

In any case where the Washington state patrol retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, an employee holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who is by reason of his current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan, shall be allowed membership rights should the agreement so provide.

Agreement
with another
system.

Passed the House February 26, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 141.

[H. B. 451.]

STATE EMPLOYEES' RETIREMENT SYSTEM.

AN ACT relating to state employees' retirement system and to optional retirement and optional allowances thereunder, and amending sections 41.40.270 and 41.40.290, R.C.W.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 41.40.270, R.C.W., as derived from section 19, chapter 240, Laws of 1949, is amended to read as follows:

Amendment.

Should a member die before commencement of his service retirement allowance as provided in 41.40.180, 41.40.190, 41.40.210 and 41.40.240 and while such member is not receiving a non-duty disability retirement allowance as provided in 41.40.200, the amount of the accumulated contributions standing to his credit in the employees' savings fund, at the time of his death, shall be paid to such person or

Death before
commence-
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whom
payable.

persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives: *Provided, however,* That this section, unless elected, shall not apply to any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of seventy years or more as provided for in section 41.40.290 when said member has elected option II or has a surviving spouse.

Section not applicable, when.

- [Am. Rem. Supp. 1949, § 11072-28.]
- [R.C.W. 41.40.180 is Rem. Supp. 1949, § 11072-19.]
- [R.C.W. 41.40.190 is Rem. Supp. 1949, § 11072-20.]
- [R.C.W. 41.40.210 is Rem. Supp. 1947, § 11072-22.]
- [R.C.W. 41.40.240 is Rem. Supp. 1947, § 11072-25.]
- [R.C.W. 41.40.200 is Rem. Supp. 1949, § 11072-21.]
- [R.C.W. 41.40.290 appears as Sec. 2, *supra*, this chapter.]

Amendment. SEC. 2. Section 41.40.290, R.C.W., as derived from section 20, chapter 240, Laws of 1949, is amended to read as follows:

Optional retirement allowance.

Any member may elect, in accordance with the provisions of this section and in lieu of a regular retirement allowance payable throughout life with termination at death, to receive as an optional retirement allowance the actuarial equivalent, at the time of his retirement, of his regular retirement allowance in accordance with the provisions of options I, II and III, as hereinafter set forth. No member may elect an optional retirement allowance unless he either: (a) Files such election in writing with the retirement board at least twelve months before the date of his retirement, or (b) In the case of a member retiring before April 1, 1950, file such election in writing with the retirement board before the date of his retirement and before October 1, 1949, or (c) Passes a satisfactory health examination at the time of making such election. No election of an optional retirement allowance shall be effective in case the member making such election dies before his actual retirement date: *Provided, however,* That

Election; conditions.

Election ineffective on death before retirement.

any option selected in writing by any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of seventy years or more shall be effective and in any such case if no such option shall have been selected, then option II shall automatically be given effect as if in fact selected for the benefit of the surviving spouse, unless such spouse shall elect to take payment under section 41.40.270. Exception.

Option I. If he dies before the total of the annuity portions of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives; or Option I.

Option II. Upon his death his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement; or Option II.

Option III. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement. Option III.

[Am. Rem. Supp. 1949, § 11072-30.]

[R.C.W. 41.40.270 is Rem. Supp. 1949, § 11072-28.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.