WSR 26-18-065
PROPOSED RULES
DEPARTMENT OF
RETIREMENT SYSTEMS
[Filed August 31, 2026, 2:02 p.m.]

Supplemental Notice to WSR 26-15-071.

Preproposal statement of inquiry was filed as WSR 26-09-107.

Title of Rule and Other Identifying Information: Port worker public employees' retirement system (PERS) membership.

Hearing Location(s): On October 6, 2026, at 2:00 p.m., via Microsoft Teams, https://www.drs.wa.gov/sitemap/rules/#proposed-rule-hearings, Meeting ID 232 076 623 907 689, Passcode hM3yx2rq; or phone 833-322-1218, Code 376 649 633#.

Date of Intended Adoption: October 13, 2026.

Submit Written Comments to: Bianca Stoner, Department of Retirement Systems (DRS), P.O. Box 48380, Olympia, WA 98504-8380, email drs.rules@drs.wa.gov, beginning September 7, 2026, 8:00 a.m., by October 5, 2026, 5:00 p.m.

Assistance for Persons with Disabilities: Contact Bianca Stoner, phone 360-664-7291, TTY 711, email drs.rules@drs.wa.gov, by October 2, 2026.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Implementing chapter 133, Laws of 2026, which exempts port workers from membership in PERS under certain situations.

Reasons Supporting Proposal: Clarifying that port district employees who participate in a pension plan operated wholly or in part by the port on or after January 1, 1965, are exempt from participation in PERS for periods of service covered by that plan.

Statutory Authority for Adoption: RCW 41.50.050 and chapter 133, Laws of 2026.

Statute Being Implemented: Chapter 133, Laws of 2026.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: DRS, governmental.

Name of Agency Personnel Responsible for Implementation and Enforcement: Seth Miller, DRS, P.O. Box 48380, Olympia, WA 98504-8380, 360-664-7304.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. RCW 34.05.328 (5)(a)(i) does not apply to this proposed rule, and DRS is not voluntarily making it applicable.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Explanation of exemptions: Rules from DRS only affect members and beneficiaries of the state retirement systems and participating public employers. As a result, the rules do not affect small businesses.

Scope of exemption for rule proposal:

Is fully exempt.

August 31, 2026
Bianca Stoner
Rules Coordinator

RDS-7248.3

NEW SECTION

WAC 415-108-521 Membership exemption—Port employees participating in a union pension plan. Consistent with RCW 53.08.170 and as reaffirmed by chapter 133, Laws of 2026, when a port district contributes to a private Taft-Hartley defined benefit pension plan that covers one or more port employees employed by the port district on or after January 1, 1965, such employees are exempt from participation in the public employees' retirement system for periods of service covered by that plan.