

SB 5220 - H COMM AMD

By Committee on Appropriations

ADOPTED 04/03/2013

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 41.26.110 and 2005 c 66 s 1 are each amended to read
4 as follows:

5 (1) All claims for disability shall be acted upon and either
6 approved or disapproved by either type of disability board authorized
7 to be created in this section.

8 (a) Each city having a population of twenty thousand or more shall
9 establish a disability board having jurisdiction over all members
10 employed by those cities and composed of the following five members:
11 Two members of the city legislative body to be appointed by the mayor;
12 one active or retired firefighter employed by or retired from the city
13 to be elected by the firefighters employed by or retired from the city
14 who are subject to the jurisdiction of the board; one active or retired
15 law enforcement officer employed by or retired from the city to be
16 elected by the law enforcement officers employed by or retired from the
17 city who are subject to the jurisdiction of the board; and one member
18 from the public at large who resides within the city to be appointed by
19 the other four members designated in this subsection. Only those
20 active or retired firefighters and law enforcement officers who are
21 subject to the jurisdiction of the board have the right to elect under
22 this section. All firefighters and law enforcement officers employed
23 by or retired from the city are eligible for election. Each of the
24 elected members shall serve a two year term. If there are either no
25 firefighters or law enforcement officers under the jurisdiction of the
26 board eligible to vote, a second eligible employee representative shall
27 be elected by the law enforcement officers or firefighters eligible to
28 vote. The members appointed pursuant to this subsection shall serve
29 for two year terms: PROVIDED, That cities of the first class only,
30 shall retain existing (~~firemen's~~) firefighters' pension boards

1 established pursuant to RCW 41.16.020 and existing boards of trustees
2 of the relief and pension fund of the police department as established
3 pursuant to RCW 41.20.010 which such boards shall have authority to act
4 upon and approve or disapprove claims for disability by firefighters or
5 law enforcement officers as provided under the Washington law
6 enforcement officers' and firefighters' retirement system act.

7 (b) Each county shall establish a disability board having
8 jurisdiction over all members employed by or retired from an employer
9 within the county and not employed by a city in which a disability
10 board is established. The county disability board so created shall be
11 composed of five members to be chosen as follows: One member of the
12 legislative body of the county to be appointed by the county
13 legislative body; one member of a city or town legislative body located
14 within the county which does not contain a city disability board
15 established pursuant to (~~subsection (1)~~)(a) of this subsection to be
16 chosen by a majority of the mayors of such cities and towns within the
17 county which does not contain a city disability board; one active
18 firefighter or retired firefighter employed by or retired from an
19 employer within the county to be elected by the firefighters employed
20 or retired from an employer within the county who are not employed by
21 or retired from a city in which a disability board is established and
22 who are subject to the jurisdiction of that board; one law enforcement
23 officer or retired law enforcement officer employed by or retired from
24 an employer within the county to be elected by the law enforcement
25 officers employed in or retired from an employer within the county who
26 are not employed by or retired from a city in which a disability board
27 is established and who are subject to the jurisdiction of that board;
28 and one member from the public at large who resides within the county
29 but does not reside within a city in which a city disability board is
30 established, to be appointed by the other four members designated in
31 this subsection. However, in counties with a population less than
32 sixty thousand, the member of the disability board appointed by a
33 majority of the mayors of the cities and towns within the county that
34 do not contain a city disability board must be a resident of one of the
35 cities and towns but need not be a member of a city or town legislative
36 body. Only those active or retired firefighters and law enforcement
37 officers who are subject to the jurisdiction of the board have the
38 right to elect under this section. All firefighters and law

1 enforcement officers employed by or retired from an employer within the
2 county who are not employed by or retired from a city in which a
3 disability board is established are eligible for election. All members
4 appointed or elected pursuant to this subsection shall serve for two
5 year terms. If there are no firefighters under the jurisdiction of the
6 board eligible to vote, a second eligible employee representative shall
7 be elected by the law enforcement officers eligible to vote. If there
8 are no law enforcement officers under the jurisdiction of the board
9 eligible to vote, a second eligible representative shall be elected by
10 the firefighters eligible to vote.

11 (2) The members of both the county and city disability boards shall
12 not receive compensation for their service upon the boards but the
13 members shall be reimbursed by their respective county or city for all
14 expenses incidental to such service as to the amount authorized by law.

15 (3) The disability boards authorized for establishment by this
16 section shall perform all functions, exercise all powers, and make all
17 such determinations as specified in this chapter."

18 Correct the title.

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