
HOUSE BILL 2783

State of Washington 61st Legislature 2010 Regular Session

By Representatives Takko, Armstrong, Ericks, Simpson, and Wallace

Read first time 01/14/10. Referred to Committee on Ways & Means.

1 AN ACT Relating to the Washington state patrol retirement system;
2 and reenacting and amending RCW 43.43.120.

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

4 **Sec. 1.** RCW 43.43.120 and 2009 c 549 s 5124 and 2009 c 522 s 1 are
5 each reenacted and amended to read as follows:

6 As used in this section and RCW (~~43.43.120~~) 43.43.130 through
7 43.43.320, unless a different meaning is plainly required by the
8 context:

9 (1) "Actuarial equivalent" shall mean a benefit of equal value when
10 computed upon the basis of such mortality table as may be adopted and
11 such interest rate as may be determined by the director.

12 (2) "Annual increase" means as of July 1, 1999, seventy-seven cents
13 per month per year of service which amount shall be increased each
14 subsequent July 1st by three percent, rounded to the nearest cent.

15 (3)(a) "Average final salary," for members commissioned prior to
16 January 1, 2003, shall mean the average monthly salary received by a
17 member during the member's last two years of service or any consecutive
18 two-year period of service, whichever is the greater, as an employee of

1 the Washington state patrol; or if the member has less than two years
2 of service, then the average monthly salary received by the member
3 during the member's total years of service.

4 (b) "Average final salary," for members commissioned on or after
5 January 1, 2003, shall mean the average monthly salary received by a
6 member for the highest consecutive sixty service credit months; or if
7 the member has less than sixty months of service, then the average
8 monthly salary received by the member during the member's total months
9 of service.

10 (4) "Beneficiary" means any person in receipt of retirement
11 allowance or any other benefit allowed by this chapter.

12 (5)(a) "Cadet," for a person who became a member of the retirement
13 system after June 12, 1980, is a person who has passed the Washington
14 state patrol's entry-level oral, written, physical performance, and
15 background examinations and is, thereby, appointed by the chief as a
16 candidate to be a commissioned officer of the Washington state patrol.

17 (b) "Cadet," for a person who became a member of the retirement
18 system before June 12, 1980, is a trooper cadet, patrol cadet, or
19 employee of like classification, employed for the express purpose of
20 receiving the on-the-job training required for attendance at the state
21 patrol academy and for becoming a commissioned trooper. "Like
22 classification" includes: Radio operators or dispatchers; persons
23 providing security for the governor or legislature; patrol officers;
24 drivers' license examiners; weighmasters; vehicle safety inspectors;
25 central wireless operators; and warehouse workers.

26 (6) "Contributions" means the deduction from the compensation of
27 each member in accordance with the contribution rates established under
28 chapter 41.45 RCW.

29 (7) "Current service" shall mean all service as a member rendered
30 on or after August 1, 1947.

31 (8) "Department" means the department of retirement systems created
32 in chapter 41.50 RCW.

33 (9) "Director" means the director of the department of retirement
34 systems.

35 (10) "Domestic partners" means two adults who have registered as
36 domestic partners under RCW ((~~26.60.020~~)) 26.60.040.

37 (11) "Employee" means any commissioned employee of the Washington
38 state patrol.

1 (12) "Insurance commissioner" means the insurance commissioner of
2 the state of Washington.

3 (13) "Lieutenant governor" means the lieutenant governor of the
4 state of Washington.

5 (14) "Member" means any person included in the membership of the
6 retirement fund.

7 (15) "Plan 2" means the Washington state patrol retirement system
8 plan 2, providing the benefits and funding provisions covering
9 commissioned employees who first become members of the system on or
10 after January 1, 2003.

11 (16) "Prior service" shall mean all services rendered by a member
12 to the state of Washington, or any of its political subdivisions prior
13 to August 1, 1947, unless such service has been credited in another
14 public retirement or pension system operating in the state of
15 Washington.

16 (17) "Regular interest" means interest compounded annually at such
17 rates as may be determined by the director.

18 (18) "Retirement board" means the board provided for in this
19 chapter.

20 (19) "Retirement fund" means the Washington state patrol retirement
21 fund.

22 (20) "Retirement system" means the Washington state patrol
23 retirement system.

24 (21)(a) "Salary," for members commissioned prior to July 1, 2001,
25 shall exclude any overtime earnings related to RCW 47.46.040, or any
26 voluntary overtime, earned on or after July 1, 2001. Any overtime
27 compensation and voluntary overtime compensation earned on or after
28 July 1, 2010, related to RCW 47.46.040 shall be considered "salary" for
29 the purposes of this section provided that the contributions required
30 in this chapter are deducted from the compensation.

31 (b) "Salary," for members commissioned on or after July 1, 2001,
32 shall exclude any overtime earnings related to RCW 47.46.040 or any
33 voluntary overtime, lump sum payments for deferred annual sick leave,
34 unused accumulated vacation, unused accumulated annual leave, holiday
35 pay, or any form of severance pay. Any overtime compensation and
36 voluntary overtime compensation earned on or after July 1, 2010,
37 related to RCW 47.46.040 shall be considered "salary" for the purposes

1 of this section provided that the contributions required in this
2 chapter are deducted from the compensation.

3 (22) "Service" shall mean services rendered to the state of
4 Washington or any political subdivisions thereof for which compensation
5 has been paid. Full time employment for seventy or more hours in any
6 given calendar month shall constitute one month of service. An
7 employee who is reinstated in accordance with RCW 43.43.110 shall
8 suffer no loss of service for the period reinstated subject to the
9 contribution requirements of this chapter. Only months of service
10 shall be counted in the computation of any retirement allowance or
11 other benefit provided for herein. Years of service shall be
12 determined by dividing the total number of months of service by twelve.
13 Any fraction of a year of service as so determined shall be taken into
14 account in the computation of such retirement allowance or benefit.

15 (23) "State actuary" or "actuary" means the person appointed
16 pursuant to RCW 44.44.010(2).

17 (24) "State treasurer" means the treasurer of the state of
18 Washington.

19 ((+25+)) Unless the context expressly indicates otherwise, words
20 importing the masculine gender shall be extended to include the
21 feminine gender and words importing the feminine gender shall be
22 extended to include the masculine gender.

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