

LEOFF 1 and Prior Act Disability Boards

Issue

Should eligibility to be elected to a Law Enforcement and Fire Fighters' Retirement System (LEOFF) Plan 1 disability board or Prior Act pension board be expanded to include those who live in the jurisdiction the board serves?

Background

Before the implementation of LEOFF 1 in 1970, law enforcement and firefighter pensions, referred to as Prior Act systems, were administered by local pension boards. When LEOFF 1 was created, the law established LEOFF 1 disability boards. Disability boards determine disability benefits to be paid to LEOFF 1 members.

Only active or retired Prior Act, LEOFF 1, and LEOFF 2 firefighters employed by or retired from the city, county, or fire protection district are eligible to be elected to a pension or disability board. Only those covered by the jurisdiction of the board are eligible to vote. According to the Department of Retirement Systems, there are approximately 3,022 members who may be eligible for a Prior Act pension benefit. The [2016 LEOFF 1 Medical Benefits Actuarial Valuation Report](#) indicates 62 active and 5,753 inactive LEOFF 1 members.

A proposal brought to the Committee by the Retired Firefighters of Washington seeks to:

1. Expand the eligibility on who can serve on a pension or disability board to any active or retired firefighter or police officer who resides in the city, county, or fire protection district the board serves.
2. Establish uniform qualifications around who can serve on Prior Act pension and LEOFF 1 disability boards.

Highlights

- ❖ Establishing uniform bill language may add consistency and clarity to the statutes, but may impact local government policies and practices.
- ❖ Pension and disability boards can still conduct business and achieve a quorum without elected firefighters/law enforcement officers.
 - ◇ A lack of eligible members to be elected reduces the size of the board, but business could still be conducted.
 - ◇ However, this does not align with the legislative intent of providing for member representatives on these boards.

- ❖ Under some circumstances, there may still be no members willing or able to serve on a pension or disability board under this proposal.
 - ◇ For example, a jurisdiction with no active or retired firefighters or law enforcement officers willing or able to serve that also has no resident firefighters or law enforcement officers may be unable to elect members to the board.

Committee Activity

This issue was brought to the Executive Committee in November by the Retired Firefighters of Washington. The Select Committee on Pension Policy held a work session with public testimony on this proposal at the December meeting.

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