
ENGROSSED HOUSE BILL 1261

State of Washington

53rd Legislature

1993 Regular Session

By Representatives Sommers, Dellwo, R. Fisher, Jacobsen, Brough, Wang, Brown, Thibaudeau, Johanson and J. Kohl

Read first time 01/20/93. Referred to Committee on Appropriations.

1 AN ACT Relating to portability of public retirement benefits;
2 amending RCW 41.54.061 and 41.54.040; creating a new section; and
3 declaring an emergency.

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

5 **Sec. 1.** RCW 41.54.061 and 1990 c 192 s 3 are each amended to read
6 as follows:

7 (1) The cities of Seattle, Spokane, and Tacoma shall each have the
8 option of making an irrevocable election to have its employee
9 retirement system included in the coverage of this chapter by adopting
10 a resolution transmitting it to the director and the joint committee on
11 pension policy prior to December (~~(1, 1990)~~) 31, 1993.

12 The resolution shall indicate the city's desire to be covered by
13 this chapter and its willingness to pay for the additional cost it may
14 incur as a result of the benefits provided by this chapter.

15 (2) This chapter shall become effective on January 1, (~~(1991)~~)
16 1994, for each city which adopts a resolution pursuant to subsection
17 (1) of this section. (~~((However, if all three cities adopt such~~
18 ~~resolutions prior to June 1, 1990, the provisions of this chapter shall~~
19 ~~become effective for those systems on July 1, 1990.))~~)

1 **Sec. 2.** RCW 41.54.040 and 1990 c 192 s 5 are each amended to read
2 as follows:

3 (1) (~~Except where subsection (4) of this section applies,~~) The
4 retirement allowances calculated under RCW 41.54.030 shall be paid
5 separately by each respective current and prior system. Any deductions
6 from such separate payments shall be according to the provisions of the
7 respective systems.

8 (2) Postretirement adjustments, if any, shall be applied by the
9 respective systems based on the payments made under subsection (1) of
10 this section.

11 (3) If a dual member dies in service in any system, the surviving
12 spouse shall receive the same benefit from each system that would have
13 been received if the member were active in the system at the time of
14 death based on service actually established in that system. However,
15 this subsection does not make a surviving spouse eligible for the
16 survivor benefits provided in RCW 43.43.270.

17 (4) The department shall adopt rules under chapter 34.05 RCW to
18 ensure that where a dual member has service in a system established
19 under chapter 41.32, 41.40, 41.44, or 43.43 RCW and service under the
20 city employee retirement system for Seattle, Tacoma, or Spokane, the
21 (~~entire~~) additional cost incurred as a result of the dual member
22 receiving a benefit under this chapter shall be borne by the (~~city~~)
23 retirement system (~~that the person is a member of~~) incurring the
24 additional cost.

25 NEW SECTION. **Sec. 3.** This act is necessary for the immediate
26 preservation of the public peace, health, or safety, or support of the
27 state government and its existing public institutions, and shall take
28 effect immediately.

29 NEW SECTION. **Sec. 4.** If specific funding for this act,
30 referencing this act by bill number, is not provided by June 30, 1993,
31 in the biennial appropriations act, this act shall be null and void.

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