

CERTIFICATION OF ENROLLMENT
SUBSTITUTE HOUSE BILL 1024

56th Legislature
1999 Regular Session

Passed by the House April 21, 1999
Yeas 97 Nays 0

Speaker of the House of Representatives

Speaker of the House of Representatives

Passed by the Senate April 6, 1999
Yeas 43 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1024** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1024

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

State of Washington 56th Legislature 1999 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Carlson, H. Sommers, Alexander, D. Sommers, Lambert, Ogden, Conway, Wolfe, Bush, Kastama, G. Chandler, DeBolt, Carrell, Parlette, Talcott, K. Schmidt and Sump; by request of Joint Committee on Pension Policy)

Read first time 02/18/1999.

1 AN ACT Relating to certain retirement system members with more than
2 thirty years of service; adding a new section to chapter 41.32 RCW;
3 adding new sections to chapter 41.40 RCW; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.32 RCW
6 under the subchapter heading "Plan 1" to read as follows:

7 A member may make the irrevocable election under this section no
8 later than six months after attaining thirty years of service. The
9 election shall become effective at the beginning of the calendar month
10 following department receipt of employee notification.

11 (1) The sum of member contributions made for periods of service
12 after the effective date of the election plus seven and one-half
13 percent interest shall be paid to the member at retirement without a
14 reduction in the member's monthly retirement benefit as determined
15 under RCW 41.32.498.

16 (2) Upon retirement, the member's benefit shall be calculated using
17 only the earnable compensation credited prior to the effective date of
18 the member's election. Calculation of the member's average earnable
19 compensation shall include eligible cash outs of annual leave based on

1 the member's salary and leave accumulations at the time of retirement,
2 except that the amount of a member's average earnable compensation
3 cannot be higher than if the member had not taken advantage of the
4 election offered under this section.

5 (3) Members who have already earned thirty years of service credit
6 prior to the effective date of this act may participate in the election
7 by notifying the department in writing of their intention by December
8 31, 1999.

9 The department shall continue to collect employer contributions as
10 required in RCW 41.45.060.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.40 RCW
12 under the subchapter heading "Plan 1" to read as follows:

13 A member may make the irrevocable election under this section no
14 later than six months after attaining thirty years of service. The
15 election shall become effective at the beginning of the calendar month
16 following department receipt of employee notification.

17 (1) The sum of member contributions made for periods of service
18 after the effective date of the election plus seven and one-half
19 percent interest shall be paid to the member at retirement without a
20 reduction in the member's monthly retirement benefit as determined
21 under RCW 41.40.185.

22 (2) Upon retirement, the member's benefit shall be calculated using
23 only the compensation earnable credited prior to the effective date of
24 the member's election. Calculation of the member's average final
25 compensation shall include eligible cash outs of sick and annual leave
26 based on the member's salary and leave accumulations at the time of
27 retirement, except that the amount of a member's average final
28 compensation cannot be higher than if the member had not taken
29 advantage of the election offered under this section.

30 (3) Members who have already earned thirty years of service credit
31 prior to the effective date of this act may participate in the election
32 by notifying the department in writing of their intention by December
33 31, 1999.

34 The department shall continue to collect employer contributions as
35 required in RCW 41.45.060.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.40 RCW
37 under the subchapter heading "Plan 1" to read as follows:

1 (1) A retiree who receives state-funded long-term care services on
2 or after June 1, 1998, is not eligible for the increase provided by
3 section 8, chapter 340, Laws of 1998, if the increase would make the
4 retiree ineligible for state-funded long-term care services. For the
5 purposes of this section "state-funded long-term care services" means
6 a state-funded adult family home, adult residential care, assisted
7 living, enhanced adult residential care, in-home care, or nursing home
8 service, as defined in RCW 74.39A.009, for which the retiree is
9 required to contribute all income other than a specified amount
10 reserved for the retiree's personal maintenance needs. Retirees who
11 are subject to this section shall notify the department in writing.
12 The department has no affirmative duty to identify retirees who are
13 subject to this subsection.

14 (2) This section applies to all payments under section 8, chapter
15 340, Laws of 1998, made on or after the effective date of this act,
16 regardless of the date of retirement.

17 NEW SECTION. **Sec. 4.** Section 3 of this act is necessary for the
18 immediate preservation of the public peace, health, or safety, or
19 support of the state government and its existing public institutions,
20 and takes effect immediately.

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