

SENATE BILL REPORT

SB 5220

As Passed Senate, February 26, 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: Governmental Operations: 2/07/13, 2/11/13 [DP].
Passed Senate: 2/26/13, 49-0.

SENATE COMMITTEE ON GOVERNMENTAL OPERATIONS

Majority Report: Do pass.

Signed by Senators Roach, Chair; Benton, Vice Chair; Hasegawa, Ranking Member; Braun, Conway, Fraser and Rivers.

Staff: Samuel Brown (786-7470)

Background: 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 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, 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. LEOFF Plan 1 city disability boards have five members including:

- two members of the city legislative body;
- one member of the public appointed by the other members of the disability board;

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- 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 LEOFF Plan 1 who are subject to the jurisdiction of a board are entitled to vote for board members, though 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 Bill: If no firefighters under a LEOFF Plan 1 disability board's jurisdiction are eligible to vote, the law enforcement officers eligible to vote must elect a second representative.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is a straightforward bill. We have amended the county portion of this statute. In Federal Way, the firefighters are employed by a fire district and under the jurisdiction of a county board so there are no firefighters eligible to serve. With only four members on the board, there is no way to break a tie. This will not change the power, responsibilities, or balance of the boards.

Persons Testifying: PRO: Dick Warbrouck, Retired Firefighters of WA.