

HOUSE BILL REPORT

SB 5661

As Passed House - Amended:

April 7, 2017

Title: An act relating to interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system.

Brief Description: Addressing interruptive service credit for members of the law enforcement officers' and fire fighters' retirement system.

Sponsors: Senator Rolfes.

Brief History:

Committee Activity:

Appropriations: 3/15/17, 4/4/17 [DPA].

Floor Activity:

Passed House - Amended: 4/7/17, 96-0.

Brief Summary of Bill (As Amended by House)

- Requires the Law Enforcement Officers' and Firefighters' Plan 2 Retirement Board to study the issue of member contributions for interruptive military service credit where the member did not receive a campaign badge or medal.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended. Signed by 30 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Bergquist, Buys, Cody, Condotta, Fitzgibbon, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Nealey, Pettigrew, Pollet, Sawyer, Schmick, Senn, Springer, Stanford, Sullivan, Taylor, Tharinger, Volz and Wilcox.

Minority Report: Do not pass. Signed by 2 members: Representatives Stokesbary, Assistant Ranking Minority Member; Vick.

Staff: David Pringle (786-7310).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

A member of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2 (LEOFF 2), as well as other state retirement systems, who leaves employment to enter the Armed Forces of the United States may receive up to five years of retirement system service credit. These provisions are administered consistent with the governing federal law, the Uniform Services Employment and Reemployment Rights Act (USERRA).

Following reemployment in a retirement system-covered position, a member may have up to five years of military service credited to their retirement system by paying the employee contributions. Depending on when the military service was completed, the member may or may not have been required to also pay interest on the contributions. The contributions are based on the average of the member's compensation at the time the member left employment to join the Armed Forces and at the time the member resumed employment, and payment must be completed within five years following either the first resumption of state employment or accumulation of 25 years of service credit.

A member that provides proof to the Director of the Department of Retirement Systems that the member's interruptive military service credit was earned during a period of war may receive up to five years of interruptive military service credit without paying the employee contributions.

"Period of war" is defined in RCW 41.04.005 to include specific named conflicts, including World War I, World War II, the Korean conflict, the Vietnam era, the Persian Gulf War, and any future period beginning on the date of a future declaration of war by Congress and ending on the date of a Presidential proclamation or resolution by Congress. Additional armed conflicts are included where the individual was awarded the respective campaign badge or medal in the following conflicts: the crisis in Lebanon, the invasion of Grenada, Operation Just Cause in Panama, Operation Restore Hope in Somalia, Operation Uphold Democracy in Haiti, Operation Joint Endeavor in Bosnia, Operation Noble Eagle, Operation Enduring Freedom in Southern or Central Asia, and Operation Iraqi Freedom.

Summary of Amended Bill:

The LEOFF 2 Retirement Board (Board) shall study the requirement that members of the LEOFF 2 that are veterans of specified conflicts make contributions to the plan for periods of interruptive service credit where the member was not awarded a campaign badge or medal. The Board shall report the findings of the study to the appropriate committees of the Legislature by January 1, 2018.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) A deputy sheriff in Kitsap County that was mobilized four times would be impacted by this bill. In none of the activations was he awarded a service medal. Currently, to get LEOFF 2 military service credit for service that occurred in certain conflicts like Operation Noble Eagle, but did not qualify for the service medal, the member must make contributions upon returning to LEOFF 2 employment. Removing the service medal requirement modernizes the LEOFF 2, as today's asymmetric conflicts can expose military personnel all over the world to danger.

(Opposed) None.

Persons Testifying: Senator Rolfes, prime sponsor; and Rex Bruce, Washington Veterans Legislative Coalition.

Persons Signed In To Testify But Not Testifying: None.