



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Board for Volunteer Firefighters and Reserve Officers

**Subject of possible rule making:** Adding a new chapter to WAC Title 491 to clarify the definitions of "fire fighter", "emergency worker", and "reserve officer" used in RCW 41.24.010 and adding a WAC to clarify "active member" used in RCW 41.24.170.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.24.290(2)

**Reasons why rules on this subject may be needed and what they might accomplish:** To clarify who is eligible to participate under the relief and pension provisions of RCW Chapter 41.24. In recent years, the Board has seen an escalation of court cases attempting to define the above terms with only the statutory language to serve as a guide. It is clear from this recent case law that future legal interpretations of RCW Chapter by the courts would best be served by clear definitions of the above terms.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**  
There are no other state or federal agencies that regulate this subject.

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

The Board for Volunteer Firefighters and Reserve Officers has already taken a lot of input from state associations, fire departments, police departments, and individual members. It will take these opinions into consideration along with the guidance received from the courts and advice from the Attorney General's Office when developing the WAC's.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

**By contacting:**

Brigette K. Smith, Executive Secretary, PO Box 114, Olympia, WA 98507, (877)753-7318, email [brigotted@bvff.wa.gov](mailto:brigotted@bvff.wa.gov)

Meeting notifications will be posted on our website at <http://www.bvff.wa.gov>

A comment period is built into the beginning and the end of all of our Board Meetings, the date of which are published both with the Code Reviser's Office and at our website at <http://www.bvff.wa.gov>

**DATE**

March 4, 2008

**NAME (TYPE OR PRINT)**

Brigette K. Smith

**SIGNATURE**

**TITLE**

Executive Secretary

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STATE OF WASHINGTON  
FILED

**DATE:** March 03, 2008

**TIME:** 2:59 PM

**WSR 08-06-068**