

CERTIFICATION OF ENROLLMENT

**SENATE BILL 6376**

57th Legislature  
2002 Regular Session

Passed by the Senate March 11, 2002  
YEAS 40 NAYS 0

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**President of the Senate**

Passed by the House March 5, 2002  
YEAS 97 NAYS 0

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**Speaker of the  
House of Representatives**

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 6376** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

Approved

FILED

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Governor of the State of Washington

**Secretary of State  
State of Washington**

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**SENATE BILL 6376**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2002 Regular Session

**State of Washington                      57th Legislature                      2002 Regular Session**

**By** Senators Regala, Winsley, Fraser, Carlson, Jacobsen, Rasmussen, Kastama and Oke; by request of Joint Committee on Pension Policy

Read first time 01/16/2002. Referred to Committee on Ways & Means.

1            AN ACT Relating to the transfer of seasonal and military leave of  
2 absence employees to the public employees' retirement system plan 3;  
3 and amending RCW 41.40.795.

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

5            **Sec. 1.** RCW 41.40.795 and 2000 c 247 s 304 are each amended to  
6 read as follows:

7            (1) As used in this section, unless the context clearly requires  
8 otherwise:

9            (a) "Transfer period" means the time during which a member of one  
10 of the groups of plan 2 members identified in subsection (2) of this  
11 section may choose to irrevocably transfer from plan 2 to plan 3.

12            (b) "Transfer basis" means the accumulated contributions present in  
13 a member's savings fund on March 1, 2002, less fifty percent of any  
14 contributions made pursuant to RCW 41.50.165(2), which is the basis for  
15 calculation of the plan 2 to plan 3 additional transfer payment.

16            (c) "Additional transfer payment date" means June 1, 2003, the date  
17 of the additional transfer payment made according to subsection (6) of  
18 this section.

1 (2) Every plan 2 member employed by an employer in an eligible  
2 position has the option during their transfer period to make an  
3 irrevocable transfer to plan 3 according to the following schedule:

4 (a) For those members employed by state agencies and institutes of  
5 higher education the transfer period means the period between March 1,  
6 2002, and September 1, 2002.

7 (b) For those members employed by other organizations the transfer  
8 period means the period between September 1, 2002, and June 1, 2003.

9 (c) For those members employed by more than one employer within the  
10 retirement system, and whose transfer period is different between one  
11 employer and another, the member's transfer period is the last period  
12 that is available from any of that member's employers within the  
13 retirement system.

14 (3) All service credit in plan 2 shall be transferred to the  
15 defined benefit portion of plan 3.

16 (4)(a) Anyone who first became a state or higher education member  
17 of plan 2 before March 1, 2002, or a local government member of plan 2  
18 before September 1, 2002, who wishes to transfer to plan 3 after their  
19 transfer period may transfer during the month of January in any  
20 following year, provided that the member earns service credit for that  
21 month.

22 (b) Anyone who chose to become a state or higher education member  
23 of plan 2 on or after March 1, 2002, or a local government member of  
24 plan 2 on or after September 1, 2002, is prohibited from transferring  
25 to plan 3 under (a) of this subsection.

26 (5) The accumulated contributions in plan 2, less fifty percent of  
27 any contributions made pursuant to RCW 41.50.165(2) shall be  
28 transferred to the member's account in the defined contribution portion  
29 established in chapter 41.34 RCW, pursuant to procedures developed by  
30 the department and subject to RCW 41.34.090. Contributions made  
31 pursuant to RCW 41.50.165(2) that are not transferred to the member's  
32 account shall be transferred to the fund created in RCW 41.50.075(3),  
33 except that interest earned on all such contributions shall be  
34 transferred to the member's account.

35 (6) (~~Anyone who requests to transfer under this section during~~  
36 ~~their transfer period, and establishes~~) Those members employed by  
37 state agencies and institutions of higher education who request to  
38 transfer under this section during their transfer period and establish  
39 service credit for June 2002, and those members employed by other

1 organizations and who establish service credit for either June 2002 or  
2 February 2003, shall have their member account:

3 (a) If a member's transfer period is that described in subsection  
4 (2)(a) of this section, increased by one hundred ten percent of the  
5 transfer basis;

6 (b) If a member's transfer period is that described in subsection  
7 (2)(b) of this section, increased by one hundred eleven percent of the  
8 transfer basis; and

9 (c) Deposited into the member's individual account on the  
10 additional transfer payment date.

11 (7) If a member who requests to transfer dies before June 1, 2003,  
12 the additional payment provided by this section shall be paid to the  
13 member's estate, or the person or persons, trust, or organization the  
14 member nominated by written designation duly executed and filed with  
15 the department.

16 (8) Anyone previously retired from plan 2 is prohibited from  
17 transferring to plan 3.

18 (9) The legislature reserves the right to discontinue the right to  
19 transfer under this section and to modify and to discontinue the right  
20 to an additional payment under this section for any plan 2 members who  
21 have not previously transferred to plan 3.

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