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**SUBSTITUTE HOUSE BILL 1409**

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**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Jacobsen, H. Sommers, Wood, Wineberry, Nelson, May, Ogden, Miller, Sheldon, Basich, Paris, Spanel, Phillips, Rasmussen and Anderson)

Read first time 02/05/92.

1 AN ACT Relating to higher education retirement plans; amending RCW  
2 28B.10.420; providing an effective date; and declaring an emergency.

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

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

6 (1) Except as provided otherwise in subsection (2) of this section,  
7 faculty members or other employees designated by the boards of regents  
8 of the state universities, the boards of trustees of the regional  
9 universities or of The Evergreen State College, or the state board for  
10 community college education pursuant to RCW 28B.10.400 through  
11 28B.10.420 as now or hereafter amended shall be retired from their  
12 employment with their institutions of higher education not later than  
13 the end of the academic year next following their seventieth birthday  
14 if their seventieth birthday occurs on or before June 30, 1992. There

1 shall be no mandatory retirement on condition of age for faculty or  
2 other designated employees after July 1, 1992.

3 (2) As provided in this subsection, the board of regents of a state  
4 university, the board of trustees of a regional university or The  
5 Evergreen State College, or the state board for community college  
6 education may reemploy any person who is "retired" pursuant to  
7 ~~((subsection (1) of this section, who applies for reemployment and who~~  
8 ~~has reached seventy years of age on or after July 1, 1970))~~ this  
9 chapter. The following provisions shall govern such reemployment:

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

14 ~~(b))~~ The period of reemployment shall not be counted as service  
15 under, or result in any eligibility for benefits or increased benefits  
16 under, any state authorized or supported annuity or retirement income  
17 plan. Reemployment shall not result in the reemployed person or  
18 employer making any contributions to any such plan.

19 ~~((c) No person may be reemployed on a full time basis if such~~  
20 ~~person is receiving benefits under any state authorized or supported~~  
21 ~~annuity or retirement income plan. The reemployment of any person on~~  
22 ~~a full time basis shall be immediately terminated upon the person's~~  
23 ~~obtaining of any such benefits.~~

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

29 ~~((e))~~ (c) A person reemployed pursuant to this section shall  
30 comply with all conditions of reemployment and all rules providing for

1 the administration of this subsection which are prescribed or adopted  
2 by the board of regents, or board of trustees, or by the state board  
3 for community college education.

4 NEW SECTION. **Sec. 2.** This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of the  
6 state government and its existing public institutions, and shall take  
7 effect July 1, 1992.