

HB 2264 - H AMD 1255

By Representative Stokesbary

1 On page 23, after line 21, insert the following:

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3 "Sec. 5. RCW 43.43.120 and 2017 c 181 s 1 are each amended to
4 read as follows:

5 As used in this section and RCW 43.43.130 through 43.43.320,
6 unless a different meaning is plainly required by the context:

7 (1) "Actuarial equivalent" shall mean a benefit of equal value
8 when computed upon the basis of such mortality table as may be
9 adopted and such interest rate as may be determined by the director.

10 (2) "Annual increase" means as of July 1, 1999, seventy-seven
11 cents per month per year of service which amount shall be increased
12 each subsequent July 1st by three percent, rounded to the nearest
13 cent.

14 (3)(a) "Average final salary," for members commissioned prior to
15 January 1, 2003, shall mean the average monthly salary received by a
16 member during the member's last two years of service or any
17 consecutive two-year period of service, whichever is the greater, as
18 an employee of the Washington state patrol; or if the member has
19 less than two years of service, then the average monthly salary
20 received by the member during the member's total years of service.

21 (b) "Average final salary," for members commissioned on or after
22 January 1, 2003, shall mean the average monthly salary received by a
23 member for the highest consecutive sixty service credit months; or
24 if the member has less than sixty months of service, then the
25 average monthly salary received by the member during the member's
26 total months of service.

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1 (c) In calculating average final salary under (a) or (b) of this
2 subsection, the department of retirement systems shall include:

3 (i) Any compensation forgone by the member during the 2009-2011
4 fiscal biennium as a result of reduced work hours, mandatory or
5 voluntary leave without pay, temporary reduction in pay implemented
6 prior to December 11, 2010, or temporary layoffs if the reduced
7 compensation is an integral part of the employer's expenditure
8 reduction efforts, as certified by the chief; and

9 (ii) Any compensation forgone by a member during the 2011-2013
10 fiscal biennium as a result of reduced work hours, mandatory leave
11 without pay, temporary layoffs, or reductions to current pay if the
12 reduced compensation is an integral part of the employer's
13 expenditure reduction efforts, as certified by the chief. Reductions
14 to current pay shall not include elimination of previously agreed
15 upon future salary reductions.

16 (4) "Beneficiary" means any person in receipt of retirement
17 allowance or any other benefit allowed by this chapter.

18 (5)(a) "Cadet," for a person who became a member of the
19 retirement system after June 12, 1980, is a person who has passed
20 the Washington state patrol's entry-level oral, written, physical
21 performance, and background examinations and is, thereby, appointed
22 by the chief as a candidate to be a commissioned officer of the
23 Washington state patrol.

24 (b) "Cadet," for a person who became a member of the retirement
25 system before June 12, 1980, is a trooper cadet, patrol cadet, or
26 employee of like classification, employed for the express purpose of
27 receiving the on-the-job training required for attendance at the
28 state patrol academy and for becoming a commissioned trooper. "Like
29 classification" includes: Radio operators or dispatchers; persons
30 providing security for the governor or legislature; patrol officers;
31 drivers' license examiners; weighmasters; vehicle safety inspectors;
32 central wireless operators; and warehouse workers.

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1 (6) "Contributions" means the deduction from the compensation of
2 each member in accordance with the contribution rates established
3 under chapter 41.45 RCW.

4 (7) "Current service" shall mean all service as a member
5 rendered on or after August 1, 1947.

6 (8) "Department" means the department of retirement systems
7 created in chapter 41.50 RCW.

8 (9) "Director" means the director of the department of
9 retirement systems.

10 (10) "Domestic partners" means two adults who have registered as
11 domestic partners under RCW 26.60.040.

12 (11) "Employee" means any commissioned employee of the
13 Washington state patrol.

14 (12) "Insurance commissioner" means the insurance commissioner
15 of the state of Washington.

16 (13) "Lieutenant governor" means the lieutenant governor of the
17 state of Washington.

18 (14) "Member" means any person included in the membership of the
19 retirement fund.

20 (15) "Plan 2" means the Washington state patrol retirement
21 system plan 2, providing the benefits and funding provisions
22 covering commissioned employees who first become members of the
23 system on or after January 1, 2003.

24 (16) "Prior service" shall mean all services rendered by a
25 member to the state of Washington, or any of its political
26 subdivisions prior to August 1, 1947, unless such service has been
27 credited in another public retirement or pension system operating in
28 the state of Washington.

29 (17) "Regular interest" means interest compounded annually at
30 such rates as may be determined by the director.

31 (18) "Retirement board" means the board provided for in this
32 chapter.

33 (19) "Retirement fund" means the Washington state patrol
34 retirement fund.

1 (20) "Retirement system" means the Washington state patrol
2 retirement system.

3 (21)(a) "Salary," for members commissioned prior to July 1,
4 2001, shall exclude any overtime earnings related to RCW 47.46.040,
5 or any voluntary overtime, earned on or after July 1, 2001, and
6 prior to July 1, 2017, and lump sum payments for unused accumulated
7 vacation or annual leave in excess of two hundred forty hours, plus
8 hours earned since the member's anniversary date. On or after July
9 1, 2017, salary shall exclude overtime earnings in excess of seventy
10 hours per year in total related to either RCW 47.46.040 or any
11 voluntary overtime.

12 (b) "Salary," for members commissioned on or after July 1, 2001,
13 shall exclude any overtime earnings related to RCW 47.46.040 or any
14 voluntary overtime, earned prior to July 1, 2017, lump sum payments
15 for deferred annual sick leave, unused accumulated vacation, unused
16 accumulated annual leave, holiday pay, or any form of severance pay.
17 On or after July 1, 2017, salary shall exclude overtime earnings in
18 excess of seventy hours per year in total related to either RCW
19 47.46.040 or any voluntary overtime.

20 (c) The addition of overtime earnings related to RCW 47.46.040
21 or any voluntary overtime earned on or after July 1, 2017, in
22 chapter 181, Laws of 2017 is a benefit improvement that increases
23 the member maximum contribution rate under RCW 41.45.0631(1) by 1.10
24 percent.

25 (22) "Service" shall mean services rendered to the state of
26 Washington or any political subdivisions thereof for which
27 compensation has been paid. Full time employment for seventy or more
28 hours in any given calendar month shall constitute one month of
29 service. An employee who is reinstated in accordance with RCW
30 43.43.110 shall suffer no loss of service for the period reinstated
31 subject to the contribution requirements of this chapter. Only
32 months of service shall be counted in the computation of any
33 retirement allowance or other benefit provided for herein. Years of
34 service shall be determined by dividing the total number of months

1 of service by twelve. Any fraction of a year of service as so
2 determined shall be taken into account in the computation of such
3 retirement allowance or benefit.

4 (23) "State actuary" or "actuary" means the person appointed
5 pursuant to RCW 44.44.010(2).

6 (24) "State treasurer" means the treasurer of the state of
7 Washington.

8 Unless the context expressly indicates otherwise, words
9 importing the masculine gender shall be extended to include the
10 feminine gender and words importing the feminine gender shall be
11 extended to include the masculine gender."

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13 Correct the title.

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EFFECT: Specifies that Washington State Patrol Plan 1 members
commissioned before July 1, 2001 must exclude lump sum payments for
accumulated annual or vacation leave in excess of 240 hours, plus
hours accumulated since the member's anniversary date.

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