
Appropriations Committee

HB 2134

Brief Description: Authorizing port district fire fighter membership in the law enforcement officers' and fire fighters' retirement system plan 2.

Sponsors: Representatives VanDeWege, Linville, Grant, Walsh, Kenney, Curtis, Moeller, Conway, Fromhold, Seaquist, P. Sullivan, Hinkle, Ericks, Upthegrove, Schual-Berke, Hurst, Sells, Lovick, Williams, Campbell, Chase, Quall, Simpson, Hasegawa, Santos, Goodman, Haler, Ormsby and Kelley.

Brief Summary of Bill

- Adds full-time employees of port districts whose duties include the suppression of fires, and who are trained in firefighting skills, to the fire fighter membership definition of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2.
- Adds similar supervisory port district firefighting personnel to the fire fighter membership definition of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2.

Hearing Date: 2/27/07

Staff: David Pringle (786-7310).

Background:

The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF 2) provides retirement benefits to full-time general authority law enforcement officers and firefighters throughout Washington. To be eligible for LEOFF 2 as a fire fighter, employees must be full-time, fully-compensated fire fighters employed by fire departments or Emergency Medical Technicians employed by fire departments or other divisions of local government.

An employee who has firefighting as one of their duties, but primarily does other activities such as general maintenance and operations, is not eligible for membership in LEOFF 2 as a fire fighter. For example, an employee of a port district whose job consisted of 40 percent fire

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suppression activities and 60 percent general port operations activities would probably not be eligible for membership in LEOFF 2.

LEOFF 2 offers significantly lower retirement ages than the Public Employees' Retirement System Plans 2 or 3 (PERS 2/3), which cover most general employees of state and local governments, as well as a number of other additional benefits in comparison to PERS 2/3. Members of LEOFF 2 are eligible for a retirement allowance of 2 percent of average final salary for each year of service credit earned at age 53. Members of LEOFF 2 may apply for early retirement beginning at age 50; however, the member's benefit is reduced by 3 percent per year below age 53 if the member has 20 or more years of service, and fully actuarially reduced if the member has less than 20 years of service. Members of PERS 2/3 are eligible for an unreduced retirement allowance at age 65, and early retirement benefits beginning at age 55. Members of PERS 2/3 retiring before age 65 must earn 30 years of service before being eligible for a 3 percent per year reduction in benefits; with fewer than 30 years of service, a retiring member's benefit is actuarially reduced.

Under state collective bargaining law, employees who fall within the definition of "uniformed personnel," including firefighters as defined in LEOFF 2, are entitled to arbitration if a collective bargaining agreement has not been reached following a reasonable period of negotiations and mediation. The determination of an arbitration panel in a uniformed personnel contract dispute is final and binding, subject to review by the superior court solely upon the question of whether the decision of the panel was arbitrary or capricious.

Summary of Bill:

Full-time employees of port districts whose duties include the suppression of fires, and who are trained in rescue and firefighting skills both prior to assuming fire suppression duties and annually thereafter, are added to the fire fighter membership definition of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2. The annual training must include live fire drills.

Supervisory port district firefighting personnel who are trained in rescue and firefighting duties are also added to the fire fighter membership definition of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2.

Appropriation: None.

Fiscal Note: Requested on February 20, 2007.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.