

(c) he refuses to pass through the toll gates after having come within the area where signs have been erected notifying traffic that it is entering the area where toll is collectible or where vehicles may not turn around and where vehicles are required to pass through the toll gates for the purpose of collecting tolls.

Severability.

SEC. 2. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Emergency.

SEC. 3. This 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 House February 28, 1961.

Passed the Senate March 8, 1961.

Approved by the Governor March 17, 1961.

---

CHAPTER 260.

[ H. B. 402. ]

CITIES OF FIRST CLASS—RETIREMENT,  
DISABILITY PLANS.

AN ACT relating to municipal corporations; and amending sections 14 and 16, chapter 207, Laws of 1939 and RCW 41.28.130 and 41.28.150.

*Be it enacted by the Legislature of the State of Washington:*

RCW 41.28.130  
amended.

SECTION 1. Section 14, chapter 207, Laws of 1939 and RCW 41.28.130 are each amended to read as follows:

Personnel in  
certain first  
class cities,  
retirement.  
Service  
retirement  
allowances.

(1) A member, upon retirement from service, shall receive a retirement allowance subject to the provisions of paragraph (2) of this section, which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement.

(b) A pension purchased by the contributions of the city, equal to the annuity purchased by the accumulated normal contributions of the member.

(c) For any member having credit for prior service an additional pension, purchased by the contributions of the city equal to one and one-third percent of the final compensation, multiplied by the number of years of prior service credited to said member, except that if a member shall retire before attaining the age of sixty-two years, the additional pension shall be reduced to an amount which shall be equal to a lesser percentage of final compensation, multiplied by the number of years of prior service credited to said member, which lesser percentage shall be applied to the respective ages of retirement in accordance with the following tabulation:

Retirement age	Percentage
62 .....	1.333
61 .....	1.242
60 .....	1.158
59 .....	1.081
58 .....	1.010
57 .....	0.945
56 .....	0.885
55 .....	0.829
54 .....	0.778
53 .....	0.731
52 .....	0.687
51 .....	0.646
50 .....	0.608

(2) If the retirement allowance of the member as provided in this section, exclusive of any annuity purchased by his accumulated additional contributions, is in excess of two-thirds of his final salary, the pension of the member, purchased by the con-

tributions of the city, shall be reduced to such an amount as shall make the member's retirement allowance, exclusive of any annuity purchased by his accumulated additional contributions, equal to two-thirds of his final salary, and the actuarial equivalent of such reduction shall remain in the retirement fund to the credit of the city.

(3) Any member, who enters the retirement system on July 1, 1939, or who enters after that date and who is given the credit for prior service, and who is retired by reason of attaining the age of seventy years, shall receive such additional pension on account of prior service, purchased by the contributions of the city, as will make his total retirement allowance not less than four hundred twenty dollars per year.

(4) Any member who, at the time of his retirement, has at least ten years of creditable service, as defined in this chapter, and who has attained the age of sixty-five years or over, shall receive such additional pension, purchased by the contributions of the city, as will make his total retirement allowance not less than nine hundred sixty dollars per year.

RCW 41.28.150  
amended.

SEC. 2. Section 16, chapter 207, Laws of 1939 and RCW 41.28.150 are each amended to read as follows:

Disability  
retirement  
allowances—  
Grounds for  
denial.

(1) Upon retirement for disability, as herein above provided: *Provided*, The disability is not due to intemperance, wilful misconduct or violation of law, of which the board shall be the judge, a member shall receive a retirement allowance which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement.

(b) A pension purchased by the contributions of the city, which, together with his annuity provided by his accumulated normal contributions, shall make

the retirement allowance, exclusive of the annuity provided by his additional contributions equal to (i) one and one-fourth percent of his final compensation multiplied by the number of years of service which would be creditable to him were his services to continue until attainment by him of age sixty-two, but such retirement allowance shall not exceed one-fourth of such final compensation except where such one-fourth is less than nine hundred sixty dollars per year, then the member shall receive the minimum disability retirement allowance of nine hundred sixty dollars per year.

(2) If disability is due to intemperance, wilful misconduct or violation of law on the part of the member, the board of administration in its discretion may pay to said member in one lump sum, his accumulated contributions, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the city to such member, and upon receipt of such payment he shall cease to be a member of the retirement system.

(3) Upon the death of a member while in receipt of a disability retirement allowance, his accumulated contributions, as they were at the date of his retirement, less any annuity payments made to him, shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board.

Passed the House February 17, 1961.

Passed the Senate March 9, 1961.

Approved by the Governor March 17, 1961.