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SENATE BILL 5485

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State of Washington                      52nd Legislature                      1991 Regular Session

By Senators von Reichbauer, Vognild, Moore and L. Smith.

Read first time February 1, 1991. Referred to Committee on Ways & Means.

1            AN ACT Relating to credit for military service under the teachers'  
2 retirement system; amending RCW 41.32.260; and declaring an emergency.

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

4            **Sec. 1.** RCW 41.32.260 and 1974 ex.s. c 199 s 2 are each amended to  
5 read as follows:

6            (1)(a) Any member whose public school service is interrupted by  
7 active service to ~~((the United States as a member of its military,~~  
8 ~~naval or air service, or to))~~ the state of Washington, as a member of  
9 the legislature, may upon becoming reemployed in the public schools,  
10 receive credit for such service upon presenting satisfactory proof, and  
11 contributing to the annuity fund, either in a lump sum or installments,  
12 such amounts as shall be determined by the ~~((board of trustees:~~  
13 ~~PROVIDED (1), That no such military service credit in excess of five~~  
14 ~~years shall be established or reestablished after July 1, 1961, unless~~

1 ~~the service was actually rendered during time of war: PROVIDED FURTHER~~  
2 ~~(2), That))~~ director.

3 (b) A member of the retirement system who is a member of the state  
4 legislature or a state official eligible for the combined pension and  
5 annuity provided by RCW 41.32.497, or 41.32.498, as now or hereafter  
6 amended shall have deductions taken from his or her salary in the  
7 amount of seven and one-half percent of earnable compensation and that  
8 service credit shall be established with the retirement system while  
9 such deductions are reported to the retirement system, unless he or she  
10 has by reason of his or her employment become a contributing member of  
11 another public retirement system in the state of Washington(~~(:—AND~~  
12 ~~PROVIDED FURTHER (3), That))~~).

13 (c) Such elected official who has retired or otherwise terminated  
14 his or her public school service may then elect to terminate his or her  
15 membership in the retirement system and receive retirement benefits  
16 while continuing to serve as an elected official(~~(:—AND, PROVIDED~~  
17 ~~FURTHER (4), That))~~).

18 (d) A member of the retirement system who had previous service as  
19 an elected or appointed official, for which he or she did not  
20 contribute to the retirement system, may receive credit for such  
21 legislative service unless he or she has received credit for that  
22 service in another state retirement system, upon making contributions  
23 in such amounts as shall be determined by the board of trustees.

24 (2)(a) Any member whose public school service is interrupted by  
25 active service to the United States as a member of its military, naval,  
26 or air service, may upon becoming reemployed in the public schools,  
27 receive credit for such service upon presenting satisfactory proof:  
28 PROVIDED, That no such military service credit in excess of five years  
29 shall be established or reestablished after July 1, 1961, unless the  
30 service was actually rendered during time of war.

1       (b) After completing twenty-five years of creditable service, any  
2 member may have the member's service in the armed forces credited to  
3 the member if the service was prior to membership, but in no instance  
4 shall such military service in excess of five years be credited. This  
5 subsection (2)(b) does not apply to any individual who is not a veteran  
6 within the meaning of RCW 41.04.005. Military service shall not be  
7 credited to any member who is receiving full military retirement  
8 benefits pursuant to Title 10 of the United States Code.

9       NEW SECTION. Sec. 2.       This act is necessary for the immediate  
10 preservation of the public peace, health, or safety, or support of the  
11 state government and its existing public institutions, and shall take  
12 effect immediately.