
HOUSE BILL 1120

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Van De Wege, Ryu, Appleton, Roberts, Green, Fitzgibbon, Morrell, and Freeman

Read first time 01/16/13. Referred to Committee on Appropriations.

1 AN ACT Relating to volunteer fire department and law enforcement
2 chaplains membership in the volunteer firefighters' and reserve
3 officers' retirement system; and reenacting and amending RCW 41.24.010.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 41.24.010 and 2010 c 60 s 2 are each reenacted and
6 amended to read as follows:

7 The definitions in this section apply throughout this chapter
8 unless the context clearly requires otherwise.

9 (1) "Administrative fund" means the volunteer firefighters' and
10 reserve officers' administrative fund created under RCW 41.24.030.

11 (2) "Appropriate legislation" means an ordinance when an ordinance
12 is the means of legislating by any municipality, and resolution in all
13 other cases.

14 (3) "Board of trustees" or "local board" means: (a) For matters
15 affecting firefighters, a firefighter board of trustees created under
16 RCW 41.24.060; (b) for matters affecting an emergency worker, an
17 emergency medical service district board of trustees created under RCW
18 41.24.330; or (c) for matters affecting reserve officers, a reserve
19 officer board of trustees created under RCW 41.24.460.

1 (4) "Emergency worker" means any emergency medical service
2 personnel, regulated by chapters 18.71 and 18.73 RCW, who is a member
3 of an emergency medical service district but shall not include
4 emergency medical service personnel who are eligible for participation
5 in the Washington public employees' retirement system, with respect to
6 periods of service rendered in such capacity.

7 (5) "Fire department" means any regularly organized fire department
8 or emergency medical service district consisting wholly of volunteer
9 firefighters, or any part-paid and part-volunteer fire department duly
10 organized and maintained by any municipality: PROVIDED, That any such
11 municipality wherein a part-paid fire department is maintained may by
12 appropriate legislation permit the full-paid members of its department
13 to come under the provisions of chapter 41.16 RCW.

14 (6) "Firefighter" includes any firefighter (~~(or)~~) emergency
15 worker, or chaplain who is a member of any fire department of any
16 municipality but shall not include firefighters who are eligible for
17 participation in the Washington law enforcement officers' and
18 firefighters' retirement system or the Washington public employees'
19 retirement system, with respect to periods of service rendered in such
20 capacity.

21 (7) "Municipal corporation" or "municipality" includes any county,
22 city, town or combination thereof, fire protection district, local law
23 enforcement agency, or any emergency medical service district or other
24 special district, authorized by law to protect life or property within
25 its boundaries through a fire department, emergency workers, or reserve
26 officers.

27 (8) "Participant" means: (a) For purposes of relief, any reserve
28 officer who is or may become eligible for relief under this chapter or
29 any firefighter or emergency worker; and (b) for purposes of retirement
30 pension, any firefighter, emergency worker, or reserve officer who is
31 or may become eligible to receive a benefit of any type under the
32 retirement provisions of this chapter, or whose beneficiary may be
33 eligible to receive any such benefit.

34 (9) "Performance of duty" or "performance of service" shall be
35 construed to mean and include any work in and about company quarters,
36 any fire station, any law enforcement office or precinct, or any other
37 place under the direction or general orders of the chief or other
38 officer having authority to order such member to perform such work;

1 performing other officially assigned duties that are secondary to his
2 or her duties as a firefighter, emergency worker, or reserve officer
3 such as maintenance, public education, inspections, investigations,
4 court testimony, and fund-raising for the benefit of the department;
5 being on call or on standby under the orders of the chief or designated
6 officer of the department, except at the individual's home or place of
7 business; responding to, working at, or returning from an alarm of
8 fire, emergency call, or law enforcement duties; drill or training; or
9 any work performed of an emergency nature in accordance with the rules
10 and regulations of the fire department or local law enforcement agency.

11 (10) "Principal fund" means the volunteer firefighters' and reserve
12 officers' relief and pension principal fund created under RCW
13 41.24.030.

14 (11) "Relief" means all medical, death, and disability benefits
15 available under this chapter that are made necessary from death,
16 sickness, injury, or disability arising in the performance of duty,
17 including benefits provided under RCW 41.24.110, 41.24.150, 41.24.160,
18 41.24.175, 41.24.220, and 41.24.230, but does not include retirement
19 pensions provided under this chapter.

20 (12) "Reserve officer" means the same as defined by the Washington
21 state criminal justice training commission under chapter 43.101 RCW, or
22 volunteer law enforcement chaplains as authorized under chapter 41.22
23 RCW, but shall not include enforcement officers who are eligible for
24 participation in the Washington law enforcement officers' and
25 firefighters' retirement system or the Washington public employees'
26 retirement system, with respect to periods of service rendered in such
27 capacity.

28 (13) "Retired participant" means any participant who is at least
29 sixty-five years of age and has been retired by the board of trustees
30 under RCW 41.24.170 and has been in receipt of a monthly pension for no
31 less than three months.

32 (14) "Retirement pension" means retirement payments for the
33 performance of service, as provided under RCW 41.24.170, 41.24.172,
34 41.24.175, 41.24.180, and 41.24.185.

35 (15) "State board" means the state board for volunteer firefighters
36 and reserve officers.

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