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HOUSE BILL 2215

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State of Washington

55th Legislature

1997 Regular Session

By Representative Carlson

Read first time 02/27/97. Referred to Committee on Appropriations.

1 AN ACT Relating to retirement benefit plans of colleges and  
2 universities; and amending RCW 28B.10.400 and 28B.10.420.

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

4 **Sec. 1.** RCW 28B.10.400 and 1979 ex.s. c 259 s 1 are each amended  
5 to read as follows:

6 The boards of regents of the state universities, the boards of  
7 trustees of the regional universities and of The Evergreen State  
8 College, and the state board for community and technical colleges  
9 (~~education~~) are authorized and empowered:

10 (1) To assist the faculties and such other employees as any such  
11 board may designate in the purchase of (~~old age annuities or~~  
12 ~~retirement income plans~~) retirement benefits under such rules and  
13 regulations as any such board may prescribe. County agricultural  
14 agents, home demonstration agents, 4-H club agents, and assistant  
15 county agricultural agents paid jointly by the Washington State  
16 University and the several counties shall be deemed to be full time  
17 employees of the Washington State University for the purposes hereof;

18 (2) To provide, under such rules and regulations as any such board  
19 may prescribe for the faculty members or other employees under its

1 supervision, for the retirement of any such faculty member or other  
2 employee (~~on account of age or condition of health, retirement on~~  
3 ~~account of age to be not earlier than the sixty fifth birthday~~):  
4 PROVIDED, That (~~such faculty member or such other employee may elect~~  
5 ~~to retire at the earliest age specified for retirement by federal~~  
6 ~~social security law: PROVIDED FURTHER, That~~) any supplemental payment  
7 authorized by subsection (3) of this section (~~and paid as a result of~~  
8 ~~retirement~~) shall not be available before age sixty-two and that the  
9 supplemental payment paid to a retiree who retires before earlier than  
10 age sixty-five shall be at an actuarially reduced rate;

11 (3) To pay to any such retired person or to (~~his~~) the retired  
12 person's designated beneficiary(s), each year after (~~his~~) the retired  
13 person's retirement, a supplemental amount which, when added to the  
14 amount of (~~such annuity or~~) the retirement (~~income plan, or~~  
15 ~~retirement income~~) benefit pursuant to RCW 28B.10.415, received by him  
16 or his designated beneficiary(s) in such year, will not exceed fifty  
17 percent of the average annual salary paid to such retired person for  
18 his highest two consecutive years of full time service under (~~an~~  
19 ~~annuity or~~) a retirement (~~income~~) benefit plan established pursuant  
20 to subsection (1) of this section at an institution of higher  
21 education: PROVIDED, HOWEVER, That if such retired person prior to his  
22 retirement elected a supplemental payment survivors option, any such  
23 supplemental payments to such retired person or his designated  
24 beneficiary(s) shall be at actuarially reduced rates: PROVIDED  
25 FURTHER, That if a faculty member or other employee of an institution  
26 of higher education who is a participant in a retirement benefit plan  
27 authorized by this section dies, or has died before retirement but  
28 after becoming eligible for retirement (~~on account of age~~), the  
29 designated beneficiary(s) shall be entitled to receive the supplemental  
30 payment authorized by this subsection (3) of this section to which such  
31 designated beneficiary(s) would have been entitled had (~~said~~) the  
32 deceased faculty member or other employee retired on the date of death  
33 after electing a supplemental payment survivors option: PROVIDED  
34 FURTHER, That for the purpose of this subsection, the designated  
35 beneficiary(s) shall be (a) the surviving spouse of the retiree; or,  
36 (b) with the written consent of such spouse, if any, such other person  
37 or persons as shall have an insurable interest in the retiree's life  
38 and shall have been nominated by written designation duly executed and  
39 filed with the retiree's institution of higher education.

1       **Sec. 2.** RCW 28B.10.420 and 1979 c 14 s 1 are each amended to read  
2 as follows:

3       ~~(1) ((Except as provided otherwise in subsection (2) of this~~  
4 ~~section, faculty members or other employees designated by the boards of~~  
5 ~~regents of the state universities, the boards of trustees of the~~  
6 ~~regional universities or of The Evergreen State College, or the state~~  
7 ~~board for community college education pursuant to RCW 28B.10.400~~  
8 ~~through 28B.10.420 as now or hereafter amended shall be retired from~~  
9 ~~their employment with their institutions of higher education not later~~  
10 ~~than the end of the academic year next following their seventieth~~  
11 ~~birthday.~~

12       ~~(2) As provided in this subsection,~~) The board of regents of a  
13 state university, the board of trustees of a regional university or The  
14 Evergreen State College, or the state board for community and technical  
15 colleges education may reemploy any person who is "retired" ((pursuant  
16 to subsection (1) of this section, who applies for reemployment and who  
17 has reached seventy years of age on or after July 1, 1970)) under RCW  
18 28B.10.400(2).       The following provisions shall govern such  
19 reemployment:

20       ~~(a) ((Prior to the reemployment, the board of regents, board of~~  
21 ~~trustees, or state board shall have found that the person possesses~~  
22 ~~outstanding qualifications which in the judgment of the board would~~  
23 ~~permit the person to continue valuable service to the institution.~~

24       ~~(b))~~) The period of reemployment shall not be counted as service  
25 under, or result in any eligibility for benefits or increased benefits  
26 under, any state authorized or supported ~~((annuity or))~~ retirement  
27 ~~((income))~~ benefits plan. Reemployment shall not result in the  
28 reemployed person or employer making any contributions to any such  
29 plan.

30       ~~((e))~~) (b) No person may be reemployed on a full time basis if  
31 such person is receiving benefits under any state authorized or  
32 supported annuity or retirement income plan. The reemployment of any  
33 person on a full time basis shall be immediately terminated upon the  
34 person's obtaining of any such benefits.

35       ~~((d))~~) (c) A person may be reemployed on a part time basis and  
36 receive or continue to receive any benefits for which such person is  
37 eligible under any state authorized or supported ~~((annuity or))~~  
38 retirement ~~((income))~~ benefits plan. Such part time work, however,  
39 shall not exceed forty percent of full time employment during any year.

1       (~~(e)~~) (d) A person reemployed pursuant to this section shall  
2       comply with all conditions of reemployment and all rules providing for  
3       the administration of this subsection which are prescribed or adopted  
4       by the board of regents, or board of trustees, or by the state board  
5       for community and technical colleges ~~((education))~~.

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