
HOUSE BILL 3008

State of Washington

60th Legislature

2008 Regular Session

By Representatives Bailey, Conway, Crouse, Fromhold, McCune, VanDeWege, Hurst, Sullivan, McDonald, Lias, Loomis, Kenney, Alexander, Simpson, Linville, Nelson, Morrell, Kelley, and Green; by request of Select Committee on Pension Policy and LEOFF Plan 2 Retirement Board

Read first time 01/21/08. Referred to Committee on Appropriations.

1 AN ACT Relating to interruptive military service credit within
2 plans 2 and 3 of the public employees' retirement system, plans 2 and
3 3 of the teachers' retirement system, plan 2 of the law enforcement
4 officers' and firefighters' retirement system, plan 2 of the Washington
5 state patrol retirement system, and the public safety employees'
6 retirement system; and amending RCW 41.40.710, 41.40.805, 41.35.470,
7 41.35.650, 41.32.810, 41.32.865, 41.26.520, 43.43.260, and 41.37.260.

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

9 **Sec. 1.** RCW 41.40.710 and 2005 c 64 s 2 are each amended to read
10 as follows:

11 (1) A member who is on a paid leave of absence authorized by a
12 member's employer shall continue to receive service credit as provided
13 for under the provisions of RCW 41.40.610 through 41.40.740.

14 (2) A member who receives compensation from an employer while on an
15 authorized leave of absence to serve as an elected official of a labor
16 organization, and whose employer is reimbursed by the labor
17 organization for the compensation paid to the member during the period
18 of absence, may also be considered to be on a paid leave of absence.
19 This subsection shall only apply if the member's leave of absence is

1 authorized by a collective bargaining agreement that provides that the
2 member retains seniority rights with the employer during the period of
3 leave. The compensation earnable reported for a member who establishes
4 service credit under this subsection may not be greater than the salary
5 paid to the highest paid job class covered by the collective bargaining
6 agreement.

7 (3) Except as specified in subsection (4) of this section, a member
8 shall be eligible to receive a maximum of two years service credit
9 during a member's entire working career for those periods when a member
10 is on an unpaid leave of absence authorized by an employer. Such
11 credit may be obtained only if:

12 (a) The member makes both the plan 2 employer and member
13 contributions plus interest as determined by the department for the
14 period of the authorized leave of absence within five years of
15 resumption of service or prior to retirement whichever comes sooner; or

16 (b) If not within five years of resumption of service but prior to
17 retirement, pay the amount required under RCW 41.50.165(2).

18 The contributions required under (a) of this subsection shall be
19 based on the average of the member's compensation earnable at both the
20 time the authorized leave of absence was granted and the time the
21 member resumed employment.

22 (4) A member who leaves the employ of an employer to enter the
23 uniformed services of the United States shall be entitled to retirement
24 system service credit for up to five years of military service. This
25 subsection shall be administered in a manner consistent with the
26 requirements of the federal uniformed services employment and
27 reemployment rights act.

28 (a) The member qualifies for service credit under this subsection
29 if:

30 (i) Within ninety days of the member's honorable discharge from the
31 uniformed services of the United States, the member applies for
32 reemployment with the employer who employed the member immediately
33 prior to the member entering the uniformed services; and

34 (ii) The member makes the employee contributions required under RCW
35 41.45.061 and 41.45.067 within five years of resumption of service or
36 prior to retirement, whichever comes sooner; or

37 (iii) Prior to retirement and not within ninety days of the

1 member's honorable discharge or five years of resumption of service the
2 member pays the amount required under RCW 41.50.165(2); or

3 (iv) The member provides to the director proof that the member's
4 interruptive military service was during a period of war as defined in
5 RCW 41.04.005 in order to receive up to five years of free service
6 credit. Qualified members with multiple periods of interruptive
7 military service are subject to a combined total limit of five years of
8 free retirement system service credit for interruptive military
9 service.

10 (b) Upon receipt of member contributions under (a)(ii), (d)(iii),
11 or (e)(iii) of this subsection, or adequate proof under (a)(iv),
12 (d)(iv), or (e)(iv) of this subsection, the department shall establish
13 the member's service credit and shall bill the employer for its
14 contribution required under RCW 41.45.060, 41.45.061, and 41.45.067 for
15 the period of military service, plus interest as determined by the
16 department.

17 (c) The contributions required under (a)(ii), (d)(iii), or (e)(iii)
18 of this subsection shall be based on the compensation the member would
19 have earned if not on leave, or if that cannot be estimated with
20 reasonable certainty, the compensation reported for the member in the
21 year prior to when the member went on military leave.

22 (d) The surviving spouse or eligible child or children of a member
23 who left the employ of an employer to enter the uniformed services of
24 the United States and died while serving in the uniformed services may,
25 on behalf of the deceased member, apply for retirement system service
26 credit under this subsection up to the date of the member's death in
27 the uniformed services. The department shall establish the deceased
28 member's service credit if the surviving spouse or eligible child or
29 children:

30 (i) Provides to the director proof of the member's death while
31 serving in the uniformed services;

32 (ii) Provides to the director proof of the member's honorable
33 service in the uniformed services prior to the date of death; and

34 (iii) Pays the employee contributions required under chapter 41.45
35 RCW within five years of the date of death or prior to the distribution
36 of any benefit, whichever comes first; or

37 (iv) Provides to the director proof that the member's interruptive
38 military service was during a period of war as defined in RCW 41.04.005

1 in order to receive up to five years of free service credit. Qualified
2 members with multiple periods of interruptive military service are
3 subject to a combined total limit of five years of free retirement
4 system service credit for interruptive military service.

5 (e) A member who leaves the employ of an employer to enter the
6 uniformed services of the United States and becomes totally
7 incapacitated for continued employment by an employer while serving in
8 the uniformed services is entitled to retirement system service credit
9 under this subsection up to the date of discharge from the uniformed
10 services if:

11 (i) The member obtains a determination from the director that he or
12 she is totally incapacitated for continued employment due to conditions
13 or events that occurred while serving in the uniformed services;

14 (ii) The member provides to the director proof of honorable
15 discharge from the uniformed services; and

16 (iii) The member pays the employee contributions required under
17 chapter 41.45 RCW within five years of the director's determination of
18 total disability or prior to the distribution of any benefit, whichever
19 comes first; or

20 (iv) The member provides to the director proof that the member's
21 interruptive military service was during a period of war as defined in
22 RCW 41.04.005 in order to receive up to five years of free service
23 credit. Qualified members with multiple periods of interruptive
24 military service are subject to a combined total limit of five years of
25 free retirement system service credit for interruptive military
26 service.

27 **Sec. 2.** RCW 41.40.805 and 2005 c 64 s 3 are each amended to read
28 as follows:

29 (1) A member who is on a paid leave of absence authorized by a
30 member's employer shall continue to receive service credit.

31 (2) A member who receives compensation from an employer while on an
32 authorized leave of absence to serve as an elected official of a labor
33 organization, and whose employer is reimbursed by the labor
34 organization for the compensation paid to the member during the period
35 of absence, may also be considered to be on a paid leave of absence.
36 This subsection shall only apply if the member's leave of absence is
37 authorized by a collective bargaining agreement that provides that the

1 member retains seniority rights with the employer during the period of
2 leave. The earnable compensation reported for a member who establishes
3 service credit under this subsection may not be greater than the salary
4 paid to the highest paid job class covered by the collective bargaining
5 agreement.

6 (3) Except as specified in subsection (4) of this section, a member
7 shall be eligible to receive a maximum of two years service credit
8 during a member's entire working career for those periods when a member
9 is on an unpaid leave of absence authorized by an employer. Such
10 credit may be obtained only if:

11 (a) The member makes the contribution on behalf of the employer,
12 plus interest, as determined by the department; and

13 (b) The member makes the employee contribution, plus interest, as
14 determined by the department, to the defined contribution portion.

15 The contributions required shall be based on the average of the
16 member's earnable compensation at both the time the authorized leave of
17 absence was granted and the time the member resumed employment.

18 (4) A member who leaves the employ of an employer to enter the
19 uniformed services of the United States shall be entitled to retirement
20 system service credit for up to five years of military service if
21 within ninety days of the member's honorable discharge from the
22 uniformed services of the United States, the member applies for
23 reemployment with the employer who employed the member immediately
24 prior to the member entering the uniformed services. This subsection
25 shall be administered in a manner consistent with the requirements of
26 the federal uniformed services employment and reemployment rights act.

27 The department shall establish the member's service credit and
28 shall bill the employer for its contribution required under RCW
29 41.45.060 and 41.45.067 for the period of military service, plus
30 interest as determined by the department. Service credit under this
31 subsection may be obtained only if the member makes the employee
32 contribution to the defined contribution portion as determined by the
33 department, or the member provides to the director proof that the
34 member's interruptive military service was during a period of war as
35 defined in RCW 41.04.005 in order to receive up to five years of free
36 service credit. Qualified members with multiple periods of
37 interruptive military service are subject to a combined total limit of

1 five years of free retirement system service credit for interruptive
2 military service.

3 The contributions required shall be based on the compensation the
4 member would have earned if not on leave, or if that cannot be
5 estimated with reasonable certainty, the compensation reported for the
6 member in the year prior to when the member went on military leave.

7 (a) The surviving spouse or eligible child or children of a member
8 who left the employ of an employer to enter the uniformed services of
9 the United States and died while serving in the uniformed services may,
10 on behalf of the deceased member, apply for retirement system service
11 credit under this subsection up to the date of the member's death in
12 the uniformed services. The department shall establish the deceased
13 member's service credit if the surviving spouse or eligible child or
14 children:

15 (i) Provides to the director proof of the member's death while
16 serving in the uniformed services;

17 (ii) Provides to the director proof of the member's honorable
18 service in the uniformed services prior to the date of death; and

19 (iii) Pays the employee contributions required under this
20 subsection within five years of the date of death or prior to the
21 distribution of any benefit, whichever comes first; or

22 (iv) Provides to the director proof that the member's interruptive
23 military service was during a period of war as defined in RCW 41.04.005
24 in order to receive up to five years of free service credit. Qualified
25 members with multiple periods of interruptive military service are
26 subject to a combined total limit of five years of free retirement
27 system service credit for interruptive military service.

28 (b) A member who leaves the employ of an employer to enter the
29 uniformed services of the United States and becomes totally
30 incapacitated for continued employment by an employer while serving in
31 the uniformed services is entitled to retirement system service credit
32 under this subsection up to the date of discharge from the uniformed
33 services if:

34 (i) The member obtains a determination from the director that he or
35 she is totally incapacitated for continued employment due to conditions
36 or events that occurred while serving in the uniformed services;

37 (ii) The member provides to the director proof of honorable
38 discharge from the uniformed services; and

1 (iii) The member pays the employee contributions required under
2 this subsection within five years of the director's determination of
3 total disability or prior to the distribution of any benefit, whichever
4 comes first; or

5 (iv) The member provides to the director proof that the member's
6 interruptive military service was during a period of war as defined in
7 RCW 41.04.005 in order to receive up to five years of free service
8 credit. Qualified members with multiple periods of interruptive
9 military service are subject to a combined total limit of five years of
10 free retirement system service credit for interruptive military
11 service.

12 **Sec. 3.** RCW 41.35.470 and 2005 c 64 s 4 are each amended to read
13 as follows:

14 (1) A member who is on a paid leave of absence authorized by a
15 member's employer shall continue to receive service credit as provided
16 for under the provisions of RCW 41.35.400 through 41.35.599.

17 (2) A member who receives compensation from an employer while on an
18 authorized leave of absence to serve as an elected official of a labor
19 organization, and whose employer is reimbursed by the labor
20 organization for the compensation paid to the member during the period
21 of absence, may also be considered to be on a paid leave of absence.
22 This subsection shall only apply if the member's leave of absence is
23 authorized by a collective bargaining agreement that provides that the
24 member retains seniority rights with the employer during the period of
25 leave. The compensation earnable reported for a member who establishes
26 service credit under this subsection may not be greater than the salary
27 paid to the highest paid job class covered by the collective bargaining
28 agreement.

29 (3) Except as specified in subsection (4) of this section, a member
30 shall be eligible to receive a maximum of two years service credit
31 during a member's entire working career for those periods when a member
32 is on an unpaid leave of absence authorized by an employer. Such
33 credit may be obtained only if:

34 (a) The member makes both the plan 2 employer and member
35 contributions plus interest as determined by the department for the
36 period of the authorized leave of absence within five years of
37 resumption of service or prior to retirement whichever comes sooner; or

1 (b) If not within five years of resumption of service but prior to
2 retirement, pay the amount required under RCW 41.50.165(2).

3 The contributions required under (a) of this subsection shall be
4 based on the average of the member's compensation earnable at both the
5 time the authorized leave of absence was granted and the time the
6 member resumed employment.

7 (4) A member who leaves the employ of an employer to enter the
8 uniformed services of the United States shall be entitled to retirement
9 system service credit for up to five years of military service. This
10 subsection shall be administered in a manner consistent with the
11 requirements of the federal uniformed services employment and
12 reemployment rights act.

13 (a) The member qualifies for service credit under this subsection
14 if:

15 (i) Within ninety days of the member's honorable discharge from the
16 uniformed services of the United States, the member applies for
17 reemployment with the employer who employed the member immediately
18 prior to the member entering the uniformed services; and

19 (ii) The member makes the employee contributions required under RCW
20 41.35.430 within five years of resumption of service or prior to
21 retirement, whichever comes sooner; or

22 (iii) Prior to retirement and not within ninety days of the
23 member's honorable discharge or five years of resumption of service the
24 member pays the amount required under RCW 41.50.165(2); or

25 (iv) The member provides to the director proof that the member's
26 interruptive military service was during a period of war as defined in
27 RCW 41.04.005 in order to receive up to five years of free service
28 credit. Qualified members with multiple periods of interruptive
29 military service are subject to a combined total limit of five years of
30 free retirement system service credit for interruptive military
31 service.

32 (b) Upon receipt of member contributions under (a)(ii), (d)(iii),
33 or (e)(iii) of this subsection, or adequate proof under (a)(iv),
34 (d)(iv), or (e)(iv) of this subsection, the department shall establish
35 the member's service credit and shall bill the employer for its
36 contribution required under RCW 41.35.430 for the period of military
37 service, plus interest as determined by the department.

1 (c) The contributions required under (a)(ii), (d)(iii), or (e)(iii)
2 of this subsection shall be based on the compensation the member would
3 have earned if not on leave, or if that cannot be estimated with
4 reasonable certainty, the compensation reported for the member in the
5 year prior to when the member went on military leave.

6 (d) The surviving spouse or eligible child or children of a member
7 who left the employ of an employer to enter the uniformed services of
8 the United States and died while serving in the uniformed services may,
9 on behalf of the deceased member, apply for retirement system service
10 credit under this subsection up to the date of the member's death in
11 the uniformed services. The department shall establish the deceased
12 member's service credit if the surviving spouse or eligible child or
13 children:

14 (i) Provides to the director proof of the member's death while
15 serving in the uniformed services;

16 (ii) Provides to the director proof of the member's honorable
17 service in the uniformed services prior to the date of death; and

18 (iii) Pays the employee contributions required under chapter 41.45
19 RCW within five years of the date of death or prior to the distribution
20 of any benefit, whichever comes first; or

21 (iv) Provides to the director proof that the member's interruptive
22 military service was during a period of war as defined in RCW 41.04.005
23 in order to receive up to five years of free service credit. Qualified
24 members with multiple periods of interruptive military service are
25 subject to a combined total limit of five years of free retirement
26 system service credit for interruptive military service.

27 (e) A member who leaves the employ of an employer to enter the
28 uniformed services of the United States and becomes totally
29 incapacitated for continued employment by an employer while serving in
30 the uniformed services is entitled to retirement system service credit
31 under this subsection up to the date of discharge from the uniformed
32 services if:

33 (i) The member obtains a determination from the director that he or
34 she is totally incapacitated for continued employment due to conditions
35 or events that occurred while serving in the uniformed services;

36 (ii) The member provides to the director proof of honorable
37 discharge from the uniformed services; and

1 (iii) The member pays the employee contributions required under
2 chapter 41.45 RCW within five years of the director's determination of
3 total disability or prior to the distribution of any benefit, whichever
4 comes first; or

5 (iv) The member provides to the director proof that the member's
6 interruptive military service was during a period of war as defined in
7 RCW 41.04.005 in order to receive up to five years of free service
8 credit. Qualified members with multiple periods of interruptive
9 military service are subject to a combined total limit of five years of
10 free retirement system service credit for interruptive military
11 service.

12 **Sec. 4.** RCW 41.35.650 and 2005 c 64 s 5 are each amended to read
13 as follows:

14 (1) A member who is on a paid leave of absence authorized by a
15 member's employer shall continue to receive service credit.

16 (2) A member who receives compensation from an employer while on an
17 authorized leave of absence to serve as an elected official of a labor
18 organization, and whose employer is reimbursed by the labor
19 organization for the compensation paid to the member during the period
20 of absence, may also be considered to be on a paid leave of absence.
21 This subsection shall only apply if the member's leave of absence is
22 authorized by a collective bargaining agreement that provides that the
23 member retains seniority rights with the employer during the period of
24 leave. The earnable compensation reported for a member who establishes
25 service credit under this subsection may not be greater than the salary
26 paid to the highest paid job class covered by the collective bargaining
27 agreement.

28 (3) Except as specified in subsection (4) of this section, a member
29 shall be eligible to receive a maximum of two years service credit
30 during a member's entire working career for those periods when a member
31 is on an unpaid leave of absence authorized by an employer. Such
32 credit may be obtained only if:

33 (a) The member makes the contribution on behalf of the employer,
34 plus interest, as determined by the department; and

35 (b) The member makes the employee contribution, plus interest, as
36 determined by the department, to the defined contribution portion.

1 The contributions required shall be based on the average of the
2 member's earnable compensation at both the time the authorized leave of
3 absence was granted and the time the member resumed employment.

4 (4) A member who leaves the employ of an employer to enter the
5 uniformed services of the United States shall be entitled to retirement
6 system service credit for up to five years of military service if
7 within ninety days of the member's honorable discharge from the
8 uniformed services of the United States, the member applies for
9 reemployment with the employer who employed the member immediately
10 prior to the member entering the uniformed services. This subsection
11 shall be administered in a manner consistent with the requirements of
12 the federal uniformed services employment and reemployment rights act.

13 The department shall establish the member's service credit and
14 shall bill the employer for its contribution required under RCW
15 41.35.720 for the period of military service, plus interest as
16 determined by the department. Service credit under this subsection may
17 be obtained only if the member makes the employee contribution to the
18 defined contribution portion as determined by the department, or the
19 member provides to the director proof that the member's interruptive
20 military service was during a period of war as defined in RCW 41.04.005
21 in order to receive up to five years of free service credit. Qualified
22 members with multiple periods of interruptive military service are
23 subject to a combined total limit of five years of free retirement
24 system service credit for interruptive military service.

25 The contributions required shall be based on the compensation the
26 member would have earned if not on leave, or if that cannot be
27 estimated with reasonable certainty, the compensation reported for the
28 member in the year prior to when the member went on military leave.

29 (a) The surviving spouse or eligible child or children of a member
30 who left the employ of an employer to enter the uniformed services of
31 the United States and died while serving in the uniformed services may,
32 on behalf of the deceased member, apply for retirement system service
33 credit under this subsection up to the date of the member's death in
34 the uniformed services. The department shall establish the deceased
35 member's service credit if the surviving spouse or eligible child or
36 children:

37 (i) Provides to the director proof of the member's death while
38 serving in the uniformed services;

1 (ii) Provides to the director proof of the member's honorable
2 service in the uniformed services prior to the date of death; and

3 (iii) Pays the employee contributions required under this
4 subsection within five years of the date of death or prior to the
5 distribution of any benefit, whichever comes first; or

6 (iv) Provides to the director proof that the member's interruptive
7 military service was during a period of war as defined in RCW 41.04.005
8 in order to receive up to five years of free service credit. Qualified
9 members with multiple periods of interruptive military service are
10 subject to a combined total limit of five years of free retirement
11 system service credit for interruptive military service.

12 (b) A member who leaves the employ of an employer to enter the
13 uniformed services of the United States and becomes totally
14 incapacitated for continued employment by an employer while serving in
15 the uniformed services is entitled to retirement system service credit
16 under this subsection up to the date of discharge from the uniformed
17 services if:

18 (i) The member obtains a determination from the director that he or
19 she is totally incapacitated for continued employment due to conditions
20 or events that occurred while serving in the uniformed services;

21 (ii) The member provides to the director proof of honorable
22 discharge from the uniformed services; and

23 (iii) The member pays the employee contributions required under
24 this subsection within five years of the director's determination of
25 total disability or prior to the distribution of any benefit, whichever
26 comes first; or

27 (iv) The member provides to the director proof that the member's
28 interruptive military service was during a period of war as defined in
29 RCW 41.04.005 in order to receive up to five years of free service
30 credit. Qualified members with multiple periods of interruptive
31 military service are subject to a combined total limit of five years of
32 free retirement system service credit for interruptive military
33 service.

34 **Sec. 5.** RCW 41.32.810 and 2005 c 64 s 7 are each amended to read
35 as follows:

36 (1) A member who is on a paid leave of absence authorized by a

1 member's employer shall continue to receive service credit as provided
2 for under the provisions of RCW 41.32.755 through 41.32.825.

3 (2) A member who receives compensation from an employer while on an
4 authorized leave of absence to serve as an elected official of a labor
5 organization, and whose employer is reimbursed by the labor
6 organization for the compensation paid to the member during the period
7 of absence, may also be considered to be on a paid leave of absence.
8 This subsection shall only apply if the member's leave of absence is
9 authorized by a collective bargaining agreement that provides that the
10 member retains seniority rights with the employer during the period of
11 leave. The earnable compensation reported for a member who establishes
12 service credit under this subsection may not be greater than the salary
13 paid to the highest paid job class covered by the collective bargaining
14 agreement.

15 (3) Except as specified in subsection (6) of this section, a member
16 shall be eligible to receive a maximum of two years service credit
17 during a member's entire working career for those periods when a member
18 is on an unpaid leave of absence authorized by an employer. Such
19 credit may be obtained only if the member makes both the employer and
20 member contributions plus interest as determined by the department for
21 the period of the authorized leave of absence within five years of
22 resumption of service or prior to retirement whichever comes sooner.

23 (4) If a member fails to meet the time limitations of subsection
24 (3) of this section, the member may receive a maximum of two years of
25 service credit during a member's working career for those periods when
26 a member is on unpaid leave of absence authorized by an employer. This
27 may be done by paying the amount required under RCW 41.50.165(2) prior
28 to retirement.

29 (5) For the purpose of subsection (3) of this section, the
30 contribution shall not include the contribution for the unfunded
31 supplemental present value as required by RCW 41.32.775. The
32 contributions required shall be based on the average of the member's
33 earnable compensation at both the time the authorized leave of absence
34 was granted and the time the member resumed employment.

35 (6) A member who leaves the employ of an employer to enter the
36 uniformed services of the United States shall be entitled to retirement
37 system service credit for up to five years of military service. This

1 subsection shall be administered in a manner consistent with the
2 requirements of the federal uniformed services employment and
3 reemployment rights act.

4 (a) The member qualifies for service credit under this subsection
5 if:

6 (i) Within ninety days of the member's honorable discharge from the
7 uniformed services of the United States, the member applies for
8 reemployment with the employer who employed the member immediately
9 prior to the member entering the uniformed services; and

10 (ii) The member makes the employee contributions required under RCW
11 41.32.775 within five years of resumption of service or prior to
12 retirement, whichever comes sooner; or

13 (iii) Prior to retirement and not within ninety days of the
14 member's honorable discharge or five years of resumption of service the
15 member pays the amount required under RCW 41.50.165(2); or

16 (iv) The member provides to the director proof that the member's
17 interruptive military service was during a period of war as defined in
18 RCW 41.04.005 in order to receive up to five years of free service
19 credit. Qualified members with multiple periods of interruptive
20 military service are subject to a combined total limit of five years of
21 free retirement system service credit for interruptive military
22 service.

23 (b) Upon receipt of member contributions under (a)(ii), (d)(iii),
24 or (e)(iii) or adequate proof under (a)(iv), (d)(iv), or (e)(iv) of
25 this subsection, the department shall establish the member's service
26 credit and shall bill the employer for its contribution required under
27 RCW 41.32.775 for the period of military service, plus interest as
28 determined by the department.

29 (c) The contributions required under (a)(ii), (d)(iii), or (e)(iii)
30 of this subsection shall be based on the compensation the member would
31 have earned if not on leave, or if that cannot be estimated with
32 reasonable certainty, the compensation reported for the member in the
33 year prior to when the member went on military leave.

34 (d) The surviving spouse or eligible child or children of a member
35 who left the employ of an employer to enter the uniformed services of
36 the United States and died while serving in the uniformed services may,
37 on behalf of the deceased member, apply for retirement system service
38 credit under this subsection up to the date of the member's death in

1 the uniformed services. The department shall establish the deceased
2 member's service credit if the surviving spouse or eligible child or
3 children:

4 (i) Provides to the director proof of the member's death while
5 serving in the uniformed services;

6 (ii) Provides to the director proof of the member's honorable
7 service in the uniformed services prior to the date of death; and

8 (iii) Pays the employee contributions required under chapter 41.45
9 RCW within five years of the date of death or prior to the distribution
10 of any benefit, whichever comes first; or

11 (iv) Provides to the director proof that the member's interruptive
12 military service was during a period of war as defined in RCW 41.04.005
13 in order to receive up to five years of free service credit. Qualified
14 members with multiple periods of interruptive military service are
15 subject to a combined total limit of five years of free retirement
16 system service credit for interruptive military service.

17 (e) A member who leaves the employ of an employer to enter the
18 uniformed services of the United States and becomes totally
19 incapacitated for continued employment by an employer while serving in
20 the uniformed services is entitled to retirement system service credit
21 under this subsection up to the date of discharge from the uniformed
22 services if:

23 (i) The member obtains a determination from the director that he or
24 she is totally incapacitated for continued employment due to conditions
25 or events that occurred while serving in the uniformed services;

26 (ii) The member provides to the director proof of honorable
27 discharge from the uniformed services; and

28 (iii) The member pays the employee contributions required under
29 chapter 41.45 RCW within five years of the director's determination of
30 total disability or prior to the distribution of any benefit, whichever
31 comes first; or

32 (iv) The member provides to the director proof that the member's
33 interruptive military service was during a period of war as defined in
34 RCW 41.04.005 in order to receive up to five years of free service
35 credit. Qualified members with multiple periods of interruptive
36 military service are subject to a combined total limit of five years of
37 free retirement system service credit for interruptive military
38 service.

1 **Sec. 6.** RCW 41.32.865 and 2005 c 64 s 8 are each amended to read
2 as follows:

3 (1) A member who is on a paid leave of absence authorized by a
4 member's employer shall continue to receive service credit.

5 (2) A member who receives compensation from an employer while on an
6 authorized leave of absence to serve as an elected official of a labor
7 organization, and whose employer is reimbursed by the labor
8 organization for the compensation paid to the member during the period
9 of absence, may also be considered to be on a paid leave of absence.
10 This subsection shall only apply if the member's leave of absence is
11 authorized by a collective bargaining agreement that provides that the
12 member retains seniority rights with the employer during the period of
13 leave. The earnable compensation reported for a member who establishes
14 service credit under this subsection may not be greater than the salary
15 paid to the highest paid job class covered by the collective bargaining
16 agreement.

17 (3) Except as specified in subsection (4) of this section, a member
18 shall be eligible to receive a maximum of two years service credit
19 during a member's entire working career for those periods when a member
20 is on an unpaid leave of absence authorized by an employer. Such
21 credit may be obtained only if:

22 (a) The member makes the contribution on behalf of the employer,
23 plus interest, as determined by the department; and

24 (b) The member makes the employee contribution, plus interest, as
25 determined by the department, to the defined contribution portion.

26 The contributions required shall be based on the average of the
27 member's earnable compensation at both the time the authorized leave of
28 absence was granted and the time the member resumed employment.

29 (4) A member who leaves the employ of an employer to enter the
30 uniformed services of the United States shall be entitled to retirement
31 system service credit for up to five years of military service if
32 within ninety days of the member's honorable discharge from the
33 uniformed services of the United States, the member applies for
34 reemployment with the employer who employed the member immediately
35 prior to the member entering the uniformed services. This subsection
36 shall be administered in a manner consistent with the requirements of
37 the federal uniformed services employment and reemployment rights act.

1 The department shall establish the member's service credit and
2 shall bill the employer for its contribution required under chapter
3 239, Laws of 1995 for the period of military service, plus interest as
4 determined by the department. Service credit under this subsection may
5 be obtained only if the member makes the employee contribution to the
6 defined contribution portion as determined by the department, or the
7 member provides to the director proof that the member's interruptive
8 military service was during a period of war as defined in RCW 41.04.005
9 in order to receive up to five years of free service credit. Qualified
10 members with multiple periods of interruptive military service are
11 subject to a combined total limit of five years of free retirement
12 system service credit for interruptive military service.

13 The contributions required shall be based on the compensation the
14 member would have earned if not on leave, or if that cannot be
15 estimated with reasonable certainty, the compensation reported for the
16 member in the year prior to when the member went on military leave.

17 (a) The surviving spouse or eligible child or children of a member
18 who left the employ of an employer to enter the uniformed services of
19 the United States and died while serving in the uniformed services may,
20 on behalf of the deceased member, apply for retirement system service
21 credit under this subsection up to the date of the member's death in
22 the uniformed services. The department shall establish the deceased
23 member's service credit if the surviving spouse or eligible child or
24 children:

25 (i) Provides to the director proof of the member's death while
26 serving in the uniformed services;

27 (ii) Provides to the director proof of the member's honorable
28 service in the uniformed services prior to the date of death; and

29 (iii) Pays the employee contributions required under this
30 subsection within five years of the date of death or prior to the
31 distribution of any benefit, whichever comes first; or

32 (iv) The member provides to the director proof that the member's
33 interruptive military service was during a period of war as defined in
34 RCW 41.04.005 in order to receive up to five years of free service
35 credit. Qualified members with multiple periods of interruptive
36 military service are subject to a combined total limit of five years of
37 free retirement system service credit for interruptive military
38 service.

1 (b) A member who leaves the employ of an employer to enter the
2 uniformed services of the United States and becomes totally
3 incapacitated for continued employment by an employer while serving in
4 the uniformed services is entitled to retirement system service credit
5 under this subsection up to the date of discharge from the uniformed
6 services if:

7 (i) The member obtains a determination from the director that he or
8 she is totally incapacitated for continued employment due to conditions
9 or events that occurred while serving in the uniformed services;

10 (ii) The member provides to the director proof of honorable
11 discharge from the uniformed services; and

12 (iii) The member pays the employee contributions required under
13 this subsection within five years of the director's determination of
14 total disability or prior to the distribution of any benefit, whichever
15 comes first; or

16 (iv) The member provides to the director proof that the member's
17 interruptive military service was during a period of war as defined in
18 RCW 41.04.005 in order to receive up to five years of free service
19 credit. Qualified members with multiple periods of interruptive
20 military service are subject to a combined total limit of five years of
21 free retirement system service credit for interruptive military
22 service.

23 **Sec. 7.** RCW 41.26.520 and 2005 c 64 s 9 are each amended to read
24 as follows:

25 (1) A member who is on a paid leave of absence authorized by a
26 member's employer shall continue to receive service credit as provided
27 for under the provisions of RCW 41.26.410 through 41.26.550.

28 (2) A member who receives compensation from an employer while on an
29 authorized leave of absence to serve as an elected official of a labor
30 organization, and whose employer is reimbursed by the labor
31 organization for the compensation paid to the member during the period
32 of absence, may also be considered to be on a paid leave of absence.
33 This subsection shall only apply if the member's leave of absence is
34 authorized by a collective bargaining agreement that provides that the
35 member retains seniority rights with the employer during the period of
36 leave. The basic salary reported for a member who establishes service

1 credit under this subsection may not be greater than the salary paid to
2 the highest paid job class covered by the collective bargaining
3 agreement.

4 (3) Except as specified in subsection (7) of this section, a member
5 shall be eligible to receive a maximum of two years service credit
6 during a member's entire working career for those periods when a member
7 is on an unpaid leave of absence authorized by an employer. Such
8 credit may be obtained only if the member makes the employer, member,
9 and state contributions plus interest as determined by the department
10 for the period of the authorized leave of absence within five years of
11 resumption of service or prior to retirement whichever comes sooner.

12 (4) A law enforcement member may be authorized by an employer to
13 work part time and to go on a part-time leave of absence. During a
14 part-time leave of absence a member is prohibited from any other
15 employment with their employer. A member is eligible to receive credit
16 for any portion of service credit not earned during a month of part-
17 time leave of absence if the member makes the employer, member, and
18 state contributions, plus interest, as determined by the department for
19 the period of the authorized leave within five years of resumption of
20 full-time service or prior to retirement whichever comes sooner. Any
21 service credit purchased for a part-time leave of absence is included
22 in the two-year maximum provided in subsection (3) of this section.

23 (5) If a member fails to meet the time limitations of subsection
24 (3) or (4) of this section, the member may receive a maximum of two
25 years of service credit during a member's working career for those
26 periods when a member is on unpaid leave of absence authorized by an
27 employer. This may be done by paying the amount required under RCW
28 41.50.165(2) prior to retirement.

29 (6) For the purpose of subsection (3) or (4) of this section the
30 contribution shall not include the contribution for the unfunded
31 supplemental present value as required by RCW 41.45.060, 41.45.061, and
32 41.45.067. The contributions required shall be based on the average of
33 the member's basic salary at both the time the authorized leave of
34 absence was granted and the time the member resumed employment.

35 (7) A member who leaves the employ of an employer to enter the
36 uniformed services of the United States shall be entitled to retirement
37 system service credit for up to five years of military service. This

1 subsection shall be administered in a manner consistent with the
2 requirements of the federal uniformed services employment and
3 reemployment rights act.

4 (a) The member qualifies for service credit under this subsection
5 if:

6 (i) Within ninety days of the member's honorable discharge from the
7 uniformed services of the United States, the member applies for
8 reemployment with the employer who employed the member immediately
9 prior to the member entering the uniformed services; and

10 (ii) The member makes the employee contributions required under RCW
11 41.45.060, 41.45.061, and 41.45.067 within five years of resumption of
12 service or prior to retirement, whichever comes sooner; or

13 (iii) Prior to retirement and not within ninety days of the
14 member's honorable discharge or five years of resumption of service the
15 member pays the amount required under RCW 41.50.165(2); or

16 (iv) The member provides to the director proof that the member's
17 interruptive military service was during a period of war as defined in
18 RCW 41.04.005 in order to receive up to five years of free service
19 credit. Qualified members with multiple periods of interruptive
20 military service are subject to a combined total limit of five years of
21 free retirement system service credit for interruptive military
22 service.

23 (b) Upon receipt of member contributions under (a)(ii), (d)(iii),
24 or (e)(iii) of this subsection, or adequate proof under (a)(iv),
25 (d)(iv), or (e)(iv) of this subsection, the department shall establish
26 the member's service credit and shall bill the employer and the state
27 for their respective contributions required under RCW 41.26.450 for the
28 period of military service, plus interest as determined by the
29 department.

30 (c) The contributions required under (a)(ii), (d)(iii), or (e)(iii)
31 of this subsection shall be based on the compensation the member would
32 have earned if not on leave, or if that cannot be estimated with
33 reasonable certainty, the compensation reported for the member in the
34 year prior to when the member went on military leave.

35 (d) The surviving spouse or eligible child or children of a member
36 who left the employ of an employer to enter the uniformed services of
37 the United States and died while serving in the uniformed services may,
38 on behalf of the deceased member, apply for retirement system service

1 credit under this subsection up to the date of the member's death in
2 the uniformed services. The department shall establish the deceased
3 member's service credit if the surviving spouse or eligible child or
4 children:

5 (i) Provides to the director proof of the member's death while
6 serving in the uniformed services;

7 (ii) Provides to the director proof of the member's honorable
8 service in the uniformed services prior to the date of death; and

9 (iii) Pays the employee contributions required under chapter 41.45
10 RCW within five years of the date of death or prior to the distribution
11 of any benefit, whichever comes first; or

12 (iv) Provides to the director proof that the member's interruptive
13 military service was during a period of war as defined in RCW 41.04.005
14 in order to receive up to five years of free service credit. Qualified
15 members with multiple periods of interruptive military service are
16 subject to a combined total limit of five years of free retirement
17 system service credit for interruptive military service.

18 (e) A member who leaves the employ of an employer to enter the
19 uniformed services of the United States and becomes totally
20 incapacitated for continued employment by an employer while serving in
21 the uniformed services is entitled to retirement system service credit
22 under this subsection up to the date of discharge from the uniformed
23 services if:

24 (i) The member obtains a determination from the director that he or
25 she is totally incapacitated for continued employment due to conditions
26 or events that occurred while serving in the uniformed services;

27 (ii) The member provides to the director proof of honorable
28 discharge from the uniformed services; and

29 (iii) The member pays the employee contributions required under
30 chapter 41.45 RCW within five years of the director's determination of
31 total disability or prior to the distribution of any benefit, whichever
32 comes first; or

33 (iv) The member provides to the director proof that the member's
34 interruptive military service was during a period of war as defined in
35 RCW 41.04.005 in order to receive up to five years of free service
36 credit. Qualified members with multiple periods of interruptive
37 military service are subject to a combined total limit of five years of

1 free retirement system service credit for interruptive military
2 service.

3 (8) A member receiving benefits under Title 51 RCW who is not
4 receiving benefits under this chapter shall be deemed to be on unpaid,
5 authorized leave of absence.

6 **Sec. 8.** RCW 43.43.260 and 2005 c 64 s 10 are each amended to read
7 as follows:

8 Upon retirement from service as provided in RCW 43.43.250, a member
9 shall be granted a retirement allowance which shall consist of:

10 (1) A prior service allowance which shall be equal to two percent
11 of the member's average final salary multiplied by the number of years
12 of prior service rendered by the member.

13 (2) A current service allowance which shall be equal to two percent
14 of the member's average final salary multiplied by the number of years
15 of service rendered while a member of the retirement system.

16 (3)(a) Any member commissioned prior to January 1, 2003, with
17 twenty-five years service in the Washington state patrol may have the
18 member's service in the uniformed services credited as a member whether
19 or not the individual left the employ of the Washington state patrol to
20 enter such uniformed services: PROVIDED, That in no instance shall
21 military service in excess of five years be credited: AND PROVIDED
22 FURTHER, That in each instance, a member must restore all withdrawn
23 accumulated contributions, which restoration must be completed on the
24 date of the member's retirement, or as provided under RCW 43.43.130,
25 whichever occurs first: AND PROVIDED FURTHER, That this section shall
26 not apply to any individual, not a veteran within the meaning of RCW
27 41.06.150.

28 (b) A member who leaves the Washington state patrol to enter the
29 uniformed services of the United States shall be entitled to retirement
30 system service credit for up to five years of military service. This
31 subsection shall be administered in a manner consistent with the
32 requirements of the federal uniformed services employment and
33 reemployment rights act.

34 (i) The member qualifies for service credit under this subsection
35 if:

36 (A) Within ninety days of the member's honorable discharge from the

1 uniformed services of the United States, the member applies for
2 reemployment with the employer who employed the member immediately
3 prior to the member entering the uniformed services; and

4 (B) The member makes the employee contributions required under RCW
5 41.45.0631 and 41.45.067 within five years of resumption of service or
6 prior to retirement, whichever comes sooner; or

7 (C) Prior to retirement and not within ninety days of the member's
8 honorable discharge or five years of resumption of service the member
9 pays the amount required under RCW 41.50.165(2); or

10 (D) The member was commissioned on or after January 1, 2003, and
11 provides to the director proof that the member's interruptive military
12 service was during a period of war as defined in RCW 41.04.005 in order
13 to receive up to five years of free service credit. Qualified members
14 with multiple periods of interruptive military service are subject to
15 a combined total limit of five years of free retirement system service
16 credit for interruptive military service.

17 (ii) Upon receipt of member contributions under (b)(i)(B),
18 (b)(iv)(C), and (b)(v)(C) of this subsection, or adequate proof under
19 (b)(i)(D), (b)(iv)(D), or (b)(v)(D) of this subsection, the department
20 shall establish the member's service credit and shall bill the employer
21 for its contribution required under RCW 41.45.060 for the period of
22 military service, plus interest as determined by the department.

23 (iii) The contributions required under (b)(i)(B), (b)(iv)(C), and
24 (b)(v)(C) of this subsection shall be based on the compensation the
25 member would have earned if not on leave, or if that cannot be
26 estimated with reasonable certainty, the compensation reported for the
27 member in the year prior to when the member went on military leave.

28 (iv) The surviving spouse or eligible child or children of a member
29 who left the employ of an employer to enter the uniformed services of
30 the United States and died while serving in the uniformed services may,
31 on behalf of the deceased member, apply for retirement system service
32 credit under this subsection up to the date of the member's death in
33 the uniformed services. The department shall establish the deceased
34 member's service credit if the surviving spouse or eligible child or
35 children:

36 (A) Provides to the director proof of the member's death while
37 serving in the uniformed services;

1 (B) Provides to the director proof of the member's honorable
2 service in the uniformed services prior to the date of death; and

3 (C) If the member was commissioned on or after January 1, 2003,
4 pays the employee contributions required under chapter 41.45 RCW within
5 five years of the date of death or prior to the distribution of any
6 benefit, whichever comes first; or

7 (D) If the member was commissioned on or after January 1, 2003,
8 provides to the director proof that the member's' interruptive military
9 service was during a period of war as defined in RCW 41.04.005 in order
10 to receive up to five years of free service credit. Qualified members
11 with multiple periods of interruptive military service are subject to
12 a combined total limit of five years of free retirement system service
13 credit for interruptive military service.

14 (v) A member who leaves the employ of an employer to enter the
15 uniformed services of the United States and becomes totally
16 incapacitated for continued employment by an employer while serving in
17 the uniformed services is entitled to retirement system service credit
18 under this subsection up to the date of discharge from the uniformed
19 services if:

20 (A) The member obtains a determination from the director that he or
21 she is totally incapacitated for continued employment due to conditions
22 or events that occurred while serving in the uniformed services;

23 (B) The member provides to the director proof of honorable
24 discharge from the uniformed services; and

25 (C) If the member was commissioned on or after January 1, 2003, the
26 member pays the employee contributions required under chapter 41.45 RCW
27 within five years of the director's determination of total disability
28 or prior to the distribution of any benefit, whichever comes first; or

29 (D) If the member was commissioned on or after January 1, 2003, the
30 member provides to the director proof that the member's interruptive
31 military service was during a period of war as defined in RCW 41.04.005
32 in order to receive up to five years of free service credit. Qualified
33 members with multiple periods of interruptive military service are
34 subject to a combined total limit of five years of free retirement
35 system service credit for interruptive military service.

36 (4) In no event shall the total retirement benefits from
37 subsections (1), (2), and (3) of this section, of any member exceed
38 seventy-five percent of the member's average final salary.

1 (5) Beginning July 1, 2001, and every year thereafter, the
2 department shall determine the following information for each retired
3 member or beneficiary whose retirement allowance has been in effect for
4 at least one year:

5 (a) The original dollar amount of the retirement allowance;

6 (b) The index for the calendar year prior to the effective date of
7 the retirement allowance, to be known as "index A";

8 (c) The index for the calendar year prior to the date of
9 determination, to be known as "index B"; and

10 (d) The ratio obtained when index B is divided by index A.

11 The value of the ratio obtained shall be the annual adjustment to
12 the original retirement allowance and shall be applied beginning with
13 the July payment. In no event, however, shall the annual adjustment:

14 (i) Produce a retirement allowance which is lower than the original
15 retirement allowance;

16 (ii) Exceed three percent in the initial annual adjustment; or

17 (iii) Differ from the previous year's annual adjustment by more
18 than three percent.

19 For the purposes of this section, "index" means, for any calendar
20 year, that year's average consumer price index for the Seattle-Tacoma-
21 Bremerton Washington area for urban wage earners and clerical workers,
22 all items, compiled by the bureau of labor statistics, United States
23 department of labor.

24 The provisions of this section shall apply to all members presently
25 retired and to all members who shall retire in the future.

26 **Sec. 9.** RCW 41.37.260 and 2005 c 64 s 11 are each amended to read
27 as follows:

28 (1) A member who is on a paid leave of absence authorized by a
29 member's employer shall continue to receive service credit as provided
30 for under RCW 41.37.190 through 41.37.290.

31 (2) A member who receives compensation from an employer while on an
32 authorized leave of absence to serve as an elected official of a labor
33 organization, and whose employer is reimbursed by the labor
34 organization for the compensation paid to the member during the period
35 of absence, may also be considered to be on a paid leave of absence.
36 This subsection shall only apply if the member's leave of absence is
37 authorized by a collective bargaining agreement that provides that the

1 member retains seniority rights with the employer during the period of
2 leave. The compensation earnable reported for a member who establishes
3 service credit under this subsection may not be greater than the salary
4 paid to the highest paid job class covered by the collective bargaining
5 agreement.

6 (3) Except as specified in subsection (4) of this section, a member
7 shall be eligible to receive a maximum of two years service credit
8 during a member's entire working career for those periods when a member
9 is on an unpaid leave of absence authorized by an employer. This
10 credit may be obtained only if:

11 (a) The member makes both the employer and member contributions
12 plus interest as determined by the department for the period of the
13 authorized leave of absence within five years of resumption of service
14 or prior to retirement whichever comes sooner; or

15 (b) If not within five years of resumption of service but prior to
16 retirement, pay the amount required under RCW 41.50.165(2).

17 The contributions required under (a) of this subsection shall be
18 based on the average of the member's compensation earnable at both the
19 time the authorized leave of absence was granted and the time the
20 member resumed employment.

21 (4) A member who leaves the employ of an employer to enter the
22 uniformed services of the United States shall be entitled to retirement
23 system service credit for up to five years of military service. This
24 subsection shall be administered in a manner consistent with the
25 requirements of the federal uniformed services employment and
26 reemployment rights act.

27 (a) The member qualifies for service credit under this subsection
28 if:

29 (i) Within ninety days of the member's honorable discharge from the
30 uniformed services of the United States, the member applies for
31 reemployment with the employer who employed the member immediately
32 prior to the member entering the uniformed services; and

33 (ii) The member makes the employee contributions required under RCW
34 41.37.220 within five years of resumption of service or prior to
35 retirement, whichever comes sooner; or

36 (iii) Prior to retirement and not within ninety days of the
37 member's honorable discharge or five years of resumption of service the
38 member pays the amount required under RCW 41.50.165(2); or

1 (iv) The member provides to the director proof that the member's
2 interruptive military service was during a period of war as defined in
3 RCW 41.04.005 in order to receive up to five years of free service
4 credit. Qualified members with multiple periods of interruptive
5 military service are subject to a combined total limit of five years of
6 free retirement system service credit for interruptive military
7 service.

8 (b) Upon receipt of member contributions under (a)(ii), (d)(iii),
9 or (e)(iii) of this subsection, or adequate proof under (a)(iv),
10 (d)(iv), or (e)(iv) of this subsection, the department shall establish
11 the member's service credit and shall bill the employer for its
12 contribution required under RCW 41.37.220 for the period of military
13 service, plus interest as determined by the department.

14 (c) The contributions required under (a)(ii), (d)(iii), or (e)(iii)
15 of this subsection shall be based on the compensation the member would
16 have earned if not on leave, or if that cannot be estimated with
17 reasonable certainty, the compensation reported for the member in the
18 year prior to when the member went on military leave.

19 (d) The surviving spouse or eligible child or children of a member
20 who left the employ of an employer to enter the uniformed services of
21 the United States and died while serving in the uniformed services may,
22 on behalf of the deceased member, apply for retirement system service
23 credit under this subsection up to the date of the member's death in
24 the uniformed services. The department shall establish the deceased
25 member's service credit if the surviving spouse or eligible child or
26 children:

27 (i) Provides to the director proof of the member's death while
28 serving in the uniformed services;

29 (ii) Provides to the director proof of the member's honorable
30 service in the uniformed services prior to the date of death; and

31 (iii) Pays the employee contributions required under chapter 41.45
32 RCW within five years of the date of death or prior to the distribution
33 of any benefit, whichever comes first; or

34 (iv) Provides to the director proof that the member's interruptive
35 military service was during a period of war as defined in RCW 41.04.005
36 in order to receive up to five years of free service credit. Qualified
37 members with multiple periods of interruptive military service are

1 subject to a combined total limit of five years of free retirement
2 system service credit for interruptive military service.

3 (e) A member who leaves the employ of an employer to enter the
4 uniformed services of the United States and becomes totally
5 incapacitated for continued employment by an employer while serving in
6 the uniformed services is entitled to retirement system service credit
7 under this subsection up to the date of discharge from the uniformed
8 services if:

9 (i) The member obtains a determination from the director that he or
10 she is totally incapacitated for continued employment due to conditions
11 or events that occurred while serving in the uniformed services;

12 (ii) The member provides to the director proof of honorable
13 discharge from the uniformed services; and

14 (iii) The member pays the employee contributions required under
15 chapter 41.45 RCW within five years of the director's determination of
16 total disability or prior to the distribution of any benefit, whichever
17 comes first; or

18 (iv) The member provides to the director proof that the member's
19 interruptive military service was during a period of war as defined in
20 RCW 41.04.005 in order to receive up to five years of free service
21 credit. Qualified members with multiple periods of interruptive
22 military service are subject to a combined total limit of five years of
23 free retirement system service credit for interruptive military
24 service.

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