



Corrections Legislation

Final Proposal

December 18, 2013

Issue

Corrections are needed to fix errors and oversights in the statutes.

Background

- 2005 legislation included EMTs in the definition of fire fighter.
- Bill language contained an unintentional expiration date which would make EMTs ineligible for LEOFF membership in 2023.

Policy Options

- 1. Take No Action:** The correction for the definition of fire fighter would expire in 2023.
- 2. Address the EMT Expiration Date:** Change specific language in the statutes to eliminate the 2023 expiration date for EMTs being included in the definition of fire fighter.

Any Questions?

- **Contact:**

Ryan Frost

Research Analyst

360.586.2325

ryan.frost@leoff.wa.gov

2100 Evergreen Park Dr, Olympia, WA 98502
PO Box 40918 Olympia, WA 98504
360.586.2320 or www.leoff.wa.gov





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CORRECTIONS LEGISLATION

FINAL PROPOSAL

By Ryan Frost

Research Analyst

360-586-2325

ryan.frost@leoff.wa.gov

ISSUE

Corrections are needed to fix errors and oversights in the statutes.

MEMBERS IMPACTED

This issue impacts current and future Emergency Medical Technicians in LEOFF Plan 2.

CURRENT SITUATION

The definition of fire fighter is found in RCW 41.26.030 and includes emergency medical technicians. The 2005 legislation which included emergency medical technicians in the definition of fire fighter contained an unintentional expiration date which would make emergency medical technicians ineligible for LEOFF membership in 2023.

Several of the Board's strategic partners have issues that need to be corrected for their programs. Individually, the attempts to fix some of these issues legislatively have been unsuccessful.

This report reviews a potential correction to the definition of fire fighter in LEOFF Plan 2 and identifies three other potential corrections that other organizations may be interested in partnering with the LEOFF Plan 2 Retirement Board for legislative action.

BACKGROUND INFORMATION & POLICY ISSUES

LEOFF Plan 2 Correction

Definition of Fire Fighter / Emergency Medical Technicians – LEOFF Plan 2 Retirement Board

Full-time, fully compensated law enforcement officers and fire fighters are covered by RCW 41.26 (LEOFF retirement system).

Statutory changes to the definition of fire fighter to include emergency medical technicians contain an unintentional expiration date.

Chapter 459, Laws of 2005, sec. 1, added (h) to the definition of fire fighter in RCW 41.26.030(4) to include emergency medical technicians. Section 3 of that same act provides that “This act expires July 1, 2013.” Given that the entire act expires 2013, the inclusion of EMTs within the definition of fire fighter would expire along with the act.

Chapter 304, Laws of 2007, sec. 2 attempted to correct the definition expiration issue by stating “2005 c 459 s 3 (uncodified) is amended to read as follows: Section 2 of this act expires July 1, ((2013)) 2023.” This would have fixed the definition expiration issue. However, section 4 of the legislation states that “This act expires July 1, 2023.”

This results in undoing the “fix” in section 2 and recreates the expiration problem. This means that emergency medical technicians would no longer be eligible for participation in LEOFF after July 1, 2023.

POLICY OPTIONS

Option 1: Take No Action.

Under this option, the Board would take no further action and the correction for the definition of fire fighter would expire in 2023.

Option 2: Introduce Legislation that Addresses the EMT Expiration Date.

Under this option, the Board would change specific language in the statutes that eliminates the 2023 expiration date for EMTs being included in the definition of fire fighter.

BILL REQUEST - CODE REVISER'S OFFICE

BILL REQ. #: Z-0643.1/14

ATTY/TYPIST: LL:bbp

BRIEF DESCRIPTION: Correcting the expiration date of a definition
of firefighter.

1 AN ACT Relating to correcting the expiration date of a definition
2 of firefighter; and amending 2007 c 304 s 4 (uncodified).

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

4 **Sec. 1.** 2007 c 304 s 4 (uncodified) is amended to read as follows:
5 Sections 1 and 3 of this act expire(~~s~~) July 1, 2023.

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