
HOUSE BILL 3023

State of Washington

60th Legislature

2008 Regular Session

By Representatives Crouse, Conway, Fromhold, VanDeWege, Hurst, Simpson, Kretz, and Linville; by request of Select Committee on Pension Policy and LEOFF Plan 2 Retirement Board

Read first time 01/21/08. Referred to Committee on Appropriations.

1 AN ACT Relating to allowing department of fish and wildlife
2 enforcement officers to transfer service credit; and adding a new
3 section to chapter 41.26 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW
6 to read as follows:

7 (1) A member of plan 2 who was a member of the public employees'
8 retirement system plan 2 while employed as an enforcement officer for
9 the department of fish and wildlife has the option to make an election
10 no later than June 30, 2013, filed in writing with the department of
11 retirement systems, to transfer service credit previously earned as an
12 enforcement officer in the public employees' retirement system plan 2
13 to the law enforcement officers' and firefighters' retirement system
14 plan 2. Service credit that a member elects to transfer from the
15 public employees' retirement system to the law enforcement officers'
16 and firefighters' retirement system under this section shall be
17 transferred no earlier than June 30, 2013, and only after the member
18 completes payment as provided in 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 transferred to the law enforcement
6 officers' and firefighters' retirement system plan 2.

7 (b) A member who elects to transfer service credit under this
8 subsection shall pay, for the applicable period of service, the
9 difference between the contributions the employee paid to the public
10 employees' retirement system plan 2 and the contributions that would
11 have been paid by the employee had the employee been a member of the
12 law enforcement officers' and firefighters' retirement system plan 2,
13 plus interest on this difference as determined by the director. This
14 payment must be made no later than June 30, 2013, and must be made
15 prior to retirement.

16 (c) No later than June 30, 2014, the department of fish and
17 wildlife shall pay an amount sufficient to ensure that the contribution
18 level to the law enforcement officers' and firefighters' retirement
19 system will not increase due to this transfer. Payments made prior to
20 June 30, 2014, are authorized as determined by the department and
21 coordinated with the state actuary.

22 (d) Upon completion of the payment required in (b) of this
23 subsection, the department shall transfer from the public employees'
24 retirement system to the law enforcement officers' and firefighters'
25 retirement system plan 2: (i) All of the employee's applicable
26 accumulated contributions plus interest and all of the applicable
27 employer contributions plus interest; and (ii) all applicable months of
28 service, as defined in RCW 41.26.030(14)(b), credited to the employee
29 under this chapter for service as an enforcement officer with the
30 department of fish and wildlife as though that service was rendered as
31 a member of the law enforcement officers' and firefighters' retirement
32 system plan 2.

33 (e) If a member who elected to transfer pursuant to this section
34 dies or retires for disability prior to five years from their election
35 date, the member's benefit is calculated as follows:

36 (i) All of the applicable service credit, accumulated
37 contributions, and interest is transferred to the law enforcement

1 officers' and firefighters' retirement system plan 2 and used in the
2 calculation of a benefit.

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

7 (A) Pay the bill in full;

8 (B) If a continuing monthly benefit is chosen, have the benefit
9 actuarially reduced to reflect the amount of the unpaid obligation
10 under (b) of this subsection; or

11 (C) Continue to make payment against the obligation under (b) of
12 this subsection, provided that payment in full is made no later than
13 five years from the member's original election date.

14 (f) Upon transfer of service credit, contributions, and interest
15 under this subsection, the employee is permanently excluded from
16 membership in the public employees' retirement system for all service
17 related to time served as an enforcement officer with the department of
18 fish and wildlife under the public employees' retirement system plan 2.

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