
SUBSTITUTE HOUSE BILL 1953

State of Washington

61st Legislature

2009 Regular Session

By House Ways & Means (originally sponsored by Representatives Conway, Bailey, Seaquist, Hurst, Van De Wege, Green, Simpson, Crouse, Orcutt, Ormsby, Williams, and Hinkle; by request of Select Committee on Pension Policy and LEOFF Plan 2 Retirement Board)

READ FIRST TIME 03/03/09.

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 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, and
18 only after the member completes payment as provided in subsection (2)
19 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, and must be made prior to retirement.

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

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

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

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

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

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

23 (A) Pay the bill in full;

24 (B) If a continuing monthly benefit is chosen, have the benefit
25 actuarially reduced to reflect the amount of the unpaid obligation
26 under (b) or (c) of this subsection; or

27 (C) Continue to make payment against the obligation under (b) or
28 (c) of this subsection, provided that payment in full is made no later
29 than June 30, 2014.

30 (g) Upon transfer of service credit, contributions, and interest
31 under this subsection, the employee is permanently excluded from
32 membership in the public employees' retirement system for all service
33 related to time served as an enforcement officer with the department of
34 fish and wildlife under the public employees' retirement system plan 2
35 or plan 3.

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