
SENATE BILL 6134

State of Washington 62nd Legislature 2012 Regular Session

By Senators Delvin, Conway, Sheldon, and Hewitt

Read first time 01/12/12. Referred to Committee on Ways & Means.

1 AN ACT Relating to allowing department of fish and wildlife
2 enforcement officers to transfer service credit; and amending RCW
3 41.26.435.

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

5 **Sec. 1.** RCW 41.26.435 and 2009 c 157 s 1 are each amended to read
6 as follows:

7 (1) A member of plan 2 who was a member of the public employees'
8 retirement system plan 2 or plan 3 while employed as an enforcement
9 officer for the department of fish and wildlife has the option to make
10 an election no later than December 31, 2009, filed in writing with the
11 department of retirement systems, to transfer all service credit
12 previously earned as an enforcement officer in the public employees'
13 retirement system plan 2 or plan 3 to the law enforcement officers' and
14 firefighters' retirement system plan 2. Service credit that a member
15 elects to transfer from the public employees' retirement system to the
16 law enforcement officers' and firefighters' retirement system under
17 this section shall be transferred no earlier than June 30, (~~2014~~)
18 2012, and only after the member completes payment as provided in
19 subsection (2) of this section.

1 (2)(a) A member who elects to transfer service credit under
2 subsection (1) of this section shall make the payments required by this
3 subsection prior to having service credit earned as an enforcement
4 officer with the department of fish and wildlife under the public
5 employees' retirement system plan 2 or plan 3 transferred to the law
6 enforcement officers' and firefighters' retirement system plan 2.

7 (b) A member who elects to transfer service credit from the public
8 employees' retirement system plan 2 under this subsection shall pay,
9 for the applicable period of service, the difference between the
10 contributions the employee paid to the public employees' retirement
11 system plan 2 and the contributions that would have been paid by the
12 employee had the employee been a member of the law enforcement
13 officers' and firefighters' retirement system plan 2, plus interest on
14 this difference as determined by the director. This payment must be
15 made no later than June 30, (~~(2014)~~) 2012, and must be made prior to
16 retirement.

17 (c) A member who elects to transfer service credit from the public
18 employees' retirement system plan 3 under this subsection shall
19 transfer to the law enforcement officers' and firefighters' retirement
20 system plan 2, for the applicable period of service, the full balance
21 of the member's defined contribution account within plan 3 as of the
22 effective date of the transfer. At no time will the member pay, for
23 the applicable period of service, a sum less than the contributions
24 that would have been paid by the employee had the employee been a
25 member of the law enforcement officers' and firefighters' retirement
26 system plan 2, plus interest as determined by the director. This
27 transfer and any additional payment, if necessary, must be made no
28 later than June 30, (~~(2014)~~) 2012, and must be made prior to
29 retirement.

30 (d) Upon completion of the payment required in (b) of this
31 subsection, the department shall transfer from the public employees'
32 retirement system to the law enforcement officers' and firefighters'
33 retirement system plan 2: (i) All of the employee's applicable
34 accumulated contributions plus interest and all of the applicable
35 employer contributions plus interest; and (ii) all applicable months of
36 service, as defined in RCW 41.26.030(~~(+14)~~) (28)(b), credited to the
37 employee under this chapter for service as an enforcement officer with

1 the department of fish and wildlife as though that service was rendered
2 as a member of the law enforcement officers' and firefighters'
3 retirement system plan 2.

4 (e) Upon completion of the payment required in (c) of this
5 subsection, the department shall transfer from the public employees'
6 retirement system to the law enforcement officers' and firefighters'
7 retirement system plan 2: (i) All of the employee's applicable
8 accumulated contributions plus interest and all of the applicable
9 employer contributions plus interest; and (ii) all applicable months of
10 service, as defined in RCW 41.26.030(~~((+14))~~) (28)(b), credited to the
11 employee under this chapter for service as an enforcement officer with
12 the department of fish and wildlife as though that service was rendered
13 as a member of the law enforcement officers' and firefighters'
14 retirement system plan 2.

15 (f) If a member who elected to transfer pursuant to this section
16 dies or retires for disability prior to June 30, (~~((2014))~~) 2012, the
17 member's benefit is calculated as follows:

18 (i) All of the applicable service credit, accumulated
19 contributions, and interest is transferred to the law enforcement
20 officers' and firefighters' retirement system plan 2 and used in the
21 calculation of a benefit.

22 (ii) If a member's obligation under (b) or (c) of this subsection
23 has not been paid in full at the time of death or disability
24 retirement, the member, or in the case of death the surviving spouse or
25 eligible minor children, have the following options:

- 26 (A) Pay the bill in full;
- 27 (B) If a continuing monthly benefit is chosen, have the benefit
28 actuarially reduced to reflect the amount of the unpaid obligation
29 under (b) or (c) of this subsection; or
- 30 (C) Continue to make payment against the obligation under (b) or
31 (c) of this subsection, provided that payment in full is made no later
32 than June 30, (~~((2014))~~) 2012.

33 (g) Upon transfer of service credit, contributions, and interest
34 under this subsection, the employee is permanently excluded from
35 membership in the public employees' retirement system for all service
36 related to time served as an enforcement officer with the department of

1 fish and wildlife under the public employees' retirement system plan 2
2 or plan 3.

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