

HOUSE BILL REPORT

SB 5220

As Passed House - Amended:
April 3, 2013

Title: An act relating to membership on city disability boards.

Brief Description: Addressing membership on city disability boards.

Sponsors: Senators Conway and Shin.

Brief History:

Committee Activity:

Appropriations: 3/18/13, 3/25/13 [DPA].

Floor Activity:

Passed House - Amended: 4/3/13, 97-0.

**Brief Summary of Bill
(As Amended by House)**

- Requires either the law enforcement officers or fire fighters eligible to vote in a Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) Plan 1 disability board's jurisdiction to elect a second board member if there are either no firefighters or no law enforcement officers under a LEOFF Plan 1 disability board's jurisdiction eligible to vote.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended. Signed by 30 members: Representatives Hunter, Chair; Ormsby, Vice Chair; Alexander, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Wilcox, Assistant Ranking Minority Member; Buys, Cody, Dahlquist, Dunshee, Fagan, Green, Haigh, Haler, Harris, Hudgins, Hunt, Jinkins, Kagi, Maxwell, Morrell, Parker, Pedersen, Pettigrew, Pike, Ross, Schmick, Seaquist, Springer, Sullivan and Taylor.

Staff: David Pringle (786-7310).

Background:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Law Enforcement Officers' and Fire Fighters' Retirement System (LEOFF) Plan 1 provides retirement and disability benefits to law enforcement officers and firefighters who entered eligible employment between 1969 and 1977. Since 1977 eligible law enforcement officers and firefighters have entered the LEOFF Plan 2.

Decisions on eligibility for LEOFF Plan 1 disability and medical benefits are made by city and county LEOFF Plan 1 disability boards. Disability benefits may be granted by LEOFF Plan 1 disability boards to members in LEOFF Plan 1 for both duty-related and non-duty related causes. In addition to disability benefits, the LEOFF Plan 1 is unique among state retirement system plans in that retiree benefits include coverage for all necessary medical services.

Each city with a population of 20,000 or more has a LEOFF Plan 1 disability board. Each county also has a disability board, and these county boards have jurisdiction over LEOFF Plan 1 members who are not employed in a city with its own disability board. The LEOFF Plan 1 city disability boards have five members:

- two members of the city legislative body;
- one member of the public appointed by the other members of the disability board;
- one active or retired firefighter member representing firefighters; and
- one active or retired law enforcement officer representing law enforcement officers.

Elections are held for firefighter-designated and law enforcement officer-designated LEOFF Plan 1 disability board positions. Only members of the LEOFF Plan 1 who are subject to the jurisdiction of a board are entitled to vote for board members, though the LEOFF Plan 2 members may serve on the board. In the event that no eligible law enforcement officers or firefighters are eligible to vote in a LEOFF Plan 1 disability board election, no representative of those members and retirees serve on the board, potentially reducing the total membership on the board to four.

Summary of Amended Bill:

If there are either no firefighters or no law enforcement officers under a LEOFF Plan 1 disability board's jurisdiction, the law enforcement officers or firefighters that are eligible to vote are required to elect a second representative.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) This bill is about boards that are not new, and are not as central as they once were. This allows the remaining members to elect a full board. There is at least one city where there are no law enforcement officers, so it would be good to take care of that circumstance too. In Federal Way, the firefighters work for a fire district, not the city, so they

are not eligible to serve on a city board. A similar situation exists for one law enforcement board jurisdiction. Please support the proposed amendment.

(Opposed) None.

Persons Testifying: Richard Warbrouck, Retired Firefighters of Washington; and Michael White, Washington State Council of Firefighters.

Persons Signed In To Testify But Not Testifying: None.