

No. 28, S.]

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CHAPTER 484

AN ACT to amend 20.20 (1f), as amended by chapter 511 (Bill No. 96, A.), laws of 1955, and 23.14 (2), (9) and (14) (a); and to create 23.14 (9a) and (17) of the statutes, relating to the conservation warden pension fund, enabling members thereof to be included under federal social security, and making an appropriation.

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

SECTION 1. 20.20 (1f) of the statutes, as amended by chapter 511 (Bill No. 96, A.), laws of 1955, is amended to read:

20.20 (1f) A sum sufficient to pay the conservation fund state's share to the public employes social security fund *including the amount required under s. 23.14 (17) (c)*, the Wisconsin retirement fund, the * * * *conservation warden* pension fund, and to pay for workmen's compensation and unemployment compensation, except that such contributions for forestry purposes under sub. (14) (d) shall be paid from sub. (14) (e) and such contributions under sub. (14) (a) shall be paid from sub. (14) (a).

SECTION 2. 23.14 (2), (9) and (14) (a) 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, except that no amount in excess of \$350 per month, or an equivalent for any other period, shall be considered for the purpose of making contributions or of granting pensions under this section after the effective date of this act.

(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 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 * * * and such pension shall not exceed \$175 per month. No person shall be entitled to receive any benefit from such pension fund other than that described in this section, and in no event will any allowance be made to any widow after her remarriage or to any minor child after it has reached the age of 16 years.

(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, except that no amount in excess of \$350 per month or an equivalent for any other period shall be considered for the purpose of making contributions. 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 * * * and such pension shall not exceed \$175 per month.*

SECTION 3. 23.14 (9a) and (17) of the statutes are created to read:

23.14 (9a) Notwithstanding any other provisions in this section any conservation warden, or other person who is a member of the conservation warden pension fund, who is eligible to receive a pension under subs. (7), (9) or (14) (a), which pension is to begin before the warden's or other member's sixty-fifth birthday, may elect, if he has attained fully insured status under the federal old-age and survivors insurance system, in lieu of such pension, to take the actuarial equivalent thereof based on actuarial tables in use by the Wisconsin retirement fund as:

(a) A reduced pension payable monthly for life, plus

(b) A temporary pension payable monthly and terminating with the payment due in the month in which the warden, or other member, attains age 65. It is the intent of this option that so far as is practicable the aforesaid life pension and temporary pension will be determined in such amounts that the warden's, or other member's, total anticipated retirement benefits from the warden pension fund and from primary social security will be the same both before and after attainment of age 65, assuming that the warden, or other member, has no further wages credited to his account under the federal old-age and survivors insurance system after retirement under this section.

(17) (a) Pursuant to s. 66.99 (3a) the governor is hereby authorized and directed to conduct a referendum among members of the conservation warden pension fund who are eligible to vote thereon upon the question of including service in their positions under the federal old-age and survivors insurance system as of January 1, 1955, in conformity with this section.

(b) After a majority of the members of the conservation warden fund who are eligible to vote thereon have voted in favor of including service in their positions under the federal old-age and survivors insurance system and certification thereof has been made by the governor, all persons in positions included under the conservation warden pension fund shall be subject to s. 66.99.

(c) The conservation department shall transfer from the conservation fund to the public employes social security fund the contributions required of an employe and employer from January 1, 1955 to the effective date of this paragraph.

SECTION 4. Section 23.14 (17) (a) created by SECTION 3 of this act shall take effect upon passage and publication. All other portions of this act shall take effect on the first day of the month following the month in which a modification of the agreement with the federal government has been executed, after a majority of the eligible members of the conservation warden pension fund have voted in favor of including their positions under social security and certification thereof has been made as provided in s. 66.99 (3a).

Approved July 22, 1955.