
HOUSE BILL 2397

State of Washington 55th Legislature 1998 Regular Session

By Representatives Romero, Wolfe and Gardner

Read first time 01/13/98. Referred to Committee on Appropriations.

1 AN ACT Relating to targeting certain positions within designated
2 job titles for early retirement; adding a new section to chapter 41.40
3 RCW (uncodified); adding a new section to chapter 43.01 RCW
4 (uncodified); adding a new section to chapter 39.29 RCW (uncodified);
5 providing expiration dates; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** Subject to this section, in addition to
8 members eligible to retire under RCW 41.40.180, any member of the
9 public employees' retirement system plan I who meets the following
10 criteria may retire after providing written notification to the
11 member's employer and submitting the required application to the
12 director on a form provided by the department:

13 (1) The member is employed by an employer in an eligible position
14 on March 1, 1998. Eligible positions are those positions within job
15 titles designated by the agency director to be permanently abolished,
16 subject to approval by the director of financial management. If the
17 number of applicants serving in a designated job title exceeds the
18 number of targeted eligible positions, inclusion in this early
19 retirement program is based on seniority.

1 (2)(a) A member eligible under subsection (1) of this section must
2 file an application between June 15, 1998, and August 31, 1998, with an
3 effective date of retirement on or before September 30, 1998.

4 (b) In addition to any other years of creditable service, for every
5 five years of actual service the member may be granted credit for one
6 additional year of service. Under no circumstances may more than
7 thirty years of service credit be established.

8 NEW SECTION. **Sec. 2.** Section 1 of this act is added to chapter
9 41.40 RCW, but because of its temporary nature, shall not be codified.

10 NEW SECTION. **Sec. 3.** In order to ensure that the state derives
11 the expected benefits from the early retirement provisions of this act,
12 no state agency may hire persons who retire from service under the
13 provisions of this act as temporary or project employees, as defined by
14 the Washington personnel resources board for employees covered under
15 chapter 41.06 RCW. Exceptions to this section may be granted by
16 written approval from the director of financial management if the
17 director finds that the temporary or project employment of a retiree is
18 necessary to protect the public safety, protect against the loss of
19 federal certification or loss of critical federal funds, or carry out
20 functions so essential to the agency that even temporary suspension or
21 delay of services would have a significant negative impact on the
22 public. At the end of each three-month period in which exceptions are
23 approved, the director shall forward a copy of any approvals, together
24 with justification for the exceptions, to the fiscal committees of the
25 legislature. Each forwarded approval shall include the name of the
26 temporary or project employee, the agency and division or department
27 requesting the employment, duration and cost of the proposed
28 employment, and specific functions and duties to be carried out during
29 the employment. This section expires June 30, 1999.

30 NEW SECTION. **Sec. 4.** Section 3 of this act is added to chapter
31 43.01 RCW, but because of its temporary nature, shall not be codified.

32 NEW SECTION. **Sec. 5.** In order to ensure that the state derives
33 the expected benefits from the early retirement provisions of this act,
34 no state agency may engage through personal service contracts persons
35 who retire from service under the provisions of this act. Exceptions

1 to this section may be granted by written approval from the director of
2 the office of financial management if the director finds that the
3 proposed contract is necessary to protect the public safety, protect
4 against the loss of federal certification or loss of critical federal
5 funds, or carry out functions so essential to the agency that even
6 temporary suspension or delay of services would have a significant
7 negative impact on the public. At the end of each three-month period
8 in which exceptions are approved, the director shall forward a copy of
9 any approvals, together with justification for the exceptions, to the
10 fiscal committees of the legislature. Each forwarded approval shall
11 include the name of the proposed contractor, the agency and division or
12 department requesting the contract, duration and cost of the proposed
13 contract, and specific functions and duties to be carried out under the
14 contract. This section expires June 30, 1999.

15 NEW SECTION. **Sec. 6.** Section 5 of this act is added to chapter
16 39.29 RCW, but because of its temporary nature, shall not be codified.

17 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
18 preservation of the public peace, health, or safety, or support of the
19 state government and its existing public institutions, and takes effect
20 immediately.

--- END ---