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CHAPTER 190  
[Substitute Senate Bill No. 3194]  
FIREMEN AND POLICE PENSIONS—  
COST OF LIVING ADJUSTMENTS

AN ACT Relating to firemen and police pension benefits; amending section 38, chapter 209, Laws of 1969 ex. sess. as amended by section 3, chapter 37, Laws of 1970 ex. sess. and RCW 41.16.145; amending section 33, chapter 209, Laws of 1969 ex. sess. as amended by section 1, chapter 37, Laws of 1970 ex. sess. and RCW 41.18.104; amending section 34, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 37, Laws of 1970 ex. sess. and RCW 41.26.250; amending section 35, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.260; repealing section 17, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.16.146; repealing section 18, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.18.105; and declaring an emergency.

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

Section 1. Section 38, chapter 209, Laws of 1969 ex. sess. as amended by section 3, chapter 37, Laws of 1970 ex. sess. and RCW 41.16.145 are each amended to read as follows:

The amount of all benefits payable under the provisions of RCW 41.16.080, 41.16.120, 41.16.130 and 41.16.140 as now or hereafter amended, shall be increased annually as hereafter in this section provided. ((The present benefits payable under RCW 41.16.080, 41.16.120, 41.16.130 and 41.16.140 on July 1, 1969 shall be increased two percent each year using as a basis for such two percent increase, the amount of present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall meet subsequent to March 31st but prior to June 30th of each year for the purposes of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index: PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969, said increases shall take effect as of July 1st, of the first year when such benefits have heretofore or shall hereafter become payable)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent as authorized)) by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)). The increased benefits authorized by this section shall not affect any benefit payable under the provisions of chapter 41.16 RCW in which the benefit payment is attached to a current salary of the rank held at time of retirement.

For the purpose of this section the term

"Consumer price index" shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 2. Section 33, chapter 209, Laws of 1969 ex. sess. as amended by section 1, chapter 37, Laws of 1970 ex. sess. and RCW 41.18.104 are each amended to read as follows:

The amount of all benefits payable under the provisions of RCW 41.18.040, 41.18.080 and 41.18.100 as now or hereafter amended, shall be increased annually as hereafter in this section provided. ((The present benefits payable under RCW 41.18.040, 41.18.080 and 41.18.100 on July 1, 1969 shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall meet subsequent to March 31st but prior to June 30th of each year for the purpose of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index: PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969, said increases shall take effect as of July 1st, of the first year when such benefits have heretofore or shall hereafter become payable:)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent)) as authorized by this section. This benefit increase shall be paid

monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)). The increased benefits authorized by this section shall not affect any benefit payable under the provisions of chapter 41.18 RCW in which the benefit payment is attached to a current salary of the rank held at time of retirement.

For the purpose of this section the term

"Consumer price index" shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 3. Section 34, chapter 209, Laws of 1969 ex. sess. as amended by section 2, chapter 37, Laws of 1970 ex. sess. and RCW 41.26.250 are each amended to read as follows:

All benefits presently payable pursuant to the provisions of RCW 41.20.050, 41.20.060 and 41.20.080 as such RCW sections existed prior to the effective date of the amendment of such RCW sections by sections 1, 2, 3, chapter 191, Laws of 1961 to persons who retired prior to the effective date of the said 1961 amendatory act, shall be increased annually as hereafter in this section provided. ((On July 1, 1969 such presently payable benefits shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:)) The local pension board shall meet subsequent to March 31st but prior to June 30th of each year for the purpose of adjusting benefit allowances payable pursuant to the aforementioned sections. The local board shall determine the percentage increase in the consumer price index between January 1st and December 31st of the previous year and increase in dollar amount the benefits payable subsequent to July 1st of the year in which said board makes such determination by a dollar amount proportionate to the increase in the consumer price index: PROVIDED, That regardless of the change in the consumer price index, such increase shall be at least two percent each year such adjustment is made.

((As to each person receiving such benefits on or after July 1, 1969, said increases shall take effect as of July 1st, of the first year when such benefits have heretofore or shall hereafter become payable:)) Each year effective with the July payment all benefits specified herein, shall be increased ((two percent)) as authorized by this section. This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative ((but shall not be compounded)).

For the purpose of this section the term

"Consumer price index" shall mean, for any calendar year, the average consumer price index for the Seattle, Washington area as compiled by the bureau of labor statistics of the United States department of labor.

Sec. 4. Section 35, chapter 209, Laws of 1969 ex. sess. and RCW 41.26.260 are each amended to read as follows:

All benefits presently payable pursuant to the provisions of RCW 41.20.085 which are not related to the amount of current salary attached to the position held by the deceased member, shall be increased annually ((as hereafter in this section provided: On July 1, 1969 such presently payable benefits shall be increased two percent each year using as a basis for such two percent increase, the amount of the present benefit payable and not the amount of the future benefit payable which will hereafter be increased by the provisions of this section:

Said increases shall become effective July 1, 1969 or one year after the date when the said benefits are payable, whichever is later; Each year effective with the July payment all benefits specified herein, shall be increased two percent as authorized by this section: This benefit increase shall be paid monthly as part of the regular pension payment and shall be cumulative but shall not be compounded)) in the same manner and to the same extent as provided for pursuant to section 3 of this 1974 amendatory act.

NEW SECTION. Sec. 5. The following acts or parts of acts are each hereby repealed:

(1) Section 17, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.16.146; and

(2) Section 18, chapter 257, Laws of 1971 1st ex. sess. and RCW 41.18.105.

NEW SECTION. Sec. 6. This 1974 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 23, 1974.  
Passed the House April 23, 1974.  
Approved by the Governor May 6, 1974.  
Filed in Office of Secretary of State May 6, 1974.