
SENATE BILL 5078

State of Washington

55th Legislature

1997 Regular Session

By Senators Swecker, Fraser, Heavey and Patterson

Read first time 01/14/97. Referred to Committee on Ways & Means.

1 AN ACT Relating to retirement credit for merchant marines who
2 served in war zones; and amending RCW 41.40.170.

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

4 **Sec. 1.** RCW 41.40.170 and 1991 c 35 s 78 are each amended to read
5 as follows:

6 (1) A member who has served or shall serve on active federal
7 service in the military or naval forces of the United States and who
8 left or shall leave an employer to enter such service shall be deemed
9 to be on military leave of absence if he or she has resumed or shall
10 resume employment as an employee within one year from termination
11 thereof.

12 (2) If he or she has applied or shall apply for reinstatement of
13 employment, within one year from termination of the military service,
14 and is refused employment for reasons beyond his or her control, he or
15 she shall, upon resumption of service within ten years have such
16 service credited to him or her.

17 (3) In any event, after completing twenty-five years of creditable
18 service, any member may have service in the armed forces or merchant
19 marine service in a war zone credited to him or her as a member whether

1 or not he or she left the employ of an employer to enter the armed or
2 merchant marine service: PROVIDED, That in no instance, described in
3 this section, shall military service in excess of five years or
4 merchant marine service in excess of one year be credited: AND
5 PROVIDED FURTHER, That in each instance the member must restore all
6 withdrawn accumulated contributions, which restoration must be
7 completed within five years of membership service following the first
8 resumption of employment or complete twenty-five years of creditable
9 service: AND PROVIDED FURTHER, That this section will not apply to any
10 individual, except merchant marines who served in a war zone, not a
11 veteran within the meaning of RCW 41.04.005, as now or hereafter
12 amended: AND PROVIDED FURTHER, That in no instance, described in this
13 section, shall military or merchant marine service be credited to any
14 member who is receiving full military retirement benefits pursuant to
15 Title 10 United States Code.

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