

apportioned to the same extent and in the same manner that income is apportioned under section 4.

NEW SECTION. Sec. 14. Application of act. Except as specifically provided in the trust instrument or the will or in this act, this act shall apply to any receipt or expense received or incurred on or after the effective date of this act by the estate of any decedent dying on or after the effective date of this act or by any trust whether established before or after the effective date of this act and whether the asset involved was acquired by the trustee before or after the effective date of this act.

NEW SECTION. Sec. 15. Short title. This act may be cited as the Washington Principal and Income Act.

NEW SECTION. Sec. 16. Severability. If any provision of this act or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act which can be given effect without the invalid provision or application and to this end the provisions of this act are severable.

NEW SECTION. Sec. 17. Repeal. The following acts and parts of acts are repealed:

(1) Section 1, chapter 160, Laws of 1947 and RCW 23.74.010; and

(2) Section 2, chapter 160, Laws of 1947 and RCW 23.74.020.

NEW SECTION. Sec. 18. Section headings not part of law. Section headings, as found in this 1971 amendatory act do not constitute any part of the law.

NEW SECTION. Sec. 19. This act shall take effect on January 1, 1972.

NEW SECTION. Sec. 20. Sections 1 through 14 of this act entitled the Washington principal and income act shall constitute a new chapter in Title 11 RCW.

Passed the House March 10, 1971.

Passed the Senate March 9, 1971.

Approved by the Governor March 23, 1971.

Filed in Office of Secretary of State March 23, 1971.

CHAPTER 75

[Engrossed House Bill No. 158]

WASHINGTON PUBLIC EMPLOYEES' RETIREMENT SYSTEM--  
STATE-WIDE CITY EMPLOYEES' RETIREMENT SYSTEM

AN ACT Relating to public employment; adding new sections to chapter 41.40 RCW; and adding a new section to chapter 41.44 RCW.

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

NEW SECTION. Section 1. There is added to chapter 41.40 RCW a new section to read as follows:

(1) On and after January 1, 1972, every city and town then participating in the state-wide city employees' retirement system under the provisions of chapter 41.44 RCW shall be an employer under this chapter and every person employed thereby on or after January 1, 1972, who is eligible for membership under RCW 41.40.120, exclusive of subsection (4) thereof, shall be a member of the Washington public employees' retirement system to the exclusion of any pension system existing under any prior law and participate on the same basis as a person who first becomes a member through the admission of any employer under RCW 41.40.410 on and after April 1, 1949. Each such city and town becoming an employer under the meaning of this chapter shall make contributions to the funds of the Washington public employees' retirement system as provided in RCW 41.40.080, 41.40.361 excluding subsection (5) thereof, and 41.40.370 and its employees becoming members of the Washington public employees' retirement system shall thereafter contribute to the employees' savings fund at the rate established under the provisions of RCW 41.40.330.

(2) After the effective date of this 1971 act, no additional cities or towns shall be eligible to elect to become participants in the state-wide city employees' retirement system provided for in chapter 41.44 RCW.

NEW SECTION. Sec. 2. There is added to chapter 41.40 RCW a new section to read as follows:

All moneys, securities, and other assets or debts or other obligations owed to or standing to the credit of the state-wide city employees' retirement funds as provided for in RCW 41.44.100 and RCW 41.44.105 as of January 1, 1972, shall then be disposed of by the board of trustees of the state-wide city employees' retirement system as then comprised, as follows:

(1) Any claims against these funds then remaining by reason of transfers of membership from the state-wide city employees' retirement system to the Washington law enforcement officers' and fire fighters' retirement system under RCW 41.26.040 shall first be paid.

(2) Next, all assets of the state-wide city employees' retirement system by, for, or on behalf of all employees shall be transferred to the appropriate funds of the Washington public employees' retirement system. Such transfer of funds shall discharge the board of trustees of the state-wide city employees' retirement system of any further obligation to pay benefits. Employees' contributions transferred shall be subject to all of the provisions of chapter 41.40 RCW relating to such contributions made by members

of the public employees' retirement system.

NEW SECTION. Sec. 3. There is added to chapter 41.40 RCW a new section to read as follows:

(1) Any person drawing benefits under the state-wide city employees' retirement system prior to January 1, 1972, and any employee having vested rights under the state-wide city employees' retirement system who has terminated his employment with his employer, defined in chapter 41.44 RCW, before January 1, 1972, shall have his benefits computed under chapter 41.44 RCW. For the purpose of such computations, the employee's creditability of service and eligibility for service or disability retirement and survivor and all other benefits shall continue to be computed in the same manner as provided for in chapter 41.44 RCW except that the benefits will be paid through the Washington public employees' retirement system.

(2) Every person employed before January 1, 1972, by a city or town then participating in the state-wide city employees' retirement system under the provisions of chapter 41.44 RCW and who is employed by said employer on the date of the transfer to the Washington public employees' retirement system on January 1, 1972, shall, upon retirement for service or for disability, or death, be entitled to the higher of the following computed benefits:

(a) The benefits that are the actuarial equivalent of the amount he would have received under the state-wide city employees' retirement system under chapter 41.44 RCW had he not been transferred to the Washington public employees' retirement system under section 1 of this 1971 act.

(b) The amount of the benefits computed as a member of the Washington public employees' retirement system in chapter 41.40 RCW.

(3) The Washington public employees' retirement system shall assume all liabilities of the state-wide city employees' retirement system as provided in sections 1, 2, and 3 of this 1971 act on January 1, 1972.

NEW SECTION. Sec. 4. There is added to chapter 41.44 RCW a new section to read as follows:

Notwithstanding any provisions of chapter 41.44 RCW to the contrary, the state-wide employees' retirement system shall no longer exist after January 1, 1972, at which time all assets, liabilities, and responsibilities of the state-wide city employees' retirement system shall be transferred to and assumed by the Washington public employees' retirement system as provided for in sections 1, 2, and 3 of this 1971 act.

Passed the House March 10, 1971.

Passed the Senate March 10, 1971.

Approved by the Governor March 23, 1971.

Filed in Office of Secretary of State March 23, 1971.

---

CHAPTER 76

[House Bill No. 211]

GOVERNMENT STATUTES--

OBSOLETE, INACTIVE--

AMENDED, REPEALED

AN ACT Relating to state government; amending and repealing certain obsolete or inactive material relating to various local government units and agencies; amending section 36.67.010, chapter 4, Laws of 1963 as amended by section 17, chapter 42, Laws of 1970 ex. sess. and RCW 36.67.010; amending section 36.76.080, chapter 4, Laws of 1963 as amended by section 22, chapter 42, Laws of 1970 ex. sess. and RCW 36.76.080; amending section 36.76.140, chapter 4, Laws of 1963 as last amended by section 54, chapter 56, Laws of 1970 ex. sess. and RCW 36.76.140; amending section 2, chapter 107, Laws of 1937 and RCW 39.28.010; amending section 1, chapter 106, Laws of 1945 and RCW 39.28.040; repealing section 36.67.020, chapter 4, Laws of 1963, section 2, chapter 107, Laws of 1967, section 18, chapter 42, Laws of 1970 ex. sess. and RCW 36.67.020; repealing section 36.76.010, chapter 4, Laws of 1963, section 72, chapter 232, Laws of 1969 ex. sess., section 21, chapter 42, Laws of 1970 ex. sess., section 52, chapter 56, Laws of 1970 ex. sess. and RCW 36.76.010; repealing section 36.76.020, chapter 4, Laws of 1963 and RCW 36.76.020; repealing section 36.76.030, chapter 4, Laws of 1963 and RCW 36.76.030; repealing section 36.76.040, chapter 4, Laws of 1963 and RCW 36.76.040; repealing section 36.76.050, chapter 4, Laws of 1963 and RCW 36.76.050; repealing section 36.76.060, chapter 4, Laws of 1963 and RCW 36.76.060; repealing section 36.76.070, chapter 4, Laws of 1963 and RCW 36.76.070;