

(5) The committee shall meet at times and places it determines not less than twice each year and additionally as required by the committee chairman or by majority vote of the committee. The chairman of the committee shall be chosen under rules adopted by the committee. The committee shall adopt any other rules necessary to govern its proceedings.

(6) The director of parks and recreation or the director's designee shall serve as secretary to the committee and shall be a nonvoting member.

(7) The winter recreation advisory committee and its powers and duties shall terminate on June 30, 1986.

NEW SECTION. Sec. 7. There is appropriated for the biennium ending June 30, 1983, from the winter recreation parking account in the general fund to the state parks and recreation commission the sum of thirty thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

NEW SECTION. Sec. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 19, 1982.

Passed the House February 24, 1982.

Approved by the Governor March 4, 1982.

Filed in Office of Secretary of State March 4, 1982.

CHAPTER 12

[Senate Bill No. 4635]

LEOFF RETIREMENT—COUNTY DISABILITY BOARD MEMBERSHIP— DISABILITY DETERMINATION BY DIRECTOR

AN ACT Relating to law enforcement officers' and fire fighters' retirement; amending section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.110; and amending section 8, chapter 294, Laws of 1977 ex. sess. as amended by section 9, chapter 294, Laws of 1981 and RCW 41.26.470.

Be it enacted by the Legislature of the State of Washington:

Section 1. Section 11, chapter 209, Laws of 1969 ex. sess. as last amended by section 9, chapter 120, Laws of 1974 ex. sess. and RCW 41.26.110 are each amended to read as follows:

(1) All claims for disability shall be acted upon and either approved or disapproved by either type of disability board hereafter authorized to be created.

(a) Each city having a population of twenty thousand or more shall establish a disability board having jurisdiction over all members employed by said cities and composed of the following five members: Two members of the city legislative body to be appointed by the mayor, one fire fighter to be elected by the fire fighters employed by the city, one law enforcement officer

to be elected by the law enforcement officers employed by the city and one member from the public at large who resides within the city to be appointed by the other four appointed members heretofore designated in this subsection. Beginning with the next election following February 19, 1974, the law enforcement officer member shall serve a one year term and the fire fighter member shall serve a two year term. Thereafter each of the elected members shall serve a two year term. The members appointed pursuant to this subsection shall serve for two year terms: PROVIDED, That cities of the first class only, shall retain existing firemen's pension boards established pursuant to RCW 41.16.020 and existing boards of trustees of the relief and pension fund of the police department as established pursuant to RCW 41.20.010 which such boards shall have authority to act upon and approve or disapprove claims for disability by fire fighters⁽¹⁾ or law enforcement officers⁽²⁾ as provided under the Washington law enforcement officers' and fire fighters' retirement system act.

(b) Each county shall establish a disability board having jurisdiction over all members residing in the county and not employed by a city in which a disability board is established. The county disability board so created shall be composed of five members to be chosen as follows: One member of the legislative body of the county to be appointed by the county legislative body, one member of a city or town legislative body located within the county which does not contain a city disability board established pursuant to subsection (1)(a) of this section to be chosen by a majority of the mayors of such cities and towns within the county which does not contain a city disability board, one fire fighter to be elected by the fire fighters ~~((subject to the jurisdiction of))~~ employed in the county ((disability board)) who are not employed by a city in which a disability board is established, one law enforcement officer to be elected by the law enforcement officers ~~((subject to the jurisdiction of))~~ employed in the county ((disability board)) who are not employed by a city in which a disability board is established, and one member from the public at large who resides within the county but does not reside within a city in which a city disability board is established, to be appointed by the other four appointed members heretofore designated in this subsection. All members appointed or elected pursuant to this subsection shall serve for two year terms.

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

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

Sec. 2. Section 8, chapter 294, Laws of 1977 ex. sess. as amended by section 9, chapter 294, Laws of 1981 and RCW 41.26.470 are each amended to read as follows:

(1) A member of the retirement system who becomes totally incapacitated for continued employment by an employer as determined by the (~~department upon recommendation of the retirement board~~) director shall be eligible to receive an allowance under the provisions of RCW 41.26.410 through 41.26.550. Such member shall receive a monthly disability allowance computed as provided for in RCW 41.26.420 and shall have such allowance actuarially reduced to reflect the difference in the number of years between age at disability and the attainment of age fifty-eight.

(2) Any member who receives an allowance under the provisions of this section shall be subject to such comprehensive medical examinations as required by the department. If such medical examinations reveal that such a member has recovered from the incapacitating disability and the member is no longer entitled to benefits under Title 51 RCW, the retirement allowance shall be canceled and the member shall be restored to duty in the same civil service rank, if any, held by the member at the time of retirement or, if unable to perform the duties of the rank, then, at the member's request, in such other like or lesser rank as may be or become open and available, the duties of which the member is then able to perform. In no event shall a member previously drawing a disability allowance be returned or be restored to duty at a salary or rate of pay less than the current salary attached to the rank or position held by the member at the date of the retirement for disability. If the department determines that the member is able to return to service, the member is entitled to notice and a hearing. Both the notice and the hearing shall comply with the requirements of chapter 34.04 RCW, as now or hereafter amended.

Passed the Senate February 9, 1982.

Passed the House February 24, 1982.

Approved by the Governor March 4, 1982.

Filed in Office of Secretary of State March 4, 1982.

CHAPTER 13

[Senate Bill No. 4636]

RETIREMENT SYSTEMS RECORDS—CORRECTION OF ERRORS

AN ACT Relating to retirement from public employment; adding a new section to chapter 41.50 RCW; repealing section 16, chapter 257, Laws of 1971 ex. sess. and RCW 41.26-.290; repealing section 66, chapter 80, Laws of 1947 and RCW 41.32.660; and repealing section 40, chapter 274, Laws of 1947 and RCW 41.40.390.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Section 1. There is added to chapter 41.50 RCW a new section to read as follows: