

## CHAPTER 216

[Engrossed House Bill No. 210]

RETIREMENT AND PENSIONS OF LOCAL LAW ENFORCEMENT OFFICERS  
AND FIRE FIGHTERS

AN ACT Relating to the retirement and pensions of local law enforcement officers and fire fighters; amending section 6, chapter 209, Laws of 1969 ex.sess. and RCW 41.26.060; amending section 7, chapter 209, Laws of 1969 ex.sess. and RCW 41.26.070 and adding a new section to chapter 41.26 RCW.

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

Section 1. Section 6, chapter 209, Laws of 1969 ex.sess. and RCW 41.26.060 are each amended to read as follows:

The administration of this system is hereby vested in the board of the Washington public employees' retirement system pursuant to RCW 41.26.050 and the board shall:

(1) Keep in convenient form such data as shall be deemed necessary for actuarial evaluation purposes;

(2) As of March 1, 1970, and at least every two years thereafter, through its actuary, make an actuarial valuation as to the mortality and service experience of the beneficiaries under this chapter and the various accounts created for the purpose of showing the financial status of the retirement fund;

(3) Adopt for the retirement system the mortality tables and such other tables as shall be deemed necessary;

(4) Keep a record of all its proceedings, which shall be open to inspection by the public;

(5) From time to time adopt such rules and regulations not inconsistent with this chapter, for the administration of the provisions of this chapter, for the administration of the fund created by this chapter and the several accounts thereof, and for the transaction of the business of the board;

(6) Provide for investment, reinvestment, deposit and withdrawal of funds;

(7) Prepare and publish annually a financial statement showing the condition of the fund and the various accounts thereof, and setting forth such other facts, recommendations and data as may be of use in the advancement of knowledge concerning the Washington law enforcement officers' and fire fighters' retirement system, and furnish a copy thereof to each employer, and to such members as may request copies thereof;

(8) Serve without compensation but shall be reimbursed for expense incident to service as individual members thereof;

(9) Perform such other functions as are required for the execution of the provisions of this chapter;

(10) No member of the board shall be liable for the negligence, default or failure of any employee or of any other member of the board to perform the duties of his office and no member of the board shall be considered or held to be an insurer of the funds or assets of the retirement system but shall be liable only for his own personal default or individual failure to perform his duties as such member and to exercise reasonable diligence in providing for the safeguarding of the funds and assets of the system;

(11) Fix the amount of interest to be credited at a rate which shall be based upon the net annual earnings of the fund for the preceding twelve-month period and from time to time make any necessary changes in such rate;

(12) Pay from the retirement system expense fund the expenses incurred in administration of the retirement system from those funds appropriated for that purpose.

(13) Perform any other duties prescribed elsewhere in this chapter: PROVIDED, That all disability claims shall be submitted and approved or disapproved by the disability boards established by this chapter and the retirement board shall have authority to approve or disapprove disability retirement requests only.

Sec. 2. Section 7, chapter 209, Laws of 1969 ex.sess. and RCW 41.26.070 are each amended to read as follows:

A fund is hereby created and established in the state treasury to be known as the Washington law enforcement officers' and fire fighters' retirement fund, and shall consist of all moneys paid into it in accordance with the provisions of this chapter, whether such moneys shall take the form of cash, securities, or other assets. The members of the retirement board shall be the trustees of these funds created by this chapter and the retirement board shall have full power to invest or reinvest these funds in the securities authorized by RCW 41.40.071 as now or hereafter amended.

(1) The state treasurer shall be the custodian of all funds of the retirement system and all disbursements therefrom shall be paid by the state treasurer upon vouchers duly authorized by the retirement board and bearing the signature of the duly authorized officer of the retirement board.

(2) The state treasurer is hereby authorized and directed to deposit any portion of the funds of the retirement system not needed for immediate use in the same manner and subject to all the provisions of law with respect to the deposit of state funds by such treasurer, and all interest earned by such portion of the retirement system's funds as may be deposited by the state treasurer in pursuance of authority herewith given shall be collected by him and placed to the credit of the retirement fund or the retirement system expense fund.

(3) Into the retirement system fund shall be paid all moneys received by the retirement board, and paid therefrom shall be all refunds, adjustments, retirement allowances and other benefits provided for herein. All contributions by employers for the expense of operating the retirement system as provided for herein shall be transferred by the state treasurer from the retirement system fund to the retirement system expense fund upon authorization of the retirement board;

(4) There is hereby utilized for the purposes of this chapter, the retirement system expense fund, as provided for in RCW 41.40.080 and from which shall be paid the expenses of the administration of this retirement system.

(5) In order to reimburse the retirement system expense fund on an equitable basis the retirement board shall ascertain and report to each employer the sum necessary to defray its proportional share of the entire expense of the administration of this chapter during the ensuing biennium or fiscal year whichever may be required. Such sum is to be computed in an amount directly proportional to the estimated entire expense of the said administration as the ratio of monthly salaries of the employer's members bears to the total salaries of all members in the entire system. It shall then be the duty of all such employers to include in their budgets or otherwise provide the amounts so required.

(6) The retirement board shall compute and bill each employer at the end of each month for the amount due for that month to the retirement system expense fund and the same shall be paid as are its other obligations. Such computation as to each such employer shall be made on a percentage rate of salary established by the board; PROVIDED, That the retirement board may at its discretion establish a system of billing based upon calendar year quarters in which event the said billing shall be at the end of each such quarter.

(7) For the purpose of providing amounts to be used to defray the cost of such administration, the retirement board shall ascertain at the beginning of each biennium and request from the legislature an appropriation from the retirement system expense fund sufficient to cover estimated expenses for the said biennium.

(8) This act shall take effect commencing on January 1, 1972.

NEW SECTION. Sec. 3. There is added to chapter 41.26 RCW a new section to read as follows:

Each employee who is a member of the retirement system on January 1, 1972 or thereafter, shall contribute two dollars and fifty cents per annum to the retirement system expense fund. Such contribution shall be made by semiannual payments of one dollar and twenty-five cents beginning January 1, 1972, and thereafter each employee entering membership shall contribute the sum of one dollar

and twenty-five cents to the retirement system expense fund for the fractional portion of the semiannual period during which he enters or reenters membership. Such contribution shall be deducted from each member's basic salary for the appropriate pay period.

NEW SECTION. Sec. 4. If any provision of this act, or its application to any person or circumstance is held invalid the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Passed the House May 9, 1971.

Passed the Senate May 8, 1971.

Approved by the Governor May 21, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 217

[ Engrossed House Bill No. 40 ]

STATE TIDE AND SHORE LANDS

AN ACT Relating to certain public lands; and amending section 112, chapter 255, Laws of 1927 and RCW 79.01.448; and adding a new section to chapter 79.01 RCW.

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

Section 1. Section 112, chapter 255, Laws of 1927 and RCW 79.01.448 are each amended to read as follows:

(The owner or owners of land abutting or fronting upon tide or shore lands of the first class platted and appraised by the commissioner of public lands, as in this chapter provided, shall have the right, for sixty days following the filing of the final appraisal of the tide or shore lands with the commissioner of public lands, to apply for the purchase of all or any part of the tide or shore lands in front of the lands so owned) Upon platting and appraisal of tide or shore lands of the first class, as in this chapter provided, if the department of natural resources shall deem it for the best public interests to offer said tide or shore lands of the first class for lease, the department shall cause a notice to be served upon the owner of record of land fronting upon the tide or shore lands to be offered for lease if he be a resident of this state, or if he be a nonresident of this state, shall mail to his last known post office address, as reflected in the county records, a copy of the notice notifying him that the state is offering such tide or shore lands for lease, giving a description and the department's appraised fair market value of such tide or shore lands for lease, and notifying such owner that he has a preference right to apply to lease said tide or shore lands at the appraised value for the lease thereof for a