

HECB Proposal

Description of Issue

The Higher Education Coordinating Board (HECB) is seeking statutory authority to offer Higher Education Retirement Plans (HERPs) to some of its employees. The HECB is a Public Employees' Retirement System (PERS) employer that actively recruits employees from higher education institutions, which usually offer HERPs.

Granting the HECB authority to offer HERPs to its employees requires changing higher education statutes, not pension statutes. This raises questions around whether the Higher Education Committees of the House and Senate would be more suited to decide this issue, or whether the issue should be coordinated with those committees.

Background

The SCPP studied the HECB proposal in the 2007 and 2008 Interim. The Committee first recommended a proposal to allow the HECB to offer HERPs to the 2008 Legislature. That proposal did not pass. During the 2008 Interim, the Committee recommended to reintroduce the same proposal for the 2009 Legislative Session.

Updated bills to implement the SCPP proposal were introduced in the 2009 Legislative Session but did not pass the Legislature (HB 1545/SB 5308). The House bill was heard in the House Ways and Means Committee, but was not passed out of the committee. The Senate bill was not heard in the Senate Ways and Means Committee.

Policy Considerations

- ❖ The HECB views this as a recruitment and retention issue.
- ❖ HERPs may provide larger benefits than state-administered plans and do not have the same restrictions on post-retirement employment.
- ❖ Providing more generous pension benefits to select employees within an agency may impact morale.
- ❖ The Washington State Board for Community and Technical Colleges is allowed to offer HERPs to its employees.

Committee Activity

The committee held a public hearing on this issue in November 2009, and voted to endorse HB 1545/SB 5308 from the 2009 Legislative Session. In December, the committee clarified that the previous action was an endorsement of the 2009 bills.

Staff Contact

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Select Committee on Pension Policy

P.O. Box 40914
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January 8, 2010

The Honorable Kelli Linville, Chair
House of Representatives Committee on Ways and Means
John L. O'Brien Building
PO Box 40600
Olympia, WA 98504-0600

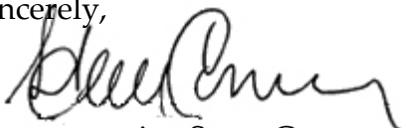
Dear Chair Linville:

On behalf of the Select Committee on Pension Policy, we, the chair and vice chair, wish to inform you that on November 17, 2009, the committee voted to endorse House Bill 1545/Senate Bill 5308 for the 2010 Legislative Session.

House Bill 1545 and Senate Bill 5308 allow the Higher Education Coordinating Board to offer Higher Education Retirement Plans to employees not already retired from a state-administered retirement system.

We appreciate your consideration in this matter.

Sincerely,



Representative Steve Conway, Chair
Select Committee on Pension Policy



Senator Mark Schoesler, Vice Chair
Select Committee on Pension Policy

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Representative Barbara Bailey

***Don Carlson**
TRS Retirees

***Representative Steve Conway,
Chair**

Representative Larry Crouse

Chuck Cuzzetto
TRS and SERS Employers

Randy Davis
TRS Actives

***Steve Hill, Director**
Department of Retirement Systems

Senator Steve Hobbs

Senator Janea Holmquist

***Robert Keller**
PERS Actives

***Corky Mattingly**
PERS Employers

Senator Joe McDermott

Doug Miller
PERS Employers

Victor Moore, Director
Office of Financial Management

Glenn Olson
PERS Employers

***Senator Mark Schoesler,
Vice Chair**

Representative Larry Seaquist

J. Pat Thompson
PERS Actives

Robert Thurston
WSPRS Retirees

David Westberg
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***Executive Committee**

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Select Committee on Pension Policy

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January 8, 2010

The Honorable Margarita Prentice, Chair
Senate Committee on Ways and Means
J.A. Cherberg Building
PO Box 40466
Olympia, WA 98504-0466

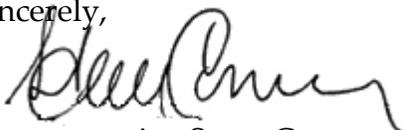
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HOUSE BILL 1545

State of Washington

61st Legislature

2009 Regular Session

By Representatives Conway, Seaquist, Bailey, Crouse, Hasegawa, Kenney, Simpson, Morrell, and Ormsby; by request of Select Committee on Pension Policy

Read first time 01/23/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to higher education employees' annuities and
2 retirement income plans; and amending RCW 28B.10.400.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.10.400 and 1979 ex.s. c 259 s 1 are each amended
5 to read as follows:

6 The boards of regents of the state universities, the boards of
7 trustees of the regional universities and of The Evergreen State
8 College, and the state board for community and technical colleges
9 (~~education~~) are authorized and empowered:

10 (1) To assist the faculties and such other employees as any such
11 board may designate in the purchase of old age annuities or retirement
12 income plans under such rules (~~and regulations~~) as any such board may
13 prescribe. County agricultural agents, home demonstration agents, 4-H
14 club agents, and assistant county agricultural agents paid jointly by
15 the Washington State University and the several counties shall be
16 deemed to be full time employees of the Washington State University for
17 the purposes hereof;

18 (2) To provide, under such rules and regulations as any such board
19 may prescribe for the faculty members or other employees under its

1 supervision, for the retirement of any such faculty member or other
2 employee on account of age or condition of health, retirement on
3 account of age to be not earlier than the sixty-fifth birthday:
4 PROVIDED, That such faculty member or such other employee may elect to
5 retire at the earliest age specified for retirement by federal social
6 security law: PROVIDED FURTHER, That any supplemental payment
7 authorized by subsection (3) of this section and paid as a result of
8 retirement earlier than age sixty-five shall be at an actuarially
9 reduced rate;

10 (3) To pay to any such retired person or to his or her designated
11 beneficiary(s), each year after his or her retirement, a supplemental
12 amount which, when added to the amount of such annuity or retirement
13 income plan, or retirement income benefit pursuant to RCW 28B.10.415,
14 received by (~~him or his~~) the retired person or the retired person's
15 designated beneficiary(s) in such year, will not exceed fifty percent
16 of the average annual salary paid to such retired person for his or her
17 highest two consecutive years of full time service under an annuity or
18 retirement income plan established pursuant to subsection (1) of this
19 section at an institution of higher education: PROVIDED, HOWEVER, That
20 if such retired person prior to (~~his~~) retirement elected a
21 supplemental payment survivors option, any such supplemental payments
22 to such retired person or (~~his~~) the retired person's designated
23 beneficiary(s) shall be at actuarially reduced rates: PROVIDED
24 FURTHER, That if a faculty member or other employee of an institution
25 of higher education who is a participant in a retirement plan
26 authorized by this section dies, or has died before retirement but
27 after becoming eligible for retirement on account of age, the
28 designated beneficiary(s) shall be entitled to receive the supplemental
29 payment authorized by this subsection (~~((3) of this section)~~) to which
30 such designated beneficiary(s) would have been entitled had said
31 deceased faculty member or other employee retired on the date of death
32 after electing a supplemental payment survivors option: PROVIDED
33 FURTHER, That for the purpose of this subsection, the designated
34 beneficiary(s) shall be (a) the surviving spouse of the retiree; or,
35 (b) with the written consent of such spouse, if any, such other person
36 or persons as shall have an insurable interest in the retiree's life
37 and shall have been nominated by written designation duly executed and
38 filed with the retiree's institution of higher education;

1 (4) The higher education coordinating board is also authorized and
2 empowered as described in this section, subject to the following: The
3 board is prohibited from offering or funding a purchased annuity or
4 retirement income plan authorized under this section for the benefit of
5 any retiree who is receiving or accruing a retirement allowance from a
6 public employees' retirement system under Title 41 RCW or chapter 43.43
7 RCW.

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