
SENATE BILL 5353

State of Washington

52nd Legislature

1991 Regular Session

By Senators Saling, Bauer, Rasmussen, Moore, Nelson, Jesernig, Vognild, Madsen, Skratek, Metcalf, von Reichbauer, Gaspard, Wojahn, West, Stratton and Snyder.

Read first time January 29, 1991. Referred to Committee on Ways & Means.

1 AN ACT Relating to cost-of-living allowance for certain retirees;
2 amending RCW 41.32.485 and 41.40.198; creating a new section; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 41.32.485 and 1989 c 272 s 5 are each amended to read
6 as follows:

7 (1) Notwithstanding any provision of law to the contrary, effective
8 July 1, (~~(1989)~~) 1991, as a cost-of-living adjustment, no beneficiary
9 receiving a retirement allowance pursuant to this chapter shall
10 receive, as the pension portion of that retirement allowance, less than
11 (~~(fourteen dollars and eighty-two)~~) sixteen dollars and seventy-two
12 cents per month for each year of service creditable to the person whose
13 service is the basis of the pension. Portions of a year shall be
14 treated as fractions of a year and the decimal equivalent shall be
15 multiplied by (~~(fourteen dollars and eighty-two)~~) sixteen dollars and

1 seventy-two cents. Where the pension payable was adjusted at the time
2 benefit payments to the beneficiary commenced, the minimum pension
3 provided in this section shall be adjusted in a manner consistent with
4 that adjustment.

5 (2) Notwithstanding any provision of law to the contrary, effective
6 July 1, 1979, the retirement allowance of each beneficiary who either
7 is receiving benefits pursuant to RCW 41.32.520 or 41.32.550 as of
8 December 31, 1978, or commenced receiving a monthly retirement
9 allowance under this chapter as of a date no later than July 1, 1974,
10 shall be permanently increased by a post-retirement adjustment. This
11 adjustment shall be in lieu of any adjustments provided under RCW
12 41.32.499(6) as of July 1, 1979, or July 1, 1980, for the affected
13 beneficiaries. Such adjustment shall be calculated as follows:

14 (a) Retirement allowances to which this subsection and subsection
15 (1) of this section are both applicable shall be determined by first
16 applying subsection (1) and then applying this subsection. The
17 department shall determine the total years of creditable service and
18 the total dollar benefit base accrued as of December 31, 1978, except
19 that this determination shall take into account only those
20 beneficiaries to whom this subsection applies;

21 (b) The department shall multiply the total benefits determined in
22 (a) of this subsection by six percent and divide the dollar value thus
23 determined by the total service determined in (a) of this subsection.
24 The resultant figure shall then be a post-retirement increase factor
25 which shall be applied as specified in (c) of this subsection;

26 (c) Each beneficiary to whom this subsection applies shall receive
27 an increase which is the product of the factor determined in (b) of
28 this subsection multiplied by the years of creditable service.

1 (3) The provisions of subsections (1) and (2) of this section shall
2 not be applicable to those receiving benefits pursuant to RCW 41.32.540
3 or 41.32.760 through 41.32.825.

4 **Sec. 2.** RCW 41.40.198 and 1989 c 272 s 8 are each amended to read
5 as follows:

6 (1) Notwithstanding any provision of law to the contrary, effective
7 July 1, (~~(1989)~~) 1991, as a cost-of-living adjustment, no beneficiary
8 receiving a retirement allowance pursuant to this chapter shall
9 receive, as the pension portion of that retirement allowance, less than
10 (~~(fourteen dollars and eighty-two)~~) sixteen dollars and seventy-two
11 cents per month for each year of service creditable to the person whose
12 service is the basis of the pension. Portions of a year shall be
13 treated as fractions of a year and the decimal equivalent shall be
14 multiplied by (~~(fourteen dollars and eighty-two)~~) sixteen dollars and
15 seventy-two cents. Where the pension payable was adjusted at the time
16 benefit payments to the beneficiary commenced, the minimum pension
17 provided in this section shall be adjusted in a manner consistent with
18 that adjustment.

19 (2) The provisions of subsection (1) of this section shall not be
20 applicable to those receiving benefits pursuant to RCW 41.40.220(1),
21 41.44.170(5), or 41.40.610 through 41.40.740. For persons who served as
22 elected officials and whose accumulated employee contributions and
23 credited interest was less than seven hundred fifty dollars at the time
24 of retirement, the minimum benefit under subsection (1) of this section
25 shall be ten dollars per month for each year of creditable service.

26 NEW SECTION. **Sec. 3.** (1) The application of RCW 41.32.575 on
27 July 1, 1991, shall be to the minimum benefit as adjusted in section 1,
28 chapter, Laws of 1991 (section 1 of this act).

1 (2) The application of RCW 41.40.325 on July 1, 1991, shall be to
2 the minimum benefit as adjusted in section 2, chapter, Laws of
3 1991 (section 2 of this act).

4 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and shall take
7 effect immediately.