

(2) On the completion of the canvass of the regular returns of the several election precincts as provided in RCW 87.01.180, the board of directors shall canvass the returns of the absentee votes and declare the result thereof in substantially the same manner as provided for the returns of the votes cast in the regular manner. Thereupon the statement of the result conforming as nearly as practicable to the requirements of RCW 87.01.190 shall be made covering both regular and absentee votes.

Passed the House February 13, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 15, 1961.

CHAPTER 106.

[H. B. 78.]

PRISON TERMS AND PAROLES.

AN ACT relating to prison terms and paroles; and amending sections 9 and 13, chapter 133, Laws of 1955 and RCW 9.95.080 and 9.95.120.

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

RCW 9.95.080 amended.

SECTION 1. Section 9, chapter 133, Laws of 1955 and RCW 9.95.080 are each amended to read as follows:

Revocation and redetermination of minimum—Grounds.

In case any convicted person undergoing sentence in the penitentiary, reformatory, or such other state penal institution as may hereafter be established, commits any infractions of the rules and regulations of the institution, or based upon a thorough analysis and report of the director of institutions indicating unsatisfactory prospects for rehabilitation of such convicted person, the board of prison terms and paroles may revoke any order theretofore made determining the length of time such convicted person shall be imprisoned, including the forfeiture

of all or a portion of credits earned or to be earned, pursuant to the provisions of RCW 9.95.110, and make a new order determining the length of time he shall serve, not exceeding the maximum penalty provided by law for the crime for which he was convicted, or the maximum fixed by the court. Such revocation and redetermination shall not be had except upon a hearing before the board of prison terms and paroles. At such hearing the convicted person, unless outside the walls of the penitentiary or the reformatory, as an escapee and fugitive from justice, shall be present and entitled to be heard and may present evidence and witnesses in his behalf.

SEC. 2. Section 13, chapter 133, Laws of 1955 and RCW 9.95.120 are each amended to read as follows:

RCW 9.95.120
amended.

Whenever the board of prison terms and paroles or a probation and parole officer of this state has reason to believe a convicted person has breached a condition of his parole or violated the law of any state where he may then be or the rules and regulations of the board of prison terms and paroles, any probation and parole officer of this state may cause the arrest and detention of such convicted person pending a determination by the board whether the parole of such convicted person shall be revoked. All facts and circumstances surrounding the violation by such convicted person shall be reported to the board of prison terms and paroles by the probation and parole officer.

Conditions of
parole—Re-
vision or
revocation—
Right to
hearing—
Reinstatement
of parole.

On the basis of the report by the probation and parole officer, or at any time upon its own discretion, the board may revise or modify the conditions of parole or order the suspension of parole by the issuance of a written order bearing its seal which order shall be sufficient warrant for all peace officers to take into custody any convicted person who may be on parole and retain such person in their custody until arrangements can be made by the board of

prison terms and paroles for his return to the institution from which he was paroled. Any such revision or modification of the conditions of parole or the order suspending parole shall be personally served upon the parolee.

All chiefs of police, marshals of cities and towns, sheriffs of counties, and all police, prison, and peace officers and constables shall execute any such order in the same manner as any ordinary criminal process.

Whenever a paroled prisoner is accused of a violation of his parole, other than the commission of, and conviction for, a felony or misdemeanor under the laws of this state or the laws of any state where he may then be, he shall be entitled to a fair and impartial hearing of such charges within thirty days from the time that he was returned to the institution from which he was paroled before at least two members of the parole board. Upon such hearing such paroled prisoner shall be allowed to be heard and may defend himself, and may be represented by an attorney and he shall have the right to present evidence and witnesses in his behalf. After such hearing the board of prison terms and paroles shall make an order either (1) revoking the parole of such convicted person, or (2) reinstating the parole previously granted. In the event the parole is revoked, the board of prison terms and paroles shall make an order determining a new minimum sentence, not exceeding the maximum penalty provided by law for the crime for which he was originally convicted, or the maximum fixed by the court.

In the event that the board of prison terms and paroles suspends a parole by reason of an alleged parole violation or in the event that a parole is suspended pending the disposition of a new criminal charge, the board of prison terms and paroles shall have the power to nullify the order of suspension and reinstate the individual to parole under previ-

ous conditions or any new conditions that the board of prison terms and paroles may determine advisable. Before the board of prison terms and paroles shall nullify an order of suspension and reinstate a parole they shall have determined that the best interests of society and the individual shall best be served by such reinstatement rather than a return to a penal institution.

Passed the House March 6, 1961.

Passed the Senate March 5, 1961.

Approved by the Governor March 15, 1961.

CHAPTER 107.

[H. B. 97.]

INDUSTRIAL INSURANCE—COURSE OF EMPLOYMENT.

AN ACT relating to industrial insurance and medical aid; and adding a new section to chapter 51.32 RCW and to chapter 51.36 RCW; and amending chapter 23, Laws of 1961 and chapter 51.08 RCW.

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

SECTION 1. There is added to chapter 51.32 RCW a new section to read as follows: New section.

The benefits of Title 51 RCW shall be provided to each workman receiving an injury, as defined therein, during the course of his employment and also during his lunch period as established by the employer while on the jobsite. The jobsite shall consist of the premises as are occupied, used or contracted for by the employer for the business or work process in which the employer is then engaged: *Provided*, That if a workman by reason of his employment leaves such jobsite under the direction, control or request of the employer and if such workman is injured during his lunch period while so away from the jobsite, the workman shall receive Industrial insurance. Lunch on jobsite as course of employment.