

SENATE BILL REPORT

ESSB 5238

As Passed Senate, March 4, 2009

Title: An act relating to mailing information to certain members of the state retirement systems.

Brief Description: Authorizing the department of retirement systems to assist with mailing information to certain members of the state retirement systems.

Sponsors: Senate Committee on Government Operations & Elections (originally sponsored by Senators Keiser, Roach, Swecker, Fraser, McCaslin, Kohl-Welles, Honeyford, Pridemore, McDermott, Fairley, Benton and Shin).

Brief History:

Committee Activity: Government Operations & Elections: 2/17/09, 2/19/09 [DPS, w/oRec].

Passed Senate: 3/04/09, 42-4.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5238 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; McDermott, Pridemore and Swecker.

Minority Report: That it be referred without recommendation.

Signed by Senator Benton.

Staff: Aaron Gutierrez (786-7448)

Background: The Department of Retirement Systems (DRS) was created in 1976 to administer the various retirement systems that provide benefits for state and local government employees in Washington. The retirement systems include the Public Employees' Retirement System (PERS); the Teachers' Retirement System (TERS); the School Employees' Retirement System (SERS); the Law Enforcement Officers' and Fire Fighters's System (LEOFF); the Washington State Patrol Retirement System (WSPRS); the Public Safety Employees' Retirement System (PSERS); the Judicial Retirement System (JRS); and the Judge's Retirement Fund (JRF).

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.

Many of these retirement systems have retirement organizations representing the thousands of public pension system retirees. Examples of these retirement organizations include the Retired Public Employees Council of Washington, the Washington State School Retirees Association, the Retired Firefighters of Washington, and the Retired Members of the Washington Education Association.

Summary of Engrossed Substitute Bill: Any organization that exclusively provides representation or services to retired members of the Washington State retirement systems and has membership dues deducted through the DRS has a right to request the DRS's assistance in doing blind mailings to retirees two times per year. Eligible mailings must provide information regarding the organization's services for members of the retirement systems eligible for membership in the organization. Mailings may not be for the purpose of supporting or opposing any political party, ballot measure, or candidate. The retiree organization must provide all the printed materials and the envelopes to a mail processing center. The retiree organization must also pay all costs for generating mailing labels, inserting the materials into the envelopes; and sealing, labeling, and delivering the materials to be mailed to a bulk mail center or post office. The retiree organization must use its own bulk mail permit and pay all postage costs.

The DRS must provide the requested retiree data for addressing the envelopes to the mail center under a secure data share agreement with the mail center. This agreement must provide that the retiree organization or any other entity does not have direct access to the retiree's names or addresses.

The DRS does not have an obligation to approve or disapprove, or in any other way take responsibility for, the content of the mailings.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: Members of groups that represent retirees in the state systems are passing away at a rate of 500-600 per year. DRS used to provide information to help recruit members, but this was eliminated due to privacy concerns. There was also a similar mailing agreement with DRS, but that ceased as well. This bill is critical for recruiting. We will provide suggestions for a substitute bill.

Persons Testifying: PRO: Cassandra Delarosa, Retired Public Employees Council; Leslie Main, Washington State School Retirees Association.