

No. 406, S.]

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CHAPTER 588

AN ACT to amend 23.14 (2), (8), (9) and (14) (a); and to create 23.14 (8a) of the statutes, relating to the contributions, pensions and death benefits under the conservation wardens pension fund.

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

SECTION 1. 23.14 (2) and (8) of the statutes are amended to read:

23.14 (2) There shall be paid into such fund 5 per cent of the monthly salary of each conservation warden, which shall be deducted by the conservation commission from such monthly salary * * *.

(8) (a) If any conservation warden * * *, while in performance of his duty, * * * is killed or * * * dies as the result of an injury received in the line of duty as prescribed in * * * sub. (7), or if any such warden after 15 years of service in such department * * * dies from any cause * * * while in the service, or if any member * * * dies from any cause * * * after being retired upon a pension under * * * this section and * * * leaves a widow or minor child, or children under the age of 16 years, said board shall direct the payments from said pension funds of the following sums monthly * * *: To the widows of conservation wardens \$50; to the guardian of such minor child or children \$8 for each child until it reaches the age of 16 years, and in the case of * * * death of the widow * * * the amount she * * * is entitled to * * * under this * * * section shall be paid to or for the benefit of such minor child or children of the deceased as are under the age of 16 years, * * * but there shall not be paid to the family of the deceased member a total pension exceeding one-half the amount of monthly salary of such deceased member at the time of his death, or, if a retired member, a sum not exceeding one-half of the monthly salary of such retired member at the date of his retirement or disability * * *. If the pensioner * * * marries after his retirement from service and * * * thereafter * * * dies leaving a widow, such widow shall not be entitled to any relief or pension from such funds.

(b) If any time there * * * is not * * * sufficient money in such pension fund to pay each person entitled to the benefit thereof, the full amount per month as * * * provided in this section, * * * a pro rata reduction of such monthly payments shall be made to each pensioner or beneficiary thereof until the * * * fund * * * is replenished to warrant the payment in full to each of such pensioners or beneficiaries.

SECTION 2. 23.14 (8a) of the statutes is created to read:

23.14 (8a) (a) In the case of any member of the conservation warden pension fund who dies after December 31, 1957, while in the service of the conservation commission, his widow and children shall be entitled to a death benefit payable monthly under sub. (8), which is the actuarial equivalent of twice the accumulation which would have resulted from the contributions made by such member under subs. (2) and (14) (a) if interest had been compounded thereon at the rate of 3 per cent per annum.

(b) Such monthly payments shall be not less than the amounts specified in sub. (8), but if such supposed accumulation is sufficient to pay monthly benefits in excess of the amount specified in sub. (8) the additional amount shall be paid as a life annuity to the widow. If there is no widow such additional amount shall be payable monthly as an annuity

or annuities to the children of such deceased member during their minority or longer, as the board determines. The total amount payable monthly under sub. (8) and this subsection shall not exceed one-half the monthly salary of the deceased member at the time of his death.

(c) The additional death benefit payable to a widow under this subsection may at her option be paid in the manner permitted under the Wisconsin retirement fund by s. 66.909 (1) (c), in lieu of a life annuity.

(d) In determining the actuarial equivalent value of the death benefits under this subsection the board shall apply the annuity rates adopted for use by the Wisconsin retirement fund under ss. 66.90 to 66.918.

SECTION 3. 23.14 (9) and (14) (a) of the statutes are amended to read:

23.14 (9) If any conservation warden retires after having attained the age of 55 and having served 25 years or more in such department, and in case any member shall be discharged after having attained the age of 55 and having served 25 years or more, the board shall order that such member be paid a pension monthly of a sum equal to 2 per cent of his average monthly compensation for the last 3 years preceding his retirement or discharge for each year or major fraction thereof of service prior to 1955 and 1.43 per cent thereof for each year or major fraction thereof beginning in 1955, but not to exceed an aggregate of 25 years, provided that such pension shall not exceed a sum equal to one-half of his average monthly compensation for the last 3 years preceding his retirement or discharge * * *. No person shall be entitled to receive any benefit from such pension fund other than that described in this section * * *.

(14) (a) If any person, who is employed for 10 years or longer as a conservation warden and who, thereafter, is transferred to any other position with and under the jurisdiction of the conservation commission, fulfills all the other requisites of this section, he is eligible to receive the benefits of this section. Such person shall continue to pay into the warden's pension fund a sum equal to 5 per cent of his monthly salary as an employe of the conservation commission * * *. After such person completes 25 years of combined employment service with and under the jurisdiction of the conservation commission, and has attained the age of 55 years, he is eligible to receive a pension monthly of a sum equal to 2 per cent of his average monthly compensation for the last 3 years preceding his retirement or discharge for each year or major fraction thereof of service prior to 1955 and 1.43 per cent thereof for each year or major fraction thereof beginning in 1955, but not to exceed an aggregate of 25 years, provided that such pension shall not exceed a sum equal to one-half of his average monthly compensation for the last 3 years preceding his retirement or discharge received as an employe of the conservation commission * * *.

SECTION 4. This act shall take effect January 1, 1958.

Approved August 12, 1957.