

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 2608

Chapter 26, Laws of 2006

59th Legislature
2006 Regular Session

VOLUNTEER FIRE FIGHTERS--RELIEF AND PENSIONS--PERFORMANCE OF DUTY

EFFECTIVE DATE: 6/7/06

Passed by the House February 11, 2006
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate February 27, 2006
Yeas 47 Nays 0

BRAD OWEN

President of the Senate

Approved March 9, 2006.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2608** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

March 9, 2006 - 1:55 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 2608

Passed Legislature - 2006 Regular Session

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Curtis, Takko, Bailey, Grant, Orcutt, Hinkle, McDonald, Clements, Moeller, Chandler, Wallace, O'Brien, Haler, Haigh, Alexander and Morrell)

READ FIRST TIME 01/26/06.

1 AN ACT Relating to the volunteer fire fighters' and reserve
2 officers' relief and pension act; and amending RCW 41.24.010.

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

4 **Sec. 1.** RCW 41.24.010 and 2005 c 37 s 1 are each amended to read
5 as follows:

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

8 (1) "Municipal corporation" or "municipality" includes any county,
9 city, town or combination thereof, fire protection district, local law
10 enforcement agency, or any emergency medical service district or other
11 special district, authorized by law to protect life or property within
12 its boundaries through a fire department, emergency workers, or reserve
13 officers.

14 (2) "Fire department" means any regularly organized fire department
15 or emergency medical service district consisting wholly of volunteer
16 fire fighters, or any part-paid and part-volunteer fire department duly
17 organized and maintained by any municipality: PROVIDED, That any such
18 municipality wherein a part-paid fire department is maintained may by

1 appropriate legislation permit the full-paid members of its department
2 to come under the provisions of chapter 41.16 RCW.

3 (3) "Fire fighter" includes any fire fighter or emergency worker
4 who is a member of any fire department of any municipality but shall
5 not include fire fighters who are eligible for participation in the
6 Washington law enforcement officers' and fire fighters' retirement
7 system or the Washington public employees' retirement system, with
8 respect to periods of service rendered in such capacity.

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

15 (5) "Performance of duty" or "performance of service" shall be
16 construed to mean and include any work in and about company quarters,
17 any fire station, any law enforcement office or precinct, or any other
18 place under the direction or general orders of the chief or other
19 officer having authority to order such member to perform such work;
20 performing other officially assigned duties that are secondary to his
21 or her duties as a fire fighter, emergency worker, or reserve officer
22 such as maintenance, public education, inspections, investigations,
23 court testimony, and fund-raising for the benefit of the department;
24 being on call or on standby under the orders of the chief or designated
25 officer of the department, except at the individual's home or place of
26 business; responding to, working at, or returning from an alarm of
27 fire, emergency call, or law enforcement duties; drill or training; or
28 any work performed of an emergency nature in accordance with the rules
29 and regulations of the fire department or local law enforcement agency.

30 (6) "State board" means the state board for volunteer fire fighters
31 and reserve officers.

32 (7) "Board of trustees" or "local board" means: (a) For matters
33 affecting fire fighters, a fire fighter board of trustees created under
34 RCW 41.24.060; (b) for matters affecting an emergency worker, an
35 emergency medical service district board of trustees created under RCW
36 41.24.330; or (c) for matters affecting reserve officers, a reserve
37 officer board of trustees created under RCW 41.24.460.

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

4 (9) "Reserve officer" means the same as defined by the Washington
5 state criminal justice training commission under chapter 43.101 RCW,
6 but shall not include enforcement officers who are eligible for
7 participation in the Washington law enforcement officers' and fire
8 fighters' retirement system or the Washington public employees'
9 retirement system, with respect to periods of service rendered in such
10 capacity.

11 (10) "Participant" means: (a) For purposes of relief, any reserve
12 officer who is or may become eligible for relief under this chapter or
13 any fire fighter or emergency worker; and (b) for purposes of
14 retirement pension, any fire fighter, emergency worker, or reserve
15 officer who is or may become eligible to receive a benefit of any type
16 under the retirement provisions of this chapter, or whose beneficiary
17 may be eligible to receive any such benefit.

18 (11) "Relief" means all medical, death, and disability benefits
19 available under this chapter that are made necessary from death,
20 sickness, injury, or disability arising in the performance of duty,
21 including benefits provided under RCW 41.24.110, 41.24.150, 41.24.160,
22 41.24.175, 41.24.220, and 41.24.230, but does not include retirement
23 pensions provided under this chapter.

24 (12) "Retirement pension" means retirement payments for the
25 performance of service, as provided under RCW 41.24.170, 41.24.172,
26 41.24.175, 41.24.180, and 41.24.185.

27 (13) "Principal fund" means the volunteer fire fighters' and
28 reserve officers' relief and pension principal fund created under RCW
29 41.24.030.

30 (14) "Administrative fund" means the volunteer fire fighters' and
31 reserve officers' administrative fund created under RCW 41.24.030.

Passed by the House February 11, 2006.
Passed by the Senate February 27, 2006.
Approved by the Governor March 9, 2006.
Filed in Office of Secretary of State March 9, 2006.