

SSB 5659 - S AMD 116  
By Senator Bailey

ADOPTED 03/07/2017

1 Beginning on page 11, line 17, strike all of section 3 and insert  
2 the following:

3 "NEW SECTION. **Sec. 3.** (1) A member who provided emergency  
4 medical services on behalf of a public hospital district or public  
5 corporation established under RCW 35.21.730 to provide emergency  
6 medical services as defined in RCW 18.73.030(10) may establish credit  
7 for such service rendered on or after July 24, 2005. Upon receipt of  
8 a written request the department of retirement systems must notify  
9 the member of the cost to establish credit for all or part of such  
10 service.

11 (a) A member has one year from July 1, 2017, to elect to  
12 establish credit in plan 2 under this section. Such election must be  
13 filed in writing with the department of retirement systems by June  
14 30, 2018. The elected period must be in contiguous monthly increments  
15 beginning with the oldest service.

16 (i) To establish service under this section, except as provided  
17 in section 4 of this act, the member must pay the employee  
18 contributions he or she would have paid if he or she had been  
19 participating in the retirement system at the time of the service:

20 (A) No later than five years from the effective date of the  
21 election made under this section; and

22 (B) Prior to retirement.

23 (ii) Upon full payment of employee contributions for the elected  
24 period of service the department of retirement systems must:

25 (A) Credit the member with the service; and

26 (B) Bill the employer for the employer contributions it would  
27 have paid if such member had been participating in the retirement  
28 system at the time of such service. The amount billed to the employer  
29 by the department of retirement systems must be reduced by the amount  
30 of any employer contributions to an employee's retirement account  
31 prior to December 1, 2011.

1 (iii) The employer shall pay the required amount prior to July 1,  
2 2028.

3 (b)(i) A member of the public employees' retirement system who is  
4 eligible for membership in plan 2 under this act may:

5 (A) Make an election in writing to the department of retirement  
6 systems by July 1, 2017, to remain a member of the public employees'  
7 retirement system and not participate in the law enforcement  
8 officers' and firefighters' retirement system plan 2;

9 (B) Leave any service credit earned as a member of the public  
10 employees' retirement system in the public employees' retirement  
11 system, and have service rendered on or after July 1, 2017, as an  
12 emergency medical technician in the law enforcement officers' and  
13 firefighters' retirement system plan 2, becoming a dual member under  
14 the provisions of chapter 41.54 RCW; or

15 (C) Within one year from July 1, 2017, to elect to transfer  
16 service credit previously earned as an emergency medical technician  
17 for a public hospital district or public corporation established  
18 under RCW 35.21.730 to provide emergency medical services as defined  
19 in RCW 18.73.030(10) to the law enforcement officers' and  
20 firefighters' retirement system plan 2 as defined in RCW 41.26.030.  
21 Such election must be filed in writing with the department of  
22 retirement systems by June 30, 2018.

23 (I) A member who elects to transfer service credit under this  
24 subsection shall pay, for the applicable period of service, the  
25 difference between the contributions the employee paid to the public  
26 employees' retirement system plan and the contributions that would  
27 have been paid by the employee had the employee been a member of the  
28 law enforcement officers' and firefighters' retirement system plan 2,  
29 plus interest on this difference as determined by the director.

30 (II) The payment under (a) of this subsection must be made no  
31 later than five years from the effective date of the election and  
32 must be made prior to retirement, except as provided under section 4  
33 of this act.

34 (2) Upon transfer or establishment of service credit,  
35 contributions, and interest under this section, the employee is  
36 permanently excluded from membership in the public employees'  
37 retirement system for all service transfers related to their time  
38 served as an emergency medical technician for a public hospital  
39 district or public corporation established under RCW 35.21.730 to

1 provide emergency medical services as defined in RCW 18.73.030(10)  
2 under the public employees' retirement system.

3 (3) A public hospital district or public corporation established  
4 under RCW 35.21.730 to provide emergency medical services as defined  
5 in RCW 18.73.030(10) shall provide the department of retirement  
6 systems with a list of former employees who were employed as  
7 emergency medical technicians on or after July 24, 2005, and who are  
8 eligible to establish credit for service under this section. The list  
9 must include a former employee's name, last known address, and period  
10 of employment. The department of retirement systems must notify  
11 former employees of the process and cost to establish credit for  
12 service under this section."

EFFECT: Extends the time the employer has to pay into the LEOFF fund from 5 to 10 years. Removes the section that seeks clarity from the IRS about the use of private retirement dollars to meet LEOFF obligations. Allows employers to pay the difference between what they have already contributed to an EMT's private retirement funds and what would have been owed to the LEOFF fund retroactively.

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