

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5030

56th Legislature
1999 Regular Session

Passed by the Senate March 11, 1999
YEAS 45 NAYS 0

President of the Senate

Passed by the House April 9, 1999
YEAS 93 NAYS 0

**Speaker of the
House of Representatives**

**Speaker of the
House of Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5030** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5030

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Long, Fraser, Winsley, Franklin, Bauer, Jacobsen, Roach, T. Sheldon, Johnson and Rasmussen; by request of Joint Committee on Pension Policy)

Read first time 02/25/1999.

1 AN ACT Relating to the Washington state patrol surviving spouse
2 retirement allowance; amending RCW 43.43.120 and 43.43.274; and adding
3 new sections to chapter 43.43 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 43.43.120 and 1983 c 81 s 1 are each amended to read
6 as follows:

7 As used in the following sections, unless a different meaning is
8 plainly required by the context:

9 (1) "Retirement system" means the Washington state patrol
10 retirement system.

11 (2) "Retirement fund" means the Washington state patrol retirement
12 fund.

13 (3) "State treasurer" means the treasurer of the state of
14 Washington.

15 (4) "Member" means any person included in the membership of the
16 retirement fund.

17 (5) "Employee" means any commissioned employee of the Washington
18 state patrol.

1 (6)(a) "Cadet," for a person who became a member of the retirement
2 system after June 12, 1980, is a person who has passed the Washington
3 state patrol's entry-level oral, written, physical performance, and
4 background examinations and is, thereby, appointed by the chief as a
5 candidate to be a commissioned officer of the Washington state patrol.

6 (b) "Cadet," for a person who became a member of the retirement
7 system before June 12, 1980, is a trooper cadet, patrol cadet, or
8 employee of like classification, employed for the express purpose of
9 receiving the on-the-job training required for attendance at the state
10 patrol academy and for becoming a commissioned trooper. "Like
11 classification" includes: Radio operators or dispatchers; persons
12 providing security for the governor or legislature; patrolmen; drivers'
13 license examiners; weighmasters; vehicle safety inspectors; central
14 wireless operators; and warehousemen.

15 (7) "Beneficiary" means any person in receipt of retirement
16 allowance or any other benefit allowed by this chapter.

17 (8) "Regular interest" means interest compounded annually at such
18 rates as may be determined by the director.

19 (9) "Retirement board" means the board provided for in this
20 chapter.

21 (10) "Insurance commissioner" means the insurance commissioner of
22 the state of Washington.

23 (11) "Lieutenant governor" means the lieutenant governor of the
24 state of Washington.

25 (12) "Service" shall mean services rendered to the state of
26 Washington or any political subdivisions thereof for which compensation
27 has been paid. Full time employment for seventy or more hours in any
28 given calendar month shall constitute one month of service. An
29 employee who is reinstated in accordance with RCW 43.43.110 shall
30 suffer no loss of service for the period reinstated subject to the
31 contribution requirements of this chapter. Only months of service
32 shall be counted in the computation of any retirement allowance or
33 other benefit provided for herein. Years of service shall be
34 determined by dividing the total number of months of service by twelve.
35 Any fraction of a year of service as so determined shall be taken into
36 account in the computation of such retirement allowance or benefit.

37 (13) "Prior service" shall mean all services rendered by a member
38 to the state of Washington, or any of its political subdivisions prior
39 to August 1, 1947, unless such service has been credited in another

1 public retirement or pension system operating in the state of
2 Washington.

3 (14) "Current service" shall mean all service as a member rendered
4 on or after August 1, 1947.

5 (15) "Average final salary" shall mean the average monthly salary
6 received by a member during the member's last two years of service or
7 any consecutive two-year period of service, whichever is the greater,
8 as an employee of the Washington state patrol; or if the member has
9 less than two years of service, then the average monthly salary
10 received by the member during the member's total years of service.

11 (16) "Actuarial equivalent" shall mean a benefit of equal value
12 when computed upon the basis of such mortality table as may be adopted
13 and such interest rate as may be determined by the director.

14 (17) Unless the context expressly indicates otherwise, words
15 importing the masculine gender shall be extended to include the
16 feminine gender and words importing the feminine gender shall be
17 extended to include the masculine gender.

18 (18) "Director" means the director of the department of retirement
19 systems.

20 (19) "Department" means the department of retirement systems
21 created in chapter 41.50 RCW.

22 (20) "State actuary" or "actuary" means the person appointed
23 pursuant to RCW 44.44.010(2).

24 (21) "Contributions" means the deduction from the compensation of
25 each member in accordance with the contribution rates established under
26 RCW 43.43.300.

27 (22) "Annual increase" means as of July 1, 1999, seventy-seven
28 cents per month per year of service which amount shall be increased
29 each subsequent July 1st by three percent, rounded to the nearest cent.

30 NEW SECTION. Sec. 2. A new section is added to chapter 43.43 RCW
31 to read as follows:

32 (1) Beginning July 1, 1999, and annually thereafter, the surviving
33 spouse allowance provided in RCW 43.43.270 shall be adjusted by the
34 annual increase amount. To be eligible, a surviving spouse must have
35 attained at least age sixty-six by July 1st in the calendar year in
36 which the annual increase is provided.

37 (2) The legislature reserves the right to amend or repeal this
38 section in the future and no member or beneficiary has a contractual

1 right to receive this postretirement adjustment not granted prior to
2 that time.

3 **Sec. 3.** RCW 43.43.274 and 1997 c 72 s 1 are each amended to read
4 as follows:

5 Effective July 1, 1997, the retirement allowance under RCW
6 43.43.260 and 43.43.270(2) shall not be less than twenty dollars per
7 month for each year of service. Effective July 1, 1999, and annually
8 thereafter, the retirement allowance provided under this section shall
9 be adjusted by the annual increase amount. If the member has elected
10 to receive a reduced retirement allowance under RCW 43.43.280(2), the
11 minimum retirement allowance under this section shall be reduced
12 accordingly.

13 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.43 RCW
14 to read as follows:

15 By July 1, 2000, the department of retirement systems shall adopt
16 rules that allow a member to select, in lieu of benefits under RCW
17 43.43.270, an actuarially equivalent retirement option that pays the
18 member a reduced retirement allowance and upon death shall be continued
19 throughout the life of a lawful surviving spouse. The continuing
20 allowance to the lawful surviving spouse shall be subject to the yearly
21 increase provided by RCW 43.43.260(5) in lieu of the annual increase
22 provided in section 2 of this act.

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