

HOUSE BILL REPORT

HB 1328

As Passed Legislature

Title: An act relating to city and county disability boards.

Brief Description: Establishing the composition and jurisdiction of city and county disability boards.

Sponsors: By Representatives Conway, Crouse, Simpson and Chase; by request of Select Committee on Pension Policy.

Brief History:

Committee Activity:

Appropriations: 2/3/05, 2/7/05 [DP].

Floor Activity:

Passed House: 2/28/05, 89-0.

Passed Senate: 4/5/05, 46-0.

Passed Legislature.

Brief Summary of Bill

- Restricts voting eligibility for Law Enforcement Officers' and Fire Fighters' Plan 1 (LEOFF 1) county disability boards to LEOFF 1 members employed by or retired from a LEOFF employer within the county.
- Permits eligible LEOFF 1 members and retirees to elect either a second fire fighter representative or a second law enforcement officer representative to a LEOFF 1 disability board if there are no longer any eligible LEOFF 1 fire fighters or law enforcement officers remaining to vote for the other member representative board member.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey, Buri, Clements, Cody, Conway, Darneille, Dunshee, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

Staff: David Pringle (786-7310).

Background:

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

Decisions on eligibility for LEOFF 1 disability and medical benefits are made by city and county LEOFF 1 disability boards. Disability benefits may be granted by LEOFF 1 disability boards to members in LEOFF 1 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.

Each city with a population of 20,000 or more has a LEOFF 1 disability board and each county also has a disability board, and these county boards have jurisdiction over LEOFF 1 members who are not employed in a city that has its own disability board. The LEOFF 1 disability boards have five members. Under current law, one of the members of a county board must be a member of the legislative body of a city or town in the county that does not have its own board. This member must be chosen by a majority of the mayors of the affected cities or towns. The LEOFF 1 disability boards also have one member of the public appointed by the other members of the disability board, one active or retired fire fighter member representing fire fighters, and one active or retired law enforcement officer representing law enforcement officers. Elections are held for fire fighter and law enforcement officer-designated LEOFF 1 disability board positions. Only members of LEOFF 1 who are subject to the jurisdiction of a board are entitled to vote for board members, though LEOFF 2 members may serve on the board. In the event that there are no eligible law enforcement officers or no fire fighters to vote in a LEOFF 1 disability board election, then no representative of those members and retirees serve on the board, potentially reducing the total membership on the board to four.

Summary of Bill:

To vote in a LEOFF 1 county disability board election, an active or retired member of LEOFF 1 must be employed or retired from an employer within the county. In the event that there are either no active or retired law enforcement officers or active or retired fire fighters eligible to vote in a LEOFF 1 disability board election, the active and retired LEOFF 1 members may vote for a second law enforcement officer or fire fighter representative, maintaining the total board membership at five.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: This doesn't broaden the base or change the criteria for the disability board membership. The current language is conflicting and this corrects the conflict. The place that a person lives is irrelevant. This corrects a problem in Island County where there are no more fire fighters to vote for a board member. This is a housekeeping bill with no fiscal impact, and just reestablishes the balance of the board membership in several counties.

Testimony Against: None.

Persons Testifying: Ken Crowder, Washington State Council of Police & Sherriffs; and Dick Warbrouck, Retired Fire Fighters of Washington.

Persons Signed In To Testify But Not Testifying: None.