

SB 6134 - H COMM AMD

By Committee on Ways & Means

ADOPTED 03/01/2012

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 41.26.435 and 2009 c 157 s 1 are each amended to read
4 as follows:

5 (1) A member of plan 2 who was a member of the public employees'
6 retirement system plan 2 or plan 3 while employed as an enforcement
7 officer for the department of fish and wildlife has the option to make
8 an election no later than December 31, 2009, filed in writing with the
9 department of retirement systems, to transfer all service credit
10 previously earned as an enforcement officer in the public employees'
11 retirement system plan 2 or plan 3 to the law enforcement officers' and
12 firefighters' retirement system plan 2. Service credit that a member
13 elects to transfer from the public employees' retirement system to the
14 law enforcement officers' and firefighters' retirement system under
15 this section shall be transferred no earlier than June 30, (~~2014~~)
16 2012, and only after the member completes payment as provided in
17 subsection (2) of this section.

18 (2)(a) A member who elects to transfer service credit under
19 subsection (1) of this section shall make the payments required by this
20 subsection prior to having service credit earned as an enforcement
21 officer with the department of fish and wildlife under the public
22 employees' retirement system plan 2 or plan 3 transferred to the law
23 enforcement officers' and firefighters' retirement system plan 2.

24 (b) A member who elects to transfer service credit from the public
25 employees' retirement system plan 2 under this subsection shall pay,
26 for the applicable period of service, the difference between the
27 contributions the employee paid to the public employees' retirement
28 system plan 2 and the contributions that would have been paid by the
29 employee had the employee been a member of the law enforcement

1 officers' and firefighters' retirement system plan 2, plus interest on
2 this difference as determined by the director. This payment must be
3 made no later than June 30, 2014, and must be made prior to retirement.

4 (c) A member who elects to transfer service credit from the public
5 employees' retirement system plan 3 under this subsection shall
6 transfer to the law enforcement officers' and firefighters' retirement
7 system plan 2, for the applicable period of service, the full balance
8 of the member's defined contribution account within plan 3 as of the
9 effective date of the transfer. At no time will the member pay, for
10 the applicable period of service, a sum less than the contributions
11 that would have been paid by the employee had the employee been a
12 member of the law enforcement officers' and firefighters' retirement
13 system plan 2, plus interest as determined by the director. This
14 transfer and any additional payment, if necessary, must be made no
15 later than June 30, 2014, and must be made prior to retirement.

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

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

1 (f) If a member who elected to transfer pursuant to this section
2 dies or retires for disability prior to June 30, ((2014)) 2012, the
3 member's benefit is calculated as follows:

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

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

12 (A) Pay the bill in full;

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

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

19 (g) Upon transfer of service credit, contributions, and interest
20 under this subsection, the employee is permanently excluded from
21 membership in the public employees' retirement system for all service
22 related to time served as an enforcement officer with the department of
23 fish and wildlife under the public employees' retirement system plan 2
24 or plan 3."

25 Correct the title.

EFFECT: Restores current law permitting Department of Fish and
Wildlife Enforcement Officers to complete payment for service credit
that they elected to transfer from the Public Employees' Retirement
System to the Law Enforcement Officers' and Fire Fighters' Retirement
System Plan 2 no later than June 30, 2014, rather than by June 30,
2012, in the underlying bill.

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