



LEOFF I COALITION

Law Enforcement Officers & Fire Fighters

Representing Retired and Active Members
of the LEOFF I Retirement System

2009-2010 Annual Report



LEOFF I Coalition



**LEOFF I
COALITION**

Law Enforcement Officers & Fire Fighters

LEOFF I Coalition Board

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At-Large member

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Klickitat Co. SO
Active Sheriff

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Vice President Mark Curtis
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leoff1coalition.org



Pension Update

By Dave Peery, Board Member

The good news for our members is that our pension system has thus far weathered the latest legislative session in Olympia and the recent market turmoil in fairly good shape. To the best of our knowledge, our pensions are reasonably funded and representatives from the state have assured us that members will receive the benefits earned.

At present it appears that we are below the 120% funding level that could make amounts above that level available to the state. While access to surplus funds might help the State in the short term it would not provide any long-term relief because our system is a closed system with limited funds. Our pension benefits are a property right. The State has agreed that our plan is a defined benefit plan for which they are the final guarantors and that they are obligated to pay the agreed-upon benefit no matter what.

States/municipalities that have tried to unilaterally renegotiate existing pension benefit levels have found that the Federal Government rarely considers limiting or reducing earned pension benefits to be allowable. Cities that have tried to underfund or simply not adequately fund their pension obligations in a proper manner

have been rebuked by state and federal courts in every case thus far.

There are reams of data, statistics and studies available for review. In the end, unless the State decides to simply walk away from their legal obligations our members' pensions should be as safe as reasonably possible under the current economic circumstances.

The greatest risk appears to be attempts to find ways to limit medical liability on the part of employing municipalities. Those that failed to adequately fund future medical costs for LEOFF I employees, both active and retired, are especially hard-pressed to honor their

obligations. One way for them to do so would be to take control of local pension boards and/or to establish one state-wide pension board that would be controlled by "a third party administrator" who might be inclined to establish lower benefit levels as a matter of policy. We view that possibility as a potential conflict of interest and a direct threat to member care. We continue to monitor any activity that might lead to curtailment of members hard-earned benefits.

**For a full pension report, go to
www.leoff1coalition.org**



The mission of the LEOFF I Coalition is to protect the integrity of the LEOFF I Law and LEOFF I Retirement Trust Fund. LEOFF I Coalition members are law enforcement officers and fire fighters. The LEOFF I Coalition is a 501 c 5 non profit and nonpartisan LEOFF I pension volunteer organization.

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Where Are Your Contributions Going?

By Jerry Birt, Treasurer

Our annual expenses for 2009-2010 were \$49,973. Some of you might be wondering what your contribution is used for. Contributions make it possible for: us to keep pressure on the state legislators, city and county officials; and attend meetings around the state. Attorney fees for defending LEOFF I members' medical benefits from local boards came to \$14,000 in the Moses Lake case. Traveling is a real cost, which I expect will go up in 2010-2011 to make sure state legislators, city and county officials continue to honor the LEOFF I contract. In 2009-2010 the Coalition mailed out an annual report, newsletter and a postcard, as well as developed a new website (www.leoff1coalition.org) to keep members informed. Your contributions are important and the LEOFF I Coalition depends on your generosity to help keep us in the forefront of the public officials' minds. Since the postage rate and printing costs for annual reports, newsletters, postcards, weekly website updates, mailing list maintenance, answering phones, phone bill and office supplies, insurance, attorney fees, and CPA audits have increased, your contributions are more necessary. The State is always looking for a way to



balance the State budget, so it is imperative to remember the importance of keeping the pressure on and continue working to protect your pension and medical benefits for 2010-2011, so no one takes or borrows from your retirement (money).

There is an enclosed envelope, please write a check or fill out your credit card information to make a donation. When making your contribution please remember you can't afford to have your pension and medical benefits cut. If your contact information has changed, please update your information on the enclosed envelope. 🐾

How to Become a LEOFF I Coalition Board Member

1. Be a member of LEOFF I and be willing to volunteer your time to protect the integrity of the LEOFF I Law and LEOFF I retirement trust fund and medical benefits.
2. Be available for seven (7) meetings per year (some meetings are by phone).
3. Be a member of a sitting group already on the Board, or actively involved in a LEOFF I group.
4. Board Member-at-Large: be willing to keep members in your area informed on LEOFF I issues.

Meeting Notice, Call President Bob Monize, 360-387-9888, bobbymonize@peoplepc.com



You Made the Difference

By Mark Curtis, Vice President

With your donations we were able to retain Attorney Joe Fischnaller to represent retiree Elvis Swisher to correct an injustice by making the City of Moses Lake comply with the LEOFF act Chapter 41.26 RCW. Fischnaller was successful on all issues presented to the court. The award against the City requires not only the original dental bills together with interest at 12 percent per annum from the date of the Board's approval, but all court costs, filing fees, and service of process charges, as well. In addition, the court issued an injunction against the City requiring it

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to promptly pay all future health care expenses that are approved by the Grant County Disability Board and not appealed to the City. Their failure to do so in the future would be contempt of court and could result in severe fines and/or jail time for those City Officials refusing to pay approved bills for LEOFF I members. In addition to all of this, the court awarded \$6,425.00 in attorney's fees against the City. This is particularly important because it puts all LEOFF I employers across the State on notice that their defiance of Board Orders to pay health care bills for the LEOFF I members will not be tolerated, and that any such defiance will likely require them to pay not only the approved bill, but all court costs, and the LEOFF I member's attorney fees, as well.

Please visit www.leoff1coalition.org for the complete Swisher v. City of Moses Lake court case documents. 🐾

The LEOFF I Coalition Board Members volunteer their time to protect YOUR LEOFF I pension and medical benefits.



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Legislative Day January 19, 2010



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