

The appellate jurisdiction of the court of appeals does not extend to civil actions at law for the recovery of money or personal property when the original amount in controversy, or the value of the property does not exceed the sum of two hundred dollars.

The court shall have appellate jurisdiction over review of final decisions of administrative agencies certified by the superior court pursuant to section 1 of this act.

Appeals from the court to the supreme court shall be only at the discretion of the supreme court upon the filing of a petition for review. No case, appeal or petition for a writ filed in the supreme court or the court shall be dismissed for the reason that it was not filed in the proper court, but it shall be transferred to the proper court.

Passed the House February 25, 1980.

Passed the Senate February 19, 1980.

Approved by the Governor March 7, 1980.

Filed in Office of Secretary of State March 7, 1980.

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## CHAPTER 77

[House Bill No. 783]

### STATE PATROL—CADET SERVICE—RETIREMENT SYSTEM CREDIT TRANSFER

AN ACT Relating to the state patrol; amending section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.120; and amending section 43.43.130, chapter 8, Laws of 1965 and RCW 43.43.130.

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

Section 1. Section 43.43.120, chapter 8, Laws of 1965 as last amended by section 1, chapter 180, Laws of 1973 1st ex. sess. and RCW 43.43.120 are each amended to read as follows:

As used in the following sections:

(1) "Retirement system" means the Washington state patrol retirement system.

(2) "Retirement fund" means the Washington state patrol retirement fund.

(3) "State treasurer" means the treasurer of the state of Washington.

(4) "Member" means any person included in the membership of the retirement fund.

(5) "Employee" means any commissioned employee of the Washington state patrol.

(6) "Cadet" is a person who has passed the Washington state patrol's entry-level oral, written, physical performance, and background examinations and is, thereby, appointed by the chief as a candidate to be a commissioned officer of the Washington state patrol.

(7) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter.

~~((7))~~ (8) "Regular interest" means interest compounded annually at such rates as may be determined by the retirement board.

~~((8))~~ (9) "Retirement board" means the board provided for in this chapter.

~~((9))~~ (10) "Insurance commissioner" means the insurance commissioner of the state of Washington.

~~((10))~~ (11) "Lieutenant governor" means the lieutenant governor of the state of Washington.

~~((11))~~ (12) "Service" shall mean services rendered to the state of Washington or any political subdivisions thereof for which compensation has been paid. Full time employment for ten days or more in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for herein. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

~~((12))~~ (13) "Prior service" shall mean all services rendered by a member to the state of Washington, or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington.

~~((13))~~ (14) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

~~((14))~~ (15) "Average final salary" shall mean the average monthly salary received by a member during his last two years of service or any consecutive two year period of service, whichever is the greater, as an employee of the Washington state patrol; or if he has less than two years of service, then the average monthly salary received by him during his total years of service.

~~((15))~~ (16) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the board.

~~((16))~~ (17) Unless the context expressly indicates otherwise, words importing the masculine gender shall be extended to include the feminine gender and words importing the feminine gender shall be extended to include the masculine gender.

Sec. 2. Section 43.43.130, chapter 8, Laws of 1965 and RCW 43.43.130 are each amended to read as follows:

(1) A Washington state patrol retirement fund is hereby established for members of the Washington state patrol which shall include funds created and placed under the management of a retirement board for the payment of retirement allowances and other benefits under the provisions hereof.

(2) Any employee of the Washington state patrol, upon date of commissioning, shall be eligible to participate in the retirement plan and shall start contributing to the fund immediately. Any employee of the Washington state patrol employed by the state of Washington or any of its political subdivisions prior to August 1, 1947, unless such service has been credited in another public retirement or pension system operating in the state of Washington shall receive full credit for such prior service but after that date each new commissioned employee must automatically participate in the fund. If a member shall terminate service in the patrol and later re-enter, he shall be treated in all respects as a new employee: PROVIDED, That a member who reenters or has reentered service within ten years from the date of his termination, shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions, plus earned interest, which restoration must be completed within four years after resumption of service, be returned to the status of membership he earned at the time of termination.

(3) (a) An employee of the Washington state patrol who becomes a member of the retirement system after the effective date of this 1980 act and who has service as a cadet in the patrol training program may make an irrevocable election to transfer the service to the retirement system. Any member upon making such election shall have transferred all existing service credited in a prior public retirement system in this state for periods of employment as a cadet. Transfer of credit under this subsection is contingent on completion of the transfer of funds specified in subsection (3)(b) of this section.

(b) Within sixty days of notification of a member's cadet service transfer as provided in subsection (3)(a) of this section, the department of retirement systems shall transfer:

(i) The employee's accumulated contributions attributable to the periods of service as a cadet, including accumulated interest; and

(ii) The employer's accumulated contributions attributable to the periods of service as a cadet, including accumulated interest.

(4) A member of the retirement system who has served or shall serve on active federal service in the armed forces of the United States pursuant to and by reason of orders by competent federal authority, who left or shall leave the Washington state patrol to enter such service, and who within one year from termination of such active federal service, resumes employment as a state employee, shall have his service in such armed forces credited to him as a member of the retirement system: PROVIDED, That no such

service in excess of five years shall be credited unless such service was actually rendered during time of war or emergency.

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Passed the Senate February 19, 1980.

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## CHAPTER 78

[House Bill No. 1447]

### GAME CODE OF THE STATE OF WASHINGTON

AN ACT Relating to wildlife; amending section 77.04.010, chapter 36, Laws of 1955 and RCW 77.04.010; amending section 77.04.020, chapter 36, Laws of 1955 and RCW 77.04.020; amending section 77.04.030, chapter 36, Laws of 1955 and RCW 77.04.030; amending section 77.04.040, chapter 36, Laws of 1955 and RCW 77.04.040; amending section 77.04.060, chapter 36, Laws of 1955 as last amended by section 89, chapter 75, Laws of 1977 and RCW 77.04.060; amending section 77.04.080, chapter 36, Laws of 1955 and RCW 77.04.080; amending section 77.08.010, chapter 36, Laws of 1955 and RCW 77.08.010; amending section 77.08.020, chapter 36, Laws of 1955 as amended by section 1, chapter 19, Laws of 1969 ex. sess. and RCW 77.08.020; amending section 1, chapter 166, Laws of 1971 ex. sess. and RCW 77.08.030; amending section 77.12.010, chapter 36, Laws of 1955 as amended by section 1, chapter 74, Laws of 1977 and RCW 77.12.010; amending section 77.12.020, chapter 36, Laws of 1955 as amended by section 1, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.020; amending section 77.12.030, chapter 36, Laws of 1955 as amended by section 2, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.030; amending section 77.12.040, chapter 36, Laws of 1955 as amended by section 3, chapter 18, Laws of 1969 ex. sess. and RCW 77.12.040; amending section 77.12.050, chapter 36, Laws of 1955 and RCW 77.12.050; amending section 77.12.060, chapter 36, Laws of 1955 as amended by section 1, chapter 68, Laws of 1961 and RCW 77.12.060; amending section 77.12.070, chapter 36, Laws of 1955 as last amended by section 1, chapter 173, Laws of 1971 ex. sess. and RCW 77.12.070; amending section 77.12.080, chapter 36, Laws of 1955 as last amended by section 2, chapter 173, Laws of 1971 ex. sess. and RCW 77.12.080; amending section 77.12.090, chapter 36, Laws of 1955 and RCW 77.12.090; amending section 77.12.100, chapter 36, Laws of 1955 and RCW 77.12.100; amending section 77.12.110, chapter 36, Laws of 1955 and RCW 77.12.110; amending section 77.12.120, chapter 36, Laws of 1955 and RCW 77.12.120; amending section 77.12.130, chapter 36, Laws of 1955 and RCW 77.12.130; amending section 77.12.140, chapter 36, Laws of 1955 and RCW 77.12.140; amending section 77.12.150, chapter 36, Laws of 1955 as last amended by section 1, chapter 58, Laws of 1977 ex. sess. and RCW 77.12.150; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 1, chapter 56, Laws of 1979 and RCW 77.12.170; amending section 1, chapter 57, Laws of 1975 and RCW 77.12.173; amending section 77.12.190, chapter 36, Laws of 1955 and RCW 77.12.190; amending section 77.12.200, chapter 36, Laws of 1955 as amended by section 1, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.200; amending section 2, chapter 97, Laws of 1965 ex. sess. as amended by section 1, chapter 59, Laws of 1977 ex. sess. and RCW 77.12.201; amending section 3, chapter 97, Laws of 1965 ex. sess. and RCW 77.12.203; amending section 77.12.210, chapter 36, Laws of 1955 as amended by section 1, chapter 73, Laws of 1969 ex. sess. and RCW 77.12.210; amending section 77.12.220, chapter 36, Laws of 1955 and RCW 77.12.220; amending section 77.12.230, chapter 36, Laws of 1955 and RCW 77.12.230; amending section 77.12.240, chapter 36, Laws of 1955 and RCW 77.12.240; amending section 77.12.250, chapter 36, Laws of 1955 and RCW 77.12.250; amending section 77.12.260, chapter 36, Laws of 1955 and RCW 77.12.260; amending section 77.12.270, chapter 36, Laws of 1955 as amended by section 8, chapter 177, Laws of 1963 and RCW 77.12.270; amending section 77.12.280, chapter 36, Laws of 1955 as last amended by section 176, chapter 151, Laws of 1979 and RCW 77.12.280; amending section 77.12.290, chapter 36, Laws of