

President's Message for January 2018 by Richard C. Warbrouck

I want to express my appreciation to Megan Girard our Administrative Assistant, to our Board of Directors, and Ray Sanderson who submits his column religiously each month for our Newsletter. I also want to thank those of you who make personal donations to our Legislative Fund and to those who attend the meetings and legislative hearings on behalf of our membership. Our RFFOW organization is the largest and most active retiree public safety organization in the State.

It's an honor as your President to receive phone calls or to be stopped in the halls of the legislative buildings by legislators who want to comment or make a comment on a fire service issue or bill. We receive notes, emails and letters thanking us for the contributions we make to candidates and legislators who are running for election or re-election.

There is no such thing as a three legged stool in Olympia. As with a stool it takes four legs to be stable in Olympia: 1) organized and active, 2) knowledgeable and trustworthy, 3) informed and responsive, 4) charitable and respectful. By virtue of your membership and support we put forth a four legged stool of support.

As an example, I am pleased to report that after a long awaited Attorney General Opinion that we requested through Senator Steve Conway we were recently able to have a Prior Act widow's full pension reinstated.

The Christmas Luncheon on December 8, 2017 at the Inglewood Golf Club in Kenmore, WA was huge success. The weather was cold, crisp, sunny and beautiful and very appropriate for a Christmas celebration. The building and halls were decorated beautifully, full of Christmas cheer. There were about eight Christmas trees including three in the dining hall, lights and decorations aglow. The food was hot, delicious and plentiful. The staff was very efficient and respectful. We had 112 members in attendance and immediately made a reservation for next year!

We are planning to have a guest speaker, an attorney, at our March meeting to discuss estate planning, wills versus trusts, different types of trusts, probate and power of attorneys, when and how to invoke or implement a power of attorney and how to revoke, dismiss or redirect a power of attorney. Other subjects will be addressed, long term healthcare, elder care, elder care abuse, assisted living, adult family homes, nursing homes, memory care and Alzheimer homes and guardianships. We also want to discuss what rights the individual or patient has even when there is a power of attorney or guardianship in force.

All this is impossible to cover in one meeting. We also want those who cannot attend the meeting to benefit from this information so we plan to have a series of articles in our monthly Newsletters. In addition we would like to have questions asked and answered each month regarding these subjects.

We are currently assisting a member who may be a victim of elder abuse. He went to visit his personal physician regarding a knee problem with his daughter who had a power of attorney which was not in effect at that time. The doctor said that the member who lived at home alone should have some home healthcare as he was having some difficulties and had fallen down. On the way home the daughter executed the power of attorney and had him admitted in a secure Alzheimer's care facility where he is locked in, has no private phone, no cell phone or TV in his room. There is much more to the story but at this time we have helped him in revoking or terminating her power of attorney, which she may challenge, time will tell, as she is currently living in his house. Tomorrow we will have him moved to another facility and hopefully within a week or two, to his own home with some home healthcare. We first must have the son and daughter vacate the house if that is what the member desires.

The 2018 Legislative Session will be called to order on Monday January 8th. The Democrats are now in the driver's seat. They have a slight majority in the House and Senate and a Democrat in the Governor's office. This being an even numbered year will be a short sixty-day session with of course the possibility of special sessions when the regular session comes to a close on March 8, 2018.

We were successful with the help of one other group, the Washington State Council of Firefighters, WSCFF, to defeat a move in the budget committee to merge the LEOFF I & II Retirement Systems after the 2017 session came to a close. I don't expect a merger bill this session, however time will tell and we must be diligent.

We would like to have a bill to amend RCW 41.26 introduced but we don't think this is the time or atmosphere to have pension legislation introduced, especially after testifying repeatedly during the merger study that we don't want any new benefits, just leave the LEOFF I Retirement System alone.

The so-called LEOFF I Coalition with only one organization that belongs and with no members except for the now eleven board members who are all self-appointed, may have other thoughts. In their recent appeal for donations Andy Wilson stated:

“It is too dangerous to open the LEOFF Plan I law up. If the LEOFF Plan I were to become underfunded at any point, funding for the remaining liability would require new legislation and LEOFF Plan I could lose funding this way as well. We have been told once the LEOFF I Law is opened up, cities and counties will want the surplus money to be used to help pay your medical benefits they are currently obligated to pay.”

Now, six weeks later we were told that they have a legislator who will introduce a bill to amend the LEOFF I System. I reminded them that you can always find a legislator to introduce a bill even if he or she knows that bill won't get a hearing or have any chance of passing. That type of bill is called a “Pay the rent bill.” It's for a legislator to show a constituent who works very hard for the legislator during the campaign season that he or she tried to help. The danger in this is that this type of bill can be amended to do

something that you do not desire. I want to again point out that a statute (RCW) is always open. All a legislator has to do is submit a bill that is given a number and introduced in the House or Senate to amend a statute.

Dave Peery also made a very interesting point in his article in the Coalition's request for donations. Dave addresses the market value of the LEOFF I Retirement Fund. The market value is a little more complicated and always reported by the State Actuary. It has been reported below 100% and recently reported to be at 100%. In my estimation it is a hypothetical figure.

At any rate Dave is now making the point that there is no real surplus. It wasn't too long ago that Andy Wilson and Dave Peery testified after Jerry Taylor had just testified that there was no real surplus and explained why. Andy Wilson and Dave Peery who spoke after us said they wanted to negotiate a division of the projected surplus. They later requested a meeting with Jerry Taylor, Ken Crowder and me to discuss the drafting of a bill to establish how the surplus should be divided. When we asked them how, they didn't know, needless to say the meeting didn't last very long and was a waste of time. I had heard in Olympia that they contacted Representative Bruce Chandler in this regard and that was the last I have heard in regards to a bill being drafted.

In June 2017 at the Washington State Council of Firefighters convention the following resolution was passed:

“That the Secretary-Treasurer work with available or interested past IAFF 7th District Vice Presidents and/or any presidents of organizations that lay claim to retired WSCFF members to create a plan to promote participation of our retirees with the WSCFF; and be it further resolved.

That the Plan should include the requirements to associate, the expectations of both sides, the creations of an elections process, proper representation, and any other issues that are discovered; and be it further resolved.

This plan will be presented at the 2018 IAFF/WSCFF Educational Seminar.”

As a result we have received an invitation from Dennis Lawson the President of the Washington State Council of Firefighters (WSCFF) to attend a meeting January 25, 2018 in Olympia to discuss this issue. This may be due to my remarks regarding the development of a state-wide LEOFF I and LEOFF II police and fire retiree association, or just an interest on their part to bring the retirees under the jurisdiction of the WSCFF.

President Lawson stated the following:

“As you can see, this is a fairly aggressive plan and one that needs to be acted upon. It is my hope that the LEOFF-I Coalition and the Retired Firefighters of Washington will accept this invitation and work with the WSCFF to strengthen and unite the Retired WSCFF members into one collective voice, operating professionally, and working on issues that affect both LEOFF-I and LEOFF-2

retirees. In order to best manage the meeting, I would request each group limit its number of participants to no more than three members. We are also extending this invitation to two of our past IAFF 7th District Vice Presidents, Jim Hill and Paul Harvey to offer insight and a global perspective on this issue.

Roy Orlando and I were invited to attend a meeting in Olympia to discuss lobbying and the legislative process. There were other lobbyists there who repeatedly pointed out how important a citizen lobbyist is and how attentive a legislator is to a constituent in his or her legislative district or to someone outside of the district who makes a donation when they run for election or reelection. So with your legislative donations and your willingness to call, write, email a legislator or attend a hearing in Olympia allows us to make small contributions to certain legislators of time and or money and thereby play by their rules.