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HOUSE BILL 1202

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Simpson, Cooper, Delvin, Conway, Pflug, Hinkle, McDermott and Chase; by request of Joint Committee on Pension Policy

Read first time 01/21/2003. Referred to Committee on Appropriations.

1 AN ACT Relating to allowing fire fighter emergency medical  
2 technicians to transfer public employees' retirement system service  
3 credit to the law enforcement officers' and fire fighters' plan 2;  
4 adding a new section to chapter 41.26 RCW; and providing an expiration  
5 date.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 41.26 RCW  
8 under the subchapter heading "plan 2" to read as follows:

9 (1) An employee who is eligible for membership in plan 2 and was a  
10 member of the public employees' retirement system while employed  
11 providing emergency medical services for a city, town, county, or  
12 district and whose job was relocated from another department of a city,  
13 town, county, or district to a fire department has the following  
14 options:

15 (a) Remain a member of the public employees' retirement system; or

16 (b) Leave any service credit earned as a member of the public  
17 employees' retirement system in the public employees' retirement

1 system, and have all future service earned in the law enforcement  
2 officers' and fire fighters' retirement system plan 2, becoming a dual  
3 member under the provisions of chapter 41.54 RCW; or

4 (c) Make an election, filed in writing with the department of  
5 retirement systems, to transfer service credit previously earned as an  
6 emergency medical technician for a city, town, county, or district in  
7 the public employees' retirement system plan 1 or plan 2 to the law  
8 enforcement officers' and fire fighters' retirement system plan 2 as  
9 defined in RCW 41.26.030. Service credit that a member elects to  
10 transfer from the public employees' retirement system to the law  
11 enforcement officers' and fire fighters' retirement system under this  
12 section shall be transferred no earlier than five years after the  
13 effective date the member elects to transfer, and only after the member  
14 earns five years of service credit as a fire fighter following the  
15 effective date the member elects to transfer.

16 (2) An employee who is eligible for membership in plan 1 and was a  
17 member of the public employees' retirement system while employed  
18 providing emergency medical services for a city, town, county, or  
19 district and whose job was relocated from another department of a city,  
20 town, county, or district to a fire department has the following  
21 options:

22 (a) Remain a member of the public employees' retirement system; or

23 (b) Leave any service credit earned as a member of the public  
24 employees' retirement system in the public employees' retirement  
25 system, and have all future service earned in the law enforcement  
26 officers' and fire fighters' retirement system plan 1, becoming a dual  
27 member under the provisions of chapter 41.54 RCW.

28 (3)(a) A member who elects to transfer service credit under  
29 subsection (1)(c) of this section shall make the payments required by  
30 this subsection prior to having service credit earned as an emergency  
31 medical technician for a city, town, county, or district under the  
32 public employees' retirement system plan 1 or plan 2 transferred to the  
33 law enforcement officers' and fire fighters' retirement system plan 2.  
34 However, in no event shall service credit be transferred earlier than  
35 five years after the effective date the member elects to transfer, or  
36 prior to the member earning five years of service credit as a fire  
37 fighter following the effective date the member elects to transfer.

1 (b) A member who elects to transfer service credit under this  
2 subsection shall pay, for the applicable period of service, the  
3 difference between the contributions the employee paid to the public  
4 employees' retirement system plan 1 or plan 2 and the contributions  
5 that would have been paid by the employee had the employee been a  
6 member of the law enforcement officers' and fire fighters' retirement  
7 system plan 2, plus interest on this difference as determined by the  
8 director. This payment must be made no later than five years from the  
9 effective date of the election made under subsection (1)(b) of this  
10 section.

11 (c) No earlier than five years after the effective date the member  
12 elects to transfer service credit under this section and upon  
13 completion of the payment required in (b) of this subsection, the  
14 department shall transfer from the public employees' retirement system  
15 plan 1 or plan 2 to the law enforcement officers' and fire fighters'  
16 retirement system plan 2: (i) All of the employee's applicable  
17 accumulated contributions plus interest and an equal amount of employer  
18 contributions; and (ii) all applicable months of service, as defined in  
19 RCW 41.26.030(14)(b), credited to the employee under this chapter for  
20 service as an emergency services provider for a city, town, county, or  
21 district as though that service was rendered as a member of the law  
22 enforcement officers' and fire fighters' retirement system plan 2.

23 (d) Upon transfer of service credit, contributions, and interest  
24 under this subsection, the employee is permanently excluded from  
25 membership in the public employees' retirement system for all service  
26 transfers.

27 NEW SECTION. **Sec. 2.** This act expires July 1, 2007.

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