

# SENATE BILL REPORT

## HB 2051

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As Reported by Senate Committee On:  
Ways & Means, February 28, 2020

**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:** Representatives Lovick, Chapman, Griffey and Dent.

**Brief History:** Passed House: 3/09/19, 96-0; 1/22/20, 96-0.

**Committee Activity:** Ways & Means: 3/18/19 [DPA]; 2/03/20, 2/28/20 [DPA].

### Brief Summary of Amended Bill

- Expands eligibility of who can serve on firefighter and law enforcement officer pension and disability boards to include other active or retired firefighters or law enforcement officers residing in the district and the surviving spouse of a firefighter or law enforcement officers.

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass as amended.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Becker, Billig, Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Muzzall, Pedersen, Rivers, Schoesler, Van De Wege, Wagoner, Warnick and Wilson, L..

**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

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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 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 Amended 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 that retired from one of Washington's systems but not under the jurisdiction of that board residing in the district; and
- the surviving spouse of a firefighter or law enforcement officer that was covered by the board.

Eligibility is only expanded when no eligible firefighter and law enforcement officer is willing or able to to be elected. This would include members of LEOFF 2 and firefighters working for a regional fire protection service authority.

**EFFECT OF WAYS & MEANS COMMITTEE AMENDMENT(S):**

- Allows the surviving spouse of an employed or retired firefighter or law enforcement officer to serve on a pension or disability board.

**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 House Bill (Regular Session 2019):** No public hearing was held.

**Persons Testifying:** N/A

**Persons Signed In To Testify But Not Testifying:** N/A

**Staff Summary of Public Testimony on House Bill (Regular Session 2020):** *The committee recommended a different version of the bill than what was heard.* PRO: This bill should be supported in its original form. This will allow a law enforcement officers or firefighters to represent employees on the board. The new members would be elected so the board should get to decide if someone from out of state can represent them. There are not enough people to serve anymore. A group of effected folks got together and put this legislation together to address the issues. There are jurisdictions that currently do not have enough living members to cover the member representative positions. These boards were established in 1909. As times have changed the boards have changed. This would allow residents that retired from a firefighter or law enforcement officer position in another state should be able to represent retirees on the board.

OTHER: Under the bill as drafted it could allow a retired firefighter or law enforcement officer from out of state to come in and sit on this board. The amendment should be included to clarify that the expansion only includes active and retired members from Washington systems.

**Persons Testifying:** PRO: Ken Crowder, Washington State Retired Police Officers Association; Curtis Vandver, Washing LEOFF Education Association; Dick Warbrouck, citizen; Dan Bronoske, Washington State Council of Fire Fighters.

OTHER: William Dickinson, LEOFF 1 Coalition.

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