

No. 232, S.]

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CHAPTER 114

AN ACT to amend 66.99 (4), (5) and (6); and to create 66.99 (3a) of the statutes, relating to the inclusion of public employes under the federal old-age and survivors insurance system.

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

SECTION 1. 66.99 (3a) of the statutes is created to read:

66.99 (3a) Notwithstanding the provisions of subs. (2), (3) and (4) the persons included under any retirement system, or any coverage group therein permitted under federal law, may be included under the federal old-age and survivors insurance system pursuant to a referendum held in conformity with section 218 (d) (3) of the federal social security act and a certification by the governor pursuant thereto, and the governor is authorized to take any and all actions which may be required in connection therewith. In the case of each public agency other than the state, a referendum shall be conducted only upon, and in conformity with, a request submitted by the governing body thereof. The agreement with the secretary of health, education and welfare may be modified to cover any such coverage group.

SECTION 2. 66.99 (4), (5) and (6) of the statutes are amended to read:

66.99 (4) The director with the approval of the governor shall pursuant to sub. (3) or upon the submission to him of a certified copy of a resolution adopted by the governing body of any public agency in accordance with sub. (2), execute upon behalf of the state an agreement or modification of an agreement, with the * * * *secretary of health, education and welfare* for the inclusion of a coverage group of the employes and officers of such public agency under the federal old-age and survivors insurance system established by federal regulations in conformity with such resolution or in conformity with sub. (3) and in conformity with federal regulations. The state and each public agency included under such agreement or modification thereof shall be bound by federal regulations, and by rules and regulations promulgated under sub. (11) including any regulation requiring payment of interest.

(5) Each public agency included under an agreement made pursuant to this section shall be liable for and shall make the contributions required of an employer under the * * * *federal insurance contributions act*.

(6) Each public agency included under such an agreement shall withhold from the persons compensated by such public agency who are covered by such agreement the portion of such compensation equal in amount to the tax which would be required to be withheld under the * * * *federal insurance contributions act* if such services constituted employment within the meaning of that act.

Approved May 12, 1955.
