

January 21, 1965.
Governmental Subdivision.

Pass 2/9

House File 31

By DOYLE, HOUSTON, SHIRLEY,
COFFMAN, DISTELHORST, MILLER
of Des Moines, KLUEVER and SCOTT.

Passed House, Date *2-18-65*

Passed Senate, Date *6/2*

Vote: Ayes *115* Nays *4*

Vote: Ayes *49* Nays *2*

Approved.....

Amended in senate amendments 6/13

*Passed on file 2/19
Gov. Sub. Div. 2/23
amended by report (March
18) and pass 4/13
Deferred 5/14, 5/17, 5/19*

A BILL FOR

passed senate as amended 6/2 (104-1)
An Act relating to public safety peace officers' retirement,
accident and disability system.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section ninety-seven A point one (97A.1), Code
2 1962, is hereby amended by striking all of subsection fourteen
3 (14) and inserting in lieu thereof the following:
4 " 'Final compensation' shall mean the earnable compensation
5 which the member was receiving at the time of retirement or death."

1 Sec. 2. Section ninety-seven A point six (97A.6), subsection
2 two (2), paragraph b, Code 1962, is hereby amended by striking
3 from line four (4) the word "average".

1 Sec. 3. Section ninety-seven A point six (97A.6), subsection
2 four (4) paragraph b, Code 1962, is hereby amended as follows:

- 3 1. By striking from line four (4) the word "average".
- 4 2. By striking from line seven (7) the word "average".
- 5 3. By striking from line ten (10) the word "average".

1 Sec. 4. Section ninety-seven A point six (97A.6), subsection
2 six (6), paragraph b, Code 1962, is hereby amended by striking
3 from line two (2) the word "average".

1 Sec. 5. Section ninety-seven A point six (97A.6), subsection
2 seven (7), paragraph a, Code 1962, is amended as follows:

- 3 1. By striking from line five (5) the word "average".

4 2. By striking from line nine (9) the word "average".

5 3. By striking from line seventeen (17) the word "average".

6 4. By striking from line nineteen (19) the word "average".

1 Sec. 6. Section ninety-seven A point six (97A.6), subsection
2 seven (7), paragraph b, Code 1962, is hereby amended by striking
3 from line three (3) the word "average".

1 Sec. 7. Section ninety-seven A point six (97A.6), subsection
2 eight (8), paragraph b, Code 1962, is hereby amended by striking
3 from line thirteen (13) the word "average".

1 Sec. 8. Section ninety-seven A point six (97A.6), subsection
2 nine (9), paragraph b, Code 1962, is hereby amended by striking
3 from line one (1) the word "average".

1 Sec. 9. Section ninety-seven A point six (97A.6), Code 1962,
2 is further amended by adding thereto the following subsection:

3 "Pensions payable under this section shall be adjusted as
4 follows:

5 "a. As of the first day of July of each year, the monthly pensions
6 authorized in this section payable to each retired member and to
7 each beneficiary, except children, of a deceased member shall be
8 recomputed. The formula authorized in this section which was used
9 to compute the retired member's or beneficiary's pension at the
10 time of retirement or death, including all amendments to the
11 formula which may be adopted subsequent to the member's retire-
12 ment or death, shall be used in the recomputation except the
13 earnable compensation payable on each July 1 to an active
14 member having the same or equivalent rank or position as was held
15 by the retired or deceased member at the time of retirement or
16 death, shall be used in lieu of the final compensation which the
17 retired or deceased member was receiving at the time of retire-

18 ment or death. At no time shall the monthly pension or payment
19 to the beneficiary be less than the amount which was paid at the
20 time of the member's retirement or death.

21 "b. As of the first of July of each year, the monthly pension
22 payable to each surviving child in accordance with subsections
23 eight (8), nine (9), and thirteen (13) of this section shall be
24 adjusted to equal six percent of the monthly salary payable on
25 such July 1 to an active member having the rank of senior
26 patrolman of the Iowa highway patrol. If the monthly pension so
27 computed is less than the amounts provided in subsections eight
28 (8), nine (9), and thirteen (13) of this section, the amounts
29 provided for in said subsections shall be payable.

30 "c. All monthly pensions adjusted as provided in this sub-
31 section shall be payable beginning on July 1 of the year which
32 the adjustment is made and shall continue in effect until the
33 next following July 1 at which time the monthly pensions shall
34 again be recomputed and all monthly pensions adjusted in accord-
35 ance with the recomputations.

36 "d. The adjustment of pensions required by this subsection
37 shall recognize the retired or deceased member's position on the
38 salary scale within his rank at the time of his retirement or
39 death. In the event that the rank or position held by the
40 retired or deceased member at the time of retirement or death is
41 subsequently abolished, adjustments in the pensions of the member
42 or of the member's spouse or children shall be computed by the
43 board of trustees as though such rank or position had not been
44 abolished and salary increases had been granted to such rank or
45 position on the same basis as increases granted to other ranks
46 and positions in the department."

1 Sec. 10. Section ninety-seven A point eight (97A.8), Code
 2 1962, is amended by striking from subsection one (1), paragraph
 3 a, all of lines eleven (11) through thirty-one (31), and insert-
 4 ing in lieu thereof the following:

5	“20	4.91%
6	21	4.97%
7	22	5.04%
8	23	5.11%
9	24	5.18%
10	25	5.26%
11	26	5.33%
12	27	5.41%
13	28	5.48%
14	29	5.56%
15	30	5.64%
16	31	5.72%
17	31	5.80%
18	33	5.88%
19	34	5.97%
20	35	6.05%
21	36	6.14%
22	37	6.22%
23	38	6.31%
24	39	6.40%
25	40	6.50%”

EXPLANATION OF HOUSE FILE 31

Each year, the cost-of-living index rises. The income of the working man is generally adjusted to the price-cost squeeze because he is in a bargaining position. The same cannot be said of the retired person on pension whose source of income is fixed and does not adjust to the rise in cost-of-living.

This bill provides that pensions payable to retired members of the state's police, fire, and public safety departments, or their beneficiaries, will be adjusted according to salaries paid to active members of these departments, and would go far toward eliminating the hardships attendant to the fixed-pension buying power.

HOUSE FILE 31

1 Amend House File 31 by striking all after the enacting clause and
2 inserting in lieu thereof the following:

3 Section 1. Section ninety-seven A point one (97A.1) Code
4 1962, is hereby amended by adding the following subsection:

5 "Pension compensation" shall mean the member's average final
6 compensation adjusted in the ratio of the earnable compensation
7 payable on each July one (1) to an active member having the same
8 or equivalent rank or position as was held by the retired or
9 deceased member at the time of retirement or death to the
10 earnable compensation of such member at his retirement or death."

11 Sec. 2. Section ninety-seven A point six (97A.6), Code 1962,
12 is amended by adding the following subsection:

13 "Pensions payable under this section shall be adjusted as
14 follows:

15 "a. As of the first of July of each year, the monthly pensions
16 authorized in this section payable to each retired member and
17 to each beneficiary, except children, of a deceased member shall
18 be recomputed. The formula authorized in this section which was
19 used to compute the retired member's or beneficiary's pension
20 at the time of retirement or death including all amendments to
21 the formula which may be adopted subsequent to the member's re-
22 tirement or death, shall be used in the recomputation, except
23 the pension compensation shall be used in lieu of the average
24 final compensation which the retired or deceased member was
25 receiving at the time of retirement or death. The adjusted
26 monthly pension shall be the amount payable at the member's
27 retirement or death adjusted by 45% of the difference between
28 the recomputed pension and the amount payable at the member's
29 retirement or death. At no time shall the monthly pension or
30 payment to the beneficiary be less than the amount which was paid
31 at the time of the member's retirement or death.

32 "b. As of the first day of July of each year, the monthly pension
33 payable to each surviving child in accordance with subsections
34 eight (8), nine (9), and thirteen (13) of this section shall be
35 adjusted to equal six (6) percent of the monthly salary payable
36 on such July first to an active member having the rank of senior
37 patrolman of the Iowa highway safety patrol. If the monthly
38 pension so computed is less than the amounts provided in sub-
39 sections eight (8), nine (9), and thirteen (13) of this section,
40 the amounts provided for in said subsection shall be payable.

41 "c. All monthly pensions adjusted as provided in this sub-
42 section shall be payable beginning on July one (1) of the year
43 which the adjustment is made and shall continue in effect until
44 the next following July one (1) at which time the monthly pen-
45 sions shall again be recomputed and all monthly pensions adjusted
46 in accordance with the recomputations.

47 "d. The adjustment of pensions required by this subsection
48 shall recognize the retired or deceased member's position on the
49 salary scale within his rank at the time of his retirement or
50 death. In the event that the rank or position held by the
51 retired or deceased member at the time of retirement or death
52 is subsequently abolished, adjustments in the pensions of the
53 member or of the member's spouse or children shall be computed
54 by the board of trustees as though such rank or position had
55 not been abolished and salary increases had been granted to such
56 rank or position on the same basis as increases granted to other
57 ranks and positions in the department."

58 Sec. 3. Section ninety-seven A point eight (97A.8), Code
59 1962, is hereby amended by striking from subsection one (1),
60 paragraph a. lines eleven (11) through thirty-one (31), and in-
61 serting in lieu thereof the following:

62	"20	4.91%
63	21	4.97%
64	22	5.04%
65	23	5.11%
66	24	5.18%
67	25	5.26%
68	26	5.33%
69	27	5.41%
70	28	5.48%
71	29	5.56%
72	30	5.64%
73	31	5.72%
74	32	5.80%
75	33	5.88%
76	34	5.97%
77	35	6.05%
78	36	6.14%
79	37	6.22%
80	38	6.31%
81	39	6.40%
82	40	6.50%

*House
Concurred
6/3*

Adopted 6/2