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ENGROSSED HOUSE BILL 2260

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State of Washington

52nd Legislature

1992 Regular Session

By Representatives Spanel, McLean, Hine, Wineberry, D. Sommers and Wynne; by request of Joint Committee on Pension Policy

Prefiled 12/30/91. Read first time 01/13/92. Referred to Committee on Appropriations.

1 AN ACT Relating to making technical corrections to chapter 35, Laws  
2 of 1991; amending RCW 41.26.005, 41.26.075, 41.32.005, 41.32.215,  
3 41.32.755, 41.40.005, 41.40.145, and 41.50.210; reenacting RCW  
4 41.32.310; adding a new section to chapter 41.26 RCW; creating a new  
5 section; recodifying RCW 41.26.058, 41.26.052, and 41.26.054; and  
6 repealing RCW 41.26.405, 41.32.610, 41.32.620, 41.32.630, 41.32.700,  
7 and 41.40.605.

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

9 NEW SECTION. **Sec. 1.** (1) The recodification of retirement  
10 provisions adopted by the code reviser pursuant to the directives of  
11 chapter 35, Laws of 1991, is hereby ratified.

12 (2) The code reviser shall correct all statutory references to  
13 sections recodified pursuant to chapter 35, Laws of 1991.

1       **Sec. 2.** RCW 41.26.005 and 1991 c 35 s 12 are each amended to read  
2 as follows:

3       (~~The provisions of the following sections of this chapter~~) RCW  
4 41.26.010 through 41.26.062 shall apply to members of plan I and plan  
5 II(~~(: RCW 41.26.010; 41.26.020; 41.26.030; 41.26.035; 41.26.040;~~  
6 ~~41.26.043; 41.26.045; 41.26.046; 41.26.047; 41.26.210; 41.26.220;~~  
7 ~~41.26.230; 41.26.280; and 41.26.300)~~).

8       **Sec. 3.** RCW 41.26.075 and 1991 c 35 s 101 are each amended to read  
9 as follows:

10       (~~The provisions of the following sections of this subchapter~~) RCW  
11 41.26.080 through 41.26.3903 shall apply only to members of plan I(~~(:~~  
12 ~~RCW 41.26.080; 41.26.090; 41.26.100; 41.26.110; 41.26.115; 41.26.120;~~  
13 ~~41.26.125; 41.26.130; 41.26.135; 41.26.140; 41.26.150; 41.26.160;~~  
14 ~~41.26.170; 41.26.180; 41.26.190; 41.26.200; 41.26.240; 41.26.250;~~  
15 ~~41.26.260; 41.26.270; 41.26.900; 41.26.910; and 41.26.920)~~).

16       **Sec. 4.** RCW 41.32.005 and 1991 c 35 s 30 are each amended to read  
17 as follows:

18       (~~(1) The provisions of the following sections of this chapter~~)  
19 RCW 41.32.010 through 41.32.067 shall apply to members of plan I and  
20 plan II(~~(: RCW 41.32.010; 41.32.011; 41.32.020; 41.32.160; 41.32.242;~~  
21 ~~41.32.460; 41.32.580; 41.32.670; 41.32.850; and 41.32.013)~~).

22       **Sec. 5.** RCW 41.32.215 and 1991 c 35 s 103 are each amended to read  
23 as follows:

24       (~~The provisions of the following sections of this subchapter~~) RCW  
25 41.32.240 through 41.32.575 shall apply only to members of plan I(~~(:~~  
26 ~~RCW 41.32.240; 41.32.260; 41.32.270; 41.32.300; 41.32.330; 41.32.340;~~  
27 ~~41.32.350; 41.32.360; 41.32.366; 41.32.380; 41.32.390; 41.32.470;~~

1 ~~41.32.480; 41.32.485; 41.32.487; 41.32.488; 41.32.4931; 41.32.4945;~~  
2 ~~41.32.497; 41.32.498; 41.32.499; 41.32.500; 41.32.510; 41.32.520;~~  
3 ~~41.32.522; 41.32.523; 41.32.530; 41.32.540; 41.32.550; 41.32.570; and~~  
4 ~~41.32.575))~~.

5       **Sec. 6.** RCW 41.32.310 and 1991 c 35 s 43 are each reenacted to  
6 read as follows:

7       (1) Any member desiring to establish credit for services previously  
8 rendered, must present proof and make the necessary payments on or  
9 before June 30 of the fifth school year of membership. Payments  
10 covering all types of membership service credit must be made in a lump  
11 sum when due, or in annual installments. The first annual installment  
12 of at least twenty percent of the amount due must be paid before the  
13 above deadline date, and the final payment must be made by June 30th of  
14 the fourth school year following that in which the first installment  
15 was made. The amount of payment and the interest thereon, whether lump  
16 sum or installments, shall be made by a method and in an amount  
17 established by the department.

18       (2) A member who had the opportunity under chapter 41.32 RCW prior  
19 to July 1, 1969, to establish credit for active United States military  
20 service or credit for professional preparation and failed to do so  
21 shall be permitted to establish additional credit within the provisions  
22 of RCW 41.32.260 and 41.32.330. A member who was not permitted to  
23 establish credit pursuant to section 2, chapter 32, Laws of 1973 2nd  
24 ex. sess., for Washington teaching service previously rendered, must  
25 present proof and make the necessary payment to establish such credit  
26 as membership service credit. Payment for such credit must be made in  
27 a lump sum on or before June 30, 1974. Any member desiring to  
28 establish credit under the provisions of this 1969 amendment must  
29 present proof and make the necessary payment before June 30, 1974; or,

1 if not employed on the effective date of this amendment, before June  
2 30th of the fifth school year upon returning to public school  
3 employment in this state.

4 **Sec. 7.** RCW 41.32.755 and 1977 ex.s. c 293 s 2 are each amended to  
5 read as follows:

6 RCW 41.32.760 through 41.32.825 shall apply only to (~~those persons~~  
7 ~~who are initially employed by an employer on or after October 1, 1977~~)  
8 plan II members.

9 **Sec. 8.** RCW 41.40.005 and 1991 c 35 s 69 are each amended to read  
10 as follows:

11 (~~The provisions of the following sections of this chapter~~) RCW  
12 41.40.010 through 41.40.112 shall apply to members of plan I and plan  
13 II(~~(: RCW 41.40.010; 41.40.020; 41.40.123; 41.40.130; 41.40.165;~~  
14 ~~41.40.223; 41.40.340; 41.40.361; 41.40.370; 41.40.380; 41.40.400;~~  
15 ~~41.40.403; 41.40.410; 41.40.412; 41.40.414; 41.40.420; 41.40.440;~~  
16 ~~41.40.450; 41.40.530; 41.40.540; 41.40.542; 41.40.800; and 41.40.810)~~).

17 **Sec. 9.** RCW 41.40.145 and 1991 c 35 s 105 are each amended to read  
18 as follows:

19 (~~The provisions of the following sections of this subchapter~~) RCW  
20 41.40.150 through 41.40.363 shall apply only to members of plan I(~~(:~~  
21 ~~RCW 41.40.150; 41.40.160; 41.40.170; 41.40.180; 41.40.185; 41.40.188;~~  
22 ~~41.40.190; 41.40.193; 41.40.195; 41.40.198; 41.40.1981; 41.40.200;~~  
23 ~~41.40.210; 41.40.220; 41.40.230; 41.40.235; 41.40.250; 41.40.260;~~  
24 ~~41.40.270; 41.40.280; 41.40.300; 41.40.310; 41.40.320; 41.40.325;~~  
25 ~~41.40.330; and 41.40.363)~~).

1       **Sec. 10.** RCW 41.50.210 and 1991 c 35 s 34 are each amended to read  
2 as follows:

3       The director shall designate a medical director. If required,  
4 other physicians may be employed to report on special cases. The  
5 medical director shall arrange for and pass upon all medical  
6 examinations required under the provisions of (~~this~~) chapter 41.32  
7 RCW, investigate all essential statements and certificates by or on  
8 behalf of a member in connection with an application for a disability  
9 allowance, and report in writing to the board of trustees the  
10 conclusions and recommendations upon all matters under referral.

11       NEW SECTION. **Sec. 11.** The code reviser shall recodify RCW  
12 41.26.058, 41.26.052, and 41.26.054 in chapter 41.26 RCW under the  
13 subchapter heading "Plan I."

14       NEW SECTION. **Sec. 12.** The following acts or parts of acts are  
15 each repealed:

- 16       (1) RCW 41.26.405 and 1991 c 35 s 102;
- 17       (2) RCW 41.32.610 and 1991 c 35 s 64 & 1947 c 80 s 61;
- 18       (3) RCW 41.32.620 and 1991 c 35 s 65 & 1947 c 80 s 62;
- 19       (4) RCW 41.32.630 and 1991 c 35 s 66 & 1947 c 80 s 63;
- 20       (5) RCW 41.32.700 and 1991 c 35 s 104; and
- 21       (6) RCW 41.40.605 and 1991 c 35 s 106.