

President's Message for May 2017 by Richard C Warbrouck

It is with great sadness and a heavy heart that I have to address the death of Joe Fischnaller, a personal friend and also a friend and colleague to the members of the LEOFF I and LEOFF II Retirement Systems.

As I previously reported by e-mail and on our website Joe passed away unexpectedly on Sunday April 9, 2017. Many of you who knew Joe know that he was an attorney and a forceful advocate and defender of the LEOFF I Retirement System. Joe tried and prevailed in several LEOFF I landmark lawsuits throughout the State of Washington. He was a non-LEOFF I Kittitas County Deputy Sheriff while attending Gonzaga law school. His wife Carol said that he attended school in the daytime and patrolled by night with his beloved K-9 partner. After receiving his law degree he was hired by Dave Boyle, the President of the Mastermates and Pilots International Union. When I was first introduced to Joe he held the position as lead attorney for the union. Growing up Joe's parents were divorced. He lived with his mother and step-dad in the winter and in the summer with his dad a physician. While in grade school he attended Marymount Military Academy with fond memories. In 1960 he graduated from Ballard High School and in 1968 graduated from Central Washington University. He graduated from Gonzaga law school.

He left the Master Mates & Pilots and was retained by a large law firm in Seattle as a junior partner. After leaving the firm as a senior partner he and attorney George Merker were partners in a Seattle law firm. Joe's first LEOFF I lawsuit was regarding a police officer who became disabled. The department wanted to reassign him to a desk job. Joe filed a lawsuit and the officer was granted a disability retirement. Joe prevailed in a major LEOFF II lawsuit regarding a LEOFF II member's right to sue the employer and if the employee was covered by State Industrial Insurance (workers comp) when he was in an accident on duty, driving his car from one duty location to the next. A recent lawsuit in which Joe prevailed was in Snohomish County regarding the County disability Board's right to establish medical benefits for their members. The above mentioned examples are only three of the many cases Joe won in defense of the LEOFF Retirement system.

Over the last sixteen years that I know of, Joe has donated a lot of time as a speaker and trainer at the LEOFF I Education Seminars. He would address legal decisions, local board administration and answer questions. Since his retirement his abundant skills as a gunsmith have surfaced. He has been building special high powered guns having special actions for proficient shooters. Joe also served as an officer in the Columbia Basin Elks Lodge

#1930 in Moses Lake. Joe was a great friend, one who you could contact at any time with a question and an ardent defender of the LEOFF Retirement Systems. He was a renowned attorney and a giant of a man. His death is our loss but his legacy will live on.

In accordance with our current by-laws we are posting the proposed by-law changes in this Newsletter for the second month. As required the changes have been read at two meetings and will be voted on at the May meeting. As you review the proposed changes to the by-laws, keep in mind that the by-laws are the only document that has to go through this process to be changed or amended. The second two documents, the Operating Procedures and the Standing Rules are only posted for your information to inform you as to how the RFFOW is administered. These two documents are established and administered by the Board and can be changed or amended at any time by a majority vote of the Directors.

We are still searching for a location for the Christmas Luncheon. One member emailed and offered as a member to sponsor us at the Inglewood Golf and Country Club in Kenmore. I did call to inquire but have not heard back. I would like to know if anyone has a contact with the Sandpoint Country Club. I have a call in to the Nile Temple Club on 205th street in Mountlake Terrace. I will also call the West Seattle Golf Course to see if they can give us any assurance that the heating system will be working properly. I will call the VFW on Mercer Island as was suggested. If anyone knows of another location please let us know.

As you are aware the regular 2017 session of the Legislature has come to a close. We are now in the first special session ordered by the Governor through May 31, 2017. The Senate budget was passed on the floor of the Senate. The proposed House budget has not been passed by the House. The Houses and Senate are now in negotiations on the budget. As of last Friday when I was in Olympia for a DRS Pension Advisory Committee meeting I asked the DRS legislative representative if there have been any questions or requests for fiscal notes regarding a merger from either of the two committees. The answer was no. I asked the same question and received the same response from a member of the State Investment Board. Whatever these two committees come up with in terms of a budget can be amended by the House or Senate. If they fail to agree on a budget it will be referred to a conference committee made up of three or four members from each house. If I remember correctly whatever the conference decides can't be amended.

During my last visit with the Speaker of the House and the Majority Leader of the Senate I reminded them that the Democrats only have the majority in

the House by two votes and the Republicans only have the majority in the Senate by one vote. The recent elections have been very close. The 7,300 LEOFF I members probably can control four or five votes which could equal 35,000 votes and would not look too favorable to either party that promoted a merger.

We now have about 1200 members in the RFFOW which is 16% of the 7300 L-I members. If half of the 7300 L-I members are firefighters it would equal 3650 firefighters. Our 1200 members is only about 32% of the firefighters. Of our 1200 members about 900 contribute \$3.00 per month to our legislative fund. That's about 12% of LEOFF I members and about 24% of all LEOFF I firefighters. We have 150 members who donate as much as \$100.00 up to \$1,000.00 to our voluntary legislative fund. That 150 is about .02% of all LEOFF I members and about .04% of all firefighters.

I believe that we are the only group that makes large donations to candidates and legislators running for office. We are the only organization that has open communication with the leadership in both the Senate and the House. We are the only group that lobbies on a regular basis all year and the average of three days a week during the legislative session. We are the only group that attends all the LEOFF II Board meetings and the (SCPP) Select Committee on Pension Policy. We have had seventeen bills introduced and passed since 2000. These bills amended the LEOFF I Retirement System and benefitted all 7300 LEOFF I members. I have to question how long we can continue.

Possible options:

- Create or develop a statewide L-1 & L-II police and fire retiree association with primary officers elected at large and directors elected by district
- Retain the RFFOW as a statewide fire retiree association and develop a statewide law enforcement association with elected officers
- Continue as we have for as long as we can
- Have the LEOFF I Coalition take over???
- Create a L-I-L-II retiree division within the (WSCFF) Washington State Council of firefighters
- Allow us to be put under the administration of the LEOFF II board but keep the L-I and L-II Retirement Systems separate

Not many good decisions. You will have to decide. What type of organization do you want and how you want it administered?

* Do you want elected officers?

* Do you want financial reports?

- * Do you want membership lists maintained?
- * Do you want regional meetings?
- * Do you want a Newsletter?

Think about it before you have to decide.