

# HOUSE BILL REPORT

## HB 1124

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**As Reported by House Committee On:**  
Appropriations

**Title:** An act relating to the inclusion of the department of natural resources' law enforcement officers in the Washington public safety employees' retirement system by adding the department of natural resources to the definition of "employer" under chapter 41.37 RCW.

**Brief Description:** Adding the department of natural resources to the definition of "employer" under RCW 41.37.010.

**Sponsors:** Representatives VanDeWege, B. Sullivan, O'Brien, Eickmeyer, Lovick, McCoy, Lantz, Simpson, Williams and Dickerson.

**Brief History:**

**Committee Activity:**

Appropriations: 1/22/07, 1/25/07 [DPS].

**Brief Summary of Substitute Bill**

- Adds the Washington State Department of Natural Resources to the definition of employer in the Public Safety Employees' Retirement System (PSERS).
- Removes "employers employing statewide elective officials" from the definition of employer in the PSERS.
- Provides eligible existing employees of the Department of Natural Resources the option of staying in the Public Employees Retirement System or moving to PSERS.

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**HOUSE COMMITTEE ON APPROPRIATIONS**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 34 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Cody, Conway, Darneille, Dunn, Ericks, Fromhold, Grant, Haigh, Hinkle, Hunt, Hunter, Kagi, Kenney, Kessler, Kretz,

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Linville, McDermott, McDonald, McIntire, Morrell, Pettigrew, Priest, Schual-Berke, Seaquist, P. Sullivan and Walsh.

**Staff:** David Pringle (786-7310).

**Background:**

The Public Safety Employees' Retirement System (PSERS) was created in 2004 and opened to members on July 1, 2006. The PSERS provides retirement benefits for state and local government employees who work in positions with law enforcement duties but are not eligible for membership in the Law Enforcement Officers' and Fire Fighters' Retirement System. Members of the PSERS with at least 20 years of service will be eligible for full retirement benefits from age 60, five years earlier than the regular retirement age in PERS Plans 2 and 3. Members of PSERS with 20 years of service may also early retire beginning at age 53 with a 3 percent reduction in benefits per year of early retirement.

Membership in the PSERS is restricted by an individual's employer and by specific job criteria. The PSERS employers are defined as the Department of Corrections, the Parks and Recreation Commission, the Gambling Commission, the State Patrol, the Liquor Control Board, county corrections departments, and the corrections departments of municipalities not classified as First Class cities, and employers employing statewide elective officials.

To meet the individual job criteria, PSERS employees must work full-time and hold a position: that requires completion of a certified criminal justice training course and which has the authority to arrest, investigate crimes, enforce the law, and carry a firearm; in which the primary duty is to ensure the custody and security of incarcerated individuals as a probation officer, corrections officer or jailer; that is a limited authority Washington Peace Officer; or in which the primary responsibility is to supervise employees who are eligible for membership under one of the previously listed membership criteria.

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**Summary of Substitute Bill:**

The list of employers that are PSERS-eligible is amended to remove "other employers employing statewide elective officials," and add the Washington State Department of Natural Resources (DNR). Existing employees of the DNR who are made eligible for PSERS by the addition of the DNR to the list of PSERS eligible employers have the option of staying in PERS Plans 2 or 3 or moving to PSERS.

**Substitute Bill Compared to Original Bill:**

The substitute bill adds the provision giving certain PSERS-eligible DNR employees the choice between staying in PERS 2 or 3 or moving to PSERS.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 16, 2007.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:**

(In support) This makes nine DNR law enforcement officers eligible for PSERS. The Select Committee on Pension Policy recommended last year that the PSERS criteria be changed to include these employees and DNR, but in the Legislature all new PSERS employers were removed from the 2006 bill. This bill also removes some confusing language about elective officials. We would appreciate an amendment to the bill that would provide current employees the option of staying in PERS. We support the bill, but would also like additional employees added to PSERS, including juvenile corrections officers, who deal with situations as dangerous and difficult as many other PSERS members. The DNR law enforcement officers are highly qualified and trained. They satisfy all the PSERS requirements, including training through the basic law enforcement training course or equivalents, and this change is important for the recruitment and retention of good officers.

(Opposed) None.

**Persons Testifying:** Representative Van De Wege, prime sponsor; Bonnie Bunning, Department of Natural Resources; Amber Lewis, Washington Federation of State Employees; and Larry Raedel, Department of Natural Resources.

**Persons Signed In To Testify But Not Testifying:** None.