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**SUBSTITUTE SENATE BILL 6026**

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**State of Washington**

**64th Legislature**

**2016 Regular Session**

**By** Senate Government Operations & Security (originally sponsored by Senator Dandel)

1 AN ACT Relating to volunteer emergency workers volunteering with  
2 a nonprofit ambulance service provider; amending RCW 41.24.030,  
3 41.24.170, 41.24.175, 41.24.180, 41.24.200, 41.24.215, and 41.24.290;  
4 reenacting and amending RCW 41.24.010; and adding new sections to  
5 chapter 41.24 RCW.

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

7 **Sec. 1.** RCW 41.24.010 and 2010 c 60 s 2 are each reenacted and  
8 amended to read as follows:

9 The definitions in this section apply throughout this chapter  
10 unless the context clearly requires otherwise.

11 (1) "Administrative fund" means the volunteer firefighters' and  
12 reserve officers' administrative fund created under RCW 41.24.030.

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

16 (3) "Board of trustees" or "local board" means: (a) For matters  
17 affecting firefighters, a firefighter board of trustees created under  
18 RCW 41.24.060; (b) for matters affecting an emergency worker, an  
19 emergency medical service district board of trustees created under  
20 RCW 41.24.330; ~~((e))~~ (c) for matters affecting reserve officers, a  
21 reserve officer board of trustees created under RCW 41.24.460; or (d)

1 for matters affecting volunteer emergency workers, the nonprofit  
2 ambulance service provider board of trustees created pursuant to  
3 section 13 of this act.

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

10 (5) "Fire department" means any regularly organized fire  
11 department or emergency medical service district consisting wholly of  
12 volunteer firefighters, or any part-paid and part-volunteer fire  
13 department duly organized and maintained by any municipality:  
14 PROVIDED, That any such municipality wherein a part-paid fire  
15 department is maintained may by appropriate legislation permit the  
16 full-paid members of its department to come under the provisions of  
17 chapter 41.16 RCW.

18 (6) "Firefighter" includes any firefighter or emergency worker  
19 who is a member of any fire department of any municipality but shall  
20 not include firefighters who are eligible for participation in the  
21 Washington law enforcement officers' and firefighters' retirement  
22 system or the Washington public employees' retirement system, with  
23 respect to periods of service rendered in such capacity.

24 (7) "Municipal corporation" or "municipality" includes any  
25 county, city, town or combination thereof, fire protection district,  
26 local law enforcement agency, or any emergency medical service  
27 district or other special district, authorized by law to protect life  
28 or property within its boundaries through a fire department,  
29 emergency workers, or reserve officers.

30 (8) "Nonprofit ambulance service provider" means any ground  
31 ambulance service that is a qualified 26 U.S.C. Sec. 501(c)(3)  
32 corporation and registered with the Washington state secretary of  
33 state to operate as a nonprofit corporation within the state of  
34 Washington for the purpose of providing ambulance service within its  
35 boundaries, who has elected to participate in the volunteer  
36 firefighters' and reserve officers' relief and pension fund.

37 (9) "Participant" means: (a) For purposes of relief, any reserve  
38 officer who is or may become eligible for relief under this chapter  
39 or any firefighter ((~~or~~)), emergency worker, or volunteer emergency  
40 worker; and (b) for purposes of retirement pension, any firefighter,

1 emergency worker, ~~(( $\emptyset$ ))~~ reserve officer, or volunteer emergency  
2 worker who is or may become eligible to receive a benefit of any type  
3 under the retirement provisions of this chapter, or whose beneficiary  
4 may be eligible to receive any such benefit.

5 ~~(( $\emptyset$ ))~~ (10) "Performance of duty" or "performance of service"  
6 shall be construed to mean and include any work in and about company  
7 quarters, any fire station, any law enforcement office or precinct,  
8 or any other place under the direction or general orders of the chief  
9 or other officer having authority to order such member to perform  
10 such work; performing other officially assigned duties that are  
11 secondary to his or her duties as a firefighter, emergency worker,  
12 ~~(( $\emptyset$ ))~~ reserve officer, or volunteer emergency worker such as  
13 maintenance, public education, inspections, investigations, court  
14 testimony, and fund-raising for the benefit of the department; being  
15 on call or on standby under the orders of the chief or designated  
16 officer of the department, except at the individual's home or place  
17 of business; responding to, working at, or returning from an alarm of  
18 fire, emergency call, or law enforcement duties; drill or training;  
19 or any work performed of an emergency nature in accordance with the  
20 rules and regulations of the fire department, emergency medical  
21 service district, nonprofit ambulance service provider, or local law  
22 enforcement agency, and within all applicable local and state rules,  
23 regulations, and laws.

24 ~~(( $\emptyset$ ))~~ (11) "Principal fund" means the volunteer firefighters'  
25 and reserve officers' relief and pension principal fund created under  
26 RCW 41.24.030.

27 ~~(( $\emptyset$ ))~~ (12) "Relief" means all medical, death, and disability  
28 benefits available under this chapter that are made necessary from  
29 death, sickness, injury, or disability arising in the performance of  
30 duty, including benefits provided under RCW 41.24.110, 41.24.150,  
31 41.24.160, 41.24.175, 41.24.220, and 41.24.230, but does not include  
32 retirement pensions provided under this chapter.

33 ~~(( $\emptyset$ ))~~ (13) "Reserve officer" means the same as defined by the  
34 Washington state criminal justice training commission under chapter  
35 43.101 RCW, but shall not include enforcement officers who are  
36 eligible for participation in the Washington law enforcement  
37 officers' and firefighters' retirement system or the Washington  
38 public employees' retirement system, with respect to periods of  
39 service rendered in such capacity.

1       ~~((13))~~ (14) "Retired participant" means any participant who is  
2 at least sixty-five years of age and has been retired by the board of  
3 trustees under RCW 41.24.170 and has been in receipt of a monthly  
4 pension for no less than three months.

5       ~~((14))~~ (15) "Retirement pension" means retirement payments for  
6 the performance of service, as provided under RCW 41.24.170,  
7 41.24.172, 41.24.175, 41.24.180, and 41.24.185.

8       ~~((15))~~ (16) "State board" means the state board for volunteer  
9 firefighters and reserve officers.

10       (17) "Volunteer emergency worker" means any emergency medical  
11 service personnel certified to render prehospital basic life support  
12 emergency care by the department of health and regulated by chapter  
13 18.73 RCW, and who is a member of a nonprofit ambulance service  
14 provider, but does not include emergency medical technicians that  
15 receive payment for such services or are certified to render advanced  
16 life support emergency care.

17       NEW SECTION.   **Sec. 2.** A new section is added to chapter 41.24  
18 RCW to read as follows:

19       (1) Every nonprofit ambulance service provider maintaining and  
20 operating regularly organized ambulance service may make provision by  
21 appropriate legislation for the enrollment of every volunteer  
22 emergency worker under the relief provisions of this chapter for the  
23 purpose of providing protection for all its volunteer emergency  
24 workers and their families from death, sickness, injury, or  
25 disability arising in the performance of their duties as volunteer  
26 emergency workers. Nothing in this chapter shall prohibit any  
27 nonprofit ambulance service provider from providing such additional  
28 protection for relief as it may deem proper.

29       (2) Any nonprofit ambulance service provider maintaining and  
30 operating regularly organized ambulance service that has elected to  
31 participate in the relief provisions of this chapter may make  
32 provision by appropriate legislation allowing any volunteer emergency  
33 worker to enroll under the retirement pension provisions of this  
34 chapter.

35       (3) A nonprofit ambulance service provider cannot participate in  
36 the pension provisions of this chapter unless it elects to  
37 participate in the relief provisions of this chapter.

38       (4) Every nonprofit ambulance service provider shall make  
39 provisions for the collection and payment of the fees provided under

1 this chapter, and shall continue to make such provisions for all  
2 volunteer emergency workers who come under this chapter as long as  
3 they continue to be members of the nonprofit ambulance service  
4 provider.

5 **Sec. 3.** RCW 41.24.030 and 2005 c 37 s 2 are each amended to read  
6 as follows:

7 (1) The volunteer firefighters' and reserve officers' relief and  
8 pension principal fund is created in the state treasury as a trust  
9 fund for the benefit of the participants covered by this chapter  
10 consisting of:

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

13 (b) An annual fee for each member of its fire department to be  
14 paid by each municipal corporation for the purpose of affording  
15 relief provided in this chapter for firefighters as follows:

16 (i) Thirty dollars for each volunteer or part-paid member of its  
17 fire department;

18 (ii) A sum equal to one and one-half of one percent of the annual  
19 salary attached to the rank of each full-paid member of its fire  
20 department, prorated for 1970 on the basis of services prior to March  
21 1, 1970.

22 (c) An annual fee for each emergency worker of an emergency  
23 medical service district paid by the district that is sufficient to  
24 pay the full costs of covering the emergency worker under the relief  
25 provisions of this chapter, including operating expenses. The state  
26 board shall determine the amount of this fee based on the latest  
27 actuarial valuation of the system.

28 (d) An annual fee for each volunteer emergency worker of a  
29 nonprofit ambulance service provider paid by the provider that is  
30 sufficient to pay the full costs of covering the volunteer emergency  
31 worker under the relief provisions of this chapter, including  
32 operating expenses. The state board shall determine the amount of  
33 this fee based on the latest actuarial valuation of the system.

34 (e) Where a municipal corporation has elected to make relief  
35 provisions of this chapter available to its reserve officers, an  
36 annual fee for each reserve officer paid by the municipal corporation  
37 that is sufficient to pay the full costs of covering the reserve  
38 officer under the relief provisions of this chapter, including

1 operating expenses. The state board shall determine the amount of  
2 this fee based on the latest actuarial valuation of the system.

3 ~~((e))~~ (f) Where a municipal corporation has elected to make the  
4 retirement pension provisions of this chapter available to members of  
5 its fire department, an annual fee of sixty dollars for each of its  
6 firefighters electing to enroll, thirty dollars of which shall be  
7 paid by the municipality and thirty dollars of which shall be paid by  
8 the firefighter. However, nothing in this section prohibits any  
9 municipality from voluntarily paying the firefighters' fee for this  
10 retirement pension coverage.

11 ~~((f))~~ (g) Where an emergency medical service district has  
12 elected to make the retirement pension provisions of this chapter  
13 available to its emergency workers, for each emergency worker  
14 electing to enroll: (i) An annual fee of thirty dollars shall be paid  
15 by the emergency worker; and (ii) an annual fee paid by the emergency  
16 medical service district that, together with the thirty dollar fee  
17 per emergency worker, is sufficient to pay the full costs of covering  
18 the emergency worker under the retirement pension benefits provided  
19 under this chapter, including operating expenses. The state board  
20 shall determine the amount of this fee based on the latest actuarial  
21 valuation of the system. However, nothing in this section prohibits  
22 any emergency medical service district from voluntarily paying the  
23 emergency workers' fees for this retirement pension coverage.

24 ~~((g))~~ (h) Where a nonprofit ambulance service provider has  
25 elected to make the retirement pension provisions of this chapter  
26 available to its volunteer emergency workers, for each volunteer  
27 emergency worker electing to enroll: (i) An annual fee of thirty  
28 dollars shall be paid by the volunteer emergency worker; and (ii) an  
29 annual fee shall be paid by the nonprofit ambulance service provider  
30 that, together with the thirty dollar fee per volunteer emergency  
31 worker, is sufficient to pay the full costs of covering the volunteer  
32 emergency worker under the retirement pension benefits provided under  
33 this chapter, including operating expenses. The state board shall  
34 determine the amount of this fee based on the latest actuarial  
35 valuation of the system. However, nothing in this section prohibits  
36 any nonprofit ambulance service provider from voluntarily paying the  
37 volunteer emergency workers' fees for this retirement pension  
38 coverage.

39 (i) Where a municipal corporation has elected to make the  
40 retirement pension provisions of this chapter available to its

1 reserve officers, for each reserve officer electing to enroll: (i) An  
2 annual fee of thirty dollars shall be paid by the reserve officer;  
3 and (ii) an annual fee paid by the municipal corporation that,  
4 together with the thirty dollar fee per reserve officer, is  
5 sufficient to pay the full costs of covering the reserve officer  
6 under the retirement pension benefits provided under this chapter,  
7 including operating expenses. The state board shall determine the  
8 amount of this fee based on the latest actuarial valuation of the  
9 system. However, nothing in this section prohibits any municipal  
10 corporation from voluntarily paying the reserve officers' fees for  
11 this retirement pension coverage.

12 ~~((h))~~ (j) Moneys transferred from the administrative fund, as  
13 provided under subsection (4) of this section, which may only be used  
14 to pay relief and retirement pensions for firefighters.

15 ~~((i))~~ (k) Earnings from the investment of moneys in the  
16 principal fund.

17 (2) The state investment board, upon request of the state  
18 treasurer shall have full power to invest, reinvest, manage,  
19 contract, sell, or exchange investments acquired from that portion of  
20 the amounts credited to the principal fund as is not, in the judgment  
21 of the state board, required to meet current withdrawals. Investments  
22 shall be made in the manner prescribed by RCW 43.84.150 and not  
23 otherwise.

24 All bonds, investments, or other obligations purchased by the  
25 state investment board shall be placed in the custody of the state  
26 treasurer, and he or she shall collect the principal thereof and  
27 interest thereon when due.

28 The state investment board may sell any of the bonds,  
29 investments, or obligations so acquired and the proceeds thereof  
30 shall be paid to the state treasurer.

31 (3) The interest, earnings, and proceeds from the sale and  
32 redemption of any investments held by the principal fund and invested  
33 by the state investment board shall be credited to and form a part of  
34 the principal fund, less the allocation to the state investment board  
35 expense account pursuant to RCW 43.33A.160.

36 Subject to restrictions contained in this chapter, all amounts  
37 credited to the principal fund shall be available for making the  
38 benefit payments required by this chapter.

39 The state treasurer shall make an annual report showing the  
40 condition of the fund.

1 (4) The volunteer firefighters' and reserve officers'  
2 administrative fund is created in the state treasury. Moneys in the  
3 fund, including unanticipated revenues under RCW 43.79.270, may be  
4 spent only after appropriation, and may be used only for operating  
5 expenses of the volunteer firefighters' and reserve officers' relief  
6 and pension principal fund, the operating expenses of the volunteer  
7 firefighters' and reserve officers' administrative fund, or for  
8 transfer from the administrative fund to the principal fund.

9 (a) Forty percent of all moneys received by the state from taxes  
10 on fire insurance premiums shall be paid into the state treasury and  
11 credited to the administrative fund.

12 (b) The state board shall compute a percentage of the amounts  
13 credited to the administrative fund to be paid into the principal  
14 fund.

15 (c) For the purpose of providing amounts to be used to defray the  
16 cost of administration of the principal and administrative funds, the  
17 state board shall ascertain at the beginning of each biennium and  
18 request from the legislature an appropriation from the administrative  
19 fund sufficient to cover estimated expenses for the biennium.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 41.24  
21 RCW to read as follows:

22 On or before the first day of March of each year, every nonprofit  
23 ambulance service provider shall pay such amount as shall be due from  
24 it to the principal fund, together with the amounts collected from  
25 the participants. A participant shall not forfeit his or her right to  
26 participate in the relief provisions of this chapter by reason of the  
27 municipal corporation failing to pay the amount due from it. A  
28 participant shall not forfeit his or her right to participate in the  
29 retirement pension provisions of this chapter until after March 1st  
30 of the year in which the municipality fails to make the required  
31 payments. Where a nonprofit ambulance service provider has failed to  
32 pay or remit the annual fees required within the time provided, such  
33 delinquent payment shall bear interest at the rate of one percent per  
34 month from March 1st until paid or remitted. Where a participant has  
35 forfeited his or her right to participate in the retirement  
36 provisions of this chapter that participant may be reinstated so as  
37 to participate to the same extent as if all fees had been paid by the  
38 payment of all back fees with interest at the rate of one percent per  
39 month provided he or she has at all times been otherwise eligible.



1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 41.24  
2    RCW to read as follows:

3        The chair of the county legislative authority, or the chair's  
4    designee, shall be chair of the nonprofit ambulance service provider  
5    board of trustees, and the county auditor, or the auditor's designee,  
6    shall be the secretary-treasurer of the nonprofit ambulance service  
7    provider board of trustees.

8        The secretary shall keep a public record of all proceedings and  
9    of all receipts and disbursements made by the nonprofit ambulance  
10   service provider board of trustees, shall make an annual report of  
11   its expenses and disbursements with a full list of the beneficiaries  
12   of the principal fund in the county, and shall make all required  
13   reports to the state board. The state board shall provide all  
14   necessary forms to nonprofit ambulance service provider boards of  
15   trustees.

16       NEW SECTION.    **Sec. 6.**    A new section is added to chapter 41.24  
17    RCW to read as follows:

18        The board of trustees created under section 13 of this act shall  
19    provide for enrollment of all volunteer emergency workers of the  
20    nonprofit ambulance service provider under the relief provisions of  
21    this chapter; provide for enrollment of all volunteer emergency  
22    workers of the nonprofit ambulance service provider under the relief  
23    provisions of this chapter; receive all applications for the  
24    enrollment under the retirement pension provisions of this chapter  
25    when the nonprofit ambulance service provider has extended these  
26    retirement pension provisions to its volunteer emergency workers;  
27    provide for disbursements of relief; determine the eligibility of  
28    volunteer emergency workers for retirement pensions; and pass on all  
29    claims and direct payment thereof from the principal fund to those  
30    entitled thereto. Vouchers shall be issued to the persons entitled  
31    thereto by the local board. It shall send to the state board, after  
32    each meeting, a voucher for each person entitled to payment from the  
33    principal fund, stating the amount of such payment and for what  
34    granted, which voucher shall be certified and signed by the chair and  
35    secretary of the local board. The state board, after review and  
36    approval, shall cause a warrant to be issued on the principal fund  
37    for the amount specified and approved on each voucher. However, in  
38    retirement pension cases after the applicant's eligibility for  
39    pension is verified, the state board shall authorize the regular

1 issuance of monthly warrants or electronic transfers of funds in  
2 payment of the retirement pension without further action of the board  
3 of trustees.

4 **Sec. 7.** RCW 41.24.170 and 2003 c 62 s 1 are each amended to read  
5 as follows:

6 Except as provided in RCW 41.24.410, whenever any participant has  
7 been a member and served honorably for a period of ten years or more  
8 as an active member in any capacity, of any regularly organized fire  
9 department or law enforcement agency of any municipality in this  
10 state, and which municipality has adopted appropriate legislation  
11 allowing its firefighters or reserve officers to enroll in the  
12 retirement pension provisions of this chapter, and the participant  
13 has enrolled under the retirement pension provisions and has reached  
14 the age of sixty-five years, the board of trustees shall order and  
15 direct that he or she be retired and be paid a monthly pension from  
16 the principal fund as provided in this section.

17 Whenever a participant has been a member, and served honorably  
18 for a period of twenty-five years or more as an active member in any  
19 capacity, of any regularly organized volunteer fire department or law  
20 enforcement agency of any municipality in this state, and he or she  
21 has reached the age of sixty-five years, and the annual retirement  
22 fee has been paid for a period of twenty-five years, the board of  
23 trustees shall order and direct that he or she be retired and such  
24 participant be paid a monthly pension of three hundred dollars from  
25 the fund for the balance of that participant's life.

26 Whenever any participant has been a member, and served honorably  
27 for a period of twenty-five years or more as an active member in any  
28 capacity, of any regularly organized volunteer fire department,  
29 emergency medical service district, or law enforcement agency of any  
30 municipality in this state, and the participant has reached the age  
31 of sixty-five years, and the annual retirement fee has been paid for  
32 a period of less than twenty-five years, the board of trustees shall  
33 order and direct that he or she be retired and that such participant  
34 shall receive a minimum monthly pension of fifty dollars increased by  
35 the sum of ten dollars each month for each year the annual fee has  
36 been paid, but not to exceed the maximum monthly pension provided in  
37 this section, for the balance of the participant's life.

38 Whenever any participant has been a member, and served honorably  
39 for a period of ten years or more as an active volunteer emergency

1 worker of a nonprofit ambulance service provider and which nonprofit  
2 ambulance service provider has adopted appropriate legislation  
3 allowing its volunteer emergency workers to enroll in the retirement  
4 pension provisions of this chapter, and the participant has enrolled  
5 under the retirement pension provisions and has reached the age of  
6 sixty-five years, the board of trustees shall order and direct that  
7 he or she be retired and be paid a monthly pension from the principal  
8 fund as provided in this section.

9 Whenever a participant has been a member, and served honorably  
10 for a period of twenty-five years or more as an active volunteer  
11 emergency worker of a nonprofit ambulance service provider, and he or  
12 she has reached the age of sixty-five years, and the annual  
13 retirement fee has been paid for a period of twenty-five years, the  
14 board of trustees shall order and direct that he or she be retired  
15 and such participant be paid a monthly pension of three hundred  
16 dollars from the fund for the balance of that participant's life.

17 Whenever any participant has been a member, and served honorably  
18 for a period of twenty-five years or more as an active volunteer  
19 emergency worker of a nonprofit ambulance service provider and the  
20 participant has reached the age of sixty-five years, and the annual  
21 retirement fee has been paid for a period of less than twenty-five  
22 years, the board of trustees shall order and direct that he or she be  
23 retired and that such participant shall receive a minimum monthly  
24 pension of fifty dollars increased by the sum of ten dollars each  
25 month for each year the annual fee has been paid, but not to exceed  
26 the maximum monthly pension provided in this section, for the balance  
27 of the participant's life.

28 No pension provided in this section may become payable before the  
29 sixty-fifth birthday of the participant, nor for any service less  
30 than twenty-five years: PROVIDED, HOWEVER, That:

31 (1) Any participant, who is older than fifty-nine years of age,  
32 less than sixty-five years of age, and has completed twenty-five  
33 years or more of service may irrevocably elect a reduced monthly  
34 pension in lieu of the pension that participant would be entitled to  
35 under this section at age sixty-five. The participant who elects this  
36 option shall receive the reduced pension for the balance of his or  
37 her life. The reduced monthly pension is calculated as a percentage  
38 of the pension the participant would be entitled to at age sixty-  
39 five. The percentage used in the calculation is based upon the age of  
40 the participant at the time of retirement as follows:

1       Age 60       Sixty percent  
2       Age 61       Sixty-eight percent  
3       Age 62       Seventy-six percent  
4       Age 63       Eighty-four percent  
5       Age 64       Ninety-two percent

6       (2) If a participant is age sixty-five or older but has less than  
7       twenty-five years of service, the participant is entitled to a  
8       reduced benefit. The reduced benefit shall be computed as follows:

9       (a) Upon completion of ten years, but less than fifteen years of  
10       service, a monthly pension equal to twenty percent of such pension as  
11       the participant would have been entitled to receive at age sixty-five  
12       after twenty-five years of service;

13       (b) Upon completion of fifteen years, but less than twenty years  
14       of service, a monthly pension equal to thirty-five percent of such  
15       pension as the participant would have been entitled to receive at age  
16       sixty-five after twenty-five years of service; and

17       (c) Upon completion of twenty years, but less than twenty-five  
18       years of service, a monthly pension equal to seventy-five percent of  
19       such pension as the participant would have been entitled to receive  
20       at age sixty-five after twenty-five years of service.

21       (3) If a participant with less than twenty-five years of service  
22       elects to retire after turning age sixty but before turning age  
23       sixty-five, the participant's retirement allowance is subject:

24       (a) First to the reduction under subsection (2) of this section  
25       based upon the participant's years of service; and

26       (b) Second to the reduction under subsection (1) of this section  
27       based upon the participant's age.

28       **Sec. 8.** RCW 41.24.175 and 1989 c 91 s 15 are each amended to  
29       read as follows:

30       Payments to persons who are now receiving, or who may hereafter  
31       receive any disability or retirement payments under the provisions of  
32       this chapter (~~(41.24-RCW)~~) shall be computed in accordance with the  
33       last act enacted by the legislature relative thereto: PROVIDED  
34       HOWEVER, That nothing herein contained shall be construed as reducing  
35       the amount of any pension to which any firefighter, emergency worker,  
36       volunteer emergency worker, or law enforcement officer shall have  
37       been eligible to receive under the provisions of section 1, chapter  
38       103, Laws of 1951.

1       **Sec. 9.** RCW 41.24.180 and 1999 c 148 s 17 are each amended to  
2 read as follows:

3       The board of trustees of any municipal corporation or nonprofit  
4 ambulance service provider shall direct payment from the principal  
5 fund in the following cases:

6       (1) To any participant, upon his or her request, upon attaining  
7 the age of sixty-five years, who, for any reason, is not qualified to  
8 receive the monthly retirement pension provided under this chapter  
9 and who was enrolled in the retirement provisions and on whose behalf  
10 annual fees for retirement pension were paid, a lump sum amount equal  
11 to the amount paid into the fund by the participant.

12       (2) If any participant who has not completed at least ten years  
13 of service dies without having requested a lump sum payment under  
14 subsection (1) or (3) of this section, there shall be paid to the  
15 participant's surviving spouse, or if there be no surviving spouse,  
16 then to such participant's legal representatives, a lump sum amount  
17 equal to the amount paid into the fund by the participant. If any  
18 participant who has completed at least ten years of service dies  
19 other than as the result of injuries received or sickness contracted  
20 in consequence or as the result of the performance of his or her  
21 duties, without having requested a lump sum payment under subsection  
22 (1) or (3) of this section and before beginning to receive the  
23 monthly pension provided for in this chapter, the participant's  
24 surviving spouse shall elect to receive either:

25       (a) A monthly pension computed as provided for in RCW 41.24.170  
26 actuarially adjusted to reflect option 2 of RCW 41.24.172 and further  
27 actuarially reduced to reflect the difference in the number of years  
28 between the participant's age at death and age sixty-five; (~~or~~)

29       (b) A lump sum amount equal to the amount paid into the principal  
30 fund by the participant and the municipality or municipalities in  
31 whose department he or she has served; or

32       (c) A lump sum amount equal to the amount paid into the principal  
33 fund by the participant and the nonprofit ambulance service provider  
34 in whose service he or she has served.

35       If there be no such surviving spouse, then there shall be paid to  
36 the participant's legal representatives a lump sum amount equal to  
37 the amount paid into the fund by the participant.

38       (3) If any participant retires from service before attaining the  
39 age of sixty-five years, the participant may make application for the

1 return in a lump sum of the amount paid into the fund by himself or  
2 herself.

3 **Sec. 10.** RCW 41.24.200 and 1999 c 148 s 18 are each amended to  
4 read as follows:

5 The aggregate term of service of any participant need not be  
6 continuous nor need it be confined to a single fire department,  
7 emergency medical service district, nonprofit ambulance service  
8 provider, or law enforcement agency nor a single municipality in this  
9 state to entitle such participant to a retirement pension if the  
10 participant has been duly enrolled in a fire department, emergency  
11 medical service district, nonprofit ambulance service provider, or  
12 law enforcement agency (~~(of a municipality)~~) which has elected to  
13 extend the retirement pension provisions of this chapter to its  
14 firefighters, emergency workers, volunteer emergency workers, or  
15 reserve officers at the time he or she becomes eligible for the  
16 retirement pension and has paid all fees prescribed. To be eligible  
17 to the full pension a participant must have an aggregate of twenty-  
18 five years service, have made twenty-five annual payments into the  
19 fund, and be sixty-five years of age at the time the participant  
20 commences drawing the pension provided for by this chapter, all of  
21 which twenty-five years service must have been in the fire  
22 department, emergency medical service district, nonprofit ambulance  
23 service provider, or law enforcement agency of a municipality or  
24 municipalities which have elected to extend the retirement pension  
25 provisions of this chapter to its firefighters, emergency workers,  
26 volunteer emergency workers, or reserve officers. Nothing in this  
27 chapter shall require any participant having twenty-five years active  
28 service to continue as a firefighter, emergency worker, volunteer  
29 emergency worker, or reserve officer and no participant who has  
30 completed twenty-five years of active service for which annual  
31 retirement pension fees have been paid and who continues as a  
32 firefighter, emergency worker, volunteer emergency worker, or reserve  
33 officer shall be required to pay any additional annual pension fees.

34 **Sec. 11.** RCW 41.24.215 and 2005 c 37 s 3 are each amended to  
35 read as follows:

36 (1) If an injured volunteer seeks damages from a third party, the  
37 state board may also seek recovery of actual costs from the  
38 responsible third party. A volunteer seeking damages from a third

1 party is required to notify the state board about the legal  
2 proceeding.

3 (2) The state board is responsible for its proportionate share of  
4 the costs and attorneys' fees of the legal proceedings.

5 (3) Any recovery is subject to a lien by the state board for its  
6 share under this section.

7 (4) This section does not restrict or prohibit the state board's  
8 right to seek recovery from a third party when a volunteer  
9 (~~firefighter~~) is injured.

10 **Sec. 12.** RCW 41.24.290 and 1999 c 148 s 25 are each amended to  
11 read as follows:

12 The state board shall:

13 (1) Generally supervise and control the administration of this  
14 chapter;

15 (2) Promulgate, amend, or repeal rules and regulations not  
16 inconsistent with this chapter for the purpose of effecting a uniform  
17 and efficient manner of carrying out the provisions of this chapter  
18 and the purposes to be accomplished thereby, and for the government  
19 of boards of trustees of the municipalities or nonprofit ambulance  
20 service providers of this state in the discharge of their functions  
21 under this chapter;

22 (3) Review any action, and hear and determine any appeal which  
23 may be taken from the decision of the board of trustees of any  
24 municipality or nonprofit ambulance service provider made pursuant to  
25 this chapter;

26 (4) Take such action as may be necessary to secure compliance of  
27 the municipalities or nonprofit ambulance service providers governed  
28 by this chapter and to provide for the collection of all fees and  
29 penalties which are, or may be, due and delinquent from any such  
30 municipality or nonprofit ambulance service provider;

31 (5) Review the action of the board of trustees of any  
32 municipality or nonprofit ambulance service provider authorizing any  
33 pension as provided by this chapter; and authorize the regular  
34 issuance of monthly warrants in payment thereof without further  
35 action of the board of trustees of such municipality or nonprofit  
36 ambulance service provider;

37 (6) Require periodic reports from the recipient of any benefits  
38 under this chapter for the purpose of determining their continued  
39 eligibility therefor;

1 (7) Maintain such records as may be necessary and proper for the  
2 proper maintenance and operation of the principal fund, including  
3 records of the names of every person enrolled under this chapter, and  
4 provide all necessary forms to enable local boards of trustees to  
5 effectively carry out their duties as provided by this chapter;

6 (8) Compel the taking of testimony from witnesses under oath  
7 before the state board, or any member or the secretary thereof, or  
8 before the local board of trustees or any member thereof, for the  
9 purpose of obtaining evidence, at any time, in connection with any  
10 claim or pension pending or authorized for payment. For such purpose  
11 the state board shall have the same power of subpoena as prescribed  
12 in RCW 51.52.100. Failure of any claimant to appear and give any  
13 testimony as herein provided shall suspend any rights or eligibility  
14 to receive payments for the period of such failure to appear and  
15 testify;

16 (9) Appoint a secretary to hold office at the pleasure of the  
17 state board, fix the secretary's compensation at such sum as it shall  
18 deem appropriate, and prescribe the secretary's duties not otherwise  
19 provided by this chapter.

20 NEW SECTION. **Sec. 13.** A new section is added to chapter 41.24  
21 RCW to read as follows:

22 A nonprofit ambulance service provider board of trustees is  
23 created to administer this chapter in every county in which a  
24 nonprofit ambulance service provider operates. The nonprofit  
25 ambulance service provider board shall consist of two of the members  
26 of the county legislative authority or their designees, the county  
27 auditor or the auditor's designee, the head of each nonprofit  
28 ambulance service provider, and one volunteer emergency worker from  
29 each nonprofit ambulance service provider to be elected by the  
30 volunteer emergency workers of each nonprofit ambulance service  
31 provider for a term of one year and annually thereafter.

32 The secretary of the board of trustees shall keep a public record  
33 of all proceedings and of all receipts and disbursements made by the  
34 nonprofit ambulance service provider board of trustees, shall make an  
35 annual report of its expenses and disbursements with a full list of  
36 the beneficiaries of the principal fund, and shall make all required  
37 reports to the state board. The state board shall provide all  
38 necessary forms to emergency nonprofit ambulance service provider  
39 boards of trustees.



1        NEW SECTION.    **Sec. 14.**    A new section is added to chapter 41.24  
2    RCW to read as follows:

3        Credit for service as a volunteer emergency worker shall not be  
4    counted for purposes of RCW 41.24.170 except as stated in this  
5    section. Within one year of an election to volunteer emergency  
6    workers under the retirement provisions of this chapter, the  
7    nonprofit ambulance service provider must elect, on a one-time basis,  
8    one of the following:

9        (1) To count credit for service and pay for fees only after July  
10    1, 2016; or

11        (2) To count credit for all service as an emergency medical  
12    technician, but only if the actuarial cost, as determined by the  
13    state board, is paid by the nonprofit ambulance service provider. The  
14    nonprofit ambulance service provider may charge volunteer emergency  
15    workers for any portion of the cost.

16        NEW SECTION.    **Sec. 15.**    A new section is added to chapter 41.24  
17    RCW to read as follows:

18        A nonprofit ambulance service provider employing volunteer  
19    emergency workers may adopt appropriate legislation extending the  
20    relief provisions of this chapter to its volunteer emergency workers.  
21    The relief provisions of this chapter may not be extended to  
22    volunteer emergency workers if the nonprofit ambulance service  
23    provider has extended industrial insurance coverage to its volunteer  
24    emergency workers under RCW 51.12.140 or 51.12.035(2), or any other  
25    provision of law. A nonprofit ambulance service provider that adopts  
26    appropriate legislation extending the relief provisions of this  
27    chapter to its volunteer emergency workers shall enjoy the same  
28    extent of immunity from civil actions for personal injuries to its  
29    volunteer emergency workers that arises if the volunteer emergency  
30    workers were covered under Title 51 RCW.

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