

1 5092-S AMS roac S3836.1

2 SSB 5092 - S AMD

3 By Senators Roach, Rasmussen, Wojahn and Madsen

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

7 "Sec. 1. RCW 41.26.520 and 1989 c 88 s 2 are each amended to read
8 as follows:

9 (1) A member who is on a paid leave of absence authorized by a
10 member's employer shall continue to receive service credit as provided
11 for under the provisions of RCW 41.26.410 through 41.26.550.

12 (2) Except as specified in subsection (3) of this section, a member
13 shall be eligible to receive a maximum of two years service credit
14 during a member's entire working career for those periods when a member
15 is on an unpaid leave of absence authorized by an employer. Such
16 credit may be obtained only if the member makes the employer, member,
17 and state contributions plus interest as determined by the department
18 for the period of the authorized leave of absence within five years of
19 resumption of service or prior to retirement whichever comes sooner:
20 PROVIDED, That for the purpose of this subsection the contribution
21 shall not include the contribution for the unfunded supplemental
22 present value as required by RCW 41.26.450. The contributions required
23 shall be based on the average of the member's basic salary at both the
24 time the authorized leave of absence was granted and the time the
25 member resumed employment.

26 (3) A member who ~~((is inducted into))~~ leaves the employ of an
27 employer to enter the armed forces of the United States shall be
28 ~~((deemed to be on an unpaid, authorized leave of absence))~~ entitled to

1 retirement system service credit for up to four years of military
2 service.

3 (a) The member qualifies for service credit under this subsection
4 if:

5 (i) Within ninety days of the member's honorable discharge from the
6 United States armed forces, the member returns to the employ of the
7 employer who employed the member immediately prior to the member
8 entering the United States armed forces; and

9 (ii) The member makes the employee contributions required under RCW
10 41.26.450 plus interest as determined by the department within five
11 years of resumption of service or prior to retirement, whichever comes
12 sooner.

13 (b) Upon receipt of member contributions under (a)(ii) of this
14 subsection, the department shall bill the employer and the state for
15 their respective contributions required under RCW 41.26.450 for the
16 period of military service, plus interest as determined by the
17 department.

18 (c) The contributions required shall be based on the average of the
19 member's basic salary at both the time the authorized leave was granted
20 and the time the member resumed employment.

21 (4) A member receiving benefits under Title 51 RCW who is not
22 receiving benefits under this chapter shall be deemed to be on unpaid,
23 authorized leave of absence."

24 "**Sec. 2.** RCW 41.32.810 and 1977 ex.s. c 293 s 13 are each amended
25 to read as follows:

26 (1) A member who is on a paid leave of absence authorized by a
27 member's employer shall continue to receive service credit as provided
28 for under the provisions of RCW 41.32.755 through 41.32.825.

1 (2) Except as specified in subsection (3) of this section, a member
2 shall be eligible to receive a maximum of two years service credit
3 during a member's entire working career for those periods when a member
4 is on an unpaid leave of absence authorized by an employer. Such
5 credit may be obtained only if the member makes both the employer and
6 member contributions plus interest as determined by the department for
7 the period of the authorized leave of absence within five years of
8 resumption of service or prior to retirement whichever comes sooner:
9 PROVIDED, That for the purpose of this subsection (~~{section}~~) the
10 contribution shall not include the contribution for the unfunded
11 supplemental present value as required by RCW 41.32.775. The
12 contributions required shall be based on the average of the member's
13 (~~compensation~~) earnable compensation at both the time the authorized
14 leave of absence was granted and the time the member resumed
15 employment.

16 (3) A member who (~~is inducted into~~) leaves the employ of an
17 employer to enter the armed forces of the United States shall be
18 (~~deemed to be on an unpaid, authorized leave of absence~~) entitled to
19 retirement system service credit for up to four years of military
20 service.

21 (a) The member qualifies for service credit under this subsection
22 if:

23 (i) Within ninety days of the member's honorable discharge from the
24 United States armed forces, the member returns to the employ of the
25 employer who employed the member immediately prior to the member
26 entering the United States armed forces; and

27 (ii) The member makes the employee contributions required under RCW
28 41.32.775 plus interest as determined by the department within five
29 years of resumption of service or prior to retirement, whichever comes
30 sooner.

1 (b) Upon receipt of member contributions under (a)(ii) of this
2 subsection, the department shall bill the employer for its contribution
3 required under RCW 41.32.775 for the period of military service, plus
4 interest as determined by the department.

5 (c) The contributions required shall be based on the average of the
6 member's earnable compensation at both the time the authorized leave
7 was granted and the time the member resumed employment."

8 **"Sec. 3.** RCW 41.40.710 and 1991 c 35 s 100 are each amended to
9 read as follows:

10 (1) A member who is on a paid leave of absence authorized by a
11 member's employer shall continue to receive service credit as provided
12 for under the provisions of RCW 41.40.610 through 41.40.740.

13 (2) Except as specified in subsection (3) of this section, a member
14 shall be eligible to receive a maximum of two years service credit
15 during a member's entire working career for those periods when a member
16 is on an unpaid leave of absence authorized by an employer. Such
17 credit may be obtained only if the member makes both the plan II
18 employer and member contributions plus interest as determined by the
19 department for the period of the authorized leave of absence within
20 five years of resumption of service or prior to retirement whichever
21 comes sooner. The contributions required shall be based on the average
22 of the member's compensation earnable at both the time the authorized
23 leave of absence was granted and the time the member resumed
24 employment.

25 (3) A member who ((is inducted into)) leaves the employ of an
26 employer to enter the armed forces of the United States shall be
27 ((deemed to be on an unpaid, authorized leave of absence)) entitled to
28 retirement system service credit for up to four years of military
29 service.

1 (a) The member qualifies for service credit under this subsection
2 if:

3 (i) Within ninety days of the member's honorable discharge from the
4 United States armed forces, the member returns to the employ of the
5 employer who employed the member immediately prior to the member
6 entering the United States armed forces; and

7 (ii) The member makes the employee contributions required under RCW
8 41.40.650 plus interest as determined by the department within five
9 years of resumption of service or prior to retirement, whichever comes
10 sooner.

11 (b) Upon receipt of member contributions under (a)(ii) of this
12 subsection, the department shall bill the employer for its contribution
13 required under RCW 41.40.650 for the period of military service, plus
14 interest as determined by the department.

15 (c) The contributions required shall be based on the average of the
16 member's compensation earnable at both the time the authorized leave
17 was granted and the time the member resumed employment."

18 "NEW SECTION. Sec. 4. This act applies retroactively for
19 retirement system service credit for military service which began on or
20 after January 1, 1990."

21 "NEW SECTION. Sec. 5. This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and shall take
24 effect immediately."

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4 On page 1, line 2 of the title, after "Shield;" strike the
5 remainder of the title and insert "amending RCW 41.26.520, 41.32.810,
6 and 41.40.710; creating a new section; and declaring an emergency."