

SENATE BILL REPORT

ESHB 1758

AS REPORTED BY COMMITTEE ON WAYS & MEANS, APRIL 5, 1993

Brief Description: Including public safety directors in the definition of "law enforcement officer."

SPONSORS: House Committee on Appropriations (originally sponsored by Representatives Chappell, Brumsickle, Orr, Springer, Riley and Sheldon)

HOUSE COMMITTEE ON APPROPRIATIONS

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

Signed by Senators Rinehart, Chairman; Spanel, Vice Chairman; Bauer, Bluechel, Cantu, Gaspard, Hargrove, Hochstatter, Jesernig, McDonald, Moyer, Niemi, Owen, Pelz, Roach, L. Smith, Snyder, Talmadge, West, Williams, and Wojahn.

Staff: Denise Graham (786-7715)

Hearing Dates: April 2, 1993; April 5, 1993

BACKGROUND:

The definition of law enforcement officer for determining membership in the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) requires that the person be employed as a "full-time, fully-compensated" officer. The definition of fire fighter is also restricted to a full-time employee of a fire department, actively employed as a fire fighter.

Some jurisdictions have created public safety officers or, in some cases, a director of public safety to oversee both the police and fire departments. Under the current LEOFF definition, a public safety officer or director is neither a full-time fire fighter, nor a full-time law enforcement officer, and therefore not a member of LEOFF, even though the person may have served as one or the other during his or her career, and may still substantially perform the duties of one or both jobs.

SUMMARY:

Membership in the Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) is extended to public safety officers and directors of public safety in cities and towns of less than 10,000, as long as the job duties of such a person substantially involve either police or fire duties, or both, and no other duties.

This membership extension does not apply to someone who is receiving a retirement allowance under LEOFF when the bill takes effect.

This membership applies retroactively to January 1, 1993.

Appropriation: none

Revenue: none

Fiscal Note: available

Effective Date: The bill contains an emergency clause and takes effect immediately.

TESTIMONY FOR:

Without this bill, members of LEOFF in cities that combine their police and fire departments to save money will no longer be eligible to be in LEOFF.

TESTIMONY AGAINST: None

TESTIFIED: Representative Dave Chappell, original prime sponsor (pro); Randy Hamilton, Chehalis Police and Fire Services (pro)