

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1987



ENROLLED

Com. Sub. for
HOUSE BILL No. 2167

(By Delegate *Green*.....)



Passed *March 14,*..... 1987

In Effect *July 1, 1987*..... Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR
H. B. 2167
(By DELEGATE GIVEN)

[Passed March 14, 1987; in effect July 1, 1987.]

AN ACT to amend article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section twenty-six-a, relating to supplemental pension benefits for retired policemen, firemen and their spouses, and tying those supplemental benefits to increases in the consumer price index.

Be it enacted by the Legislature of West Virginia:

That article twenty-two, chapter eight of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section twenty-six-a, to read as follows:

ARTICLE 22. RETIREMENT BENEFITS GENERALLY; POLICEMEN'S PENSION AND RELIEF FUND; FIREMEN'S PENSION AND RELIEF FUND; PENSION PLANS FOR EMPLOYEES OF WATERWORKS SYSTEM, SEWERAGE SYSTEM OR COMBINED WATERWORKS AND SEWERAGE SYSTEM.

§8-22-26a. Supplemental pension benefits entitlement; benefit payable; application of section; construction.

1 (a) Commencing with the fiscal year beginning on the

2 first day of July, one thousand nine hundred eighty-
3 seven, any member receiving benefits and any surviving
4 spouse of a member receiving benefits under the
5 provisions of this article, is entitled to receive a
6 supplemental pension benefit if the member or the
7 surviving spouse meets the entitlement of subsection (b)
8 of this section.

9 (b) Entitlement to supplemental benefits under this
10 section is established if any member or surviving spouse
11 receives less than six hundred dollars per month in
12 pension benefits under this article during the fiscal year
13 ending on the thirtieth day of June, one thousand nine
14 hundred eighty-seven, less than seven hundred dollars
15 per month in pension benefits under this article during
16 the fiscal year ending on the thirtieth day of June, one
17 thousand nine hundred eighty-eight, less than eight
18 hundred dollars per month in pension benefits under
19 this article during the fiscal year ending on the thirtieth
20 day of June, one thousand nine hundred eighty-nine, less
21 than nine hundred dollars per month in pension benefits
22 under this article during the fiscal year ending on the
23 thirtieth day of June, one thousand nine hundred ninety,
24 less than one thousand dollars per month in pension
25 benefits under this article during the fiscal year ending
26 on the thirtieth day of June, one thousand nine hundred
27 ninety-one; entitlement means that the member or
28 surviving spouse shall receive the minimum pension
29 benefit defined in subsection (c) of this section.

30 (c) The member or surviving spouse entitled by
31 subsection (b) of this section shall receive as a supple-
32 mental pension benefit an amount based on a percentage
33 increase equal to any increase in the consumer price
34 index as calculated by the United States Department of
35 Labor, Bureau of Statistics, for the preceding year. The
36 supplemental pension benefit payable under the provi-
37 sions of this section shall be paid in equal monthly
38 installments and the amount of the benefit so paid shall
39 be considered in determining such member's or spouse's
40 eligibility for the supplemental pension benefit for any
41 subsequent fiscal year.

42 (d) This section applies only through the fiscal year

43 ending on the thirtieth day of June, one thousand nine
44 hundred ninety-two, and must be reviewed and reen-
45 acted prior to that date.

46 (e) This section shall be construed liberally to effec-
47 tuate the purpose of establishing minimum pension
48 benefits under this article for members and surviving
49 spouses.

Handwritten signatures and initials, including "J. ..."

Enr. Com. Sub. for. H. B. 2167] 4

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Bruce O. Whitten
Chairman Senate Committee

Lyle Sittler
Chairman House Committee

Originating in the House.

Takes effect July 1, 1987.

Todd C. Heils
Clerk of the Senate

Donald L. Kopp
Clerk of the House of Delegates

Dan Toussaint
President of the Senate

John C. Chab
Speaker of the House of Delegates

The within *Approved* this the *2nd*
April day of _____, 1987.

Arch A. Shaver, Jr.
Governor

PRESENTED TO THE
GOVERNOR
Date 3/27/87
Time 2:16 p.m.