections, in which case the rate elected by such municipality shall be used.

SECTION 3. 66.901 (5) (k) of the statutes is created to read:
66.901 (5) (k) Who were contributing to any firemen's pension fund by virtue of
section 60.73 on January 1, 1947.

Approved July 19, 1951.
