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HOUSE BILL 1511

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State of Washington

55th Legislature

1997 Regular Session

By Representatives Romero, Conway, Wolfe, Gardner, Lantz, Constantine, O'Brien, Cooper, Gombosky, Cole, Voloria, Tokuda, Keiser, Linville, Dickerson, Morris, Ogden, Cody, Kessler and Mason

Read first time 01/29/97. 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, 1997. 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, 1997, and August 31, 1997, with an  
3 effective date of retirement on or before September 30, 1997.

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 shall expire June 30, 1998.

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 shall expire June 30, 1998.

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.

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