
HOUSE BILL 1912

State of Washington 56th Legislature 1999 Regular Session

By Representatives Delvin, Hurst, Cody, McDonald, Keiser and Kessler

Read first time 02/10/1999. Referred to Committee on Appropriations.

1 AN ACT Relating to pension calculations for fire fighters and
2 police officers; and amending RCW 41.18.010 and 41.20.005.

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

4 **Sec. 1.** RCW 41.18.010 and 1973 1st ex.s. c 154 s 69 are each
5 amended to read as follows:

6 For the purpose of this chapter, unless clearly indicated otherwise
7 by the context, words and phrases shall have the meaning hereinafter
8 ascribed.

9 (1) "Beneficiary" shall mean any person or persons designated by a
10 fireman in a writing filed with the board, and who shall be entitled to
11 receive any benefits of a deceased fireman under this chapter.

12 (2) "Fireman" means any person hereafter regularly or temporarily,
13 or as a substitute newly employed and paid as a member of a fire
14 department, who has passed a civil service examination for fireman and
15 who is actively employed as a fireman or, if provided by the
16 municipality by appropriate local legislation, as a fire dispatcher:
17 PROVIDED, Nothing in (~~this 1969 amendatory act~~) chapter 209, Laws of
18 1969 ex. sess. shall impair or permit the impairment of any vested
19 pension rights of persons who are employed as fire dispatchers at the

1 time (~~((this 1969 amendatory act))~~) chapter 209, Laws of 1969 ex. sess.
2 takes effect; and any person heretofore regularly or temporarily, or as
3 a substitute, employed and paid as a member of a fire department, and
4 who has contributed under and been covered by the provisions of chapter
5 41.16 RCW as now or hereafter amended and who has come under the
6 provisions of this chapter in accordance with RCW 41.18.170 and who is
7 actively engaged as a fireman or as a member of the fire department as
8 a fireman or fire dispatcher.

9 (3) "Retired fireman" means and includes a person employed as a
10 fireman and retired under the provisions of this chapter.

11 (4) "Basic salary" means the basic monthly salary, including
12 longevity pay and any matching amount paid by an employer as deferred
13 compensation, attached to the rank held by the retired fireman at the
14 date of his retirement, without regard to extra compensation which such
15 fireman may have received for special duties assignments not acquired
16 through civil service examination: PROVIDED, That such basic salary
17 shall not be deemed to exceed the salary of a battalion chief.

18 (5) "Widow or widower" means the surviving spouse of a fireman and
19 shall include the surviving wife or husband of a fireman, retired on
20 account of length of service, who was lawfully married to him or to her
21 for a period of five years prior to the time of his or her retirement;
22 and the surviving wife or husband of a fireman, retired on account of
23 disability, who was lawfully married to him or her at and prior to the
24 time he or she sustained the injury or contracted the illness resulting
25 in his or her disability. The word shall not mean the divorced wife or
26 husband of an active or retired fireman.

27 (6) "Child" or "children" means a fireman's child or children under
28 the age of eighteen years, unmarried, and in the legal custody of such
29 fireman at the time of his death or her death.

30 (7) "Earned interest" means and includes all annual increments to
31 the firemen's pension fund from income earned by investment of the
32 fund. The earned interest payable to any fireman when he leaves the
33 service and accepts his contributions, shall be that portion of the
34 total earned income of the fund which is directly attributable to each
35 individual fireman's contributions. Earnings of the fund for the
36 preceding year attributable to individual contributions shall be
37 allocated to individual firemen's accounts as of January 1st of each
38 year.

39 (8) "Board" shall mean the municipal firemen's pension board.

1 (9) "Contributions" shall mean and include all sums deducted from
2 the salary of firemen and paid into the fund as hereinafter provided.

3 (10) "Disability" shall mean and include injuries or sickness
4 sustained by a fireman.

5 (11) "Fire department" shall mean the regularly organized, full
6 time, paid, and employed force of firemen of the municipality.

7 (12) "Fund" shall have the same meaning as in RCW 41.16.010 as now
8 or hereafter amended. Such fund shall be created in the manner and be
9 subject to the provisions specified in chapter 41.16 RCW as now or
10 hereafter amended.

11 (13) "Municipality" shall mean every city, town and fire protection
12 district having a regularly organized full time, paid, fire department
13 employing firemen.

14 (14) "Performance of duty" shall mean the performance of work or
15 labor regularly required of firemen and shall include services of an
16 emergency nature normally rendered while off regular duty.

17 **Sec. 2.** RCW 41.20.005 and 1969 ex.s. c 209 s 39 are each amended
18 to read as follows:

19 As used in chapter 41.20 RCW:

20 (1) "Rank" means civil service rank.

21 (2) "Position" means the particular employment held at any
22 particular time, which may or may not be the same as civil service
23 rank.

24 (3) Words importing masculine gender shall extend to females also.

25 (4) "Salary" means the basic monthly rate of salary or wages,
26 including longevity pay and any matching amount paid by an employer as
27 deferred compensation, but not including overtime earnings or special
28 salary or wages.

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