

Iowa Department of Public Safety

Peace Officers' Retirement, Accident and Disability System

Member Handbook

Revised July 2020



Board of Trustees

97A.5(1) The Board of Trustees is created by Section 97A.5(1) and is constituted as follows: The Commissioner of Public Safety, who is chairperson of the board, the Treasurer of State, an actively engaged member of the System selected by secret ballot by the active members of the System for a term of two years, a retired member of the system selected by secret ballot by the retired members of the system for a term of two years and a civilian appointed by the Governor for a term of two years. Current members are:

- Commissioner Stephan K. Bayens
- Treasurer Michael L. Fitzgerald
- Trooper Robert Conrad, Active Member
- Michael Metzger, Retired Member
- Mark Oiler, Civilian

Membership

97A.3 Peace Officers in the Divisions of the Iowa State Patrol, Criminal Investigation, Narcotics Enforcement, Capitol Police and the State Fire Marshal are members of the System except as provided in Section 97A.3, Code of Iowa. Members of the System cease to be a member of the System when in any period of five (5) consecutive years, the member is absent from service for more than four (4) years, or should a member become a beneficiary, or die.

A member who retires on a service retirement and is subsequently re-employed in a position that would normally be covered by the System will not become a member of the System and the State will not make contributions to the System based on the person's compensation from reemployment. Persons so re-employed will continue to receive the service retirement pension allowance, and the allowance will not be recalculated based upon the person's reemployment. Persons so re-employed are also exempt from Chapter 97B (IPERS).

Contributions

Effective with the pay period including July 1, 2019 contributions to the fund will be made as follows:

Employee contribution 11.40% of earnable compensation.

Employer contribution 37.00% of earnable compensation.

Contributions are withheld from a member's earnable compensation automatically through the payroll system each pay period.

Employer contribution rates of the System are subject to change pursuant to Section 97A.8(1)(b). Effective July 1, 2017, the employer rates are to be the lesser of 37% or the normal contributions rate as determined in the annual actuarial valuation.

In addition to the above stated contribution rates, the state will contribute \$5 million annually until the POR fund attains a funded ratio of assets to liabilities equal to 85%.

Earnable Compensation

97A.1(9)

Contributions are made to the System for bi-weekly wages as provided in the appropriate pay plan, and amounts received for longevity and meals allowance (per diem) if applicable. All other types of remuneration are not considered including, but not limited to, shift differential, clothing and cleaning allowance, overtime compensation or other types of special additional compensation.

Payments made at termination or retirement for accrued vacation or accrued sick leave are not considered earnable compensation for the purposes of the System.

Employer Pick-Up (Pretax)

97A.8(1)(5)(2)

Federal and state law provides for deferring from income tax the amount of **employee** contributions made to a government-sponsored pension plan. This is often referred to as “pretax”. Beginning January 1, 1995, for federal income tax purposes and January 1, 1999, for state income tax purposes, employees’ contributions to POR have been, made on a pretax basis. Employees’ salaries have been **reduced by the same amount** for state and federal income tax reporting. This treatment of employee contributions does not impact the Federal Insurance Contributions Act (FICA) contributions or the POR earnable compensation.

As an example, if your contribution to POR for a calendar year is \$2,800, the reportable income taxed for both state and federal purposes is reduced by \$2,800. The state and federal income taxes on this income are deferred until you either withdraw your contributions upon termination, or as you draw your pension from the System.

Service Credit

Service for less than six (6) months of a year is not creditable as service. Service of six (6) months or more a year is equivalent to one (1) year of service.

Portability

Commencing July 1, 1996, a vested member of the Statewide Fire and Police Protection System (411), or POR who terminates employment covered by one retirement system and, within sixty (60) days, commences employment covered by the other retirement system may elect to transfer the average accrued benefit earned from the former system to the current system. The member must file an application with the new system for

transfer of the average accrued benefit within one year of the commencement of employment with the new system.

97A.17 Upon receipt of an application for transfer of the average accrued benefit, the new system shall calculate the average accrued benefit and the former system shall transfer to the new system assets in an amount equal to the average accrued benefit. Once the transfer of the average accrued benefit is completed, the member's service under the former system shall be treated as membership service under the current system for purposes of Chapter 97A and Chapter 411.

Vesting

97A.15g Vesting is the right to benefits from the System for members who terminate employment, other than by death or disability, before they are eligible for retirement. In order to be a vested member of the System members must have completed four (4) full years of POR covered employment prior to submitting a resignation. Vested members who terminate employment may elect to: (a) withdraw contributions to the System with interest, (b) rollover all or a portion of certain refunds to a qualified retirement plan, or (c) allow contributions to remain in the System.

97A.16
97A.6b

Benefits

Eligibility

97A.6(1a)

To receive pension benefits, POR members must submit written application to the Board of Trustees. The application must state the date of the proposed retirement which cannot be less than thirty (30), nor more than ninety (90) days after the application date. The member must be fifty-five (55) with twenty-two (22) years of creditable service to receive full pension benefits. However, a member may retire at age fifty (50) and receive a reduced pension benefit allowance pursuant to 97A.6(2A).

Terminated Vested

97A.6(1b)

Any vested member in service who has been a member for four (4) full years and whose employment is terminated prior to retirement, other than by death or disability, will upon attaining age fifty-five (55) receive a service allowance of four twenty-seconds (4/22) of the retirement allowance the member would have received at retirement had the member not been terminated. An additional one twenty-second (1/22) of such retirement allowance will be granted for each additional year of creditable service not exceeding twenty-two (22) years of service. The retirement allowance amount will be calculated using the average final compensation at the time of termination.

97A.6(2d)

For a member who terminates service, other than by death or disability and who does not withdraw the member's contributions, upon the member's retirement there shall be added two and three-fourths (2 3/4) percent of the member's average final compensation for each year of service exceeding twenty-two (22) years. This incremental percentage applies to no more than ten (10) additional years of service.

**Allowance on
Service Retirement**

97A.6(2d) A member who terminates service, other than by death or disability, and has attained the age of fifty-five (55) with twenty-two (22) years of service, and does not withdraw the members contribution pursuant to Section 97A.16, will upon the member's retirement, receive a retirement allowance which will consist of a pension which equals sixty and one half (60.5) percent of the member's final average compensation. Additionally, pursuant to 97A.6(2e), for each year of creditable service exceeding twenty-two (22) years, the member will receive an additional two and three-fourths (2 3/4) percent of the member's final average compensation. However, this supplement does not apply to more than ten (10) additional years of creditable service. The maximum service retirement allowance can be no greater than eighty-eight (88) percent of the member's average final compensation.

**Early
Retirement
Benefits**

97A.6(2A) A member who has completed twenty-two (22) years or more of creditable service and is at least fifty (50) years of age, but less than fifty-five (55) years of age, who has otherwise completed the requirements for retirement, may retire and receive a reduced service retirement allowance. The service retirement allowance for a member less than fifty-five (55) years of age will be calculated in the manner prescribed under the Service Retirement Benefit, except that the percentage multiplier of the member's average final compensation will be reduced by the Board of Trustees pursuant to the following:

On each July 1, the Board of Trustees will determine for the respective fiscal year the percent by which the benefit will be reduced for each month that a member's retirement date precedes the member's fifty-fifth (55) birthday. The Board of Trustees will make this determination based upon the most recent actuarial valuation of the System, the calculation of the actuarial cost for each month of retirement of a member prior to age fifty-five (55), and the premise that the provision of a service retirement allowance to a member who is less than fifty-five (55) years of age will not result in any increase in cost to the System.

**Optional
Retirement
Benefits**

97A.6A In lieu of the retirement benefits otherwise provided upon service retirement for members of the System and the members' beneficiaries, members may elect to receive an optional retirement benefit during the member's lifetime and have the optional retirement benefit, or a designated fraction of the optional retirement benefit, continued and paid to the member's beneficiary after the member's death and during the lifetime of the beneficiary.

The member must make the election request in writing to the Board of Trustees at the time of the member's service retirement. The election is subject to the approval of the Board of Trustees. *If the member is married, the election requires the written*

acknowledgment of the member's spouse. All beneficiary and benefit options are considered final once the first benefit payment has been cashed. No changes can occur after that time.

"**Beneficiary**" means a spouse, child, or a dependent parent.

Option 1 – Straight Life Annuity:

An actuarially adjusted benefit is payable to the member for their lifetime. Under this option, no further benefits are payable upon the member's death.

Option 2 - Single Life Annuity with 5 Years Certain:

The member receives an actuarially adjusted benefit for their lifetime. In the event of the member's death within the first five years of retirement, the named beneficiary receives the remainder of the payments until the completion of the five years or the death of the beneficiary. If the member survives five years, no further payments are due upon the member's death. If the member and the beneficiary die before five years of payments are made, the remainder of the payments are made to the member's estate.

Option 3 - Single Life Annuity with 10 Years Certain:

The member receives an actuarially adjusted benefit for their lifetime. In the event of the member's death within the first ten years of retirement, the named beneficiary receives the remainder of the payments until the completion of the ten years or the death of the beneficiary. If the member survives ten years, no further payments are due upon the member's death. If the member and the beneficiary die before ten years of payments are made, the remainder of the payments are made to the member's estate.

Option 4 - Joint & 50% Survivor Annuity:

The member receives an actuarially adjusted benefit for their lifetime. Upon the member's death, the named beneficiary receives fifty (50) percent of the gross amount of the member's payment at the time of the member's death. The beneficiary receives this amount for their lifetime. Upon the death of the beneficiary, the benefit ends. If the beneficiary predeceases the member, the benefit ends with the death of the member.

Option 5 – Joint & 75% Survivor Annuity

The member receives an actuarially adjusted benefit for their lifetime and upon the member's death, the named beneficiary receives seventy-five (75) percent of the member's benefit for their lifetime. Upon the death of the beneficiary, the benefit ends. If the beneficiary predeceases the member, the benefit ends with the death of the member.

Option 6 - Joint & 100% Survivor Annuity:

The member receives an actuarially adjusted benefit for their lifetime and upon the member's death, the named beneficiary receives the same benefit for their lifetime. Upon the death of the beneficiary, the benefit ends. If the beneficiary predeceases the member, the benefit ends with the death of the member.

Option 7 - Single Life Annuity with a Designated Lump Sum:

The member receives an actuarially adjusted benefit for their lifetime. Upon the death of the member, a pre-designated lump sum is payable to the named beneficiary, and the benefit ends. If the beneficiary predeceases the member, the lump sum is paid to the member's estate.

**Adjustment
Of
Benefits**

97A.6(14)
and
IAC 661-402.212
(97A)

All benefits, except vested benefits (with less than 22 years of service), are adjusted on July 1 and January 1 (if applicable) for changes in the pay scales. An amount equal to the following percentages of the difference between the monthly earnable compensation payable to an active member of the Department, of the same rank and position on the salary scale as was held by the retired or deceased member at the time of the member's retirement or death, for the month of the preceding adjustment and the monthly earnable compensation payable to an active member of the Department, of the same rank and position on the salary scale for the month for which the adjustment is made will be added to the monthly pension of each retired member and each beneficiary as follows:

1. The following applicable increase determined by type of retirement:
 - (a) Forty (40) percent for members receiving a service retirement allowance and for beneficiaries receiving a pension under accidental death.
 - (b) Forty (40) percent for members with five or more years of membership service who are receiving an ordinary disability retirement allowance.
 - (c) Twenty-four (24) percent for members with less than five years of membership service who are receiving an ordinary disability retirement allowance, and for beneficiaries receiving a pension under ordinary death.
 - (d) Forty (40) percent for members receiving an accidental disability allowance.

The amount added to the monthly pension of a surviving spouse of a retired member is equal to one-half the amount that would have been added to the monthly pension of the retired member under paragraph number 1 above.

2. Members retiring on or after July 1, 2010, are eligible for an adjustment on July 1 of specific years, amount determined as follows (adjustments do not occur each year):
 - a. On the first July 1 following a member's retirement, an increase of \$15.
 - b. An additional \$5 will be added on the July 1 that falls at least five years after the member's retirement date. This results in a total cumulative increase of \$20 to the member's benefit.
 - c. An additional \$5 will be added on the July 1 that falls at least ten years after the member's retirement date. This results in a total cumulative increase of \$25 to the member's benefit.
 - d. An additional \$5 will be added on the July 1 that falls at least fifteen years after the member's retirement date. This results in a total cumulative increase of \$30 to the member's benefit.
 - e. An additional \$5 will be added on the July 1 that falls at least twenty years after the member's retirement date. This results in a total cumulative increase of \$35 to the member's benefit.

A child's benefit is adjusted to be equal to six (6) percent of the monthly salary payable to a Senior Trooper on the date of the adjustment.

**Ordinary
Disability
Benefits**

- 97A.6(3) Upon the application of a member in service, or of the Commissioner of Public Safety, any member will be retired by the Board of Trustees, on an ordinary disability retirement allowance, provided that the medical board after a medical examination of such member will certify that said member is mentally or physically incapacitated for further performance of duty, that such incapacity is likely to be permanent, and that such member should be retired. A member who is denied a benefit under this subsection, by reason of a finding by the medical board that the member is not mentally or physically incapacitated for the further performance of duty, will be entitled to be restored to active service in the same position held immediately prior to the application for disability benefits.
- 97A.6(4a)(1) If the member has less than five (5) years of membership service, the member will receive a disability pension equal to twenty-five (25) percent of the member's average final compensation.
- 97A.6(4a)(2) If the member has had twenty-two (22) or more years of membership service, the member will receive a disability retirement allowance that is equal to the greater of the benefit that the member would receive under the Service Retirement Benefit if the member were fifty-five (55) years of age, or the ordinary disability pension.
- 97A.6(4a)(2b) Upon retirement for ordinary disability a member with five (5) to twenty-two (22) years of service will receive an ordinary disability retirement allowance which will consist of a pension equal to fifty (50) percent of the member's average final compensation or sixty (60.0) percent times the number of years of service divided by twenty-two (22), whichever is greater.
- 97A.6(7) The System may, annually for the first five (5) years, and every third (3rd) year thereafter, review the medical records of all members who are under the age of fifty (55) and who retired on account of disability. The purpose of this review is to determine which members should be medically re-examined by the medical board with the possibility of return to employment. The costs of such re-examinations will be paid by the System.
- 97A.6(7a) Should any beneficiary for either ordinary or accidental disability, except a beneficiary who is fifty-five (55) years of age or over and would have completed twenty-two (22) years of service if the beneficiary had remained in active service, be engaged in a gainful occupation paying more than the difference between the member's retirement allowance and one and one-half (1 ½) times the current earnable compensation of an active member at the same position on the salary scale within the member's rank as the member held at retirement, then the amount of the retirement allowance shall be reduced to an amount which together with the amount earned by the member shall equal one and one-half (1½) the amount of the earnable compensation of an active member at the same position on the salary scale within the member's rank as the member held at retirement.

**Accidental
Disability
Benefit.**

97A.6(5b) Should a member in service become incapacitated for duty as a natural and proximate result of an injury, disease, or exposure incurred or aggravated while in the actual performance of duty at some definite time or place, the member will, upon being found to be temporarily incapacitated, following an examination by the Board of Trustees, be entitled to receive the member's fixed pay and allowances until re-examined by the Board and found to be fully recovered or permanently disabled.

Upon retirement for accidental disability, a member will receive an accidental disability retirement allowance which will consist of a pension equal to sixty (60.0) percent of the member's average final compensation.

If the member has had twenty-two (22) or more years of membership service, the member will receive a disability retirement allowance that is equal to the greater of the benefit that the member would receive under the Service Retirement Benefit if the member were fifty-five (55) years of age, or the accidental disability pension.

97A.6(7) The System may, annually for the first five (5) years, and every third (3rd) year thereafter, review the medical records of all members who are under the age of 55 and who retired an account of disability. The purpose of this review is to determine which members should be medically re-examined by the medical board with the possibility of return to employment. The costs of such re-examinations will be paid by the System.

97A.6(7a) Should any beneficiary for either ordinary or accidental disability, except a beneficiary who is fifty-five (55) years of age or over and would have completed twenty-two (22) years of service if the beneficiary had remained in active service, be engaged in a gainful occupation paying more than the difference between the member's retirement allowance and one and one-half (1 ½) times the current earnable compensation of an active member at the same position on the salary scale within the member's rank as the member held at retirement, then the amount of the retirement allowance shall be reduced to an amount which together with the amount earned by the member shall equal one and one-half (1 ½) times the amount of the earnable compensation of an active member at the same position on the salary scale within the member's rank as the member held at retirement. However, a member's retirement allowance payable in a calendar year shall not be reduced due to reemployment to an amount that is less than half of the member's ordinary disability or accidental disability retirement benefit allowance.

**Ordinary
Death
Benefit**

97A.6(8a) To the designated beneficiary, after one or more years of service, a lump sum equal to fifty (50) percent of the compensation earned by the member during the year preceding the death if the member is in service at the time of death. The same benefit is provided for the beneficiary of a member no longer in service if the member completed four (4) or

more full years of service.

97A.6(8b) In lieu of the lump sum benefit described above, the designated beneficiary may elect to receive a pension equal to one-twelfth (1/12) of forty (40) percent of the average final compensation, but not less than twenty-five (25) percent of the earnable compensation of an active member holding the highest grade in the rank of Senior Patrol Officer if the member was in service at the time of death. For a member not in service the pension will be reduced as provided under the Terminated Vested provisions.

For a member not in service at the time of death, the pension will be paid commencing when the member would have attained the age of fifty-five (55) except that if there is a child of the member, the pension will be paid commencing with the member's death until the children reach the age of eighteen (18) or twenty-two (22) if the child is a full-time student. The pension will resume when the member would have attained the age of fifty-five (55).

For a member in service at the time of death, the pension will be paid commencing with the member's death. In addition to the pension, there will also be paid for each child of a member, a monthly pension equal to six (6) percent of the monthly earnable compensation payable to an active member holding the highest grade in the rank of Senior Patrol Officer.

97A.6(8c) For the purposes of this benefit "beneficiary" means the member's spouse, the guardian of a child, or the member's dependent parents.

**Accidental
Death
Benefit**

97A.6(9) If, upon the receipt of evidence and proof that the death of a member in service was the natural and proximate result of an accident, disease, or exposure occurring or aggravated at some definite time and place while the member was in the actual performance of duty, and the Board of Trustees decides that death was caused in the performance of duty there will be paid, in lieu of the ordinary death benefit, to the member's estate or to the designated beneficiary:

97A.6(9a) A pension equal to one-half (1/2) of the average final compensation of such member will be paid to the surviving spouse, children or dependent parents.

97A.6(9b) If there is no surviving spouse, child, or dependent parent surviving a deceased member, the death will be treated as an ordinary death case and the benefit as such, in lieu of the pension provided above, will be paid to the member's estate.

97A.6(9c) In addition to the benefits for the surviving spouse, there will also be paid for each child of a member a monthly pension equal to six (6) percent of the monthly earnable compensation payable to an active member holding the highest grade in the rank of Senior Patrol Officer.

97A.6(16a)

If, upon the receipt of evidence and proof that the death of a member in service was the direct and proximate result of a traumatic personal injury incurred in the line of duty, the board of trustees decides that death was so caused, there shall be paid to a person authorized to receive an accidental death benefit as provided in subsection 9, the amount of one hundred thousand (\$100,000) dollars, which shall be payable in a lump sum.

**Social
Security
Contributions**

Members of the System do not contribute to Federal Insurance Contribution Act (FICA) except that in accordance with Public Law 99272, all peace officers hired after March 31, 1986 who are not covered under Social Security **MUST** contribute 1.45% of gross salary into the Medicare Part A portion of Social Security.

**Questions
And
Answers**

General

Whom should I contact with questions about my benefits?

Contact:

Peace Officers' Retirement, Accident and Disability System
Department of Public Safety
215 E. 7th Street – 4th Floor
Des Moines, IA 50319

Telephone: (515) 725-6252 or (515)725-6248

How do I become a member?

You are automatically a member of POR if you are a peace officer with the Department of Public Safety.

How is membership terminated?

If absent from service for four years out of five (5) consecutive years, or should a member become a beneficiary, or die, the person ceases to be a member of the System.

Contributions

How much do I contribute?

Each member contributes a percentage of their earnable compensation (bi-weekly pay, longevity pay and per diem pay). The percentage will be 11.4% of earnable compensation effective July 1, 2019 and is subject to adjustment annually based on the rates specified in the benefits section of this handbook.

How do I make my contribution?

Your contribution is automatically withheld for your pay check each pay period.

Do I contribute to Social Security?

No, but according to Public Law 99272 all peace officers hired after March 31, 1986, who are not covered under social security, MUST contribute 1.45% of gross salary into the Medicare Part A portion of social security.

If I resign, am I eligible to receive a refund?

Yes. If an active member terminates services, other than by death, or disability, the member may elect to withdraw the member's contribution plus interest.

Benefit Provisions

When are benefits payable?

Benefits are paid upon retirement for service and disability retirements and upon death while in service, or at age fifty-five (55) if the member leaves the department prior to death or retirement.

How many months are considered to be a year of POR service?

Six (6) months of service, or more, are credited as one (1) year of service. Service is not creditable in less than full year increments. For vesting purposes, a member must be employed for four (4) FULL years of POR service.

<p>What is meant by “average final compensation?”</p>	<p>Your average final compensation is the average of your regular compensation, including longevity and per diem, during your high three (3) years of service, or if the member has less than three (3) years of service, the average of the member’s compensation over the member’s entire period of service.</p>
<p>Who can receive a surviving spouse benefit?</p>	<p>The term surviving spouse as used in the Code and in the booklet means the member’s spouse at the time of retirement or death before retirement. Surviving spouse includes the former spouse only if the division of assets in the dissolution of marriage decree grants the former spouse rights of a spouse under Chapter 97A. If there is no surviving spouse of a marriage solemnized prior to retirement of a deceased member, surviving spouse includes a surviving spouse of a marriage of two years or more duration solemnized subsequent to the retirement of the member.</p>
<p>Does a surviving spouse receive their pension if they remarry?</p>	<p>Remarriage does not make the spouse ineligible for a monthly pension.</p>
<p>Who can receive a child’s benefit?</p>	<p>The term child as used in this booklet, means the natural child of a deceased, active or retired member, or a child legally adopted by a deceased member, prior to the member’s retirement who is under the age of eighteen (18), or under the age of twenty-two (22) and is a full-time student, or who is disabled. Students will be required to provide sufficient documentation indicating they are a full-time student. (A full-time student is defined by the institution attended.)</p>
<p>Are benefits affected by Worker’s Compensation?</p>	<p>Yes. Benefits payable by the retirement system are reduced by the amount of benefits received from Worker’s Compensation because of disability or death.</p>
<p>Service Retirement Benefit</p>	
<p>When do I become eligible for a service retirement benefit?</p>	<p>When you have reached age fifty-five (55) and have completed at least twenty-two (22) years of creditable service.</p>
<p>May I retire earlier than age 55?</p>	<p>Yes. You must have reached the age of fifty (50) and completed at least twenty-two (22) years of creditable service. The percentage multiplier will be reduced by the Board of Trustees for each month that your retirement date precedes your attaining the age of fifty-five (55).</p>
<p>When do I submit my application for service retirement?</p>	<p>Not more than ninety (90), nor less than thirty (30) days before your retirement date.</p>
<p>What benefit do I receive when I retire?</p>	<p>The standard benefit is sixty and one-half (60 1/2) percent of your final average compensation. Additionally, for each year of creditable service exceeding twenty-two (22) years, you may receive an additional two and three-fourths (2 3/4) percent of your</p>

final average compensation. The maximum benefit can be no greater than eighty-eight (88) percent of your final average compensation. However, under the optional retirement benefits provisions of Chapter 97A you may select an alternate benefit which is the actuarial equivalent of the standard benefit.

Definitions

The following words and phrases are found in the governing statute and for the purposes of this handbook shall have the meanings described below:

“Statute” means Chapter 97A of the Code of Iowa unless otherwise specified by reference.

"Average final compensation" shall mean the average earnable compensation of the member during the member's highest three years of service as a member of the state Department of Public Safety, or if the member has had less than three years of service, then the average earnable compensation of the member's entire period of service.

"Beneficiary" shall mean any person receiving a retirement allowance or other benefit provided by the Iowa Department of Public Safety Peace Officers’ Retirement, Accident, and Disability System.

"Board of Trustees" means the Board created in Section 97A.5 to direct the administration of the Iowa Department of Public Safety Peace Officers’ Retirement, Accident, and Disability System.

"Child" means only the surviving issue of a deceased active or retired member, or a child legally adopted by a deceased member prior to the member's retirement. "Child" includes only an individual who is under the age of eighteen years, an individual who is under the age of twenty-two and is a full-time student, or an individual who is disabled under the definitions used in Section 402 of the Social Security Act as amended if the disability occurred to the individual during the time the individual was under the age of eighteen years and the parent of the individual was an active member of the System.

"Commissioner" means the Commissioner of Public Safety of this state.

"Department" means the Department of Public Safety of this state.

"Earnable compensation" or **"compensation earnable"** shall mean the regular compensation which a member would earn during one year on the basis of the stated compensation for the member's rank or position including compensation for longevity and the daily amount received for meals under Section 80.8 and excluding any amount received for overtime compensation or other special additional compensation, other payments for meal expenses, uniform cleaning allowances, travel expenses, and uniform allowances and excluding any amount received upon termination or retirement in payment for accumulated sick leave or vacation.

"Medical Board" shall mean the board of physicians provided for in Section 97A.5.

"Member" or **"member of System"** shall mean a member of the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System as defined by Section 97A.3.

"Peace officer" or **"peace officers"** shall mean all sworn members of the Divisions of the Iowa State Patrol, Criminal Investigation, Narcotics Enforcement, State Fire Marshal and Capitol Police of the Department of Public Safety, except clerical workers, including but not limited to Gaming Enforcement Officers employed by the Division of Criminal Investigation for excursion boat gambling enforcement activities, who have passed a satisfactory physical and mental examination and have been duly appointed as members of the state Department of Public Safety in accordance with Section 80.15.

"Pensions" shall mean annual payments for life derived from the appropriations provided by the state of Iowa and from contributions of the members which are deposited in the pension accumulation fund. All pensions shall be paid in equal monthly installments.

"Retirement allowance" shall mean the pension, or any benefits in lieu thereof, granted to a member upon retirement.

"Senior Patrol Officer" shall mean a Trooper in service for ten (10) years or more.

"Surviving spouse" shall mean the surviving spouse or former spouse of a marriage solemnized prior to retirement of a deceased member from active service. Surviving spouse shall include a former spouse only if the division of assets in the dissolution of marriage decree pursuant to Section 598.17 grants the former spouse rights of a spouse under this chapter. If there is no surviving spouse of a marriage solemnized prior to retirement of a deceased member, surviving spouse includes a surviving spouse of a marriage of two years or more duration solemnized subsequent to retirement of the member.

"System" shall mean the Iowa Department of Public Safety Peace Officers' Retirement, Accident, and Disability System as defined in Section 97A.2.