

# SENATE BILL REPORT

## SB 5328

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As Reported by Senate Committee On:  
Ways & Means, February 7, 2023

**Title:** An act relating to public safety employees' retirement plan membership for public safety telecommunicators.

**Brief Description:** Concerning public safety employees' retirement plan membership for public safety telecommunicators.

**Sponsors:** Senators Van De Wege, Conway, Saldaña, Keiser, Nguyen, Randall, Shewmake, Lovick, Holy, Fortunato, Liias, Hasegawa, Hunt, Kuderer, Nobles, Valdez and Wilson, C.; by request of Select Committee on Pension Policy.

**Brief History:**

**Committee Activity:** Ways & Means: 1/23/23, 2/07/23 [DP, DNP, w/oRec].

**Brief Summary of Bill**

- Makes certain public safety telecommunicators eligible for membership in the Public Safety Employees' Retirement System.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Rolfes, Chair; Robinson, Vice Chair, Operating & Revenue; Mullet, Vice Chair, Capital; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Warnick, Assistant Ranking Member, Capital; Billig, Boehnke, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Nguyen, Pedersen, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

**Minority Report:** Do not pass.

Signed by Senator Schoesler, Ranking Member, Capital.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** That it be referred without recommendation.

Signed by Senator Braun.

**Staff:** Amanda Cecil (786-7460)

**Background:** The Public Safety Employees' Retirement System (PSERS) was established July 1, 2006, for certain state and local government job classes identified as having law enforcement responsibilities and powers that were covered by the Public Employees' Retirement System (PERS). Membership in PSERS is limited by employer and specific job criteria. PSERS employers are defined as the Department of Corrections, the Department of Natural Resources, the State Parks and Recreation Commission, the Gambling Commission, the Washington State Patrol, the Liquor Control Board, Department of Social and Health Services (DSHS), the Department of Children, Youth, and Families (DCYF), the Department of Veterans Affairs, county corrections departments, and the corrections departments of municipalities not classified as first class cities.

The specific job classes covered by PSERS include:

- city corrections officers;
- jailers;
- police support officers;
- custody officers and bailiffs;
- county corrections officers;
- probation officers and probation counselors;
- state correctional officers;
- correctional sergeants and community corrections officers;
- liquor enforcement officers;
- park rangers;
- commercial vehicle enforcement officers;
- gambling special agents; and
- certain employees whose primary responsibility is to provide nursing care or to ensure the custody or safety of offender and patient populations, or that work at an institution or residential site that perform competency restoration services.

In addition to being one of the listed positions in order to be eligible for membership, the employee must work full-time.

PSERS members with between five and ten years of service have a normal retirement age of 65. Members with at least ten years have a normal retirement age of 60. Any retirement prior to age 60, including disability retirement, is reduced by 3 percent per year before the retiree reaches normal retirement age.

Public safety telecommunicators (PST), generally thought of as 911 operators, can work for a state or local government employer or through an agreement with a nonprofit or otherwise non-governmental organization. PSTs working for the state or local government would be

part of the Public Employees' Retirement System (PERS).

Members of PERS plans 2 and 3 have a normal retirement age of 65 and generally may retire as early as age 55 with a reduced benefit. Benefits paid to early retirees with less than 30 years of service are calculated using early retirement factors that provide a full actuarial reduction based on the number of years between the retirement age and age 65. For example, there is a 27 percent reduction of benefits for retirement at age 62, and a 41 percent reduction of benefits for retirement at age 60. Members retiring with more than 30 years of service credit have access to alternate early retirement options with lower reductions.

Both PSERS and PERS are funded by contributions paid by employers and employees that are set biennially by the Pension Funding Council. Contribution rates adopted by the Pension Funding Council for the 2023-2025 fiscal biennium are as follows:

Percent of Member Pay	Plan 2 Member	Total Employer
PERS	6.36%	10.39%
PSERS	6.60%	10.63%

**Summary of Bill:** Individuals who are members of the PERS Plans 2 and 3, and whose primary responsibility is to respond and process 911 emergency calls for law enforcement, fire, medical, or other public safety services are added to employees eligible to participate in PSERS.

Eligible employers are defined as those that participate in the PERS system, and some of whose employees' primary responsibility is to receive, process, transmit, or dispatch 911 emergency and nonemergency calls.

For eligible employees employed on June 1, 2024, a window of time between January 1, 2024 and March 1, 2024 is provided for the person to elect to remain a member of PERS 2 or 3, or transfer to PSERS for periods of future service. If a member does not choose to transfer to PSERS, they remain in PERS. Members hired on or after June 1, 2024 become members of PSERS.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** The bill takes effect on June 1, 2024.

**Staff Summary of Public Testimony:** PRO: This bill would help 911 dispatchers. All dispatch law enforcement are held to nearly the same standard as law enforcement when they are hired. Stressful calls and new technologies like live video streams and image sharing increases the risk of being exposed to trauma, but they must remain mentally sharp. Putting them in a pension system that allows them to retire a little earlier will bring life improvements and make for better work environment. Most organizations that have dispatch centers are struggling to find dispatchers. 97% of telecommunicators will not work long enough to retire. This will keep some dispatchers around longer and will help bring people in. This will not solve all of the problems around dispatchers, but it is a good start.

**Persons Testifying:** PRO: Senator Kevin Van De Wege, Prime Sponsor; Erica Brown, Teamsters; Katy Myers, WA APCO-NENA; Wendy Hill, Thurston 911 Communications; Karl Hatton, Pencom 9-1-1 and WA APCO-NENA; Seamus Petrie, Washington Public Employees Association; Jason Fritz, Skamania County Sheriff; James Schrimpsheer, Washington State Fraternal Order of Police.

**Persons Signed In To Testify But Not Testifying:** No one.