

this title.

(2) Payments claimed or received under a government and/or a private pension plan shall not be considered wages subject to contributions under this title nor shall such payments be considered in determining base year earnings of the individual.

(3) In the event a retroactive retirement or pension payment covers a period in which an individual received benefits under the provisions of this title, the excess paid over the amount to which he would have been entitled had such retirement or pension payment been considered, as provided in subsection (1) above, shall be recoverable under RCW 50.20.190: PROVIDED, HOWEVER, That any amounts which have been deducted from the weekly benefit amount by reason of the provisions of this section shall not be available for future benefits: PROVIDED, FURTHER, That no payments received on account of temporary or permanent disability rather than on account of age or length of service shall be considered compensation paid for personal services.

Sec. 2. Section 3, chapter 286, Laws of 1955 as amended by section 20, chapter 2, Laws of 1970 ex. sess. and RCW 50.20.030 are each amended to read as follows:

A woman who voluntarily quits work because of pregnancy shall be disqualified from benefits for the week in which she quits and thereafter through the terminal week of her pregnancy: PROVIDED, HOWEVER, That in any event a pregnant woman shall be disqualified from receiving benefits for any calendar week ((during the period beginning with the seventeenth calendar week immediately preceding the expected date of confinement, as determined by a doctor, and extending through the sixth calendar week immediately following the week in which childbirth occurs)) either preceding or subsequent to childbirth when she is precluded from engaging in her particular category of employment by reason of a pregnancy related federal or state statute or administrative rule or regulation.

Passed the House April 7, 1973.

Passed the Senate April 14, 1973.

Approved by the Governor April 24, 1973.

Filed in Office of Secretary of State April 25, 1973.

CHAPTER 168

[House Bill No. 105]

PUBLIC EMPLOYEES' RETIREMENT SYSTEM--
WASHINGTON STATE UNIVERSITY
CLASSIFIED EMPLOYEES TRANSFERS

AN ACT Relating to certain transfers of Washington State University classified employees to the Washington public employees'

retirement system; adding new sections to chapter 41.40 RCW; making an appropriation; declaring an emergency; making certain effective dates; and creating new sections.

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:

For the purposes of sections 1 through 9 of this 1973 act, unless a different meaning is plainly required by context:

(1) "Classified employees" shall mean all employees of Washington State University: PROVIDED, That the following employees shall not be included as classified employees for the purposes of this 1973 act: The president of the university; employees of Washington State University in the resident instructional staff, consisting of the vice president--academic, the registrar, deans and directors of teaching units, chairmen of teaching departments, and all members of the faculty who hold academic rank and who conduct courses of instruction; the research staff consisting of the administrative officers and professional personnel of the organized research units and other professional personnel engaged in research who are paid at least in part by the university; the library staff consisting of the director of libraries and professional personnel of the library; the extension staff consisting of the administrative officers and professional personnel whose work pertains primarily to extension services and faculty members in responsible charge of instruction and demonstration work for persons who are not officially enrolled on the campus; the student affairs staff consisting of the administrative officers and professional personnel concerned with student affairs; the intercollegiate athletic staff consisting of the administrative officers and coaching personnel; persons employed in a position scheduled for less than twenty hours per week or on an intermittent employment schedule; and persons employed in a position primarily as an incident to and furtherance of their education and training, or the education or training of a spouse.

(2) The "Retirement Plan" shall mean the Washington State University retirement system established by the board of regents pursuant to authority heretofore conferred by law for the purpose of providing retirement income and related benefits to certain employees through private insurers.

(3) "Board" shall mean the retirement board as provided for in RCW 41.40.020, as now or hereafter amended.

(4) "Employer share" shall mean one-half or fifty percent of the total of any employee's accumulation and/or cash value in the contract(s) attributable to contributions made in accordance with the Retirement Plan.

(5) "Applicable income" shall mean that income provided by law

and regulations had the person been a member of the Washington public employees' retirement system during each month of Washington State University service and shall include that income earned during the initial six months of Washington State University service irrespective of any provisions of law or regulations promulgated thereunder to the contrary.

(6) "Contributory membership" shall mean that period of time during which an employee was making contributions under the Retirement Plan for purposes of being eligible for a retirement entitlement.

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

(1) On and after the effective date of this 1973 act and until January 1, 1974, classified employees at Washington State University presently members of the Retirement Plan may irrevocably transfer membership therein to the Washington public employees' retirement system, such transfer being subject to such conditions and limitations as hereinafter set forth in sections 3 through 9 of this 1973 act, including rules and regulations promulgated to effect the purposes of sections 1 through 9 of this 1973 act: PROVIDED, That such irrevocable transfers of membership shall be made at the following stated intervals: June 1, 1973, October 1, 1973, or January 1, 1974.

(2) All classified employees employed by Washington State University on and after the effective date of this 1973 act and otherwise eligible shall become members of the Washington public employees' retirement system to the exclusion of any other retirement benefit system at such institution unless otherwise hereafter provided by law.

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

(1) Except as otherwise provided in this 1973 act, upon election by a person to transfer his membership to the Washington public employees' retirement system, as authorized in section 2, subsection (1), of this 1973 act, there shall be transferred from the contract(s) issued under the Retirement Plan to the Washington public employees' retirement system the amount which would have been paid at the rates and on the applicable income (as defined in section 1, subsection (5) of this 1973 act) as provided by law and regulations promulgated pursuant thereto had the person been a member of the Washington public employees' retirement system during each month of service at Washington State University: PROVIDED, That any person so transferring may elect to eliminate from the membership service credit to be transferred the period of service at Washington State University prior to his contributory membership in the Retirement

Plan.

(2) The board shall compute separately the employee and employer amounts that would have been paid from the date of membership service credit to be transferred to the Washington public employees' retirement system. The employee share shall be transferred from the accumulation and/or cash value in the contract(s) attributable to employee contributions made in accordance with the Retirement Plan. The employer share shall be transferred from the accumulation and/or cash value in the contract(s) attributable to Washington State University contributions made in accordance with the Retirement Plan.

NEW SECTION. Sec. 4. There is added to chapter 41.40 RCW a new section to read as follows:

(1) Any person electing to transfer his membership to the Washington public employees' retirement system shall pay, prior to January 1, 1978, an amount equal to the deficiency, if any, between the employee computed share and the employee accumulation or cash value in the contract(s) required to be transferred as provided for in section 3 of this 1973 act.

(2) As specifically provided for by appropriation and subject to the limitations of section 10 of this 1973 act, Washington State University shall pay to the Washington public employees' retirement system an amount equal to the deficiency, if any, between the employer computed share and the employer accumulation or cash value in the contract(s) required to be transferred as provided for in section 3 of this 1973 act.

NEW SECTION. Sec. 5. There is added to chapter 41.40 RCW a new section to read as follows:

Nothing in this 1973 act shall prevent any classified employee at Washington State University presently a member within the Retirement Plan from electing to join the Washington public employees' retirement system if otherwise eligible not later than January 1, 1974 and from electing to retain his rights and benefits under the Retirement Plan, such person's rights under the Washington public employees' retirement system to begin to accrue from such date of membership transfer.

NEW SECTION. Sec. 6. There is added to chapter 41.40 RCW a new section to read as follows:

Any classified employee at Washington State University electing to transfer membership to the Washington public employees' retirement system from the Retirement Plan and seeking to transfer employee contributions made to the Retirement Plan shall be deemed to have voluntarily relinquished any right to any refund of the amounts transferred to the Washington public employees' retirement system as an employer contribution in accordance with section 3 of this 1973

act except as otherwise provided by chapter 41.40 RCW.

NEW SECTION. Sec. 7. There is added to chapter 41.40 RCW a new section to read as follows:

Any classified employee at Washington State University electing to transfer to the Washington public employees' retirement system from the Retirement Plan and transferring his employee share in the Retirement Plan shall be entitled to a refund of his employee share of the total contributions made in his behalf as determined by the board upon termination from the system prior to his death.

NEW SECTION. Sec. 8. There is added to chapter 41.40 RCW a new section to read as follows:

Subject to chapter 34.04 RCW, the administrative procedure act, the board shall make rules and regulations necessary to carry out the purposes of sections 1 through 9 of this 1973 act.

NEW SECTION. Sec. 9. There is added to chapter 41.40 RCW a new section to read as follows:

Notwithstanding any other provision of this 1973 act, any person transferring membership to the Washington public employees' retirement system as authorized in sections 2 through 9 of this 1973 act and who retires on or before January 1, 1978 may elect to make the payments required in section 4 of this 1973 act by a reduction in his or her retirement allowance at such stated intervals as the board shall determine: PROVIDED, That should any such person die before the total of such payments as required in section 4 of this 1973 act have been made, such person having exercised option I, II or III under RCW 41.40.185 or 41.40.190, such payments shall be deducted at the stated intervals from amounts otherwise owing any beneficiary until such time as they become paid in full.

NEW SECTION. Sec. 10. There is hereby appropriated to Washington State University from the general fund for the biennium ending June 30, 1975, four hundred fifteen thousand dollars or so much thereof as may be necessary, as the employer's share of the retirement plan contribution costs associated and incident to those members of the retirement plan electing to transfer to the Washington public employees' retirement system as provided for in sections 1 through 9 of this 1973 act. Washington State University shall transfer this appropriation or so much thereof as may be necessary, to the Washington public employees' retirement system on or before January 30, 1974. Should this appropriation be insufficient Washington State University shall request in its 1975-77 budget request an amount sufficient to fully reimburse the Washington public employees' retirement system for any costs associated and incident to those members of the retirement plan electing to transfer to the Washington public employees' retirement system as provided for in sections 1 through 9 of this 1973 act. The retirement plan for the

purposes of this section shall be as defined in section 1, subsection (2) of this 1973 act.

NEW SECTION. Sec. 11. This 1973 act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION. Sec. 12. If any provision of this 1973 act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the House April 12, 1973.

Passed the Senate April 8, 1973.

Approved by the Governor April 24, 1973.

Filed in Office of Secretary of State April 25, 1973.

CHAPTER 169

[House Bill No. 197]

STATE HIGHWAYS, URBAN ARTERIALS--
STATE GENERAL OBLIGATION BONDS

AN ACT Relating to state highways within urban areas and county and city arterials within urban areas, and to general obligation bonds to be issued and sold for the construction thereof; amending section 36, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.400; amending section 37, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.401; amending section 40, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.404; amending section 45, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.420; amending section 46, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.421; amending section 49, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.424; and declaring an emergency.

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

Section 1. Section 36, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.400 are each amended to read as follows:

In order to provide funds necessary to meet the urgent needs for highway construction on state highways within urban areas, there shall be issued and sold (~~limited~~) general obligation bonds of the state of Washington in the sum of two hundred million dollars or such amount thereof and at such times as determined to be necessary by the state highway commission. The amount of such bonds issued and sold under the provisions of RCW 47.26.400 through 47.26.407 in any biennium shall not exceed the amount of a specific appropriation therefor from the proceeds of such bonds, for the construction of