

# Select Committee on Pension Policy

P.O. Box 40914  
Olympia, WA 98504-0914  
actuary.state@leg.wa.gov

## Regular Executive Committee Meeting

April 15, 2008  
12:30 p.m. - 1:30 p.m.  
Senate Conference Rooms A/B/C  
Olympia

### REVISED AGENDA

- 12:30 p.m. (A) **Approval of Minutes**
- 12:35 p.m. (B) **Correspondence**
- 12:45 p.m. (C) **Direction on Today's Agenda**
- 1:15 p.m. (D) **Next Meeting Agenda**
- 1:30 p.m. (E) **Adjourn**

O:\SCPP\2008\4-15-08 Exec\April Exec Agenda.doc

**\*Elaine M. Banks**  
*TRS Retirees*

Representative Barbara Bailey

**Lois Clement**  
*PERS Retirees*

**\*Representative Steve Conway,**  
**Chair**

Representative Larry Crouse

**Charles E. Cuzzetto**  
*TRS and SERS Employers*

**\*Randy Davis**  
*TRS Actives*

Representative Bill Fromhold

**Senator Steve Hobbs**

**Senator Janea Holmquist**

**Robert Keller**  
*PERS Actives*

**\*Sandra J. Matheson,** Director  
*Department of Retirement Systems*

**Corky Mattingly**  
*PERS Employers*

**Doug Miller**  
*PERS Employers*

**Victor Moore,** Director  
*Office of Financial Management*

**Senator Ed Murray**

**\*Glenn Olson**  
*PERS Employers*

**\*Senator Mark Schoesler,**  
**Vice Chair**

**J. Pat Thompson**  
*PERS Actives*

**David Westberg**  
*SERS Actives*

**\*Executive Committee**

(360) 786-6140  
Fax: (360) 586-8135  
TDD: 1-800-635-9993

## A. Approval of Minutes

# Select Committee on Pension Policy

P.O. Box 40914  
Olympia, WA 98504-0914  
actuary.state@leg.wa.gov

## REGULAR EXECUTIVE COMMITTEE MEETING DRAFT MINUTES

December 18, 2007

The Select Committee on Pension Policy met in Senate Conference Rooms A/B/C, Olympia, Washington on December 18, 2007.

9:00 a.m. - 10:00 a.m.

### Committee members attending:

Representative Conway, Chair  
Senator Schoesler, Vice-Chair  
Elaine Banks  
Randy Davis  
Sandra Matheson  
Glenn Olson

### Other members attending:

Representative Crouse  
Charles Cuzzetto  
Robert Keller  
Corky Mattingly

Representative Conway, Chair, called the meeting to order at 9:04 a.m.

### (A) Approval of Minutes

*It was moved to approve the November 13, 2007, Executive Committee Draft Minutes. Seconded.*

**MOTION CARRIED**

### (B) Constituent Correspondence

Matthew M. Smith, State Actuary, reported on "Constituent Correspondence."

Leslie Main, Washington State School Retirees' Association, reported on "Updated Cost Projections for '2<sup>nd</sup> Chance' PEBB Enrollment Window Proposal." Discussion followed.

*It was moved to recommend "Updated Cost Projections for '2<sup>nd</sup> Chance' PEBB Enrollment Window Proposal" to the December 18, 2007 Full Committee. Seconded*

**MOTION CARRIED**

### (C) Today's Full Committee Agenda

Staff briefed committee members on "Today's Full Committee Agenda."

\*Elaine M. Banks  
TRS Retirees

Representative Barbara Bailey

Lois Clement  
PERS Retirees

\*Representative Steve Conway,  
Chair

Representative Larry Crouse

Charles E. Cuzzetto  
TRS and SERS Employers

\*Randy Davis  
TRS Actives

Representative Bill Fromhold

Senator Janea Holmquist

Robert Keller  
PERS Actives

\*Sandra J. Matheson, Director  
Department of Retirement Systems

Corky Mattingly  
PERS Employers

Doug Miller  
PERS Employers

Victor Moore, Director  
Office of Financial Management

Senator Ed Murray

\*Glenn Olson  
PERS Employers

Senator Craig Pridemore

\*Senator Mark Schoesler,  
Vice Chair

J. Pat Thompson  
PERS Actives

David Westberg  
SERS Actives

\* Executive Committee

(360) 786-6140  
Fax: (360) 586-8135  
TDD: 1-800-635-9993

**(D) PERS 1 Window under SHB 1067**

This issue was removed from the December 18, 2007 Full Committee agenda.

**(E) Post-retirement Employment under EHB 2391**

Laura Harper, Policy and Research Services Manager, reported on "Post-retirement Employment under EHB 2391." *Discussion followed.*

*Testimony given by:*

John Kvamme, Washington Association of School Administrators and  
Association of Washington School Principals

Charles Cuzzetto, Select Committee on Pension Policy member

Matt Zuvich, Washington Federation of State Employees

*It was moved to recommend "Post-retirement Employment under  
EHB 2391" to the December 18, 2007 Full Committee. Seconded.*

**MOTION CARRIED**

**(F) 2008 Meeting Dates**

*It was moved to keep the third Tuesday of every month (with the exception of  
February, May, and August in which the meeting date would be the second  
Tuesday) as the SCPP monthly meeting dates. Seconded.*

**MOTION CARRIED**

**(G) State Actuary Evaluation**

SCPP Executive Committee members went into executive session at 9:55 a.m. to discuss the evaluation of the State Actuary.

The meeting adjourned at 9:55 a.m.

## B. Correspondence

# Constituent Correspondence

## What is it?

The Office of the State Actuary (OSA) receives written correspondence addressed to the Select Committee on Pension Policy (SCPP), usually in electronic form via its website.

## How is it currently handled by OSA?

- ❖ OSA saves the correspondence.
- ❖ OSA sends a response.
  - Sample letter (attached) is sent in most instances.
  - Custom response is provided when information or assistance is requested.
- ❖ OSA makes the correspondence available to the SCPP.
  - OSA updates summary log; copies are provided in order of receipt.
  - OSA sends bimonthly e-mail to members during legislative session.
  - OSA provides copies in SCPP meeting materials during interim (found under Executive Committee agenda).
  - SCPP staff notes the receipt of new correspondence at each Executive Committee meeting.

## How is it currently handled by SCPP?

- ❖ Executive Committee sets agendas for interim meetings, SCPP Rule 8(c).
- ❖ Constituent issues may or may not be included in work of SCPP.
- ❖ It's up to constituents to track SCPP actions over time.

O:\SCPP\2008\4-15-08 Exec\B.2\_Constituent\_Correspondence\_procedure.doc



## Office of the State Actuary

*"Securing tomorrow's pensions today."*

Month/date, 2008

Name  
Address  
City/State, Zip

Dear Name:

Thank you for your [letter/e-mail] to [SCPP, Legislator, Member] dated [Month/day], 2008. This correspondence was received in the Office of the State Actuary on [Date received], 2008.

The Office of the State Actuary is a non-partisan agency providing technical assistance to the legislative and executive branches, as well as staff support to the Select Committee on Pension Policy (SCPP). The SCPP usually meets only during the interim months between sessions. Throughout the 2008 session months, correspondence for the SCPP received by our office will be forwarded to all of the SCPP members on or close to the first and fifteenth of each month.

During the interim, correspondence to the SCPP is typically found in the Executive Committee's meeting materials under the agenda item entitled "Constituent Correspondence." Any correspondence received during the 2008 session will also be included in the executive meeting materials for the first meeting of the 2008 interim.

Each year the SCPP receives many requests to study various issues or make specific recommendations to the legislature. All suggestions are made known to the Committee. You can view the SCPP agendas, track the progress of issues studied by the Committee, and find the yearly recommendations made to the Legislature by visiting the SCPP website at <http://www.leg.wa.gov/SCPP/default.htm>.

Thank you for your interest in the work of the SCPP.

Sincerely,

O:\SCPP\2008\Correspondence\SCPP\_Session\_Constituent\_Reply\_Form\_Ltr.doc

Constituent Correspondence as of April 14, 2008

April 15, 2008

Received by OSA	From	To	Subject
12/17/2007	Williams, Eryl	SCPP	PERS 1 Retirement
12/19/2007	Dargis, Trishka	SCPP	TRS Vesting, Board Cert., Post-ret. Employment, Gain-sharing
12/24/2007	Elkington, Cathy	SCPP	TRS 3 Post-ret. Employment
1/14/2008	Renggli, Andy	DRS, cc SCPP	FW: Appeal of Decision <i>(attachments available upon request)</i>
1/15/2008	Davis, Cathy	SCPP	TRS 3 post-ret. Employment, Board Cert., Vesting, Gain-sharing
1/21/2008	Scriven, Rick	SCPP	TRS 3 Post-ret. Employment, gain-sharing
1/29/2008	McGuire, John	OSA via Sen. Marilyn Rasmussen	Disability Retirement
1/30/2008	Renggli, Andy	DRS, cc SCPP	Re: Petition for review
1/30/2008	Ensign, Carey	OSA via David Westberg	HB 3182
2/5/2008	Moscoso, Luis	Rep. Conway, cc OSA	PERS 1 Post-ret. Employment
2/6/2008	Paulson, Steve	SCPP	TRS 2/3 benefits
2/6/2008	Dressel, Dave	SCPP	Prior Military Service Credit in PERS 2/3
2/25/2008	Hodge, Tami	SCPP via Sen. Paull Shin	TRS-SERS contribution flexibility
2/26/2008	Merkner, James	SCPP via OSA	Working past age 65
3/3/2008	Green, Andrew P. for Mann, Johnson, Wooster, & McLaughlin, P.S.	SCPP	CC of administrative appeal re: PSERS membership for PSNs & PSAs <i>(attachments available upon request)</i>
3/4/2008	Webster, Mr. Kim M.	SCPP	SB 6093
3/18/2008	Sen. Holmquist	SCPP	Federal "Windfall Elimination Program" <i>(attachments available upon request)</i>
3/21/2008	WSSRA - Ester Wilfong, Leslie Main, Don Carlson	SCPP	WSSRA Priorities for 2008-09
3/28/2008	Phillips, Dick	SCPP via Sen. Harriet Spanel	PERS 1 Survivor Benefits
3/26/2008	Green, Andrew P. for Mann, Johnson, Wooster, & McLaughlin, P.S.	SCPP	Request to place Psychiatric Custody Personnel into PSERS & copy of appeal document <i>(attachments available upon request)</i>

**Burkhart, Kelly**

---

**From:** Williams, Eryl [Eryl.Williams@kingcounty.gov]  
**Sent:** Monday, December 17, 2007 6:20 PM  
**To:** Office State Actuary, WA  
**Subject:** PERS 1 Retirement

Dear SCPP,

Would you consider offering PERS 1 potential retirees some free service credit to retire immediately if they are otherwise eligible?

Signed,  
Old and Tired in Seattle.

Trishka T. Dargis  
300 N 130<sup>th</sup> Street #4-303  
Seattle WA 98133  
206-706-4808  
[ttdargis@hotmail.com](mailto:ttdargis@hotmail.com)

RECEIVED

DEC 19 2007

Office of  
The State Actuary

Select Committee on Pension Policy  
PO Box 40914  
Olympia, Washington 98504  
[actuary.state@leg.wa.gov](mailto:actuary.state@leg.wa.gov)  
December 17, 2007.

Dear Committee,

I am writing in regards to some of my retirement concerns. Since I heard some items were under review, I hope you will give the thoughts of a person directly involved some consideration.

**Years vested:** I hope you will change the required number of years from ten to three. It is both unfair and unprofessional to require this many years be vested before a person can claim their pension. It is unfair for a person to work up to nine years and not be able to collect the pension their district and they have been putting money toward; it simply is just not right. It is also unprofessional. Anybody who has worked for some years will make sure they stay for ten or more, even if their heart and mind is no longer in the job, because they will lose out on their pension otherwise. This is not good practice in keeping qualified teachers.

**National Board Stipend should count towards pension.** I am a National Board teacher and I must admit that there is some bitterness in my voice when I explain to possible future candidates that although a soccer coach may have their stipend apply towards their pension, ours does not. It does not make any sense. Washington says it wants highly qualified teachers yet doesn't reward them or give much incentive to teachers to become highly qualified. Having my stipend count toward s my pension (as it does for everybody else) would help.

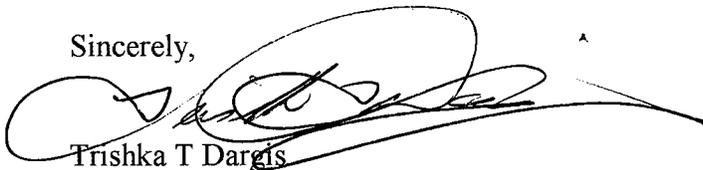
**Regarding: Proposed penalty for those who choose to work a little after they have retired and are collecting on their pension.** Have you taken a good look at who our substitutes are lately? We are already experiencing a shortage of qualified substitute teachers; I cannot imagine how much worse that shortage will be if you cut off this pool of workers. These people have been in the system and are a valuable and reliable work force. We need them. Also, given the rather dismal financial state of many pensioners, how can you deny them extra work?

**Gain-sharing:** I was not given a choice. I had to take plan 3 which I understood to be a rather poor plan. Now, with the loss of gain-sharing, I lose again. What was the logic

behind taking this away – the state does well, we do well. Other state employees still get it – why was it taken away from educators?

I have started to become really concerned about my financial well being. I do not make a lot of money. Only recently have I started making enough that I could actually purchase a home, but that was after working really hard at getting myself as far up the pay scale as was possible. I can barely afford my mortgage and although I am planning for my retirement, I doubt I will be able to do enough to feel secure about it. All of the above mentioned issues are of grave concern to me. I fear that no matter what I do, my retirement will not be enough. That makes it very difficult for me to be both happy about my job or recommend the teaching profession to others in Washington State. You have the opportunity and the ability to make my retirement better. I hope you take it. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Trishka T Dargis', written over a horizontal line. The signature is stylized and cursive.

National Board Professional Certified Teacher  
Marysville Arts and Technology High School  
Marysville WA

## Burkhart, Kelly

---

**From:** cathy [celkington@earthlink.net]  
**Sent:** Monday, December 17, 2007 9:41 PM  
**To:** Office State Actuary, WA  
**Subject:** TRS pension improvements

To Select Committee on Pension Policy members:

As a member of TRS Plan 3 and a veteran teacher of 21 years, I am writing to encourage you to please recommend the following pension improvements:

1. Allow TRS members to work in public schools after retirement, if they choose to, without penalty, before age 65. This only affects Plan 2 and 3 members under EHB2391. This law, which becomes effective 7/1/2008, will not allow retirees to work as substitutes, or take retire-rehire positions without negative pension impact. This provision of the bill will negatively impact school districts that are already in dire need of quality substitutes.
2. Make the annual \$5000 bonus for National Board Certification pensionable.
3. Continue to work toward the Rule of 85 for determining the age at which education employees can retire with full benefits.

I would also like to take this opportunity to express my disappointment in the decision to take away gainsharing for TRS Plan 3 members. I moved from Plan 2 to Plan 3 in part because of the added benefit of gainsharing. You need to keep your promise to TRS Plan 3 members (as well as TRS Plan 1) and maintain gainsharing.

Thank you for you time.

Sincerely,  
Cathy Elkington  
1211 Hoyt Ave  
Everett, WA 98201

**Burkhart, Kelly**

---

**Subject:** FW: Retirement**Attachments:** DRSAppeal.doc; Scan from a Xerox WorkCentre Pro

DSHS response to Mr. Renggli's correspondence.

---

**From:** MINTON, Jay (DSHS/FSA) [mailto:MINTOJE@dshs.wa.gov]**Sent:** Tuesday, January 15, 2008 1:52 PM**To:** Renggli, Andy (DSHS/HRSA)**Cc:** Buddeke, Ceil (DRS); Hardesty, Michelle (DRS); SCHOLS, Mariann (DSHS/FSA); Lucas, Susan L (DSHS/HRSA); Smith, Matt; PAPAC, Shawnte (DSHS/FSA); HOESING, Candace (DSHS/FSA)**Subject:** FW: Retirement

Mr. Renggli,

Thank you for your e-mail below. After reviewing documents and communications regarding your retirement issue below, we have determined that the DSHS Payroll Office is acting in good faith and by instruction per DRS. I have provided PDF copy of the documents and communication we have regarding the situation. Please be assured that we will, based on the ultimate outcome, make this right and square with you.

The July 27, 2007 letter to the DSHS Payroll Office from the Department of Retirement Systems (DRS) provides instruction to keep you in DRS Plan 2 until we were invoiced (October notification you refer to below) from DRS regarding plan adjustment arrears and then we were to report you to DRS as a Plan 1 member (page 18 of attached). The invoices (pages 14 through 17) were received and paid (JVKJ5069) to DRS and the instructed changes were made to your account. Within the attached (pages 3 through 6), copies of the August 2, 2007 notification from DRS Financial Analyst addresses to you the notification of this action. As such, DSHS must take action to recover the arrears amounts invoiced and paid on your behalf.

We also have your communication dated August 15, 2007 to the DRS Petition Examiner (pages 7 & 8). However, we have not received any additional instruction from DRS and therefore continue to follow as instructed by DRS. As this does not fall within the "employee overpayment" process or policy for DSHS, practice is to follow decisions of the applicable agency (Department of Retirement Systems).

Although, I do not expect you to agree, you do have our assurance that based on the ultimate outcome, DSHS will make you whole based on the communicated decision and communication from DRS. Again, thank you for your communication and if you should have any questions, please contact Shawnte Papac, Candace Hoelsing or me.

---

**From:** SCHOLS, Mariann (DSHS/FSA)**Sent:** Tuesday, January 15, 2008 7:06 AM**To:** MINTON, Jay (DSHS/FSA)**Subject:** FW: Retirement

FYI

---

**From:** Renggli, Andy (DSHS/HRSA)**Sent:** Monday, January 14, 2008 11:44 AM**To:** PAPAC, Shawnte (DSHS/FSA)**Cc:** Buddeke, Ceil (DRS); Hardesty, Michelle (DRS); SCHOLS, Mariann (DSHS/FSA); Lucas, Susan L (DSHS/HRSA); Smith, Matthew**Subject:** RE: Retirement

1/16/2008

Attached please find my appeal regarding this action to the Department of Retirement Systems dated August 15, 2007.

I was appropriately put in PERS 1 by King County in 1977. At least three times, the Department of Retirement incorrectly placed me in PERS 2. Each time, DRS should have verified my enrollment in the correct plan. DRS manages both the King County and the State of Washington retirement plan. I brought this issue to the Department of Retirement's attention last summer. As such, at this date, as I prepare for retirement, it is neither fair nor equitable to charge me \$30, 942. Previous employment periods, as specified in the attached appeal, currently total approximately \$1000. As I have been waiting to hear the status of my appeal/request from DRS, I have received monthly statements from DRS, now charging interest on the amounts from the previous employment periods.

My previous attempts to resolve this issue with DRS were responded to on September 4, 2007, I received a letter from Ceil Buddeke, Petition Examiner with the Department of Retirement Systems. Although I was appealing this matter, the letter explained that (at that time) the PERS Plan Administrator had not issued her decision on the matter. The letter explained the decision must be issued before DRS can accept a petition requesting review of the decision. My letter was referred to Michelle Hardesty, the PERS Plan Administrator, for action. To date, I have received no written decision. My monthly pay stub as of 1/10/08 still indicates I am still in PERS 2. Regardless, your message today indicates DRS notified DSHS in October 2007 that I had been transferred to PERS 1.

Again, I assert under the doctrine of equitable estoppel, the State (DSHS and/or DRS) should be stopped from seeking recovery from me of any additional monies because DRS had the information available to them to have correctly maintained me in PERS 1 since I began employment. Additionally, this would be a severe financial hardship on my family.

The specific relief I sought in my August 2007 appeal was:

1. Remove me from PERS 2 and correctly place me in PERS 1. Your message today, indicates that has been done. I will verify that with my next pay stub.
2. Cancel all previous invoices for any retroactive charges. Based on you message today, would mean not setting up any repayment plan.
3. Adjust my account to reflect the correct member months. Again, based on your message today, this appears to be met.
4. Either adjust or explain my currently listed anniversary date of 8/23/04. This has not occurred.

A new item, based on your message, is you setting up payments of \$650.66. I want this amount cancelled just as I am appealing all previous invoices. For appeal processing, please add this item to the four asserted in August 2007.

I am, once again, appealing this action to the Department of Retirement Systems. Please notify me as to who to direct my internal appeal to within DSHS. Please take no further action until my appeal has been heard.

Thank you.

Andy Renggli.

---

**From:** PAPAC, Shawnte (DSHS/FSA)  
**Sent:** Monday, January 14, 2008 9:54 AM  
**To:** Renggli, Andy (DSHS/HRSA)  
**Cc:** PAPAC, Shawnte (DSHS/FSA)  
**Subject:** Retirement

Hi Andrew,

In October of 2007 I received a invoice from DRS stating that you were transferred from PERS 2 to PERS 1. I paid the DRS invoice on your behalf. I have corrected your retirement account with DRS, your service credits were restored. I now need to set up a payment plan with you to collect the contribution difference between plans. The amount owing on your behalf is \$30,376.41. The invoice covered the period from 4/81 to 7/31/07. Please let me know if you have a preference to how you repay this amount? You can pay the amount in full or we can set a payment plan, all contributions will need to be repaid prior to your retirement.

I have corrected HRMS to reflect PERS 1 as of 8/1/07. The amount owing for the HRMS plan correction in contributions from 8/1/07 to 1/15/08 is \$650.66. I have set up 11 payments to collect this amount. This collection will begin on your 1/25/08 paycheck

1/16/2008

and end on 7/10/08. If you would prefer to pay this amount in full please let me know.

Please let me know how you would like to repay the invoiced amount of \$30,376.41 by 2/15/08. If you have any further questions feel free to contact me.

Thank you,

**Shawnte Papac**

DSHS/ FSA/ Retirement

360.664.5913

MS: 45854

August 15, 2007

**SENT CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

DRS Petition Examiner  
PO Box 48380  
Olympia, Washington 98504-8380

RE: Appeal of DRS Corrective Action Dated August 2, 2007

Dear Petition Examiner:

Several weeks ago, I contacted the Department of Retirement Systems requesting they verify whether my employment with King County between February of 1977 and September of 1977, when added to my employment with the State of Washington beginning February, 1980, qualified me for Public Employees' Retirement System, PERS 1.

After DRS staff checked with King County I was notified on July 26, 2007 that an audit of my PERS account was conducted. During the review it was determined that I was not granted service credit for employment with King County between March 1977 through September 1977.

On August 2, 2007 I received four letters from DRS:

The first indicated I owed: \$113.70 (2/80- 4/81 Not tax deferred)  
The second indicated I owed: \$452.16 (9/82- 8/84 Not tax deferred)  
The third indicated: \$-32,660.75 (9/84 – My contribution to PERS 2)  
The fourth indicated an amount due: \$63,037.16 (9/84 – Amount due to PERS 1)

Contacting your office again, I was informed all time segments were with my employment with the State of Washington. The first two amounts were for two different segments of time, both of which predate September 1984, both of which were taxed. The third and fourth letters were for amounts that I contributed by inappropriately being put into PERS2 (\$-32,660.75) and an amount representing the amount still owing to PERS1 (\$63,037.16). But these amounts were after September 1984 and were tax deferred.

My original discussions with DRS staff indicated I would be receiving a small bill for the employee's share of the retirement benefit from King County and a larger bill from the State of Washington. This is not the case. King County has not billed me. I conclude that King County has not billed me because I was appropriately included in PERS 1 in a covered position in their system in February of 1977. When I started with the State of Washington I was incorrectly put in PERS 2 by DRS. When I returned to State employment in September of 1982 I was again

incorrectly placed in PERS 2. When I returned to the State again in 1997, I was incorrectly put into the PERS 2 plan a third time.

My incorrect placement in PERS 2 was done three times. The Department of Retirement System manages King County's and the State's retirement plan. Each time I started with the State, my enrollment in the correct retirement plan should have been verified. Currently, my State of Washington earnings statement still indicates I am in PERS 2. Also, my anniversary date is listed as 8/23/1984. I do not understand that anniversary date. As you can see, my original start date with the State of Washington was February of 1980.

In summary, I believe I was appropriately put in PERS 1 by King County in 1977. At least three times, the Department of Retirement Systems incorrectly placed me in PERS 2. Each time DRS should have verified my enrollment in the correct plan. DRS manages both the King County and the State of Washington retirement plan. I brought this issue to the Department of Retirement System's attention. As such, at this date, as I prepare for retirement, it is neither fair nor equitable to charge me \$30,942.27 for mistakes that I did not make, but rather brought to the attention of DRS for their consideration and correction.

Under the doctrine of equitable estoppel, I believe the State should be stopped from seeking recovery from me of any additional monies because DRS had the information available to them to have correctly maintained me in PERS 1 since I began employment. Additionally, this would be a severe financial hardship on my family and me as I have two children in college and I am responsible for their expenses.

The specific relief I seek is:

1. Remove me from PERS 2 and correctly place me in PERS 1
2. Cancel all previous invoices for any retroactive charges.
3. Adjust my account to reflect the correct member months.
4. Either adjust or explain my currently listed anniversary date of 08/23/1984

Very truly yours,

Andrew J. Renggli  
6059 Sycamore Ave NW  
Seattle WA 98107  
536-50-6716

Cc:

Matthew Smith, State Actuary  
Select Committee on Pension Policy  
Mariann Schols, Chief  
DSHS Office of Accounting Services  
Susan Lucas, Director  
DSHS HRSA Division of Rates and Finance

Upon request, the attachments to DSHS response to Mr. Renggli may be made available.

Please contact 360-786-6140 or e-mail to [actuary.state@leg.wa.gov](mailto:actuary.state@leg.wa.gov) if you would like to receive these documents.

## Hyde, Elizabeth

---

**From:** Harper, Laura  
**Sent:** Friday, April 11, 2008 10:52 AM  
**To:** Hyde, Elizabeth; Winner, Charlene  
**Cc:** Burkhart, Kelly; Smith, Matt  
**Subject:** FW: HB 3182

**Attachments:** HOUSE BILL 3182.doc



HOUSE BILL  
3182.doc (26 KB)

Please incorporate this into the SCPP correspondence log and bring copies of the e-mail and attachment to the Tuesday, April 15th meeting.

Thank you!

-----Original Message-----

**From:** Smith, Matt  
**Sent:** Wednesday, January 30, 2008 4:15 PM  
**To:** Harper, Laura  
**Cc:** Burkhart, Kelly  
**Subject:** FW: HB 3182

---- Original Message ----

**From:** "Dave Westberg" <iuoe609@qwestoffice.net>  
**Date:** 1/30/08 3:33 pm  
**To:** "Smith, Matt" <Smith.Matt@leg.wa.gov>  
**Cc:** "Conway, Rep. Steve" <Conway.Steve@leg.wa.gov>  
**Subj:** Fw: HB 3182  
Matt

Please put this issue on the agenda for the upcoming interim.

Thank you

Dave Westberg

-----Original Message-----

**From:** "Tim & Carey Ensign" <tcensign@msn.com>  
**Date:** Tue, 29 Jan 2008 19:36:31  
**To:** <iuoe609@qwestoffice.net>  
**Subject:** Fw: HB 3182

----- Original Message -----

From: Tim & Carey Ensign <mailto:tcensign@msn.com>  
To: iuoe609@questoffice.net <mailto:iuoe609@questoffice.net>  
Sent: Tuesday, January 29, 2008 7:30 PM  
Subject: HB 3182

David - thank you for you call today. I am very excited that you will be following and helping with this bill. Please keep me updated on it's progress.

Attached is an informational piece I put together for my local chapter president, to outline the background on this bill. Please let me know if there is something I can do to help.

Carey Ensign  
home - 360-871-3127  
work - 360-443-3316  
ensign@skitsap.wednet.edu <mailto:ensign@skitsap.wednet.edu>  
tcensign@msn.com <mailto:tcensign@msn.com>

## **HOUSE BILL 3182**

On January 22, 2008, House Bill 3182 was introduced in the Washington State House of Representatives by Representative Patricia Lantz of the 26TH District. House Bill 3182 would authorize application for past part-time service credit for members of the School Employees' Retirement System. To view the text of the bill, go to the Washington State Legislature website, click on Bill Information, and search for 3182.

### **Background:**

In 1977, PERS (Public Employees Retirement System) Plan II was created. Prior to Plan II, PERS Plan I required 70 hours per month for a month's service credit. The threshold for service credit changed to 90 hours per month in PERS Plan II. Certificated school employees (teachers) and classified school employees (secretaries, custodians, bus drivers, etc.) were members of the PERS I and PERS II retirement systems. Many school districts did not pick up on the change from 70 hrs. to 90 hrs., and erroneously continued to consider employees eligible for PERS II at the threshold of 70 hours. Many part-time school employees across the state were paying into the PERS II retirement system, as well as the school districts on their behalf. The Washington State Department of Retirement Systems accepted these contributions and sent yearly statements to employees. These statements, however, did not include a summary of service credit earned, so there was no way for the employee to know that they were not earning service credit for all months worked. A DRS audit in 1984 revealed these errors. However, those employees identified in the audit (and, by 1984 were working more hours and, thus, eligible for service credit in PERS II) were not notified of their prior missing service credit. An employee of the South Kitsap School District discovered this problem in 1985 and contacted the Public School Employees (PSE) of Washington, the union representing classified school employees in her school district. PSE filed a class action lawsuit in the Superior Court of Thurston County, seeking a remedy for all school employees affected. The lawsuit was put on hold at the request of DRS to pursue an administrative solution. After several years, PSE reactivated the lawsuit when no satisfactory solution was found.

In 1991, the legislature enacted a statute allowing PERS Plan II members to earn less than one month's service credit if they did not work the requisite 90 hours. Prior to that time, it was all or nothing. That is, if you worked 89 hours in a month, you received zero retirement service credit for that month in Plan II. The partial service credit statute of 1991 was applied retroactively for teachers, but not classified employees.

In June of 1998, Public School Employees of Washington appeared before the Division II Court of Appeals regarding the case brought by PSE a number of years prior. PSE challenged the DRS interpretation of the partial service credit statute which DRS said applied only prospectively. PSE asked the Court of Appeals to apply the statute retroactively for classified school employees as it was applied retroactively for teachers. The Appeals Court acknowledged the unfairness, however, ruled that the courts have no authority to read retroactivity into the statute. That decision was the end of the line for a remedy through the court system.

The only avenue remaining is a legislative fix. Money from both employees and employers has been in the retirement system at these years and should rightfully benefit those employees. House Bill 3182 would solve this problem.

**Hyde, Elizabeth**

---

**From:** Cathy Davis [shortsprinter@yahoo.com]

**Sent:** Monday, January 14, 2008 8:32 PM

**To:** Office State Actuary, WA

**Subject:** TRS Plan 2 and 3

Dear Select Committee,

1. Please lower the number of years for vesting in Plan 3 from 10 years to 5 years.
2. Please allow TRS members to work in public schools after retirement, if they choose to, without penalty, before age 65.
3. Please make the annual \$5000 bonus for National Board Certification pensionable.
4. Please work to provide the compensation that was taken away with the loss of gainsharing. Reinststate gainsharing.

Thank-you  
Cathy Davis

---

Looking for last minute shopping deals? [Find them fast with Yahoo! Search.](#)

**Hyde, Elizabeth**

---

**From:** Rick Scriven [ricks@kendra.com]  
**Sent:** Sunday, January 20, 2008 1:03 PM  
**To:** Office State Actuary, WA  
**Cc:** Arden Watson; Davis, Randy

Dear Committee,

I am a teacher of 29 years. I live and work in legislative district 38. I am on Plan 3. These are my most immediate concerns:

Please allow TRS members to work in public schools after retirement, if they choose to, without penalty, before age 65. This affects my peers and I as we are mostly plan 3 members. Under EHB2391, which becomes effective 7/1/2008, will not allow retirees to work as substitutes, or take retire-rehire positions without negative pension impact.

You probably already know this but on any given school day it has become increasingly difficult to find enough substitute teachers to fill the necessary positions. This problem will probably only get worse, I believe, for two reasons:

1. As teachers age, their health becomes of greater concern and they will probably need to take more, not less time off for their health.
2. College students across the state are not enrolling as needed to be able to fill the void left by retiring "baby boomers."

Why then, would you penalize an entire class of hard-working, dedicated and experienced teachers?

I also want the Pension Policy Committee to know that taking away gainsharing was unfair, and broke a commitment to TRS Plan 3 members who switched from Plan 2. Please reinstate gainsharing.

Thank you.

-Rick Scriven  
7th Grade Science Teacher  
Cedarcrest Junior High School  
Marysville, WA  
[rick\\_scriven@mssl.k12.wa.us](mailto:rick_scriven@mssl.k12.wa.us)

**Hyde, Elizabeth**

**From:** Burkheimer, Michelle  
**Sent:** Monday, January 28, 2008 3:48 PM  
**To:** Office State Actuary, WA  
**Subject:** A concerned Constituent about Early Retirement because of a disability.

We received the included e-mail from John McGuire in the interim regarding his retirement benefits. With the change in staffing in our office, the request has been in limbo. We really want to move his request forward, thus sending it to you for review.

I just spoke to Mr. McGuire and he is trying very hard to bring his issue to the right people to have it considered. I am sending you a copy of his email with a request that you review this example of a very legitimate concern from a person that may need to retire early because they have a disability. I have advised Mr. McGuire that while we do not have any legislation to address his concerns this session, we are very interested in his situation and will continue to follow his concerns.

**SENATE INTERNET E-MAIL DELIVERY SERVICE**

TO: Senator Marilyn Rasmussen

FROM: Mr. John McGuire

STREET ADDRESS:  
307 NW LONGMIRE ST  
YELM, WA 98597

E-MAIL: [Yelmite@msn.com](mailto:Yelmite@msn.com)

PHONE: (360) 458 - 5374

SUBJECT: Retirement - Disability

**MESSAGE:**

I have been writing almost every legislator, both on the House and Senate sides to get some kind of interest in sponsoring a bill for the next Legislative Session. I am currently a PERS Plan 2 member with 27+ years of service who has MS, since 1999 as far as the doctors can tell. However, I just turn 50 years old this year and with the current retirement plans if I was to go out on disability I would be losing about 7-8% of my retirement benefits for each year that I am under the age of 65. If I can hang in there and work till I am 55 years of age I will have 32 years of service and still will be penalized with 3% for each year under age 65 years of age reducing my Retirement Benefits.

I just received an estimate if I was to go out on a Disability Separation December 2007 with an average five monthly salary of \$4,800 I would receive a Retirement Benefit of \$702 per month. If I waited until

June 2008 I would receive \$762 per month because of the 3.2% pay increase I am receiving in September 2007.

I had a Fiscal Tech employee 6 years ago, who had about 18 years with the state and he then had a stroke which cause him to go out on a disability. I doubt if he had enough retirement pension to continue his medical coverage. (A burden on the State). Fiscal Techs do not make that much money in the first place. He had a 10 year old son who was counting on him to continue to bring home the money, because his wife did not work.

What I am asking for, is if you and your fellow members could sponsor a retirement bill changing the rules in regards to Disability Retirement based on medical reasons, such as what is describe by the new definition on Disability that was passed last Legislative Session. The main reason is to stop the reduction of those State Employees who planned on working for the require amount of time needed to retire, but were dealt a bad hand because of a disability that they did not plan on.

This effects not only State Workers in my District but State Employees in every District throughout the State of Washington. Not only in the PERS system, but in the TRS, SERS, LEOFF and so on.

Thank you for hearing me out and I look forward to hear back from you and to see action taken place in the 2008 Legislative Session

\*\*\*\*\*

Could you please advise me if there is any work being done that might help this situation.

Thank you for your assistance.

Michelle

*Michelle Burkheimer*  
*Legislative Assistant for*  
*Senator Marilyn Rasmussen*  
360-786-7602  
[burkheimer.michelle@leg.wa.gov](mailto:burkheimer.michelle@leg.wa.gov)

January 30, 2008

**SENT CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

Ms. Ceil Buddeke, Petitions Examiner  
Department of Retirement Systems  
P.O. Box 48380  
Olympia, Washington 98504-6657

**RE: PETITION FOR REVIEW**

Dear Ms. Buddeke:

I respectfully request an administrative review of the decision issued by Ted Taylor, PERS Plan Administrator, dated January 17, 2008. A copy of that decision is attached to this letter as **Attachment A**. Mr. Taylor indicates:

*“When you were employed in a temporary position February 1977 through September 1977 with King County they did not enroll or report you as a Public Employees Retirement System (PERS) Plan 1 member. At that time, temporary positions were not generally considered eligible for PERS membership as they were not expected to last a sufficient length of time to qualify for membership.”*

I was not employed in a temporary position. I was employed in a management position that interviewed, screened and placed volunteers to work with children in the custody of the King County Juvenile Court. The manager, and incumbent in the position, had taken a maternity leave of absence. I was hired until she was to return. The position was a full-time, funded, covered position in the King County Juvenile Court Administration.

I believe it is central to this decision that DRS administers both the King County and the DSHS retirement systems. That is, DRS has full access to plan eligibility and enrollment information in both (and many other) agencies. Organizations that administer benefits routinely perform cross-organizational eligibility data matches to determine if a member is eligible for benefits from multiple payers and or multiple employers.

For example, in my current position as Office Chief for the DSHS Coordination of Benefits my office is required by federal mandate to perform a data match between our DSHS Division of Child Support, DSHS Medicaid and the Washington State Employment Security Department. The purpose of this federally required data match is to identify which children have access to health insurance through an absent parent.

This is one example of many combinations of data matching and sharing methods that are routinely conducted between benefit administrators. Regardless of the information initially provided by the member, the benefit administrator's responsibility is to verify and continuously update eligibility information from multiple sources. Why, in 24 years, the Department of Retirement Systems never matched my name and social security number in two different systems they administer is a question they should be answering to those who hold them publicly accountable.

I specifically contest the decision as it affects my service retirement benefits and my membership in the PERS 1 retirement system (WAC 415-04-015(2) and (3)). It is my position that I should not be responsible for the repayment of the contributions that the Department of Social and Health Services (DSHS) was required to pay to the Department of Retirement Systems (DRS).

Prior to my letter from Mr. Taylor, my reasons for this appeal were outlined in my August 15, 2007 letter addressed to the DRS Petition Examiner. A copy of that letter is attached to this letter as **Attachment B**. Summarizing that petition, I believe I was appropriately put in PERS 1 by King County in 1977. The Department of Retirement Systems has now verified that. At least three times DRS incorrectly placed me in PERS 2. Each time DRS should have verified my enrollment in the correct plan. After 24 years of misinformation, I brought this issue to the attention of DRS nine months ago. As such, at this date as I prepare for retirement, it is neither fair nor equitable to charge me \$31,311.72 for mistakes I did not make, but rather brought to the attention of DRS for their consideration and correction.

Slightly modified due to information exchanged this month, between DRS and the DSHS Payroll Office, I am modifying the specific relief outlined in my August 15, 2007 letter to:

1. Establish the date of my transfer from PERS 2 to PERS 1 as January 19, 2008, which is the date I received Mr. Taylor's decision, which is triggering this action. As such, the DSHS Payroll Office would begin withdrawing current PERS 1 employee contributions from my paycheck, ignoring the confusing billing and cryptic communication process of the last six months that was begun without benefit of a decision from DRS.
2. Cancel all previous invoices for any retroactive charges.
3. Either adjust or explain my current listed anniversary date of 8/23/84.

I further request that no interest be charged on any moneys I may ultimately be found responsible for as the error for failing to have me in the correct retirement system does not lie with me, but the employers I was employed by. They had the opportunity to discover the error, in this case, long before I brought it to everyone's attention. I also request that no deductions be taken from my current salary until all of my appeals have been exhausted.

Under the doctrine of equitable estoppel, I believe the State should be stopped from seeking recovery from me of any additional money (See Kramarevcky v. DSHS 122 Wn.2d 738, P.2d 535) because DRS has admitted their mistake by virtue of transferring me to PERS 1 in the last two weeks, and had the information available and should have correctly maintained me in PERS 1 since I began employment. At this late date imposing these expenses on me would be a severe hardship on my family – all for mistakes I did not make.

Sincerely,

Andrew J. Renggli  
6059 Sycamore Ave NW  
Seattle, WA 98107  
536-50-6716

Cc:

Matthew Smith, State Actuary  
    Select Committee on Pension Policy  
Mariann Schols, Chief  
    DSHS Office of Accounting Services  
Susan Lucas, Director  
    DSHS HRSA Division of Rates and Finance

**Hyde, Elizabeth**

---

**From:** Luis Moscoso [luis@wpea.org]  
**Sent:** Monday, February 04, 2008 5:18 PM  
**To:** Conway, Rep. Steve  
**Cc:** Office State Actuary, WA; Reed, Ross  
**Subject:** PERS 1 rehire request

Rep. Conway –

I spoke with Ross Reed in the Actuary's Office and asked him to convey your message to Matt Smith.

You asked that the State Actuary look into how the state might exempt PERS 1 retirees who return to work for private sector employers from the same restrictions that they would have to comply with if they went to work for a state agency. Because some unions were allowed to have staff employees join PERS 1 many years ago, they must now follow the same restrictions as other state agencies when they hire a PERS 1 retiree.

It is our hope that retirees who are hired to work for these unions should not have the same restrictions as they would if they had returned to work for the state. These same individuals could work full time for other unions that never had this particular arrangement with the state and not be penalized under the rehire law. This request would seem to have little or no impact on the state.

Please let us know how we can work with both you and the State Actuary on this request. Thank you.

Fraternally,  
Luis Moscoso  
Government Relations Director  
WPEA/UFCW 365  
360.943.1121 ext. 119  
[www.wpea.org](http://www.wpea.org)

*"The solution to the problem does not lie in leaving it."  
- Vaclav Havel*

## Hyde, Elizabeth

---

**From:** Steve Paulson [stevenmpaulson@yahoo.com]  
**Sent:** Tuesday, February 05, 2008 8:07 PM  
**To:** Office State Actuary, WA  
**Subject:** Retirement Concerns

To Whom It May Concern:

I will be a 54 year old, 30-year, Plan 3 teacher in June of this year. I have waited 30 years for changes to the Plan 2/Plan 3 retirement system. Needless to say I was very disappointed with the last legislation session and no doubt I will be disappointed with this session as well. I was hoping for a True 85 outcome with the same Retire/Rehire benefits as a Plan 1 member.

Question to the Select Committee on Pension Policy ...

Is it true that a Plan 1 member with 30 years of experience at age 54 can collect a full benefit and also take advantage of the Retire/Rehire? Answer: yes

Question to the Select Committee on Pension Policy ...

When will a Plan 2/3 member such as myself with 30 years of experience and age 54 be able to Retire/Rehire under the same rules as a Plan 1 member? Answer: At age 65.

Question to the Select Committee on Pension Policy ...

What would be the financial difference between the two plans after 11 years of Retire/Rehire employment for a Plan 1 member while a Plan 2/3 member continues to work until age 65? Answer: I would submit that it is very substantial.

Question to the Select Committee on Pension Policy ...

When would a Plan 2/3 member be able to collect a full retirement benefit and be able to Rehire/Rehire? Answer: At age 62 ,, please note that the rehire would take place in another state.

Question to the Select Committee on Pension Policy ...

What can I do to convince this committee to change the retirement policies of Plan2/3 and make them

comparable to Plan 1? Answer: I have no answer.

Steve Paulson

Mathematics teacher in the state of Washington for  
nearly 30 years and colleague of many Plan 1 members.

---

Never miss a thing. Make Yahoo your home page.

<http://www.yahoo.com/r/hs>

**Hyde, Elizabeth**

---

**From:** dldressel [dldressel@comcast.net]  
**Sent:** Tuesday, February 05, 2008 7:34 PM  
**To:** Office State Actuary, WA  
**Subject:** Fw: CORRECTION - FW: Military Service Credit

Dear Pension Committee,

Please consider amending SB 6645 to give Pers II/III credit for prior military service, as per the e-mail string, below. Alternatively, please consider a new bill that would have the same effect. Thank you very much.

Sincerely,

Dave Dressel

----- Original Message -----

**From:** [Pridemore, Sen. Craig](#)  
**To:** [dldressel](#)  
**Sent:** Tuesday, February 05, 2008 8:07 AM  
**Subject:** RE: CORRECTION - FW: Military Service Credit

The Select Committee on Pension Policy can be reached at:

<http://www.leg.wa.gov/SCPP/default.htm>

---

**From:** dldressel [mailto:dldressel@comcast.net]  
**Sent:** Monday, February 04, 2008 7:23 PM  
**To:** Pridemore, Sen. Craig  
**Cc:** Stevens, Sen. Val  
**Subject:** Re: CORRECTION - FW: Military Service Credit

Hey, Craig. Thanks for your response. How may I contact the pension committee? Thanks, again. Dave

----- Original Message -----

**From:** [Pridemore, Sen. Craig](#)  
**To:** [dldressel](#)  
**Cc:** [Stevens, Sen. Val](#)  
**Sent:** Monday, February 04, 2008 11:11 AM  
**Subject:** RE: CORRECTION - FW: Military Service Credit

Hi, Dave. This was considered and rejected by the pension committee in part due to a \$2 million fiscal cost. I am signed onto the bill solely to represent the desires of the committee so I'm not planning to offer any amendments that go beyond the nature of a technical fix. While any member of Ways & Means can offer an amendment, my preference would be that any policy change be redirected back through the pension committee for them to comment/advise on before legislative action.

Craig

---

**From:** dldressel [mailto:dldressel@comcast.net]  
**Sent:** Friday, February 01, 2008 3:19 PM  
**To:** Pridemore, Sen. Craig  
**Cc:** Stevens, Sen. Val  
**Subject:** Fw: CORRECTION - FW: Military Service Credit

2/6/2008

Dear Senator Pridemore:

I understand that you are the prime sponsor of SB 6645. Would you please propose an amendment to the bill so that it covers more than interruptive military service, as per my explanation, below? Thank you very much.

Sincerely,  
Dave Dressel

----- Original Message -----

**From:** [Stevens, Sen. Val](#)

**To:** [dldressel](#)

**Sent:** Thursday, January 31, 2008 6:18 PM

**Subject:** CORRECTION - FW: Military Service Credit

Dave,

Sorry, the correct name of the prime sponsor of SB6645 is Senator Craig Pridemore, whose e-mail is: [pridemore.craig@leg.wa.gov](mailto:pridemore.craig@leg.wa.gov).

Val

**From:** Stevens, Sen. Val

**Sent:** Thursday, January 31, 2008 6:15 PM

**To:** 'dldressel'

**Subject:** RE: Military Service Credit

Dear Mr. Dressel,

Senate Bill 6645 received a public hearing today before the Senate Ways and Means Committee. If you wish to amend the bill, may I suggest that you work with the sponsor of the bill, Senator Weinstein, or other members of the Ways and Means Committee. As you may know, this bill was requested by the Select Committee on Pension Policy, LOEFF Plan 2 Retirement Board.

There is also a companion, House Bill 3008 in House Appropriation Committee which has not received a public hearing.

Sincerely,  
Senator Val Stevens  
39th Legislative District

**From:** dldressel [mailto:[dldressel@comcast.net](mailto:dldressel@comcast.net)]

**Sent:** Wednesday, January 23, 2008 7:55 PM

**To:** Stevens, Sen. Val

**Subject:** Re: Military Service Credit

Dear Senator Stevens,

I just scanned SB 6645, and it doesn't appear to do what I want it to do. It pertains to *interruptive* military service. What I'm looking for is credit for military service that precedes one's state service.

Sincerely,

Dave Dressel

----- Original Message -----

**From:** [Stevens, Sen. Val](#)

**To:** [dldressel](#)

**Sent:** Wednesday, January 23, 2008 1:12 PM  
**Subject:** RE: Military Service Credit

Dear Mr. Dressel,

Thank you for bringing the proposed legislation to my attention. I will look for the bill's introduction. Do you know the name of the legislator who will be sponsoring it?

Senator Val Stevens

---

**From:** dldressel [mailto:dldressel@comcast.net]

**Sent:** Tuesday, January 22, 2008 9:56 PM

**To:** Zarelli, Sen. Joseph; Weinstein, Sen. Brian; Tom, Sen. Rodney; Swecker, Sen. Dan; Stevens, Sen. Val; Spanel, Sen. Harriet; Shin, Sen. Paull; Sheldon, Sen. Timothy; Schoesler, Sen. Mark; Rockefeller, Sen. Phil; Roach, Sen. Pam; Regala, Sen. Debbie; Rasmussen, Sen. Marilyn; Pridemore, Sen. Craig; Prentice, Sen. Margarita; Pflug, Sen. Cheryl; Parlette, Sen. Linda Evans; Oemig, Sen. Eric; Murray, Sen. Edward; Morton, Sen. Bob; McDermott, Sen. Joe; McCaslin, Sen. Bob; McAuliffe, Sen. Rosemary; Marr, Sen. Chris; Kohl-Welles, Sen. Jeanne; Kline, Sen. Adam; King, Sen. Curtis; Kilmer, Sen. Derek; Keiser, Sen. Karen; Kauffman, Sen. Claudia; Kastama, Sen. Jim; Jacobsen, Sen. Ken; Honeyford, Sen. Jim; Holmquist, Sen. Janéa; Hobbs, Sen. Steve; Hewitt, Sen. Mike; Haugen, Sen. Mary Margaret; Hatfield, Sen. Brian; Hargrove, Sen. Jim; Franklin, Sen. Rosa; Fairley, Sen. Darlene; Eide, Sen. Tracey; Delvin, Sen. Jerome; Carrell, Sen. Michael; Brown, Sen. Lisa; Brandland, Sen. Dale; Berkey, Sen. Jean; don@leg.wa.gov

**Subject:** Military Service Credit

Dear Senator,

I'm a member of the WPEA. One of our legislative priorities this session is military service credit. It is my understanding that a yet-to-be numbered bill will be introduced which will allow PERS 2 and 3 members of the state retirement system to get service credit toward their pensions for military service rendered *before* the member began state service. PERS 1 members have this benefit, but not 2 and 3. Although there are, obviously, differences between the three systems, it doesn't seem to me that this should be one of them. All PERS members should be rewarded, similarly, for service to their country. This is, especially, so as soldiers return from Afghanistan and Iraq. Those who go to work for Washington state for the first time will be, either, PERS 2 or PERS 3 and, under current law, will get no pension credit for their time in the military.

I urge you to help correct this inequity and support this legislation. Thank you very much.

Sincerely,

Dave Dressel

## Hyde, Elizabeth

---

**From:** Freeburg, Jim  
**Sent:** Monday, February 25, 2008 3:15 PM  
**To:** Office State Actuary, WA  
**Subject:** FW: SERS TRS Retirement Plan

Sen. Shin asked that I send this constituent concern to the SCPP. He'd appreciate this concern being considered during the next round of decision making.

Thanks,

Jim Freeburg  
Legislative Aide to Sen. Paull Shin  
PO Box 40421  
Legislative Building 407  
Olympia WA 98504-0421  
360-786-7640

>Subscribe to Sen. Shin's e-newsletter by visiting <http://apps.leg.wa.gov/subscriptions/member.aspx?chamber=s&member=shin>

-----Original Message-----

**From:** hodget@edmonds.wednet.edu [mailto:[hodget@edmonds.wednet.edu](mailto:hodget@edmonds.wednet.edu)]  
**Sent:** Thursday, February 21, 2008 10:22 PM  
**To:** Shin, Sen. Paull  
**Cc:** Roberts, Rep. Mary Helen; Liias, Rep. Marko  
**Subject:** SERS TRS Retirement Plan

HOUSE INTERNET E-MAIL DELIVERY SERVICE  
SENATE INTERNET E-MAIL DELIVERY SERVICE

TO: Senator Paull Shin

CC: Representative Mary Helen Roberts  
Representative Marko Liias

FROM: Tamera Hodge

STREET ADDRESS:  
17805 46th Pl W  
Lynnwood, WA 98037

E-MAIL: [hodget@edmonds.wednet.edu](mailto:hodget@edmonds.wednet.edu)

PHONE: (425) 745 - 4395

SUBJECT: SERS TRS Retirement Plan

MESSAGE:

I have been trying to get some answers about my retirement plan, as you can see below. I think that it is unfair that certificated staff (teachers) can change the amount they contribute to there 401k plan and classified staff (office personnel) can not. When I was hired like most of the others we took the minimum amount since we could not change the amount. Now that I am in a better financial spot I want to increase my contribution. BUT I CAN'T. I feel this is very unfair to us office personnel. I would like for you to take this to the table again.

Thank you,  
Tami Hodge

From: Sherwood, Katie (ESC)  
Sent: Wednesday, January 16, 2008 8:24 AM  
To: Hodge, Tami (MDHS)  
Subject: RE: SERS/TRS Retirement Plan Workshops

When I talked with Dept. of Retirement, they referred me to IRS regulations which is who pulled the plug on the legislation for us to pass this.

I would contact your union leadership and tell them your group wants a formal explanation as to why not possible for classified.

Katie Sherwood  
Benefits Supervisor, Benefits Office  
Edmonds School District, Human Resources  
sherwoodk@edmonds.wednet.edu  
425.431.7041 fax 425.431.7034

---

From: Hodge, Tami (MDHS)  
Sent: Tuesday, January 15, 2008 3:08 PM  
To: Sherwood, Katie (ESC)  
Subject: RE: SERS/TRS Retirement Plan Workshops

Will be ever be able to? Who could I write about this?

Tami Hodge  
Attendance Secretary  
Meadowdale High School  
425.431.6442

---

From: Sherwood, Katie (ESC)  
Sent: Tuesday, January 15, 2008 2:40 PM  
To: Hodge, Tami (MDHS)  
Subject: RE: SERS/TRS Retirement Plan Workshops

Unfortunately not...SERS Plan members, which you would be are not allowed to change annually as the TRS

plan members can. That rule was changed by IRS before the classified plans were allowed to do so.

Katie Sherwood  
Benefits Supervisor, Benefits Office  
Edmonds School District, Human Resources  
sherwoodk@edmonds.wednet.edu  
425.431.7041 fax 425.431.7034

From: Hodge, Tami (MDHS)  
Sent: Tuesday, January 15, 2008 1:46 PM  
To: Sherwood, Katie (ESC)  
Subject: RE: SERS/TRS Retirement Plan Workshops

Can you change your deduction if you are an OP?

Tami Hodge  
Attendance Secretary  
Meadowdale High School  
425.431.6442

From: Sherwood, Katie (ESC)  
Sent: Monday, January 14, 2008 3:24 PM  
To: @All Edmonds Email  
Subject: SERS/TRS Retirement Plan Workshops

\*\*\* Reminder: For current and new hire employees eligible for retirement with the district

Retirement investment workshops, both being held January 16, 2008.

First Workshop: Plan Choice Seminar (allows you to decide as a new hire to choose Plan 2 or Plan 3  
(New hire employees have 90 days from date of hire to select a plan)

Time: 4:00 pm, ESC, Boardroom A

Second Workshop: For current and potential Plan 3 members

Time: 5:30 pm, ESC, Boardroom A

Confirmation to attend is not necessary and spouses are welcome.

Thanks.

Katie Sherwood  
Benefits Supervisor, Benefits Office  
Edmonds School District, Human Resources  
sherwoodk@edmonds.wednet.edu  
425.431.7041 fax 425.431.7034

NOTE: We are 99% sure that this constituent is in your district

RESPONSE REQUESTED: Tamera has requested a response to this message.

## Hyde, Elizabeth

---

**From:** Merkner, James C. (DOC) [jcmerkner@DOC1.WA.GOV]  
**Sent:** Tuesday, February 26, 2008 12:43 PM  
**To:** Office State Actuary, WA  
**Subject:** Disincentive to work past age 65

I'm 65 and still working as a CMHC for DOC. It seems to me there's a strong disincentive to work past 65 for the State of Wa. If I delay my Social Security retirement for 1 year, I get an approx. 8% increase in the amount I will receive. Under PERS 2, if I delay 1 year I only get an add'l 2 %.

Yet, smart, private enterprises are now trying to incentivize keeping their older, experienced workers.

Please advise. Feel free to forward this e mail to anyone. Thank you.

LAW OFFICES OF  
**MANN, JOHNSON, WOOSTER & McLAUGHLIN, P.S.**

EARL D. MANN (1908-1995)  
GAROLD E. JOHNSON\*  
RICHARD H. WOOSTER  
ROBERT J. McLAUGHLIN\*  
\*ALSO ADMITTED IN ALASKA

1901 SOUTH "I" STREET  
TACOMA, WASHINGTON 98405  
TACOMA 253/572-4161  
SEATTLE 253/838-1154  
FACSIMILE 253/572-4167

ANDREW P. GREEN

E-MAIL: andy@mjwmlaw.com

February 29, 2008

RECEIVED

MAR 3 - 2008

The Select Committee on Pension Policy  
P.O. Box 40914  
Olympia, Washington 98504-8380

Office of  
The State Actuary

Re: Petition for Redress  
Administrative Decision of November 5, 2007

Dear Select Committee on Pension Policy members:

Enclosed please find the Petition for Redress mailed to the Petitions Examiner at the Department of Retirement Systems, regarding PSERS membership for PSN's and PSA's. Please contact either myself or Mr. Wooster if you wish to discuss this petition further.

Sincerely,

**MANN, JOHNSON, WOOSTER  
& McLAUGHLIN, P.S.**

*Sent without signature to avoid  
delay*

Andrew P. Green

Enclosures

LAW OFFICES OF  
MANN, JOHNSON, WOOSTER & McLAUGHLIN, P.S.

EARL D. MANN (1908-1995)  
GAROLD E. JOHNSON\*  
RICHARD H. WOOSTER  
ROBERT J. McLAUGHLIN\*  
\*ALSO ADMITTED IN ALASKA

1901 SOUTH "T" STREET  
TACOMA, WASHINGTON 98405  
TACOMA 253/572-4161  
SEATTLE 253/838-1154  
FACSIMILE 253/572-4167

ANDREW P. GREEN

E-MAIL: andy@mjwmlaw.com

SENT VIA REGULAR AND CERTIFIED U.S. MAIL

February 28, 2008

Ceil Buddeke  
Petitions Examiner  
Department of Retirement Systems  
P.O. Box 48380  
Olympia, WA 98504-8380

Re: **Petition for Redress**  
Administrative Decision of November 5, 2007

Dear Mr. Buddeke:

Pursuant to WAC 415-04, this is a petition for redress of the administrative decision of the Department of Retirement Systems (hereinafter "Department") dated November 5, 2007, a copy of which is attached hereto as *Exhibit A*.

**I. Relief Requested**

The Western State Hospital Psychiatric Security Nurses and Psychiatric Security Attendants who signed the October 3, 2007 petition to Director Matheson (a copy of which is attached hereto as *Exhibit B*) request their memberships be changed from the Washington Public Employees' Retirement System (PERS), RCW 41.40 et seq., to the Washington Public Safety Employees' Retirement System (PSERS), RCW 41.37, et seq., and that they be provided retroactive and future benefits accordingly.

**II. Factual Background**

**A. Psychiatric Security Nurses and Psychiatric Security Attendants at Western State Hospital's Center for Forensic Services**

Western State Hospital (WSH) is run by the Department of Social and Health Services (DSHS). There are three clinical units at WSH: the Center for Adult Services

---

(CAS) serving individuals civilly committed under the State's Involuntary Treatment Act, the Center for Geriatric Services (CGS) for assessment and treatment of individuals 60 years of age and above, and the Center for Forensic Services (CFS) serving court-committed individuals who have special security needs.

The positions of Psychiatric Security Nurse (PSN) and Psychiatric Security Attendant (PSA) are exclusive to the CFS. The Mission Statement of the CFS provides:

The Center for Forensic Services (CFS) serves people who are court-committed to Western State Hospital and have **special security needs**. The CFS provides forensic evaluations for courts and treatment for defendants to restore competency to stand trial and to help them cope with the **criminal process**. For others, the CFS provides treatment designated to facilitate individuals in reaching the necessary level of functioning for reintegration into the community while enhancing quality of life and well being and **maximizing individual and public safety**.

*Exhibit C* ("Center for Forensic Services Mission Statement – March 2002") attached hereto (emphasis added).

Patients on the CFS are criminally committed under the Revised Code of Washington, Chapter 10.77 ("Criminally Insane – Procedures") and PSNs and PSAs are responsible for their custody and security.

In addition to criminal commits, the wards of the CFS (or "forensic wards") receive and house patients from WSH's non-forensic wards when they become excessively violent or assaultive on those non-forensic wards.

Due to the criminal and/or violent nature of the individuals received and housed by the CFS, the forensic wards are the only secured or "lock-down" wards at WSH and are the only wards at WSH with closed-circuit monitoring of the common areas.

PSNs and PSAs have the most direct interaction and contact with the criminal and/or violent population on the forensic wards. As a result, they are often subject to extreme personal danger and physical violence in dealing with these patients. Indeed, PSNs and PSAs are often injured when assaulted by these patients, or while restraining them when they become highly agitated and aggressive. There have been numerous studies and reports documenting the high rate of workplace injury and patient assaults on staff at WSH, many of which involve PSNs and PSAs.

#### B. Development of PSN and PSA Positions at the Monroe Reformatory and at the State Penitentiary

In 1973, DSHS established a special treatment program for the criminally insane and sexual psychopaths at the State Reformatory at Monroe and later expanded it to the

---

Washington State Penitentiary in Walla Walla. *Exhibit D* (Findings of Fact and Conclusions of Law – Finding of Fact IV) attached hereto.

At the time, the State created the PSN and PSA classes for the employees it was assigning to these new programs at the Monroe Reformatory and at the State Penitentiary. *Exhibit D* (Finding of Fact V) attached hereto. They were charged with the care and security of the residents in these programs and, because of the added danger involved in dealing with felons and the criminally insane, their compensation was aligned with the compensation received by Correctional Sergeants and Correctional Officers at the Monroe Reformatory and at the State Penitentiary.<sup>1</sup> *Exhibit E* attached hereto.

In 1976, the programs were moved from the Monroe Reformatory and the State Penitentiary to Eastern and Western State Hospitals and the State re-designated the PSNs and PSAs working in the programs as Licensed Practical Nurses (LPNs) and Hospital Attendants (HAs), respectively, which were positions generally for treatment of other patients at the two hospitals. *Exhibit D* (Findings of Fact VI & VII) attached hereto.

A lawsuit ensued and it was eventually determined that the State would properly classify them as PSNs and PSAs instead of LPNs and HAs.

Because of the added danger involved in dealing with felons and the criminally insane, the PSNs and PSAs were entitled to the higher pay of the similar positions (Correctional Sergeants and Correctional Officers) within the Department of Corrections, as opposed to the lower pay of the LPN and HA positions to which the State had improperly re-designated them when the programs moved from the prisons to Eastern and Western State Hospitals.

In that prior lawsuit, the Court made the following findings:

- (1) “[t]he residents of the mentally ill offender programs at Western State Hospital and Eastern State Hospital are criminals, and have been through the criminal justice system and are either convicted felons or have been found not guilty because they are criminally insane;”
- (2) “the [forensic] units can best be described as ‘mini-prisons,’ within a mental hospital and they require the same kind of security that must be provided for the inmates as if they were in prison;” and
- (3) “there is a different standard of care and security for the criminally insane and sexual psychopaths than for other

---

<sup>1</sup> Correctional Sergeants (now known as Corrections and Custody Officer 3s) and Correctional Officers (now known as Corrections and Custody Officer 1s & 2s) now have PSERS membership. See RCW 41.37.010(4) & (5)(b).

mentally ill patients at the two hospitals and therefore the duties and responsibilities of the staff of the mentally ill offenders programs are enhanced and are more onerous and exacting.”

*Exhibit D* (Findings of Fact and Conclusions of Law – Findings of Fact XIII, XV, and XVI) attached hereto.

These findings remain true of the WSH/CFS forensic units on which PSNs and PSAs work today.

### III. Discussion

#### A. Legislative Intent in Creating PSERS

PSERS is a relatively new retirement system created by the 2004 Washington State Legislature. In creating PSERS, it was the intent of the Legislature to:

establish a separate public safety employees' retirement system for certain public employees whose jobs contain a high degree of physical risk to their own personal safety and who provide public protection of lives and property, but who are not eligible for membership in the law enforcement officers' and fire fighters' retirement system.

RCW 41.37.005, attached hereto as *Exhibit F* for ease of reference.

As set forth in Section II, above, PSNs and PSAs at Western State Hospital are public employees whose jobs contain a high degree of physical risk to their own personal safety and who provide public protection of lives and property, but who are not eligible for membership in the law enforcement officers' and fire fighters' retirement system.

#### B. PSERS Employers

PSERS became effective July 1, 2006. At the time, the definition of a PSERS “employer” included specific state, county, and city agencies or departments, as well as “other employers employing statewide elective officials.” Former RCW 41.37.010(4) attached hereto as *Exhibit G* for ease of reference.

“State elective position” was defined under the statute as “any position held by any person elected **or appointed to statewide office** or elected or appointed as a member of the legislature.” Former RCW 41.37.010(27) (emphasis added) attached hereto as *Exhibit G*.

The Secretary of DSHS holds statewide office to which he or she is appointed by the Governor. As such, DSHS was a PSERS “employer” under the former statute.

---

Furthermore, PSNs and PSAs were eligible for PSERS membership under RCW 41.37.020, *Exhibit H* attached hereto, as they met the definition of “member” under former RCW 41.37.010(5)(b) (“Member” means any employee employed by an employer on a full-time basis...whose primary responsibility is to ensure the custody and security of incarcerated or probationary individuals as a corrections officer, probation officer, or jailer”<sup>2</sup>). *Exhibit G* attached hereto.

Despite meeting all the criteria for PSERS membership under the former statute, neither DSHS nor the Department ever notified the PSNs and PSAs that they were eligible for PSERS membership.

In 2007, the Legislature amended RCW 41.37.010(4), adding the Washington state department of natural resources as a PSERS employer and removing the phrase “other employers employing statewide elective official.” See *Exhibit J* attached hereto. This 2007 amendment took effect on July 22, 2007. See *Exhibit J* attached hereto. Under the amendment, DSHS was no longer a PSERS employer, thereby terminating PSN and PSA eligibility for PSERS membership.

Pension and other retirement benefits are unique property rights in the nature of deferred compensation. Farver v. Dep’t. of Retirement Systems of State of Wash., 97 Wn.2d 344, 346 (1982). As such they are not mere expectancies but vested property rights possessed by employees. Id.

Both the 14<sup>th</sup> Amendment of the U.S. Constitution and Article I, Section 3 of the Washington Constitution prohibit the State from depriving citizens of property without due process of law.

Due process requires, at a minimum, that deprivation of property be preceded by notice and opportunity for a hearing appropriate to the case. Van Blarincom v. Kronenberg, 112 Wn.App. 501, 508 (2002).

Here, the State failed to notify the PSNs and PSAs (1) that they were eligible for PSERS membership between July 1, 2006 and July 22, 2007, or (2) that the 2007 amendments to the statute would deprive them of their right to PSERS membership. Consequently, the State violated their right to due process and they should retain their eligibility for PSERS membership.

#### **IV. Conclusion**

For the reasons set forth above, the WSH PSNs and PSAs who signed the October 3, 2007 petition to Director Matheson (*Exhibit B* attached hereto) request their memberships be changed from the Washington Public Employees’ Retirement System (PERS), RCW 41.40 et seq., to the Washington Public Safety Employees’ Retirement

---

<sup>2</sup> Corrections officer, probation officer, or jailer, as used herein, were exemplary, not limiting. See *Exhibit I* (at p.2, #4) attached hereto.

---

System (PSERS), RCW 41.37, et seq., and that they be provided retroactive and future benefits accordingly.

Sincerely,

**MANN, JOHNSON, WOOSTER  
& McLAUGHLIN, P.S.**



Andrew P. Green

Enclosures

cc: The Select Committee on Pension Policy  
Michael Schatz  
Dani Kendall  
Joseph Minor

The attachments for this letter may be viewed upon request at the Office of the State Actuary.

**Hyde, Elizabeth**

---

**From:** Webster, Kim [kwebster@ci.yakima.wa.us]  
**Sent:** Tuesday, March 04, 2008 11:36 AM  
**To:** Office State Actuary, WA  
**Subject:** SB6093

Dear members of SCPP,

I would like to know the status of SB6093. Myself and 14,000 Pers 1 members and 7,000 Ters1 members may be affected by this bill. I live and work in Yakima and have done so now for over 30 years. I was eligible to retire when I was 50 years old. Myself and others in my situation still have high mortgage payments and the cost of medical insurance does not make retirement an option at this time in our lives. My wife is in Ters 2 and still has to work until she is 62 (without penalties ) for full eligibility. To me and everyone that I talk with in this situation agree that to retire at 50 years old is to soon for most people. With the cap at 30 years it is unfair that we are frozen at 60% of our highest 2 years. Many of us have worked our way through the ranks to secure positions in management. In my situation it takes up to five years to reach the top pay scale. So I chose not to freeze my highest 2 years when I was eligible for retirement. It is only fair and equitable to offer the PERS 1 and TERS1 members the same as LEOFF 1 has with a 35 year cap at 70%. I have requested through the proper channels for a list of active members in TERS1 and PERS1 that the passing of this bill would effect. If I could contact them somehow for support it would maybe make a difference. But through the channels I was turned away for this information. I filed a public disclosure but was turned down. It is very frustrating knowing that there are probably 20,000 Pers and Ters workers that would join in support for the passage of this bill, but not having any way of contacting them. I am begging you to please resubmit this bill as often as it takes to get it to the floor. I am writing to all of my legislatures in my district for support. I appreciate your efforts and again thank you for caring.

Kim M Webster  
 745 State Route 821  
 Yakima, Wa. 98901

*City of Yakima ~ Washington*

<b>Kim M. Webster</b> Wastewater Maintenance Supervisor	<b>City of Yakima</b> 204 West Pine Street Yakima, Wa. 98901 tel: 509 575-6118 fax: 509 576-6337 mobile: 509 728-4229
kwebster@ci.yakima.wa.us	

*Want a signature like this?*

**Burkhart, Kelly**

---

**From:** Painter, Darren  
**Sent:** Monday, March 10, 2008 12:55 PM  
**To:** 'kwebster@ci.yakima.wa.us'  
**Subject:** Correspondence to SCPP Regarding SB6093

Hello Mr. Webster,

I am a policy analyst with the Office of the State Actuary (OSA). Our office provides staff services to the Select Committee on Pension Policy (SCPP). You should have already received an e-mail from our office acknowledging the receipt of your correspondence regarding SB 6093. I have been asked to follow up with a more in-depth response.

In your e-mail, you asked about the status of SB 6093. SB 6093 was first introduced during the 2007 legislative session. The bill was referred to the Senate committee on Ways & Means where it did not receive a hearing. The bill was reintroduced and retained its status in Ways & Means during the current session. It is the practice of the Legislature during the second year of a biennium (the even numbered years) to reintroduce all bills that did not pass during the first year of a biennium (the odd number years). SB 6093 did not receive a hearing in Ways & Means during the current session and is dead according to the rules of the Legislature. A new bill would have to be introduced during the next session for the Legislature to again take up this issue.

Because you have asked for action to be taken during this Legislative session, your e-mail was immediately forwarded to the legislative members of the SCPP.

The Executive Committee of the SCPP typically considers written requests, such as yours, in determining what issues to study during the interim. Your correspondence will be provided to SCPP members at the next meeting. It is our practice to include all issues brought by stakeholders in a correspondence log that is provided to the Executive Committee at every meeting. However, the SCPP will not necessarily study every issue that is brought before it.

The SCPP did consider the 30 year cap for plan 1 members in 2005 as part of a larger study of Post-Retirement employment for public employees. The committee recommended that no significant changes were required in current practices at that time. The Committee's most recent work on this issue can be found on the SCPP website at the following links:

[http://www.leg.wa.gov/documents/OSA/SCPP/2005/2005\\_Int\\_Issues\\_Tab\\_9\\_Post-RetirementEmployment.pdf](http://www.leg.wa.gov/documents/OSA/SCPP/2005/2005_Int_Issues_Tab_9_Post-RetirementEmployment.pdf)

The full report is available from the OSA website at:

[http://osa.leg.wa.gov/Actuarial\\_Services/Publications/PDF\\_Docs/Pension\\_Studies/2005\\_Post\\_Ret\\_Empl\\_Rpt.pdf](http://osa.leg.wa.gov/Actuarial_Services/Publications/PDF_Docs/Pension_Studies/2005_Post_Ret_Empl_Rpt.pdf)

You can view agendas and track the progress of issues studied during the upcoming interim by visiting the SCPP website at <http://www.leg.wa.gov/SCPP/default.htm>. You may also sign up to have copies of the agendas for the upcoming meetings e-mailed directly to you.

Please feel free to contact me if you have any additional questions.

**Darren Painter**

*Policy Analyst*

Office of the State Actuary

P.O. Box 40914

Olympia, Washington 98504-0914

<http://osa.leg.wa.gov/>

Phone 360.786.6155

Fax 360.586.8135

“Securing tomorrow’s pensions today”

3/17/2008



LABOR, COMMERCE,  
RESEARCH & DEVELOPMENT  
RANKING REPUBLICAN  
WATER, ENERGY &  
TELECOMMUNICATION

## Washington State Senate

**SENATOR JANÉA HOLMQUIST**  
13TH LEGISLATIVE DISTRICT

EARLY LEARNING & K-12  
EDUCATION  
ASSISTANT RANKING REPUBLICAN  
TRANSPORTATION

March 14, 2008

Representative Steve Conway  
Chair, Select Committee on Pension Policy  
307 John L. O'Brien Building  
PO Box 40600  
Olympia, WA 98504-0600

**RECEIVED**

MAR 18 2008

Office of  
The State Actuary

Senator Mark Schoesler  
Vice Chair, Select Committee on Pension Policy  
P.O. Box 40409  
Olympia WA 98504-0409

~~Dear Representative Conway & Senator Schoesler,~~ Steve,

This letter is a formal request to have the Select Committee on Pension Policy study what appears to be an inadvertent inconsistency between state and federal law.

In 1985, Congress passed the "Windfall Elimination Program" which was directed at employees covered by a separate retirement system and not paying or participating in the Federal Social Security Program (SSI). This law, which became effective in late 1986 or early 1987, states that if you are not participating in SSI and have a separate retirement system, that the SSI administration will reduce your SSI benefit by 40 to 60 percent if you become eligible for retirement after the effective day of the act.

I was originally approached about how retired state troopers are impacted by this law, but after discussions with the State Actuary's Office, it is possible other pensioners, such as LEOFF firefighters, might also be impacted.

I suggest the committee work to identify:

- What groups of pensioners are adversely impacted;
- Why they are being impacted,
- What the state can do to alleviate the problem; and,
- Determine whether there will be any fiscal impact to the state.

Enclosed is documentation to assist committee staff in their research. Some personal information has been redacted to protect the constituent's privacy.

Rep. Conway & Sen. Schoesler  
RE: Inadvertent inconsistency between state and federal law.  
March 14, 2008  
Page 2 of 2

Also, staff should feel free to contact the constituent John Tierney directly at (509) 697-9712 for more information.

Depending on the recommendations of the committee, I may plan to sponsor legislation addressing the problem.

Thank you for your due consideration of my request.

Sincerely,



Senator Janéa Holmquist  
13<sup>th</sup> Legislative District

Enclosures

cc: Office of the State Actuary

The attachments for this letter may be viewed upon request at the Office of the State Actuary.



## Washington State School Retirees' Association

4726 Pacific Ave. SE • Lacey, WA 98503 • (360) 413-5496 • 1-(800) 544-5219 • www.wssra.org

### MEMORANDUM

TO: Select Committee on Pension Policy

FROM: Ester Wilfong, WSSRA Legislative Committee Chair  
Leslie Main, WSSRA Legislative Coordinator  
Don Carlson, WSSRA Lobbyist

DATE: March 20, 2008

SUBJECT: WSSRA Priorities for 2008-09

RECEIVED

MAR 21 2008

Office of  
The State Actuary

The 2008 Legislative Session has drawn to a close and the Washington State School Retirees' Association (WSSRA) once again looks forward to working with members of the Select Committee on Pension Policy (SCPP) to address school retiree pension and health benefit concerns. WSSRA requests that the following issues be placed on the SCPP's 2008 Interim agenda:

### **RECOVERY OF PLAN 1 PURCHASING POWER**

Retirees view the measure of a defined pension benefit's worth as how the pension benefit retains its value over time. The value of TRS/PERS Plan 1 pension benefits needs to be protected from substantial losses in purchasing power which occur due to the design of Plan 1. The Plan 1 post-retirement adjustment known as the Uniform COLA is not a true Cost-of-Living Adjustment. Instead of being based on a member's base salary or an economic indicator such as the Consumer Price Index (CPI), the Uniform COLA is based on a "dollars per month per year of service" formula. ***The Uniform Plan 1 COLA has proven to be inadequate, particularly for long-time retirees.*** According to data produced by the Office of the State Actuary in 2004, even with the Uniform COLA, ***TRS/PERS 1 members who retired in the mid-1970s have lost approximately 50% of their purchasing power.***

Over the short-term, WSSRA seeks major improvements to the Uniform Plan 1 COLA, especially for long-time retirees, to help retirees recover the declining value of TRS/PERS 1 pension benefits. Over the long-term, WSSRA seeks establishment of a CPI based COLA which begins one year after retirement in order to ensure that the full value of the TRS/PERS 1 pensions is retained.

**WSSRA requests that the SCPP establish a Study Group to develop short and long-term options which address inadequacies of the current Plan 1 COLA.**

### **PUBLIC EMPLOYEES BENEFITS BOARD (PEBB)**

Washington State's school and public retirees are provided access to PEBB sponsored health insurance plans. The comprehensive benefit design of PEBB plans and subsidy levels which reflect increases in the rate of medical inflation represent a valuable retirement benefit. Those retirees who are currently "locked" out of PEBB coverage and met the strict enrollment criteria contained in the '08 SCPP "2<sup>nd</sup> Chance" PEBB Enrollment Window legislation, HB 3028/SB 6649, were extremely disappointed that the narrowly crafted bill was not enacted. As you may recall, costs containment provisions of HB 3028/SB 6649, include:

- The "2<sup>nd</sup> chance" window is provided only to those retired or disabled K-12 and state employees who were receiving a pension benefit as of 1/1/01, when the opportunity to defer PEBB retiree coverage began.
- Eligibility for the "2<sup>nd</sup> chance" window is consistent with current PEBB rules regarding continuity of care which requires retirees to provide evidence of continuous enrollment in comprehensive employer-sponsored medical insurance (WAC 182-12-205).
- The "2<sup>nd</sup> chance" enrollment window is delayed until 2010.
- The "2<sup>nd</sup> chance" PEBB enrollment window is limited for Medicare retirees to a participation rate of 25% of those Medicare retirees currently "locked-out" of the PEBB.

**WSSRA requests that the SCPP reconsider for endorsement the following '08 SCPP request legislation regarding retiree access to the Public Employees Benefits Board (PEBB):**

- ✓ **HB 3028 / SB 6649 - "2<sup>nd</sup> Chance" PEBB Enrollment Window** - Provides a limited second PEBB health insurance enrollment window for state and K-12 employees who retired prior to 1/1/01, and who can meet PEBB continuity of care requirements.
- ✓ **HB 3027 / SB 6648 - Plan 2 Separated from Service Member Access to the PEBB** - Allows TRS/SERS/PERS Plan 2 members access to PEBB benefit offerings upon separation from service without beginning to draw a retirement pension at age 55 with at least 20 years of service.

*It is the position of WSSRA that no further changes to the substance of these proposals are needed. What is needed is further examination of, and consensus among agency and legislative officials regarding, the true costs of these proposals.*

### **ADDRESSING SHORT-FALLS IN GAIN SHARING TRADE-OFF BENEFITS**

The "Gain Sharing replacement" benefits enacted in 2007 (EHB 2391) which pertained to Plan 3 provided no benefit beyond the 2008 Gain Sharing distribution to current Plan 3 retirees. Additionally, due to members' demographics, members of SERS 3 do not benefit as much from the "Gain Sharing replacement" benefits as do members of other systems and plans. Resulting disparities in the trade-off values of Gain Sharing replacement benefits for SERS 2/3 members, and current TRS/SERS/PERS 3 retirees need to be resolved.

**WSSRA requests that the SCPP consider for endorsement the following legislation sponsored by Representative Maralyn Chase (D-32) during the '08 Session regarding trade off short-falls in Gain Sharing replacement benefits:**

- ✓ **HB 3257 - Plan 2 or 3 Choice, After Break In Service** - Allows TRS, SERS, PERS Plan 3 members that change employers or resume employment after separation from service the option to irrevocably opt to choose membership in Plan 2 or Plan 3.
- ✓ **HB 3258 - Plan 3 Retiree Benefit** - Annually, starting January of 2009, TRS, SERS, PERS Plan 3 retirees receive ten dollars per year of service deposited into their **Defined Contribution** account. This benefit is would be increased by 3% per year.

### **PLAN 3 VESTING**

WSSRA appreciates the SCPP's efforts to bring true equity to the vesting criteria between all PERS/TRS/SERS plans by sponsoring legislation which repeals the age requirement contained in the 5-year vesting criteria for Plan 3 members. With the '08 Plan 3 Vesting legislation having died, WSSRA is again looking to the SCPP for leadership on this issue.

**WSSRA requests that the SCPP reconsider for endorsement the '08 SCPP request legislation regarding Removal of Plan 3 Vesting Age Restrictions, HB 3022 / SB 6651.** HB 3022 / SB 6651 allows members of Plan 3 in TRS, SERS, and PERS to become fully vested after five years of service by removing age provisions from the Plan 3 vesting criteria.

WSSRA's looks forward to working with the SCPP during the 2008 Interim to address these challenging and critical issues. Please contact WSSRA at 1-800-544-5219 if you have any questions regarding these requests. Thank you.

## Hyde, Elizabeth

---

**From:** Hanell, Mary Kay on behalf of Spanel, Sen. Harriet  
**Sent:** Friday, March 28, 2008 1:28 PM  
**To:** Office State Actuary, WA  
**Subject:** FW: A problem with the Wash. State Retirement Programs

Dear Members of the Select Committee on Pension Policy,

I am forwarding a concern raised by a PERS 1 retiree from my district for possible consideration by the committee.

Sincerely,

HARRIET A. SPANEL  
State Senator  
40th District

-----Original Message-----

**From:** dick phillips [mailto:dick.phillips1@verizon.net]  
**Sent:** Thursday, January 31, 2008 11:34 AM  
**To:** 'harriet@leg.wa.gov'; 'quall.dave@leg.wa.gov'; 'morris.jeff@leg.wa.gov'  
**Subject:** A problem with the Wash. State Retirement Programs

I am writing to you three as my representatives in the state legislature in the hope you can initiate a fix to something I see as a problem with at least the PERS I part of the state retirement system. I have been told by those in that department that they can not do anything for me unless the rules or something that sets up the plan is changed. I think those changes would have to come from the legislature.

I retired at the end of 2003 from the Metro Transit system which by then was a part of King County, but I was a member of the PERS I retirement system. My wife was disabled and not in the best of health so I opted for the most expensive (to me) retirement plan which would continue the same benefit to her should I die first. She ended up dieing less than 19 months later and as usually happens my retirement benefit was adjusted to a higher amount based on just my life.

Since Ann's death I have remarried and wanted to place my new wife on my plan so she would be able to get some benefit from it should I die first. I fully expected to have her age factored into the equation just as Ann's was and that my current benefit would be reduced accordingly. I could also understand if there were a requirement that a reasonable period of time go by before she would be added, to keep "gold diggers" etc. from being added to a plan for someone near death.

I have been told by the plan administrators that a survivor benefit is a one time only thing and a second spouse can not be added. I could understand this if it were perhaps the result of a divorce where the PERS I plan might

have to pay out to two or more surviving spouses (as I guess can happen with the Federal Social Security program) but my first wife is deceased so there is no possibility of that happening in this case.

It is my hope that this limitation can be changed and I can add Pat as a beneficiary to collect a continuing retirement benefit should I pre-decease her. I realize this is not a concern to you three but you are my representatives to state government and it seems to me to be where I need to start to get this changed. I doubt that I am the only person in this same situation within the PERS community. I do not know if this is only with PERS I or if it is the same with the other retirement plans administrated by the state.

Will you please look into this and let me know what, if anything, can be done to make these changes? It really seems to be an unfair condition to force on retirees.

Thank you,

John R. (Dick) Phillips  
2610 E Section St. Space 90  
Mount Vernon, WA 98274  
(360) 424-3556  
email: dick.phillips@verizon.net

LAW OFFICES OF  
**MANN, JOHNSON, WOOSTER & McLAUGHLIN, P.S.**

EARL D. MANN (1908-1995)  
GAROLD E. JOHNSON\*  
RICHARD H. WOOSTER  
ROBERT J. McLAUGHLIN\*  
\*ALSO ADMITTED IN ALASKA

820 "A" STREET, SUITE 550  
TACOMA, WASHINGTON 98402  
TACOMA 253/572-4161  
SEATTLE 253/838-1154  
FACSIMILE 253/572-4167

RECEIVED

MAR 26 2008 E-MAIL: andy@mjwmlaw.com

ANDREW P. GREEN

March 25, 2008

Office of  
The State Actuary

The Select Committee on Pension Policy  
P.O. Box 40914  
Olympia, Washington 98504-8380

Re: *Request to Place Psychiatric Custody Personnel into Public Safety  
Employees' Retirement System (PSERS)*

Dear Select Committee on Pension Policy Members:

Enclosed please find copies of the Petition for Declaratory Order and Amended Petition for Redress and enclosures submitted to the Department of Retirement Systems' petitions examiner regarding the above-referenced matter.

DSHS, which employs psychiatric security personnel (PSNs and PSAs), was a PSERS employer under former RCW 41.37.010(4) and should remain a PSERS employer given the intent of the legislature in creating PSERS and the high degree of physical risk to PSN and PSA personal safety in providing public protection of lives and property by overseeing criminally committed patients.

Our clients intend to continue to pursue their legal remedies if the legislature does not take corrective action to properly include them in PSERS.

Sincerely,

**MANN, JOHNSON, WOOSTER  
& McLAUGHLIN, P.S.**



Andrew P. Green

Enclosure

cc: Michael Schatz  
Dani Kendall  
Joseph Minor

LAW OFFICES OF  
**MANN, JOHNSON, WOOSTER & McLAUGHLIN, P.S.**

EARL D. MANN (1908-1995)  
GAROLD E. JOHNSON\*  
RICHARD H. WOOSTER  
ROBERT J. McLAUGHLIN\*  
\*ALSO ADMITTED IN ALASKA

1901 SOUTH "I" STREET  
TACOMA, WASHINGTON 98405  
TACOMA 253/572-4161  
SEATTLE 253/838-1154  
FACSIMILE 253/572-4167

ANDREW P. GREEN

E-MAIL: andy@mjwmlaw.com

**SENT VIA CERTIFIED MAIL**

March 25, 2008

Ceil Buddeke  
Petitions Examiner  
Department of Retirement Systems  
P.O. Box 48380  
Olympia, WA 98504-8380

Re: **Petition for Declaratory Order and Amended Petition for Redress**  
Administrative Decision of November 5, 2007

Dear Ms. Buddeke:

Pursuant to our telephone conversation on March 13, 2008, I am submitting this Petition for a Declaratory Order and Amended Petition for Redress to you on behalf of my clients Michael Schatz, a Psychiatric Security Nurse (PSN) at Western State Hospital, and Joseph Minor, a Psychiatric Security Attendant (PSA) at Western State Hospital. A copy of the October 3, 2007 petition to Director Matheson requesting PSN and PSA membership in the Washington Public Safety Employees' Retirement System (PSERS), RCW 41.37, et seq., is attached hereto as *Exhibit A*.

A copy of the Department of Retirement Systems' (hereinafter "Department") November 5, 2007 administrative decision in response to the October 3, 2007 petition to Director Matheson is attached hereto as *Exhibit B*.

Per our discussion on March 13, 2008, Mr. Schatz and Mr. Minor submit this amended petition for determination of the following:

**I. Relief Requested**

1. A declaratory order that the Washington Department of Social and Health Services (DSHS) was a PSERS employer under former RCW 41.37.010(4).
2. Ancillary to your granting the declaratory order requested in No. 1, above, Mr. Schatz's and Mr. Minor's retirement records should be corrected to properly reflect their membership in PSERS during the period (July 1, 2006 – July 21, 2007) former RCW

**COPY**

---

41.37.010(4) was in effect, and they should be paid any past and future benefits accordingly.

3. A legal determination that the State, DSHS, and the Department violated Mr. Schatz's and Mr. Minor's rights to due process by failing to notify them of their right to PSERS membership or the termination thereof.

4. Ancillary to your making the legal determination requested in No. 3, above, Mr. Schatz's and Mr. Minor's retirement records should be corrected to properly reflect their ongoing membership in PSERS.

## II. Discussion

### A. Declaratory Order that DSHS was a PSERS Employer under Former RCW 41.37.010(4)

RCW 34.05.240 allows for a declaratory order by an agency with respect to the applicability to specified circumstances of a statute enforceable by the agency.

Pension legislation is to be liberally construed in favor of beneficiaries. *Automobile Drivers & Demonstrators Union Local No. 882 v. Dep't. of Retirement Sys.*, 92 Wn.2d 415, 418 (1979).

PSERS (RCW 41.37, et seq.) became effective July 1, 2006. At the time, the definition of a PSERS "employer" included specific state, county, and city agencies or departments, as well as "other employers employing statewide elective officials." Former RCW 41.37.010(4) attached hereto as *Exhibit C*.

"State elective position" was defined under the statute as "any position held by any person elected **or appointed to statewide office** or elected or appointed as a member of the legislature." Former RCW 41.37.010(27) (emphasis added) attached hereto as *Exhibit C*.

The Secretary of DSHS holds statewide office to which he or she is appointed by the Governor. As such, DSHS was a PSERS "employer" under the former statute's provision for "other employers employing statewide elective officials."

In 2007, the Legislature amended RCW 41.37.010(4), adding the Washington State Department of Natural Resources as a PSERS employer and removing the phrase "other employers employing statewide elective officials." See *Exhibit D* (current RCW 41.37.010(4)) attached hereto. This 2007 amendment took effect on July 22, 2007. See *Exhibit D* attached hereto.

Pursuant to RCW 34.05.240, Mr. Schatz and Mr. Minor request a declaratory order that DSHS was a PSERS employer under former RCW 41.37.010(4).

---

B. Correction of Mr. Schatz's and Mr. Minor's Retirement Records Pursuant to RCW 41.50.130

RCW 41.50.130(1) allows for the director to correct errors in a member's records which cause the member to receive less than he or she would have been entitled to had the records been correct, and for adjustment of the payment in such a manner that the benefit to which such member was correctly entitled be paid accordingly. Specifically, the retirement system shall correct all future payments from the point of error detection, and shall compute the additional payment due for the allowable prior period which shall be paid in a lump sum by the appropriate retirement system. RCW 41.50.130(1)(a).

Because DSHS was a PSERS employer under former RCW 41.37.010(4) (and because Mr. Schatz and Mr. Minor meet all the other statutory requirements for PSERS membership under RCW 41.37, et. seq., as set forth in the initial Petition for Redress dated February 28, 2008 and incorporated herein by reference), their retirement records for the period (July 1, 2006 – July 21, 2007) former RCW 41.37.010(4) was in effect erroneously reflect their membership in PERS instead of PSERS.

Accordingly, the retirement system should correct Mr. Schatz's and Mr. Minor's retirement records to properly reflect their membership in PSERS from July 1, 2006 through July 21, 2007, and should correct all future payments and compute any additional payment due for the allowable prior period which should be paid in a lump sum.

C. Violation of Mr. Schatz's and Mr. Minor's Rights to Due Process

Under the amendment that took effect July 21, 2007, DSHS was no longer a PSERS employer, thereby adversely affecting Mr. Schatz's and Mr. Minor's eligibility for PSERS membership.

Pension and other retirement benefits are unique property rights in the nature of deferred compensation. *Farver v. Dep't. of Retirement Systems of State of Wash.*, 97 Wn.2d 344, 346 (1982). As such they are not mere expectancies but vested property rights possessed by employees. *Id.*

Both the 14<sup>th</sup> Amendment of the U.S. Constitution and Article I, Section 3 of the Washington Constitution prohibit the State from depriving citizens of property without due process of law.

Due process requires, at a minimum, that deprivation of property be preceded by notice and opportunity for a hearing appropriate to the case. *Van Blarincom v. Kronenberg*, 112 Wn.App. 501, 508 (2002).

Here, the State, DSHS, and the Department failed to notify Mr. Schatz and Mr. Minor (1) of their right to change their membership from PERS to PSERS when PSERS became effective and (2) that the 2007 amendment to RCW 41.37.010(4) would deprive them of their right to PSERS membership, or provide them with an opportunity for

---

hearing before that right was deprived. As such, they request a legal determination that the State, DSHS, and the Department violated their due process rights.

D. Correction of Mr. Schatz's and Mr. Minor's Retirement Records to Reflect Ongoing Membership in, and Benefits of, PSERS

Because Mr. Schatz and Mr. Minor were not provided with notice or opportunity to be heard regarding their PSER membership rights, and the termination thereof, and their due process rights were therefore violated, their retirement records should be corrected, pursuant to RCW 41.50.130, to reflect their ongoing membership in, and benefits of, PSERS.

Sincerely,

**MANN, JOHNSON, WOOSTER  
& McLAUGHLIN, P.S.**



Andrew P. Green

Enclosures

cc: The Select Committee on Pension Policy  
Michael Schatz  
Dani Kendall  
Joseph Minor

The attachments for this letter may be viewed upon request at the Office of the State Actuary.

## C. Direction on Today's Agenda

# Direction on Today's Agenda

## Issue

- (2) Election of Officers
  
- (3) Update from Washington State Investment Board
  
- (4) Litigation Update
  
- (5) Legislative Update

O:\SCPP\2008\4-15-08 Exec\C.Direction\_on\_Todays\_Agenda.doc

## D. Next Meeting Agenda

# Next Meeting Agenda Background, May Draft

## Executive Committee Sets SCPP Agendas

SCPP Rule of Procedure 8(c) provides that the Executive Committee shall set meeting agendas.

## Staff-Generated Draft

The proposed agenda was prepared by staff as a discussion draft for the Executive Committee's first meeting of the interim. This material was prepared prior to the election of officers, so there was no opportunity to consult with the new Chair regarding its content.

## Statutory Responsibilities and Actuarial Work Highlighted

- ❖ The Experience study, which occurs once every six years, is the actuarial focus for the May meeting.
- ❖ The preliminary actuarial valuation report will come to the SCPP in June; additional experience study previews can be included if desired.
- ❖ The SCPP must finalize its recommendations to the Pension Funding Council at its July meeting.
- ❖ Pension funding, actuarial assumptions and contribution rate-setting have been of interest to the SCPP in the past.

O:\SCPP\2008\4-15-08 Exec\D.Next\_Mtg\_agenda .doc

# Select Committee on Pension Policy

P.O. Box 40914  
Olympia, WA 98504-0914  
actuary.state@leg.wa.gov

## Regular Committee Meeting

May 13, 2008  
10:00 a.m. – 12:00 p.m.  
Senate Hearing Room 4  
Olympia

### DRAFT AGENDA

- 10:00 a.m. (1) **Approval of Minutes**
- 10:05 a.m. (2) **Report, SCPP Member Feedback to OSA Staff**
- 10:20 a.m. (3) **Pension Funding 101**
- 10:50 a.m. (4) **Experience Study Previews**
- Retirement
  - Mortality
  - Merit Salary Scale
- 12:00 p.m. (5) **Adjourn**

O:\SCPP\2008\4-15-08 Exec\D.1\_DRAFT May Agenda.doc

**\*Elaine M. Banks**  
*TRS Retirees*

**Representative Barbara Bailey**

**Lois Clement**  
*PERS Retirees*

**\*Representative Steve Conway,**  
**Chair**

**Representative Larry Crouse**

**Charles E. Cuzzetto**  
*TRS and SERS Employers*

**\*Randy Davis**  
*TRS Actives*

**Representative Bill Fromhold**

**Senator Janea Holmquist**

**Robert Keller**  
*PERS Actives*

**\*Sandra J. Matheson,** Director  
*Department of Retirement Systems*

**Corky Mattingly**  
*PERS Employers*

**Doug Miller**  
*PERS Employers*

**Victor Moore,** Director  
*Office of Financial Management*

**Senator Ed Murray**

**\*Glenn Olson**  
*PERS Employers*

**Senator Craig Pridemore**

**\*Senator Mark Schoesler,**  
**Vice Chair**

**J. Pat Thompson**  
*PERS Actives*

**David Westberg**  
*SERS Actives*

**\*Executive Committee**

(360) 786-6140  
Fax: (360) 586-8135  
TDD: 1-800-635-9993

**TO: Select Committee on Pension Policy (SCPP) Members**

**FROM: John Kvamme, WASA and AWSP Consultant**

**RE: 2008 WASA & AWSP Interim Priorities**

**DATE: April 15, 2008**

Attached is a copy of Washington Association of School Administrators (WASA) and Association of Washington School Principals (AWSP) pension related priority issues for the 2008 interim. These issues may be modified as we move further into the interim. Thank you for your consideration of these issues.

- **Military Death Benefits** – Provide the same optional survivor annuity for inactive members of PERS Plan 1 who die prior to retirement as is provided for active members of PERS Plan 1 who die prior to retirement. SB 6646/HB 3007 (2008) spoke to this issue.
- **Interruptive Military Service** – Allow up to five years of free service credit for interruptive military service that is during a “period of war” as defined in RCW 41.04.005. Employers would still be required to pay the employer contributions on the service. In the case of a military death, the survivor would also be relieved of paying the member cost for interruptive military service credit. SB 6645/HB 3008 (2008) spoke to this issue.
- **Indexed \$150,000 Death Benefits** – Automatically adjust the \$150,000 death benefit for inflation by indexing the benefit to changes in the Consumer Price Index with a maximum change of 3 percent per year. A death benefit would be provided to survivors of public employees who die as a result of duty-related injury or illness. SB 6664/HB 3026 (2008) spoke to this issue.
- **PERS to SERS Auto-Transfer** – Discontinue the automatic transfer of prior PERS Plan 2 service to SERS Plan 2 upon SERS eligible employment. Also create a three-month window for Plan 2 members that auto-transferred after September 1, 2001, who had no prior education experience in PERS to restore their transferred service to PERS Plan 2. SB 6655/HB 3005 (2008) spoke to this issue.
- **Survivors of PERS 1 Inactives** – Provide the same optional survivor annuity for inactive members of PERS Plan 1 who die prior to retirement as is provided for active members of PERS Plan 1 who die prior to retirement. SB 6652/HB 3006 (2008) spoke to this issue.

**Consider preliminary discussions of Plan 3 issues related to EHB 2391 (2007).**

John Kvamme, WASA and AWSP Consultant, 360 943 5717