

FINAL BILL REPORT

HB 1205

C 388 L 03

Synopsis as Enacted

Brief Description: Addressing the department of fish and wildlife law enforcement officers' membership in the law enforcement officers' and fire fighters' retirement system plan 2 for periods of future service.

Sponsors: By Representatives Conway, Delvin, Simpson, Alexander, Cooper and Chase; by request of Joint Committee on Pension Policy.

House Committee on Appropriations
Senate Committee on Ways & Means

Background:

The Department of Fish and Wildlife (DFW) was changed from a limited authority law enforcement agency to a general authority law enforcement agency by the 2002 Legislature. This permits the agency to commission officers to enforce all the traffic and criminal laws of the state, much like Washington State Patrol troopers, in addition to the special enforcement powers granted to the DFW enforcement officers in the state Wildlife Code.

The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) provides retirement benefits to full-time general authority law enforcement officers and firefighters throughout Washington. To be eligible for LEOFF as a law enforcement officer, an employee must: 1) work for a governmental entity that meets the definition of a general authority law enforcement agency; 2) be a general authority law enforcement officer; and 3) meet the training or other requirements of his or her job.

While Washington State Patrol troopers and the DFW enforcement officers meet all the requirements of LEOFF membership, they are specifically excluded from LEOFF. Individuals who do not meet all of the criteria or are otherwise excluded from LEOFF membership are generally members of the Public Employees' Retirement System (PERS).

All employees first employed in PERS-eligible positions since 1977 have been enrolled in PERS Plan 2/3, which allows for an unreduced retirement allowance at age 65. PERS 1, in contrast, permits members to retire at any age after 30 years of service, at age 55 with 25 years of service, and at age 60 with five years of service.

All employees first employed in LEOFF-eligible positions since 1977 have been enrolled in LEOFF Plan 2, which allows for an unreduced retirement allowance at age 53.

LEOFF 2 permits early retirement beginning at age 50 for members with 20 years of service with a 3 percent per year reduction of their retirement allowance.

There are about 125 DFW enforcement officers, and about 70 of them are members of PERS 2 and 3. The remaining 55 are members of PERS 1.

Summary:

The DFW enforcement officers who are members of the PERS Plan 2 or 3 are made members of the LEOFF Plan 2 for periods of service rendered after the effective date of the act.

Members with service in PERS 2 and 3 prior to the effective date of the act will have dual membership in PERS 2/3 and LEOFF 2. Members with service in PERS 1 will remain members of PERS 1.

Votes on Final Passage:

House 91 3
Senate 49 0

Effective: July 27, 2003