

THE RETIREMENT ACT

(Continued from Page 31)

ment shall be made to persons included in any of these groups should there be living at the date of payment persons in any of the groups preceding it as listed. Payment to the persons in any group, upon receipt from them of an affidavit upon a form supplied by the board, that there are no living individuals in a group preceding it and that the estate of the deceased will not be probated, shall completely discharge the board and system on account of the death.

Section 22. (1) Whenever an employe who is a member of the system, who has been an employee for five years or more of an employer which is participating in the system, and who is under the voluntary service retirement age, is found, after being examined by one or more physicians selected by the board, to be mentally or physically incapacitated for an extended and uncertain duration, as determined by medical examination, by injury sustained while in actual performance of duty and not intentionally self-inflicted, he shall receive a disability retirement annuity based on the contributions credited to his account and a pension provided by the contributions of his employing agencies equal to the pension to which he would have been entitled if he had worked continually until his earliest service retirement age as provided in section 18 (5); provided, however, that no payments under such disability retirement annuity and pension shall be paid for the first 90-day period of such incapacity. The amount of the pension shall be reduced, however, by the amount of the payments to which he is entitled from the industrial accident commission.

(2) Whenever an employe who is a member of the system, who has been an employee for fifteen years or more of an employer which is participating in the system, and who is under the voluntary service retirement age, is found, after being examined by one or more physicians selected by the board, to be mentally or physically incapacitated for an extended and uncertain duration, as determined by needed examination, from cause other than injury sustained while in actual performance of duty or intentionally self-inflicted, he shall receive a disability retirement annuity based on the contributions credited to his account

and a pension provided by the contributions of his employing agencies equal to the pension to which he would have been entitled if he had worked continually until his earliest service retirement age as provided in section 18 (5); provided, however, that no payments under such disability retirement annuity and pension shall be paid for the first 90-day period of such incapacity.

(3) The board shall require medical examinations of all applicants for retirement for disability under such general rules as it prescribes, and may provide for the discontinuance of any disability retirement allowance and the forfeiture of all rights under this act, for any person who refuses to submit to such an examination.

(4) When a disability beneficiary is determined by the board to be not incapacitated to the extent that he is disabled from the performance of duty, his disability retirement shall be cancelled forthwith and he shall be reinstated in service, his rate of contribution to be determined, among other factors, by his age at the time of the reinstatement and his individual account to be credited with the amount which stands to his credit in his account in the fund at the time of his retirement for disability. Such a person who for any reason is not reinstated in the service of a public employer participating in the system shall receive separation benefits as provided in this act.

Section 23. The right of a person to a pension, an annuity, or a retirement allowance, to the return of contribution, the pension, annuity, or retirement allowance itself, any optional benefit or death benefit, or any other right accrued or accruing to any person under the provisions of this act, and the money in the various funds created by the act, shall be exempt from all state, county, and municipal taxes and shall not be subject to execution, garnishment, attachment or any other process or to the operation of any bankruptcy or insolvency law, and shall be unassignable.

Section 24. Should any section, sentence, clause, or word of this act be held unconstitutional, the invalidity of the section, sentence, clause, or word shall not affect the validity of any other portion of the act, it being the intent of this legislative assembly to enact the remainder of this act, notwithstanding the part so declared unconstitutional should or may be so declared.

Section 25. This act shall take effect July 1, 1945, except as to those parts of it pertaining to membership in the system and contributions to the retirement fund, which shall take effect July 1, 1946.

A vision without a task makes a visionary; a task without vision makes a drudge. —Mullens

Leighton's Auto Part & Machine Works

Wholesale and Retail

Phone 737 La Grande, Ore.

Frost Welding

On Highway 99

South of Eugene

Route 4



Bottling Company of Corvallis