

2 **SHB 1024** - S COMM AMD - S2524.1
3 By Committee on Ways & Means

4 ADOPTED AS AMENDED 4/6/99

5 Strike everything after the enacting clause and insert the
6 following:

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.32 RCW
8 under the subchapter heading "Plan 1" to read as follows:

9 A member may make the irrevocable election under this section no
10 later than six months after attaining thirty years of service. The
11 election shall become effective at the beginning of the calendar month
12 following department receipt of employee notification.

13 (1) The sum of member contributions made for periods of service
14 after the effective date of the election plus seven and one-half
15 percent interest shall be paid to the member at retirement without a
16 reduction in the member's monthly retirement benefit as determined
17 under RCW 41.32.498.

18 (2) Upon retirement, the member's benefit shall be calculated using
19 only the earnable compensation credited prior to the effective date of
20 the member's election. Calculation of the member's average earnable
21 compensation shall include eligible cash-outs of annual leave based on
22 the member's salary and leave accumulations at the time of retirement,
23 except that the amount of a member's average earnable compensation
24 cannot be higher than if the member had not taken advantage of the
25 election offered under this section.

26 (3) Members who have already earned thirty years of service credit
27 prior to the effective date of this act may participate in the election
28 by notifying the department in writing of their intention by December
29 31, 1999.

30 The department shall continue to collect employer contributions as
31 required in RCW 41.45.060.

32 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.40 RCW
33 under the subchapter heading "Plan 1" to read as follows:

34 A member may make the irrevocable election under this section no
35 later than six months after attaining thirty years of service. The

1 election shall become effective at the beginning of the calendar month
2 following department receipt of employee notification.

3 (1) The sum of member contributions made for periods of service
4 after the effective date of the election plus seven and one-half
5 percent interest shall be paid to the member at retirement without a
6 reduction in the member's monthly retirement benefit as determined
7 under RCW 41.40.185.

8 (2) Upon retirement, the member's benefit shall be calculated using
9 only the compensation earnable credited prior to the effective date of
10 the member's election. Calculation of the member's average final
11 compensation shall include eligible cash-outs of sick and annual leave
12 based on the member's salary and leave accumulations at the time of
13 retirement, except that the amount of a member's average final
14 compensation cannot be higher than if the member had not taken
15 advantage of the election offered under this section.

16 (3) Members who have already earned thirty years of service credit
17 prior to the effective date of this act may participate in the election
18 by notifying the department in writing of their intention by December
19 31, 1999.

20 The department shall continue to collect employer contributions as
21 required in RCW 41.45.060.

22 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.40 RCW
23 under the subchapter heading "Plan 1" to read as follows:

24 (1) A retiree who receives state-funded long-term care services on
25 or after June 1, 1998, is not eligible for the increase provided by
26 section 8, chapter 340, laws of 1998, if the increase would make the
27 retiree ineligible for state-funded long-term care services. For the
28 purposes of this section "state-funded long-term care services" means
29 a state-funded adult family home, adult residential care, assisted
30 living, enhanced adult residential care, in-home care, or nursing home
31 service, as defined in RCW 74.39A.009, for which the retiree is
32 required to contribute all income other than a specified amount
33 reserved for the retiree's personal maintenance needs. Retirees who
34 are subject to this section shall notify the department in writing.
35 The department has no affirmative duty to identify retirees who are
36 subject to this subsection (3)(e).

1 (2) This section applies to all payments under section 8, chapter
2 340, laws of 1998, made on or after the effective date of this act,
3 regardless of the date of retirement.

4 NEW SECTION. **Sec. 4.** Section 3 of this act is necessary for the
5 immediate preservation of the public peace, health, or safety, or
6 support of the state government and its existing public institutions,
7 and takes effect immediately."

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11 On page 1, line 2 of the title, after "service;" strike the
12 remainder of the title and insert "adding a new section to chapter
13 41.32 RCW; adding new sections to chapter 41.40 RCW; and declaring an
14 emergency."

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