

No. 278, S.]

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CHAPTER 251

AN ACT to repeal 66.901 (18), 66.902 (2) (c) and (2a) and 66.904 (1) (a) 7; to amend 66.901 (9), 66.903 (2) (a) 1p, 66.904 (1) (a) 1 and 66.906 (1) (c); and to repeal and recreate 66.902 (3) (intro. par.), 66.903 (2) (a) 1 and 66.904 (1) (a) 8, 9 and 12 of the statutes, relating to making uniform the operations of the Wisconsin retirement fund.

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

SECTION 1. 66.901 (9) of the statutes is amended to read:

66.901 (9) An amount equal to the sum of the total amount of money paid on a regular pay roll by a municipality to an employe for personal services rendered to such municipality and the money value, as determined by rules prescribed by the governing body of the employing municipality, of any board, lodging, fuel, laundry and other allowances provided for such employe in lieu of money, excluding uniforms * * *.

SECTION 2. 66.901 (18) of the statutes is repealed.

SECTION 3. 66.902 (2) (c) and (2a) of the statutes are repealed.

SECTION 4. 66.902 (3) (intro. par.) of the statutes is repealed and recreated to read:

66.902 (3) (intro. par.) Prior service credits shall be computed pursuant to s. 66.904 (1) (a) 1, provided that in the computation of such prior service credits:

SECTION 5. 66.903 (2) (a) 1 of the statutes is repealed and recreated to read:

66.903 (2) (a) 1. Normal contributions of the following percentage of each payment of earnings paid to any such employe by any participating municipality:

a. For any employe not otherwise specified, 3 per cent.

b. For such employes who are justices of the supreme court, circuit judges, county judges, full-time judges of a court of record, municipal or inferior (other than a county court), conservation wardens, conservation patrol boat captains, conservation patrol boat engineers, conservation airplane pilots, state forest rangers, employes of the conservation commission who are designated by the conservation director as being subject to call for forest fire control or warden duty, members of the state traffic patrol, state motor vehicle inspectors, policemen, including the chief and all other officers, firemen, including the chief and all other officers, county undersheriffs, deputy sheriffs and traffic policemen, 5 per cent, except as provided in c and d of this subdivision.

c. For any fireman not covered by the federal old-age and survivors insurance system, 7 per cent.

d. For supreme court justices, circuit judges, county judges, and full-time judges of a court of record, municipal or inferior, 7 per cent on earnings in excess of the amount subject to contributions pursuant to s. 66.99.

SECTION 6. 66.903 (2) (a) 1p of the statutes is amended to read:

66.903 (2) (a) 1p. The normal contribution rate of a participating employe for whom age 60 is the compulsory retirement age (including an employe for whom a later retirement date is provided by s. 66.906 (1) (c)) who is authorized to continue in service pursuant to s. 66.906 (1) (a), shall after January 1, 1964, be 4 per cent for the state and for municipalities which have increased such rate from 3 to 4 per cent under subd. 1a, and 3 per cent for all other municipalities, during the first 5 years of such continuance. After such * * * participating employe attains age 65, but not prior to January 1, 1964, no normal contributions shall be payable by * * * him.

SECTION 7. 66.904 (1) (a) 1 of the statutes is amended to read:

66.904 (1) (a) 1. For prior service, each participating employe who is an employe of a participating municipality on the effective date, shall be credited, as of such date, with a prior service credit of an amount equal to 2 times the accumulated value, as of such date, of the contributions which would have been made during the entire period of prior service of such employe * * *, assuming the earnings of such employe to have been uniform during such period of prior service and equal to the monthly earnings obtained by dividing the total earnings during the period of the 3 calendar years immediately preceding the effective date, by the number of months in such period * * * for which any earnings were received by such employe; the rate of contribution to have been * * * 3 per cent except that for policemen, including the chief and all other officers, county undersheriffs, deputy sheriffs and traffic policemen, the rate shall be 5 per cent and for firemen, including the chief and other officers, the rate shall be

7 per cent. The contributions for each calendar year to have been made at the end of such year; and the contributions to have accumulated with interest at the rate of 3 per cent per annum compounded annually. * * *

SECTION 8. 66.904 (1) (a) 7 of the statutes is repealed.

SECTION 9. 66.904 (1) (a) 8 and 9 of the statutes are repealed and recreated to read:

66.904 (1) (a) 8. The prior service credits of every participating employe of each municipality on January 1, 1960, shall be redetermined where necessary to include in his total earnings during the 3 calendar years immediately preceding the effective date under subd. 1 all earnings in excess of \$4,200 per year as an employe of that participating municipality, as of the effective date of participation of that participating municipality. Any increase in the prior service credits of the employe of a municipality under this subdivision shall be added to its obligation under s. 66.915 (1) (a).

9. The prior service credits of every participating employe of each municipality on January 1, 1960, shall be redetermined as of such date where necessary to include credit for each year of his service for that participating municipality subsequent to its effective date of participation, and prior to January 1, 1958, in an amount equal to the product of the normal contribution rate for such participating employe for such year multiplied by the amount of the earnings paid to him in such year, but not considered as participating earnings due to a limitation then in effect under s. 66.901 (9) on the monthly or annual amount of earnings, without interest. Any increase in the prior service credits of the employes of a municipality under this subdivision shall be added to its obligation under s. 66.915 (1) (b) to be paid under s. 66.905 (2) (b).

SECTION 10. 66.904 (1) (a) 12 of the statutes is repealed and recreated to read:

66.904 (1) (a) 12. If not previously so recomputed the prior service credits of every person who on January 1, 1960, is an undersheriff, deputy sheriff or traffic policeman of a county which is a participating municipality shall be recomputed as of the effective date of his prior service credits in the same manner as provided in subd. 10.

SECTION 11. 66.906 (1) (c) of the statutes is amended to read:

66.906 (1) (c) Subject to the provisions of * * * *par.* (a) * * * a participating employe who is a policeman, fireman, state traffic officer, state conservation warden, state forest ranger or other state conservation department employe subject to the 5 per cent normal contribution rate, *county undersheriff, deputy sheriff or traffic policeman* who has attained age 60 or more on the effective date for that participating municipality shall be retired at the end of his first * * * *calendar quarter year* as a participating employe. Any such participating employe who attains age 60 shall be retired at the end of the * * * *calendar quarter year* in which such age is attained. * * * *Notwithstanding the foregoing provisions of this paragraph, they shall not be construed to require the retirement of any participating employe prior to January 1, 1964, who had not retired prior to the publication date of this amendment (1959).*

SECTION 12. The repeal or revision of any provision of this act shall not affect any rights created or action taken pursuant thereto prior to the effective date of this act.

SECTION 13. This act shall take effect January 1, 1960.

Approved July 28, 1959.