
SUBSTITUTE SENATE BILL 5089

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Carlson, Fraser, Rasmussen and Esser; by request of Joint Committee on Pension Policy)

READ FIRST TIME 02/12/03.

1 AN ACT Relating to allowing fire fighter emergency medical
2 technicians to transfer public employees' retirement system service
3 credit to the law enforcement officers' and fire fighters' plan 2;
4 adding a new section to chapter 41.26 RCW; and providing an expiration
5 date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW
8 under the subchapter heading "plan 2" to read as follows:

9 (1) A plan 2 member who was a member of the public employees'
10 retirement system while employed providing emergency medical services
11 for a city, town, county, or district and whose job was relocated from
12 another department of a city, town, county, or district to a fire
13 department has the following options:

14 (a) Remain a member of the public employees' retirement system; or

15 (b) Leave any service credit earned as a member of the public
16 employees' retirement system in the public employees' retirement
17 system, and have all future service earned in the law enforcement
18 officers' and fire fighters' retirement system plan 2, becoming a dual
19 member under the provisions of chapter 41.54 RCW; or

1 (c) Make an election no later than June 30, 2008, filed in writing
2 with the department of retirement systems, to transfer service credit
3 previously earned as an emergency medical technician for a city, town,
4 county, or district in the public employees' retirement system plan 1
5 or plan 2 to the law enforcement officers' and fire fighters'
6 retirement system plan 2 as defined in RCW 41.26.030. Service credit
7 that a member elects to transfer from the public employees' retirement
8 system to the law enforcement officers' and fire fighters' retirement
9 system under this section shall be transferred no earlier than five
10 years after the effective date the member elects to transfer, and only
11 after the member earns five years of service credit as a fire fighter
12 following the effective date the member elects to transfer.

13 (2) A plan 1 member who was a member of the public employees'
14 retirement system while employed providing emergency medical services
15 for a city, town, county, or district and whose job was relocated from
16 another department of a city, town, county, or district to a fire
17 department has the following options:

18 (a) Remain a member of the public employees' retirement system; or

19 (b) Leave any service credit earned as a member of the public
20 employees' retirement system in the public employees' retirement
21 system, and have all future service earned in the law enforcement
22 officers' and fire fighters' retirement system plan 1.

23 (3)(a) A member who elects to transfer service credit under
24 subsection (1)(c) of this section shall make the payments required by
25 this subsection prior to having service credit earned as an emergency
26 medical technician for a city, town, county, or district under the
27 public employees' retirement system plan 1 or plan 2 transferred to the
28 law enforcement officers' and fire fighters' retirement system plan 2.
29 However, in no event shall service credit be transferred earlier than
30 five years after the effective date the member elects to transfer, or
31 prior to the member earning five years of service credit as a fire
32 fighter following the effective date the member elects to transfer.

33 (b) A member who elects to transfer service credit under this
34 subsection shall pay, for the applicable period of service, the
35 difference between the contributions the employee paid to the public
36 employees' retirement system plan 1 or plan 2 and the contributions
37 that would have been paid by the employee had the employee been a
38 member of the law enforcement officers' and fire fighters' retirement

1 system plan 2, plus interest on this difference as determined by the
2 director. This payment must be made no later than five years from the
3 effective date of the election made under subsection (1)(c) of this
4 section and must be made prior to retirement.

5 (c) No earlier than five years after the effective date the member
6 elects to transfer service credit under this section and upon
7 completion of the payment required in (b) of this subsection, the
8 department shall transfer from the public employees' retirement system
9 plan 1 or plan 2 to the law enforcement officers' and fire fighters'
10 retirement system plan 2: (i) All of the employee's applicable
11 accumulated contributions plus interest and an equal amount of employer
12 contributions; and (ii) all applicable months of service, as defined in
13 RCW 41.26.030(14)(b), credited to the employee under this chapter for
14 service as an emergency services provider for a city, town, county, or
15 district as though that service was rendered as a member of the law
16 enforcement officers' and fire fighters' retirement system plan 2.

17 (d) Upon transfer of service credit, contributions, and interest
18 under this subsection, the employee is permanently excluded from
19 membership in the public employees' retirement system for all service
20 transfers related to their time served as an emergency medical
21 technician for a city, town, county, or district under the public
22 employees' retirement system plan 1 or plan 2.

23 NEW SECTION. **Sec. 2.** This act expires July 1, 2013.

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