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HOUSE BILL 1048

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State of Washington

57th Legislature

2001 Regular Session

By Representatives Lambert, Doumit, Cox, Mulliken, H. Sommers, Clements, Talcott, Pearson, Alexander, Conway, Kagi, Ruderman, Hunt, McIntire, Hurst, Haigh, Kenney, Edmonds, Keiser and Simpson; by request of Joint Committee on Pension Policy

Read first time 01/12/2001. Referred to Committee on Appropriations.

1 AN ACT Relating to increasing the number of hours that teachers'  
2 retirement system plan retirees may work in an eligible position to  
3 eight hundred forty without a reduction in their retirement benefits;  
4 and amending RCW 41.32.570.

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

6 **Sec. 1.** RCW 41.32.570 and 1999 c 387 s 1 are each amended to read  
7 as follows:

8 (1)(a) If a retiree enters employment with an employer sooner than  
9 one calendar month after his or her accrual date, the retiree's monthly  
10 retirement allowance will be reduced by five and one-half percent for  
11 every seven hours worked during that month. This reduction will be  
12 applied each month until the retiree remains absent from employment  
13 with an employer for one full calendar month.

14 (b) The benefit reduction provided in (a) of this subsection will  
15 accrue for a maximum of one hundred forty hours per month. Any monthly  
16 benefit reduction over one hundred percent will be applied to the  
17 benefit the retiree is eligible to receive in subsequent months.

18 (2) Any ((~~retired teacher or retired administrator~~)) retiree who  
19 enters service in any public educational institution in Washington

1 state and who has satisfied the break in employment requirement of  
2 subsection (1) of this section shall cease to receive pension payments  
3 while engaged in such service: PROVIDED, That service may be rendered  
4 up to (~~(five hundred twenty-five))~~ eight hundred forty hours per school  
5 year without reduction of pension.

6 (~~((3) In addition to the five hundred twenty five hours of service~~  
7 ~~permitted under subsection (2) of this section, a retired teacher or~~  
8 ~~retired administrator may also serve only as a substitute teacher for~~  
9 ~~up to an additional three hundred fifteen hours per school year without~~  
10 ~~reduction of pension if:~~

11 (a) ~~A school district, which is not a member of a multidistrict~~  
12 ~~substitute cooperative, determines that it has exhausted or can~~  
13 ~~reasonably anticipate that it will exhaust its list of qualified and~~  
14 ~~available substitutes and the school board of the district adopts a~~  
15 ~~resolution to make its substitute teachers who are retired teachers or~~  
16 ~~retired administrators eligible for the extended service once the list~~  
17 ~~of qualified and available substitutes has been exhausted. The~~  
18 ~~resolution by the school district shall state that the services of~~  
19 ~~retired teachers and retired administrators are necessary to address~~  
20 ~~the shortage of qualified and available substitutes. The resolution~~  
21 ~~shall be valid only for the school year in which it is adopted. The~~  
22 ~~district shall forward a copy of the resolution with a list of retired~~  
23 ~~teachers and retired administrators who have been employed as~~  
24 ~~substitute teachers to the department and may notify the retired~~  
25 ~~teachers and retired administrators included on the list of their right~~  
26 ~~to take advantage of the provisions of this subsection; or~~

27 (b) ~~A multidistrict substitute cooperative determines that the~~  
28 ~~school districts have exhausted or can reasonably anticipate that they~~  
29 ~~will exhaust their list of qualified and available substitutes and each~~  
30 ~~of the school boards adopts a resolution to make their substitute~~  
31 ~~teachers who are retired teachers or retired administrators eligible~~  
32 ~~for the extended service once the list of qualified and available~~  
33 ~~substitutes has been exhausted. The resolutions by each of the school~~  
34 ~~districts shall state that the services of retired teachers and retired~~  
35 ~~administrators are necessary to address the shortage of qualified and~~  
36 ~~available substitutes. The resolutions shall be valid only for the~~  
37 ~~school year in which they are adopted. The cooperative shall forward~~  
38 ~~a copy of the resolutions with a list of retired teachers and retired~~  
39 ~~administrators who have been employed as substitute teachers to the~~

1 department and may notify the retired teachers and retired  
2 administrators included on the list of their right to take advantage of  
3 the provisions of this subsection.

4 (4) In addition to the five hundred twenty five hours of service  
5 permitted under subsection (2) of this section, a retired administrator  
6 or retired teacher may also serve as a substitute administrator up to  
7 an additional one hundred five hours per school year without reduction  
8 of pension if a school district board of directors adopts a resolution  
9 declaring that the services of a retired administrator or retired  
10 teacher are necessary because it cannot find a replacement  
11 administrator to fill a vacancy. The resolution shall be valid only  
12 for the school year in which it is adopted. The district shall forward  
13 a copy of the resolution with the name of the retired administrator or  
14 retired teacher who has been employed as a substitute administrator to  
15 the department.

16 (5) In addition to the five hundred twenty five hours of service  
17 permitted under subsection (2) of this section and the one hundred five  
18 hours permitted under subsection (4) of this section, a retired  
19 principal may also serve as a substitute principal up to an additional  
20 two hundred ten hours per school year without a reduction of pension if  
21 a school district board of directors adopts a resolution declaring that  
22 the services of a retired principal are necessary because it cannot  
23 find a replacement principal to fill a vacancy. The resolution shall  
24 be valid only for the school year in which it is adopted. The district  
25 shall forward a copy of the resolution with the name of the retired  
26 principal who has been employed as a substitute principal to the  
27 department.

28 (6) Subsection (2) of this section shall apply to all persons  
29 governed by the provisions of plan 1, regardless of the date of their  
30 retirement, but shall apply only to benefits payable after June 11,  
31 1986.

32 (7) Subsection (3) of this section shall apply to all persons  
33 governed by the provisions of plan 1, regardless of the date of their  
34 retirement, but shall only apply to benefits payable after September 1,  
35 1994.)

36 (3) The department shall collect and provide the state actuary with  
37 information relevant to the use of this section for the joint committee  
38 on pension policy.

1       (4) The legislature reserves the right to amend or repeal this  
2 section in the future and no member or beneficiary has a contractual  
3 right to receive eight hundred forty hours per year of postretirement  
4 employment.

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