
SUBSTITUTE HOUSE BILL 1442

State of Washington

54th Legislature

1995 Regular Session

By House Committee on Natural Resources (originally sponsored by Representatives Romero, Fuhrman and Jacobsen)

Read first time 03/01/95.

1 AN ACT Relating to compensation for injured fish and wildlife
2 enforcement officers; and adding a new section to chapter 77.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 77.12 RCW
5 to read as follows:

6 (1) The director shall relieve from active duty wildlife agents
7 who, while in the performance of their official duties, have been or
8 may be injured or incapacitated to such an extent as to be mentally or
9 physically incapable of active service.

10 (a) Any wildlife agent disabled while in-service performing line
11 duties who is found by the director to be physically incapacitated
12 shall be placed on disability leave for a period not to exceed six
13 months from the date of injury or the date incapacitated. During this
14 period, the wildlife agent is entitled to all pay, benefits, insurance,
15 leave, and retirement contributions awarded to a wildlife agent on
16 active status, less any compensation received through the department of
17 labor and industries. No such disability leave may be approved until
18 a wildlife agent has been unavailable for duty for more than five
19 consecutive work days. Prior to the end of the six-month period, the

1 director shall either place the wildlife agent on disability status or
2 return the wildlife agent to active status;

3 (b) Benefits under this section for a disability that is incurred
4 while in other employment must be reduced by any amount the wildlife
5 agent receives or is entitled to receive from workers' compensation,
6 social security, group insurance, other pension plan, or any other
7 similar source provided by another employer on account of the same
8 disability;

9 (c) A wildlife agent injured while engaged in willfully tortious or
10 criminal conduct is not entitled to disability benefits under this
11 section; and

12 (d) Should a disability beneficiary, whose disability was incurred
13 while in-service and while performing nonline duties, engage in a
14 gainful occupation, the director shall reduce the amount of the
15 disability allowance to an amount which, when added to the compensation
16 earned by the beneficiary in such occupation, does not exceed the basic
17 salary currently being paid for the state civil service range and step
18 the wildlife agent held at the time he or she was disabled. All such
19 disability beneficiaries shall file with the director every six months
20 a signed and sworn statement of earnings, and any person who knowingly
21 swears falsely on such statement is subject to prosecution for perjury.
22 Should the earning capacity of the beneficiary be further altered, the
23 director may further alter the disability allowance as indicated in
24 this subsection. The director may cancel the disability allowance for
25 a wildlife agent who does not file the required statement of earnings
26 or who knowingly files a false statement of earnings.

27 (2) The director shall define by rule the situations in which a
28 disability occurs while the wildlife agent is on in-service status and
29 is either performing line duty or nonline duty.

30 (3) Wildlife agents on disability status shall receive one-half of
31 their compensation at the existing wage, during the time the disability
32 continues in effect, less any compensation received through the
33 department of labor and industries. They shall be subject to mental or
34 physical examination at any state institution or otherwise under the
35 direction of the director at any time during such relief from duty to
36 ascertain whether or not they are able to resume active duty.

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