
HOUSE BILL 1680

State of Washington 60th Legislature 2007 Regular Session

By Representatives Hunter, Haler, P. Sullivan, Priest, Hurst, Conway, Schual-Berke, Haigh and Simpson; by request of LEOFF Plan 2 Retirement Board

Read first time 01/24/2007. Referred to Committee on Appropriations.

1 AN ACT Relating to transfers of service credit for emergency
2 medical technicians under the law enforcement officers' and
3 firefighters' retirement system plan 2; amending RCW 41.26.547;
4 amending 2005 c 459 s 3 (uncodified); amending 2003 c 293 s 2
5 (uncodified); and providing an expiration date.

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

7 **Sec. 1.** RCW 41.26.547 and 2005 c 459 s 2 are each amended to read
8 as follows:

9 (1) A member of plan 2 who was a member of the public employees'
10 retirement system while employed providing emergency medical services
11 for a city, town, county, or district and whose job was relocated from
12 another department of a city, town, county, or district to a fire
13 department, or a member of the public employees' retirement system who
14 is eligible for membership in plan 2 under RCW 41.26.030(4)(h), has the
15 following options:

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

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

4 (c) Make an election no later than June 30, 2013, filed in writing
5 with the department of retirement systems, to transfer service credit
6 previously earned as an emergency medical technician for a city, town,
7 county, or district in the public employees' retirement system plan 1
8 or plan 2 to the law enforcement officers' and firefighters' retirement
9 system plan 2 as defined in RCW 41.26.030. Service credit that a
10 member elects to transfer from the public employees' retirement system
11 to the law enforcement officers' and firefighters' retirement system
12 under this section shall be transferred no earlier than five years
13 after the effective date the member elects to transfer except under
14 subsection (3) of this section, and only after the member earns five
15 years of service credit as a firefighter following the effective date
16 the member elects to transfer except under subsection (3) of this
17 section.

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

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

24 (b) Leave any service credit earned as a member of the public
25 employees' retirement system in the public employees' retirement
26 system, and have all future service earned in the law enforcement
27 officers' and firefighters' retirement system plan 1.

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 firefighters' 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
37 firefighter following the effective date the member elects to transfer,
38 except under (e) of this subsection.

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 firefighters' 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)(c) of this
10 section and must be made prior to retirement, except under (e) of this
11 subsection.

12 (c) For a period of service transferred by a member eligible for
13 membership in plan 2 under RCW 41.26.030(4)(h), the employer shall pay
14 an amount sufficient to ensure that the contribution level to the law
15 enforcement officers' and firefighters' retirement system will not
16 increase due to this transfer. This payment must be made within five
17 years of the completion of the employee payment in (b) of this
18 subsection.

19 (d) No earlier than five years after the effective date the member
20 elects to transfer service credit under this section and upon
21 completion of the payment required in (b) of this subsection except
22 under (e) of this subsection, the department shall transfer from the
23 public employees' retirement system plan 1 or plan 2 to the law
24 enforcement officers' and firefighters' retirement system plan 2: (i)
25 All of the employee's applicable accumulated contributions plus
26 interest and an equal amount of employer contributions; and (ii) all
27 applicable months of service, as defined in RCW 41.26.030(14)(b),
28 credited to the employee under this chapter for service as an emergency
29 services provider for a city, town, county, or district as though that
30 service was rendered as a member of the law enforcement officers' and
31 firefighters' retirement system plan 2.

32 (e) If a member who elected to transfer pursuant to this section
33 dies or retires for disability prior to five years from their election
34 date, the member's benefit is calculated as follows:

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

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

5 (A) Pay the bill in full;

6 (B) If a continuing monthly benefit is chosen, have the benefit
7 actuarially reduced to reflect the amount of the unpaid obligation
8 under (b) of this subsection; or

9 (C) Continue to make payment against the obligation under (b) of
10 this subsection, provided that payment in full is made no later than
11 five years from the member's original election date.

12 (f) Upon transfer of service credit, contributions, and interest
13 under this subsection, the employee is permanently excluded from
14 membership in the public employees' retirement system for all service
15 transfers related to their time served as an emergency medical
16 technician for a city, town, county, or district under the public
17 employees' retirement system plan 1 or plan 2.

18 **Sec. 2.** 2005 c 459 s 3 (uncodified) is amended to read as follows:
19 Section 2 of this act expires July 1, ((2013)) 2023.

20 **Sec. 3.** 2003 c 293 s 2 (uncodified) is amended to read as follows:
21 This act expires July 1, ((2013)) 2023.

22 NEW SECTION. **Sec. 4.** This act expires July 1, 2023.

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