

# HOUSE BILL REPORT

## SB 5987

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### As Passed House:

April 12, 1999

**Title:** An act relating to the withdrawal of accumulated contributions under the law enforcement officers' and fire fighters' retirement system.

**Brief Description:** Withdrawing accumulated contributions under the law enforcement officers' and fire fighters' retirement system.

**Sponsors:** Senators Goings, Benton, Bauer, Hochstatter, Costa, Gardner and Rasmussen.

### Brief History:

#### Committee Activity:

Appropriations: 4/1/99, 4/5/99 [DP].

#### Floor Activity:

Passed House: 4/12/99, 93-0.

<h3>Brief Summary of Bill</h3>
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<p>· Changes provisions related to LEOFF 2 withdrawal of member contributions.</p>
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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass. Signed by 31 members: Representatives Huff, Republican Co-Chair; H. Sommers, Democratic Co-Chair; Alexander, Republican Vice Chair; Doumit, Democratic Vice Chair; D. Schmidt, Republican Vice Chair; Barlean; Benson; Boldt; Carlson; Clements; Crouse; Gombosky; Grant; Kagi; Keiser; Kenney; Kessler; Lambert; Linville; Lisk; Mastin; McIntire; McMorris; Mulliken; Parlette; Regala; Rockefeller; Ruderman; Sullivan; Tokuda and Wensman.

**Staff:** Denise Graham (786-7137).

### Background:

Members of the Law Enforcement Officers' and Fire Fighters' Retirement System Plan 2 (LEOFF 2) who become totally incapacitated for continued employment are eligible to receive a disability retirement allowance. The allowance is canceled if the

member recovers from the disability and is no longer entitled to workers' compensation benefits. The statute also provides that a member who has recovered from a disability shall be restored to duty.

LEOFF 2 members are entitled to a refund of their accumulated member contributions if they cease to be an employee of a LEOFF employer, except by service or disability retirement. A LEOFF 2 member who leaves employment due to a disability retirement, but is not re-employed upon recovery from the disability, is not able to receive a refund of the difference between the disability payments received and the member's total accumulated contributions.

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**Summary of Bill:**

If the disability retirement allowance of a LEOFF 2 member is canceled for any reason other than the member's re-entry into employment or retirement for service, the member must be paid the excess, if any, of the member's accumulated contributions over all previous LEOFF 2 payments. The bill applies to any LEOFF 2 member who received a disability allowance after February 1, 1990.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** The need for this bill arose from circumstances of a fire fighter who received a disability allowance and then recovered. His former employer would not rehire him, but he can't get his contributions back.

**Testimony Against:** None.

**Testified:** Jim Rudd, Washington State Council of Fire Fighters.