

SENATE BILL REPORT

SB 6198

As Reported by Senate Committee On:
State Government & Elections, January 16, 2024
Ways & Means, February 2, 2024

Title: An act relating to employees of the law enforcement officers' and firefighters' plan 2 retirement board.

Brief Description: Concerning employees of the law enforcement officers' and firefighters' plan 2 retirement board.

Sponsors: Senators Holy, Conway, Van De Wege, Fortunato, Kuderer, Mullet, Nobles and Valdez; by request of LEOFF Plan 2 Retirement Board.

Brief History:

Committee Activity: State Government & Elections: 1/16/24 [w/oRec-WM].
Ways & Means: 1/23/24, 2/02/24 [DPS].

Brief Summary of First Substitute Bill

- Exempts employees of the Washington State Law Enforcement Officers' and Fire Fighters' Plan 2 Retirement Board (Board) from the state civil service law and grants the Board salary setting for all the agency's staff.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 6198 be substituted therefor, and the substitute bill do pass.

Signed by Senators Robinson, Chair; Mullet, Vice Chair, Capital; Nguyen, Vice Chair, Operating; Wilson, L., Ranking Member, Operating; Gildon, Assistant Ranking Member, Operating; Schoesler, Ranking Member, Capital; Rivers, Assistant Ranking Member, Capital; Billig, Boehnke, Braun, Conway, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Randall, Saldaña, Torres, Van De Wege, Wagoner and Wellman.

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

Staff: Amanda Cecil (786-7460)

Background: The state civil service law governs the appointment, promotion, transfer, layoff, removal, discipline, and other personnel matters of most state agency employees. State employees exempt from civil service include, elected officials; members and executive staff of boards, commissions and councils; staff of the legislative and judicial branches; assistant attorneys general; agency directors and assistant directors; various job classes in institutions of higher education; officers of the Washington State Patrol; certain executive assistant and confidential secretaries; inmates; students; certain employee at the Department of Commerce administering specified programs; and certain employees at the Consolidated Technology Services Agency.

Generally, the salary and fringe benefits of exempted employees is determined by the Office of Financial Management (OFM) or must meet the same provisions for classified salary increases resulting from adjustments to the classification plan. The state classification plan is designed to promote effective use of the state's workforce and improve the effectiveness and efficiency of the delivery of services.

The Washington State Law Enforcement Officers' and Fire Fighters' Plan 2 Retirement (LEOFF 2) Board was created by Initiative 790, and was established as a state agency in July 2003. The 11 member board is comprised of three firefighters, three police officers, three employer representatives and two legislators. One LEOFF 2 Board member must be a retired participant of LEOFF Plan 2. Board members are appointed by the Governor.

The LEOFF 2 Board is authorized to hire an executive director and to set the executive director's salary in consultation with OFM. Staff of the Board are covered by the state civil service law.

Summary of Bill (First Substitute): The requirement for the LEOFF 2 Board to consult with OFM when setting the salary of the executive director is removed. Staff of the LEOFF 2 Board are exempted from the state civil service law and the authority to establish staff salaries is moved to the LEOFF 2 Board.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (First Substitute):

- Moves the exemption of staff from chapter 41.06 RCW, state civil service law, to only reside in chapter 41.26 RCW, Law Enforcement Officers' and Firefighters' Retirement System plan 2.

Appropriation: None.

Fiscal Note: Available.

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 on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This bill was advanced by the LEOFF 2 Board. There is a friendly amendment that will help clarify the intent.

Persons Testifying: PRO: Steve Nelsen, LEOFF 2 Board.

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