

CERTIFICATION OF ENROLLMENT

HOUSE BILL 2398

52nd Legislature
1992 Regular Session

Passed by the House February 13, 1992
Yeas 96 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate March 12, 1992
Yeas 46 Nays 1

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is HOUSE BILL 2398 as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 2398

Passed Legislature - 1992 Regular Session

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Fraser, Ballard, Wang, Bowman, Carlson, Sheldon, Rasmussen, Casada, J. Kohl and Morton; by request of Board for Volunteer Fire Fighters

Read first time 01/16/92. Referred to Committee on Appropriations.

1 AN ACT Relating to the volunteer fire fighters' relief and pension
2 fund; amending RCW 41.24.030 and 41.24.170; and providing an effective
3 date.

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

5 **Sec. 1.** RCW 41.24.030 and 1991 1st sp.s. c 13 s 98 are each
6 amended to read as follows:

7 (1) There is created in the state treasury a trust fund for the
8 benefit of the fire fighters of the state covered by this chapter,
9 which shall be designated the volunteer fire fighters' relief and
10 pension principal fund and shall consist of:

11 ~~((1))~~ (a) All bequests, fees, gifts, emoluments, or donations
12 given or paid to the fund.

13 ~~((2))~~ (b) An annual fee for each member of its fire department to
14 be paid by each municipal corporation for the purpose of affording the

1 members of its fire department with protection from death or disability
2 as ~~((herein))~~ provided in this chapter as follows:

3 ~~((a))~~ (i) Ten dollars for each volunteer or part-paid member of
4 its fire department;

5 ~~((b))~~ (ii) A sum equal to one and one-half of one percent of the
6 annual salary attached to the rank of each full-paid member of its fire
7 department, prorated for 1970 on the basis of services prior to March
8 1, 1970.

9 ~~((3))~~ (c) Where a municipal corporation has elected to make
10 available to the members of its fire department the retirement
11 provisions as ~~((herein))~~ provided in this chapter, an annual fee of
12 ~~((thirty))~~ sixty dollars for each of its fire fighters electing to
13 enroll therein, ~~((ten))~~ thirty dollars of which shall be paid by the
14 municipality and ~~((twenty))~~ thirty dollars of which shall be paid by
15 the fire fighter.

16 ~~((4))~~ (d) Forty percent of all moneys received by the state from
17 taxes on fire insurance premiums shall be paid into the state treasury
18 and credited to the administrative fund created in subsection (2) of
19 this section.

20 ~~((5))~~ (e) The state investment board, upon request of the state
21 treasurer shall have full power to invest or reinvest such portion of
22 the amounts credited to the principal fund as is not, in the judgment
23 of the treasurer, required to meet current withdrawals. Such
24 investments shall be made in the manner prescribed by RCW 43.84.150 and
25 not otherwise.

26 ~~((6))~~ (f) All bonds or other obligations purchased according to
27 ~~((subsection—(5))~~ (e) of this ~~((section))~~ subsection shall be
28 forthwith placed in the custody of the state treasurer, and he or she
29 shall collect the principal thereof and interest thereon when due.

1 The state investment board may sell any of the bonds or obligations
2 so acquired and the proceeds thereof shall be paid to the state
3 treasurer.

4 The interest and proceeds from the sale and redemption of any bonds
5 or other obligations held by the fund and invested by the state
6 investment board shall be credited to and form a part of the principal
7 fund, less the allocation to the state investment board expense account
8 pursuant to RCW 43.33A.160.

9 All amounts credited to the principal fund shall be available for
10 making the benefit payments required by this chapter.

11 The state treasurer shall make an annual report showing the
12 condition of the fund.

13 (2) The volunteer fire fighters' relief and pension administrative
14 fund is hereby created in the state treasury. Moneys in the account,
15 including unanticipated revenues under RCW 43.79.270, may be spent only
16 after appropriation, and may be used only for operating expenses of the
17 volunteer fire fighters' relief and pension principal fund, the
18 operating expenses of the volunteer fire fighters' relief and pension
19 administrative fund, or for transfer from the administrative fund to
20 the principal fund.

21 (a) The state board shall compute a percentage of the amounts
22 credited to the administrative fund to be paid into the principal fund.

23 (b) For the purpose of providing amounts to be used to defray the
24 cost of administration of the principal and administrative funds, the
25 state board shall ascertain at the beginning of each biennium and
26 request from the legislature an appropriation from the administrative
27 fund sufficient to cover estimated expenses for the biennium.

28 **Sec. 2.** RCW 41.24.170 and 1989 c 91 s 4 are each amended to read
29 as follows:

1 Whenever any fire fighter has been a member and served honorably
2 for a period of ten years or more as an active member in any capacity,
3 of any regularly organized volunteer fire department of any
4 municipality in this state, and which municipality and fire fighter are
5 enrolled under the retirement provisions, and the fire fighter has
6 reached the age of sixty-five years, the board of trustees shall order
7 and direct that he or she be retired and be paid a monthly pension as
8 provided in this section.

9 Whenever a fire fighter has been a member, and served honorably for
10 a period of twenty-five years or more as an active member in any
11 capacity, of any regularly organized volunteer fire department of any
12 municipality in this state, and he or she has reached the age of sixty-
13 five years, and the annual retirement fee has been paid for a period of
14 twenty-five years, the board of trustees shall order and direct that he
15 or she be retired and such fire fighter be paid a monthly pension of
16 two hundred twenty-five dollars from the fund for the balance of that
17 fire fighter's life.

18 Whenever any fire fighter has been a member, and served honorably
19 for a period of twenty-five years or more as an active member in any
20 capacity, of any regularly organized volunteer fire department of any
21 municipality in this state, and the fire fighter has reached the age of
22 sixty-five years, and the annual retirement fee has been paid for a
23 period of less than twenty-five years, the board of trustees shall
24 order and direct that he or she be retired and that such fire fighter
25 shall receive a minimum monthly pension of twenty-five dollars
26 increased by the sum of (~~seven~~) eight dollars each month for each
27 year the annual fee has been paid, but not to exceed the maximum
28 monthly pension (~~herein~~) provided in this section, for the balance of
29 the fire fighter's life.

1 No pension (~~herein~~) provided in this section may become payable
2 before the sixty-fifth birthday of the fire fighter, nor for any
3 service less than twenty-five years: PROVIDED, HOWEVER, That:

4 (1) Any fire fighter, upon completion of twenty-five years' service
5 and attainment of age sixty, may irrevocably elect, in lieu of the
6 pension to which that fire fighter would be entitled (~~hereunder~~)
7 under this section at age sixty-five, to receive for the balance of his
8 or her life a monthly pension equal to sixty percent of such pension.

9 (2) Any fire fighter, upon completion of twenty-five years' service
10 and attainment of age sixty-two, may irrevocably elect, in lieu of the
11 pension to which that fire fighter would be entitled (~~hereunder~~)
12 under this section at age sixty-five, to receive for the balance of his
13 or her life a monthly pension equal to seventy-five percent of such
14 pension.

15 (3) Any fire fighter, upon completion of less than twenty-five
16 years of service shall receive the applicable reduced pension provided
17 (~~below~~) in this subsection, according to the age at which that fire
18 fighter elects to begin to receive the pension. If receipt of the
19 benefits begins at age sixty-five the fire fighter shall receive one
20 hundred percent of the reduced benefit; at age sixty-two the fire
21 fighter shall receive seventy-five percent of the reduced benefit; and
22 at age sixty the fire fighter shall receive sixty percent of the
23 reduced benefit. The reduced benefit shall be computed as follows:

24 (a) Upon completion of ten years, but less than fifteen years of
25 service, a monthly pension equal to fifteen percent of such pension as
26 the fire fighter would have been entitled to receive at age sixty-five
27 after twenty-five years of service;

28 (b) Upon completion of fifteen years, but less than twenty years of
29 service, a monthly pension equal to thirty percent of such pension as

1 the fire fighter would have been entitled to receive at age sixty-five
2 after twenty-five years of service; and

3 (c) Upon completion of twenty years, but less than twenty-five
4 years of service, a monthly pension equal to sixty percent of such
5 pension as the fire fighter would have been entitled to receive at age
6 sixty-five after twenty-five years of service.

7 NEW SECTION. **Sec. 3.** This act shall take effect July 1, 1992.