

# SENATE BILL REPORT

## SB 5920

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As of February 19, 2019

**Title:** An act relating to firefighters and law enforcement officers pension and disability boards.

**Brief Description:** Concerning firefighters and law enforcement officers pension and disability boards.

**Sponsors:** Senators Conway, Bailey, Keiser and Schoesler.

**Brief History:**

**Committee Activity:** Ways & Means: 2/18/19.

### Brief Summary of Bill

- Expands eligibility of who can serve on firefighter and law enforcement officer pension and disability boards to include active or retired firefighters or law enforcement officers residing in the district yet not subject to the jurisdiction of the board, when no eligible firefighter and law enforcement officer is willing or able to be elected.

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### SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Amanda Cecil (786-7460)

**Background:** Pre-Law Enforcement Officers' and Firefighters' Retirement System Plan 1 Pension Boards. Before the implementation of the Law Enforcement Officers' and Firefighters' Retirement System Plan 1 (LEOFF 1) in 1970, law enforcement and firefighter pensions were administered by local pension boards. Firefighter pension boards are made of five members, including three ex officio city or county officials and two active or retired firefighters of that pension system. Law enforcement officer pension boards are made up of seven members, including four ex officio city or county officials and three active or retired member of the police department of that pension system. Member representatives are elected to the boards by a majority of the voting active and retired members of that pension system.

Law Enforcement Officers' and Firefighters' Retirement System Plan 1 Disability Boards. LEOFF 1 provides retirement and disability benefits to law enforcement officers and firefighters who entered eligible employment between 1969 and 1977. Under LEOFF 1, the

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employer is responsible for paying all necessary medical services for members and retirees. Pension benefits are administered statewide by the Department of Retirement Systems (DRS). Disability benefits are administered by city and county LEOFF 1 disability boards, which make decisions on eligibility for disability and medical benefits. Disability benefits may be granted by LEOFF 1 disability boards for both duty and non duty-related causes. In addition to disability benefits, LEOFF 1 is unique among state retirement system benefits in that retiree benefits include coverage for all necessary medical services.

Cities with a population of 20,000 or more have a LEOFF 1 disability board with jurisdiction over members who are employed by that city. Each county also has a disability board with jurisdiction over members who are not city board. Both city and county LEOFF 1 disability boards are made up of five members, including two city or county officials, one member of the public, and one active or retired firefighter and one active or retired law enforcement officer that are subject to the jurisdiction of that board.

In 1977, new membership to LEOFF 1 was closed. Since that time newly eligible firefighters and law enforcement officers are enrolled in LEOFF 2. LEOFF 2 benefits are administered by the LEOFF 2 Board and by DRS. There are no locally administered boards or benefits under LEOFF 2.

**Summary of Bill:** The eligibility of who can serve on a firefighters or law enforcement officers pension or disability board is expanded to include active or retired firefighters or law enforcement officers not under the jurisdiction of that board residing in the district. Eligibility is only expanded when no eligible firefighter and law enforcement officer is willing or able to be elected. This would include members of LEOFF 2 and firefighters working for a regional fire protection service authority.

**Appropriation:** None.

**Fiscal Note:** Requested on February 14, 2019.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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

**Staff Summary of Public Testimony:** PRO: These boards have been around for a long time they have proven themselves as effective in administering these benefits and policies. The first part of the bill describes who can serve on these boards and makes it a little more clear and uniform and the second part of the bill expands the eligibility as to who can serve on these boards. The reason we bring this forward is we are having major problems now filling some of the board positions. So when there is one left that is being served by these boards they can have two police officers or two police or firefighters. The youngest member in the prior acts system is seventy-two years old.

The LEOFF 1 coalition requests two amendments. First, the eligibility of who can serve should be limited to firefighters and law enforcement officers those that retired from a Washington State system. The other amendment is related to a court case that found that adopted children and natural born children should have the same rights.

OTHER: The bill should be amended to replace the at-large member of the LEOFF 1 disability boards to a representative of a municipal corporation or port district that has a fire or police department, where applicable. When there is no municipal corporation or port district that would be eligible the member at-large should be precluded if they have a conflict of interest, such as they used to be a firefighter.

**Persons Testifying:** PRO: Senator Steve Conway, Prime Sponsor; Dick Warbrouck, Retired Firefighters of Washington; Bud Sizemore, Washington State Council of Fire Fighters.

OTHER: Cliff Webster, Spokane International Airport; Joyce Williams, LEOFF1 Coalition.

**Persons Signed In To Testify But Not Testifying:** No one.