

the state board, and in the payment of bills incurred for the medical, surgical, or hospital care of injured workmen shall be made by warrants drawn against the medical aid fund by the state auditor upon certificate thereof or requisition therefor signed by the members of the state board or a majority thereof.

Warrants
against
fund.

Passed the House, March 3, 1919.

Passed the Senate, March 10, 1919.

Approved by the Governor March 15, 1919.

CHAPTER 130.

[H. B. 235.]

ADDITIONAL PROVISIONS RELATING TO INDUSTRIAL INSURANCE.

AN ACT relating to industrial insurance, to the medical and surgical care of injured workmen, providing certain means for the prevention and avoidance of injuries to workmen, and amending Sections 6604-39 and 6604-40 of and adding Sections 6604-48 to 6604-120 (both inclusive) to Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-48, as follows:

Section 6604-48. Sections 6604-48 to Sections 6604-120, inclusive, shall apply to all and only those establishments, those employers, and those workmen who are or shall be under the jurisdiction of the Industrial Insurance Department.

Application
of act.

SEC. 2. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

ington a new section to be known as Section 6604-49, as follows:

“Place of work” defined.

Section 6604-49. The phrase “place of work” shall mean and include every place, whether indoors or out, or underground or elsewhere, and the premises appurtenant thereto, where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation directly or indirectly relating to any industry, trade, work or business is carried on, including all construction work.

SEC. 3. That there be added to Remington & Ballinger’s Annotated Codes and Statutes of Washington a new section to be known as Section 6604-50, as follows:

Safety terms defined.

Section 6604-50. The terms “safe” and “safety”, as applied to an employment or place of work; “safeguard” or “safety device” shall mean such freedom from danger to the life or safety of workmen as the nature of the case will reasonably permit; and the two latter terms shall be given a broad interpretation so as to include any reasonably practical method of mitigating or preventing danger.

SEC. 4. That there be added to Remington & Ballinger’s Annotated Codes and Statutes of Washington a new section to be known as Section 6604-51, as follows:

Duty of employer as to safeguarding workmen.

Section 6604-51. For the purposes of this act, it shall be the duty of every employer to furnish a place of work which shall be as safe for workmen therein as may be reasonable and practicable under the circumstances, surroundings and conditions, and to furnish and use such safety devices and safeguards and to adopt and use such practices, means, methods, operations and processes as under the circumstances, surroundings and conditions are rea-

sonable and practical in order to render the work and place of work safe, and to comply with such standards of safety of place of work and such safety devices and safeguards and such standards and systems of education for safety as shall be from time to time prescribed for such employer by the State Safety Board, or by statute, or by the State Mining Board.

SEC. 5. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-52, as follows:

Section 6604-52. For the purposes of this act, it shall be the duty of every workman to co-operate with his employer in all efforts for safety in respect of a safe place to work, safety devices, and safeguards, and for educational safety work, and to on his part comply with all standards of safety established for his work by the State Safety Board, or by statute, or by the State Mining Board, and not to remove, displace, damage or destroy any safety device or safeguard so established, nor interfere in any way with the use thereof by any other workman, nor interfere with the use of any method or process adopted or prescribed for the protection of workmen in any place of employment. Any employer or workman who shall knowingly remove, displace, damage or destroy, or cause to be removed, displaced, damaged or destroyed, any such safety device or safeguard, shall be guilty of a misdemeanor.

Safety
devices.

Penalty for
removal or
destruction.

SEC. 6. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-53, as follows:

Section 6604-53. For the purpose of enforcing in all industries (other than coal mining) the per-

State safety
board.

formance of the duties prescribed in Sections 6604-51 and 6604-52, there is hereby created a State Safety Board, consisting of two members, to-wit: The two members of the State Medical Aid Board other than the chairman thereof.

SEC. 7. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-54, as follows:

Advisory
members.

Section 6604-54. The Commissioner of Labor and the State Mine Inspector shall act as advisory members of the State Safety Board, but in such advisory capacity only, and shall not be entitled to vote on any question coming before the State Safety Board. They shall not be included in the designation "State Safety Board" wherever used.

SEC. 8. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-55, as follows:

Safety stan-
dards to be
promulgated.

Section 6604-55. For all other work than coal mining, the State Safety Board, in accordance with the principles laid down in Sections 6604-50, 6604-51, and 6604-52, shall make, and may from time to time modify, and shall promulgate standards of safety, to-wit:

(1) To make safe the place of work of workmen, same to be termed "safe place standards";

(2) Of safety devices and safeguards to make safe machines, tools, apparatus and appliances, same to be termed "safety device standards";

(3) Of educational systems for the education and training of employer and workman in the appreciation and avoidance of danger and in the maintenance and use of safe place and safety device standards.

The State Safety Board shall make, and may from time to time modify, and shall promulgate

rules and regulations for the enforcement of the use of such standards of safety.

SEC. 9. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-56, as follows:

Section 6604-56. The safe place standards and safety device standards for the coal mines of the state, employer and workman, shall be those prescribed by chapter 36 of the session laws of 1917, approved March 2, 1917, as it may be amended from time to time. Such chapter and its amendments are hereinafter referred to as the "Coal Mining Code".

Coal mine
safety
standards.

SEC. 10. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-57, as follows:

Section 6604-57. The educational standards for coal mines and coal mining shall be prescribed by a board hereby created to be known as the "State Mining Board", consisting of two members, to be appointed by the State Safety Board.

Coal mine
educational
standards.

SEC. 11. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-58, as follows:

Section 6604-58. One member of the State Mining Board must be a mine manager or superintendent or mine safety engineer or mine safety inspector or stockholder of a mining corporation, and one member must be a workman in a coal mine in the state.

State Mining
Board.

SEC. 12. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-59, as follows:

Section 6604-59. Any association of coal mine employers of the state whose organization purposes

Nominations
to state
board by
employers.

include or shall be made to include the making of such nominations and whose membership is open to all coal mine employers in the state, or if there be more than one such organization, a combination of them, may nominate to the State Safety Board two nominees for appointment to the State Mining Board, and the State Safety Board shall appoint one of them.

SEC. 13. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-60, as follows:

Nominations
by workmen.

Section 6604-60. Any association of coal mine workmen of the state whose organization purposes include or shall be made to include the making of such nominations and whose membership is open to all coal mine workmen in the state, or if there be more than one such organization, a combination of them, may nominate to the State Safety Board two nominees for appointment to the State Mining Board, and the State Safety Board shall appoint one of them.

SEC. 14. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-61, as follows:

Time for
making
nominations.

Section 6604-61. The first nominations under Sections 6604-59 and 6604-60 shall be made within thirty days after this section shall go into effect, and nominations to fill a vacancy shall be made within thirty days following the creation of the vacancy, and nominations for succession shall be made within a period of sixty days, thirty days preceding and thirty days following the expiration of the term of office of the member to be succeeded.

SEC. 15. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

ington a new section to be known as Section 6604-62, as follows:

Section 6604-62. If either nominating body shall fail to make nominations as and within the time provided in Sections 6604-59, 6604-60, and 6604-61, the State Safety Board shall make the appointment without precedent nomination.

Failure to nominate.

SEC. 16. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-63, as follows:

Section 6604-63. The term of office of each member of the State Mining Board shall be six (6) years and until his successor shall have been appointed.

Term of office.

SEC. 17. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-64, as follows:

Section 6604-64. Each member of the State Mining Board shall receive his actual traveling expenses incurred in the performance of his duties and compensation for each day's attendance at a meeting of his Board at the rate of ten dollars per day.

Compensation and expense allowance.

SEC. 18. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-65, as follows:

Section 6604-65. Any coal mine employer, or workman, or association of either, or any joint committee of such employers and workmen, or the State Mine Inspector appointed under the provisions of the Coal Mining Code, or any of his deputies, shall be authorized to make recommendations to the State Mining Board of educational standards, or amendments of the same, or modifications thereof. The making of the original educational standards shall

Recommendations for educational standards.

be withheld for a period of thirty (30) days following the organization of the State Mining Board, to await the receipt of such recommendations.

SEC. 19. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-66, as follows:

Section 6604-66. The State Mining Board shall have power to make changes in its educational standards from time to time.

Changes
authorized.

SEC. 20. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-67, as follows:

Section 6604-67. Standards of safety established by the State Safety Board shall be, as near as possible and practicable, uniform for each class or for each class subdivision of a class, which has been or may be divided into subdivisions by statute or by the Industrial Insurance Commission, but such standards of safety and the educational standards established by the State Mining Board may vary between different localities, different classes or class subdivisions of industry and different establishments in any class or class subdivision where in the opinion of the board establishing same the working conditions warrant such differentiation, and where in the opinion of such board there are such differences as to render impracticable, inoperative or unjust a uniform standard or standards.

Uniformity
and differ-
entiation in
standards.

SEC. 21. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-68, as follows:

Section 6604-68. Any employer, or workman in any industry (other than coal mining), or association of either, or any joint committee of such

Recommen-
dations for
safety
standards.

employers and workmen, or the State Labor Commissioner, shall be authorized to make recommendations to the State Safety Board of safety standards, or amendments therein, or modifications thereof. The making of the original standards of safety by the State Safety Board shall be withheld for a period of thirty days following the organization of that Board to await the receipt of such recommendations.

SEC. 22. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-69, as follows:

Section 6604-69. Standards of safety having uniform application throughout a class or class subdivision shall be known as "general standards". Standards of safety which shall not be of uniform application to any class or class subdivision shall be known as "special standards".

General and special standards.

SEC. 23. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-70, as follows:

Section 6604-70. At any time after the expiration of thirty days after the organization of the State Mining Board or the State Safety Board respectively and from time to time thereafter as new standards or changes or modifications of existing standards are proposed, the State Safety Board or the State Mining Board, as the case may be, shall call a public hearing or hearings for the purpose of the consideration and establishment of standards of safety within its jurisdiction. At every such hearing the employers and workmen interested shall be privileged to attend and be heard in person or by their committee or committees or representatives.

New standards, hearings on.

SEC. 24. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-71, as follows:

Section 6604-71. In advance of every such hearing, the Board which is conducting the hearing shall cause a notice of the time and place of such hearing to be published at least once in a daily newspaper of general circulation, published and circulated in the community in, or as near as may be to the place where the establishment or establishments to be affected are located. If the subject of the hearing affects industries throughout the state, such publications shall be in a daily newspaper published in each city of the first-class in the state, and such other cities as the Board giving the notice shall select.

Notice of
hearings to
be published.

SEC. 25. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-72, as follows:

Section 6604-72. Written notice of every such hearing shall also be mailed under the direction of the Board which is to conduct such hearing to each employer whose class, class subdivision or establishment is affected. It shall be the duty of each employer receiving such a notice to forthwith post the same at his establishment for the information of his workmen.

Written
notice.

SEC. 26. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-73, as follows:

Section 6604-73. No defect, inaccuracy or informality in any such notice or in the publication thereof, nor the omission of notice by mail to any employer, shall invalidate any order or standard of safety established pursuant to such hearing, but no

Defective
notice.

special standard of safety shall be valid unless written notice of the hearing shall have been mailed to the employer or employers of the establishment or establishments affected thereby. For hearings affecting a special standard only, publication of notice may be omitted.

Omission
of notice.

SEC. 27. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-74, as follows:

Section 6604-74. No standard of safety which conflicts or is inconsistent with any safety device, safeguard or safety standard, or rule heretofore established by statute, shall be established by the State Safety Board without the written consent of both members of the State Safety Board and the written approval of the same by the Industrial Insurance Commission, the Commissioner of Labor and the State Mine Inspector.

Approval of
alteration
of safety
standards.

SEC. 28. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-75, as follows:

Section 6604-75. The State Mine Inspector shall have sole charge of the enforcement of the standards of safety for coal mining and of the inspection incident thereto.

Enforcement
of coal mine
standards.

SEC. 29. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-76, as follows:

Section 6604-76. For the purpose of the enforcement of standards of safety for mining, the State Mine Inspector shall have such number of deputy mine inspectors as he shall deem necessary, not to exceed three in all, including the one provided for by the Coal Mining Code.

Deputy mine
inspectors.

SEC. 30. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-77, as follows:

Duties for
deputies.

Section 6604-77. The duties of the deputy mine inspectors shall be to inspect the coal mines of the state, to ascertain and report compliance or non-compliance with safety standards, and to recommend improvements of safety standards.

SEC. 31. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-78, as follows:

Appointment
of deputies.

Section 6604-78. The new deputy mine inspectors provided by section 6604-76 shall be appointed in the manner and shall be subject to the tests as to qualifications provided by the Coal Mining Code for deputy mine inspectors.

SEC. 32. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-79, as follows:

Increasing
salary of
state mine
inspector.

Section 6604-79. The State Mine Inspector shall receive a monthly salary of one hundred dollars (\$100) per month for the performance of his duties in enforcing the use of safety standards and inspecting and certifying the same. This monthly salary shall be in addition to the salary which is provided for him by the Coal Mining Code.

SEC. 33. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-80, as follows:

Salary of
deputies.

Section 6604-80. Deputy mine inspectors other than the one provided by the Coal Mining Code shall receive a monthly salary of two hundred and fifty dollars (\$250).

SEC. 34. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-81, as follows:

Section 6604-81. The State Labor Commissioner shall have, under the supervision and control of the State Safety Board, sole charge of the enforcement of safe place and safety device standards (other than for the mining of coal) and of inspection and certification thereof.

Duty of
labor com-
missioner.

SEC. 35. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-82, as follows:

Section 6604-82. For the purpose of enforcement of safe place and safety device standards, other than for coal mining, the State Labor Commissioner shall appoint such number of deputy inspectors as may from time to time be authorized by the State Safety Board, and may from time to time remove any such deputy.

Deputy
labor
inspectors.

SEC. 36. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-83, as follows:

Section 6604-83. Deputies of the State Labor Commissioner appointed under the provisions of Section 6604-82 shall receive such compensation as may be determined from time to time by the State Safety Board.

Compensa-
tion of
deputies.

SEC. 37. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-84, as follows:

Section 6604-84. After the expiration of four fractional or full calendar months after this section shall take effect payment of any inspection fee by

Inspection
fees
abolished.

any employer for inspection of his establishment as to safe place or safety device standards shall not be required.

SEC. 38. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-85, as follows:

Increasing salaries of state safety board.

Section 6604-85. Each executive member of the State Safety Board shall receive for the performance of his duties as a member of that Board a monthly salary sufficient in amount, when added to his compensation under Section 6604-38, to make a total monthly salary of four hundred dollars (\$400).

SEC. 39. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-86, as follows:

Increasing salary of labor commissioner.

Section 6604-86. For the performance of his duties under Section 6604-81 the State Labor Commissioner shall receive a salary of one hundred and fifty dollars per month in addition to his salary as State Labor Commissioner.

SEC. 40. That Section 6604-39 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Local aid boards.

Section 6604-39. Subject always to the rules and regulations established and promulgated by the State Board, the administration of, caring for, treatment and services to injured workmen shall be in the hands of local boards to be designated by the name "Local Aid Boards" and by numbers corresponding to the numbers of their respective districts.

SEC. 41. That Sections 6604-40 of Remington & Ballinger's Annotated Codes and Statutes of Washington be amended to read as follows:

Duties of local aid boards.

Section 6604-40. It shall be the duty of each local aid board to provide care and treatment for

each workman injured after June 30th, 1917, in extra-hazardous employment, to forthwith report to the State Board, and through the State Board to the Industrial Insurance Commission, the commencement of every disability and the termination of the same, and each such report shall be a part of the record of the case in the office of the Industrial Insurance Commission and shall be taken into consideration in the adjustment or settlement of the amount of the award in the case. Each local aid board shall also report to the State Board the cause of each injury, with recommendations for the improvement of the service, and of the administration, and also, subject to the provisions of Section 6604-37, to certify to the State Board all bills rendered for care or treatment of injured workmen, with power to reject any bill or item thereof incurred in violation of the principle laid down in Section 6604-36.

It shall also be the duty of each local aid board to promptly inspect and analyze all serious accidents to workmen (other than coal miners) occurring within its district and to report to the State Safety Board the cause of the accident and to suggest a remedy to prevent repetition of the same, not only in the establishment in which the accident occurred, but also in all other like establishments; and, subject to the supervision in the first instance of the State Labor Commissioner and secondarily of the State Safety Board, to have charge of the educational features of safety work (other than for coal mining), within its own district. At the end of each calendar year each local aid board shall issue to the State Safety Board a certificate of the compliance or non-compliance during that year of each establishment or employer in its district within its jurisdiction of the educational standards established for the same. The State Safety Board shall have the power of re-

Certification
of estab-
lishments.

vision of such certificates and shall forthwith issue to the Industrial Insurance Commission a final certificate of such compliance or non-compliance for each case for that year.

SEC. 42. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-87, as follows:

Section 6604-87. The state is hereby divided into three local aid districts, numbered and described as follows:

Local Aid District No. 1. That portion of the state lying east of the summit of the Cascade Mountains. Of this district, the head office shall be at the city of Spokane.

Local aid
districts
classified.

Local Aid District No. 2. King, Kitsap, Snohomish, Skagit, Whatcom, Island, San Juan, and Clallam counties, and that portion of Jefferson county lying east of the west line of Mason County extended northward. Of this district, the head office shall be at the city of Seattle.

Local Aid District No. 3. The remaining portion of the State of Washington. Of this district, the head office shall be at the city of Tacoma.

SEC. 43. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-88, as follows:

Section 6604-88. In each Local Aid District there shall be a Local Aid Board, consisting of two members to be appointed by the State Safety Board. One member of each Local Aid Board shall be a resident workman (other than a coal miner). The other member of each Local Aid Board shall be a resident representative of the employers in that district (other than coal mine employers). Any association of the workmen resident in any Local Aid

Appointment
of board
members.

District whose organization purpose shall include, or be made to include the making of such nominations, and whose membership is open to all classes of workmen may nominate to the State Safety Board two of its members, and the State Safety Board shall appoint one of them. Any association of the employers whose establishments are located in any Local Aid District and whose organization purposes shall include or be made to include the making of such nominations and whose membership is open to all classes of such employers, may nominate to the State Safety Board two men, and the State Safety Board shall appoint one of them. The term of office of each member of a Local Aid Board shall be six years and until his successor is appointed. After the expiration of terms and to fill vacancies the same method of nomination and appointment shall obtain. If and so far as the original or substitute nominations are not made within thirty or forty days, as the case may be, following the date of organization of the State Safety Board, and if and so far as original or substitute nominations to fill vacancies or for succession shall not be made within thirty or forty days, as the case may be, following the creation of the vacancy or end of the term to be succeeded, the State Safety Board shall make the appointment or appointments without precedent nominations.

SEC. 44. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-89, as follows:

Section 6604-89. It shall be the duty of the State Safety Board to examine into the qualifications of all nominees or applicants for appointment to the positions of members of the Local Aid Boards and their assistants (other than clerical assistants) by conducting a thorough examination as to the knowl-

Examination
of local
aid board
candidates.

edge of the nominee or application of (a) Sections 6604-1 to Section 6604-120 of Remington & Ballinger's Annotated Codes and Statutes of Washington and the amendments thereof; (b) the principles and practice of medical and surgical first aid to injured workmen; and (c) safety standards prescribed by the State Safety Board or by statute relating to extra-hazardous work (other than coal mining). The examination of nominees and applicants shall be in writing, and the manuscripts thereof shall, after completion, be filed with the Industrial Insurance Commission as public documents. No nominee or applicant shall be appointed whose average of accuracy in the examination shall be less than seventy-five per cent. If both nominees for appointment as member of Local Aid Board for any district made by any organization shall fail to qualify as above provided upon the examination, notice shall be given to the nominating body, and that body shall be privileged to make substitute nominations within ten days. If both such substitute nominees fail to qualify upon the examination, then in such event the State Safety Board shall make an appointment for the case without precedent nomination. Examinations for appointment of assistants to the Local Aid Boards shall be made at such times, upon such notice, and in such manner as the State Safety Board shall by resolution prescribe.

SEC. 45. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-90, as follows:

Section 6604-90. Each Local Aid Board shall have the power to appoint such number of assistants as may be authorized for its district by resolution of the State Safety Board, but no assistant to a Local Aid Board (other than clerical assistants) shall be qualified for appointment as such assistant

Appointment
of board
assistants.

unless he shall have received from the State Safety Board a certificate of competency after examination as provided in Section 6604-89. Each local aid board shall have power to remove any assistant in its discretion.

SEC. 46. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-91, as follows:

Section 6604-91. Each Local Aid Board shall have power to establish such branch offices in its district and incur such office expenses as may have been previously authorized by resolution of the State Safety Board.

Branch
offices of
local aid
boards.

SEC. 47. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-92, as follows:

Section 6604-92. Each member of a local aid board shall receive a salary of three hundred dollars (\$300) per month.

Salary of
members.

SEC. 48. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-93, as follows:

Section 6604-93. Salaries of assistants of local aid boards shall be as fixed by resolution of the State Safety Board.

Salary of
assistants.

SEC. 49. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-94, as follows:

Section 6604-94. It shall be the duty of the State Mine Inspector, either in person or by deputy, to inspect every coal mine in the state not less than once every four months, for the purpose of ascertaining whether the safety standards applicable

Coal mine
inspections.

thereto are being complied with, and at the end of each calendar year it shall be the duty of the State Mine Inspector to certify to the State Industrial Insurance Commission the compliance or non-compliance with the safety standards on the part of each coal mine employer in the state during said year. A duplicate of each certificate shall be delivered by him to the State Safety Board.

SEC. 50. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-95, as follows:

Inspection
of industrial
establish-
ments.

Section 6604-95. It shall be the duty of the State Labor Commissioner, either in person or by deputy, to inspect the establishment or work of every employer engaged in extra-hazardous work in the state (other than coal mines) as often as directed by the State Safety Board, but not less than once every four months, for the purpose of ascertaining whether the safe place and safety device standards applicable thereto are being complied with, and at the end of each calendar year it shall be the duty of the State Labor Commissioner to certify to the State Industrial Insurance Commission the compliance or non-compliance with such standards as to each such employer during the said year. A duplicate of each certificate shall be delivered by him to the State Safety Board.

SEC. 51. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-96, as follows:

Refunds
allowed for
safe place
standards.

Section 6604-96. Each employer who shall be certified to the Industrial Insurance Commission to have continuously for any calendar year maintained in his plant, works, system, or place where his workmen work, the safe place standards applicable to the

same, shall at the end of such calendar year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained.

SEC. 52. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-97, as follows:

Section 6604-97. By the term "cost rate" is meant the rate of premium which the employers of any class, or, as the case may be, of any class subdivision, actually pay into the accident fund for any year period as distinguished from the basic rate for such class or class subdivision specified by statute or by the Industrial Insurance Commission.

"Cost rate"
defined.

SEC. 53. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-98, as follows:

Section 6604-98. Each employer who shall be certified to the Industrial Insurance Commission to have failed to put into effect in any establishment the safe place standards applicable to his class, class subdivision or establishment, as the case may be, within a reasonable time after notification thereof, such reasonable time to be fixed by the State Mine Inspector for coal mines and by the State Safety Board for other industries, and such notification, including notice of the time so fixed, to be served personally or by registered mail, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the Industrial Insur-

Penalty for
failure to
install or
maintain
standards.

ance Commission, in addition to the amount he would otherwise have paid for such calendar year into the accident fund, on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to five per cent of that amount.

SEC. 54. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-99, as follows:

Refunds for
safety device
standards.

Section 6604-99. Each employer who shall be certified to the Industrial Insurance Commission to have continuously for any calendar year maintained in his plant, works, system or place where his workmen work the safety device standards applicable thereto shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of five per cent of the cost rate for such calendar year for the class or class subdivision in which such standards have been so certified to have been maintained.

SEC. 55. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-100, as follows:

Penalty for
failure to
install.

Section 6604-100. Each employer who shall be certified to the Industrial Insurance Commission to have failed to put into effect in any establishment the safety device standards applicable to his class, class subdivisions or establishments, as the case may be, within a reasonable time to be fixed and after notification thereof given as in Section 6604-98 provided, or who having put such standards into effect shall be certified to have failed to maintain the same continuously thereafter for any calendar year period, shall pay into the accident fund upon demand of the Industrial Insurance Commission, in

addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system in respect to which such default shall occur, a sum equal to five per cent of that amount.

SEC. 56. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-101, as follows:

Section 6604-101. Each employer who shall be certified to the Industrial Insurance Commission to have for any calendar year maintained at his establishment and among his workmen the educational standards established for the same, shall at the end of such year be entitled to receive and shall receive out of the accident fund of his class or class subdivision a refund of ten per cent of the cost rate for such calendar year of the class or class subdivision in which such standards have been so certified to have been maintained.

Refund for maintenance of educational standards.

SEC. 57. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-102, as follows:

Section 6604-102. Each employer who shall be certified to the Industrial Insurance Commission to have failed to put into effect at his establishment and among his workmen the educational standards established for his class, class subdivision or establishment, as the case may be, within a reasonable time to be fixed and after notification thereof given as in Section 6604-98 provided, or who having put such educational standards into effect shall be certified to have failed to maintain the same during any calendar year period, shall pay into the accident fund upon demand of the Industrial Insurance Commission, in addition to the amount he would

Penalty for failure to maintain educational standard.

otherwise have paid for such calendar year into the accident fund on account of the plant, works, or system, in respect to which such default shall occur, a sum equal to ten per cent of that amount.

SEC. 58. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-103, as follows:

Statistical
department
of state
safety board.

Section 6604-103. The State Safety Board shall organize a statistical department by which shall be compiled for each calendar year, beginning with the year 1915 for the accident fund, and with the year 1917 for the medical aid fund, statistics showing the amount contributed by each employer in each class or class subdivision to the accident fund, and by each employer and his workmen to the medical aid fund, and the disbursements in comparison to each contribution respectively from each of said funds on account of injuries to and medical treatment of his workmen and showing by percentage the relation of the same for each year to the cost rate of each class or class subdivision to which the employer is a contributor.

SEC. 59. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-104, as follows:

Organization
of statistical
department.

Section 6604-104. To accomplish the work provided by Section 6604-103, the State Safety Board shall have access in the office of the Industrial Insurance Commission to the records of the Industrial Insurance Department and shall employ such number of statisticians and clerks at such salaries, and shall procure such books of records and office appliances, as to the State Safety Board shall seem proper for that purpose.

SEC. 60. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

ington a new section to be known as Section 6604-105, as follows:

Section 6604-105. Each employer who shall be certified to the Industrial Insurance Commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided by Section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years between fifty per cent and seventy-six per cent of the average cost rate for said aggregate five year period of each class or class subdivision to which he is contributing shall, at the end of that calendar year, be entitled to receive and shall receive a refund of five per cent of the cost rate for his class or class subdivision for that year.

Refund for compliance with safety standards.

SEC. 61. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-106, as follows:

Section 6604-106. Each employer who shall be certified to the Industrial Insurance Commission to have complied during any calendar year with all of the safety standards applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided in Section 6604-103 to have cost the accident fund of his class or class subdivision for that calendar year and for the four preceding years fifty per cent, or less, of the average cost rate for said aggregate five year period of each class or class subdivision to which he is contributing shall, at the end of that calendar year, be entitled to receive and shall receive a refund of ten per cent of the cost rate for his class or class subdivision for that year.

Refund for compliance with safety standards.

SEC. 62. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-107, as follows:

Additional
assessments
for accident
fund.

Section 6604-107. Each employer who shall be certified to the Industrial Insurance Commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by the experience tables provided by Section 6604-103 to have cost for that year and the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred per cent but not more than one hundred and twenty-five per cent of the average cost rate for said aggregate five year period of such class or class subdivision shall pay into the accident fund upon demand of the Industrial Insurance Commission in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to five per cent of the cost rate for that year of such class or class subdivision.

SEC. 63. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-108, as follows:

Additional
assessments
for accident
fund.

Section 6604-108. Each employer who shall be certified to the Industrial Insurance Commission for any calendar year to have failed to comply with any safe place, safety device, or educational standard applicable to his establishment or case and who shall be certified by the State Safety Board to the Industrial Insurance Commission to be shown by

the experience tables provided by Section 6604-103 to have cost for that year and for the four preceding years the accident fund of any class or class subdivision to which he is a contributor more than one hundred and twenty-five per cent of the average cost rate for said aggregate five year period of such class or class subdivision shall pay into the accident fund upon demand of the Industrial Insurance Commission in addition to the amount which he would otherwise have paid for such calendar year into the accident fund on account of the plant, works or system in respect to which such excess cost shall have occurred a sum equal to ten per cent of the cost rate for that year of such class or class subdivision.

SEC. 64. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-109, as follows:

Section 6604-109. For the portion of any fraction of calendar year remaining after the expiration of four fractional or full calendar months after this section shall go into effect or after the establishment and notification of any standard of safety by the State Safety Board or the State Mining Board, or if for any reason any employer shall cease or suspend operation for any portion of any period or calendar year, the credits and penalties in Sections 6604-96, 6604-98, 6604-99, 6604-100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, and 6604-108 provided shall be calculated and applied in the proportion of time which the period of operation shall bear to the calendar year. If any employer during any calendar year shall have more than one establishment or shall be a contributor to more than one class or class subdivision accident fund, awards shall be made to him under Section 6604-96, 6604-99, 6604-101, 6604-105, or 6604-106, or penalties imposed upon him under Sections 6604-98, 6604-100, 6604-

Proportional
credits and
penalties.

102, 6604-107, or 6604-108 on the basis of each establishment, class or class subdivision separately so that he may be rewarded concurrently as to one or more and/or penalized as to another or others of such establishments, classes or class subdivisions, and in such cases the computation of rewards or penalties shall be calculated upon payrolls separately.

SEC. 65. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-110, as follows:

Crediting
refunds.

Section 6604-110. Any refund provided for in Sections 6604-96, 6604-99, 6604-101, 6604-105 or 6604-106 may, except in case of permanent cessation of work, be made by giving a credit to the accident fund account of the employer entitled thereto instead of making the payment of such refund in cash.

SEC. 66. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-111, as follows:

Appeals to
state safety
board.

Section 6604-111. Any employer or workman dissatisfied with any certificate or order of the State Labor Commissioner or any certificate of any local aid board relating to educational safety standards may appeal therefrom to the State Safety Board. Proceedings for such an appeal shall be informal except that the State Labor Commissioner or the local aid board, as the case may be, shall be entitled to notice of the appeal and the appellant shall be entitled to notice of the time and place of the hearing of his appeal. The State Safety Board shall have power to affirm, reverse, or modify any certificate or order so appealed from.

SEC. 67. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Wash-

ington a new section to be known as Section 6604-112, as follows:

Section 6604-112. Any employer or workman feeling aggrieved by any order of the State Mining Board establishing an educational standard or by any order, certificate, or ruling of the State Safety Board, including its orders or rulings establishing, changing or modifying safety standards, or by any certificate issued by or any order made by the State Mine Inspector or the State Labor Commissioner, or by any order, ruling, or act of the Industrial Insurance Commission allowing or refusing to allow a credit, or imposing or failing to impose a penalty, may have the same reviewed by the courts in accordance with the procedure, so far as applicable, established by Section 6604-20. In any such court review, the findings or determination of the officer or tribunal from which the appeal is taken on any question of fact shall be conclusive and binding upon the court.

Review by courts.

SEC. 68. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-113, as follows:

Section 6604-113. It shall be the duty of the members of the State Safety Board to devote all of their time during the office hours of each day to the performance of their duties as members of that Board and of the State Board.

State board to devote full time.

SEC. 69. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-114, as follows:

Section 6604-114. It shall be the duty of all members of local aid boards, all deputy mine inspectors who are provided by Section 6604-76, all deputies of the State Labor Commissioner who are pro-

Local boards and deputy inspectors to devote full time.

vided by Section 6604-82, and all assistants of local aid boards, to devote all their time during the office hours of each day to the performance of the duties of their respective offices. All of them must be citizens of the United States.

SEC. 70. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-115, as follows:

Travelling
expenses of
deputies and
local boards.

Section 6604-115. In addition to their salaries, the deputy mine inspectors provided by Section 6604-76, the State Safety Board, the members of the local aid boards and their assistants, the State Labor Commissioner and his deputies provided by Section 6604-82, shall be paid their actual traveling expenses incurred in the performance of their respective duties.

SEC. 71. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-116, as follows:

Warrants
for expenses.

Section 6604-116. All bills for traveling expenses incurred under Section 6604-115 and under Section 6604-64 shall be paid by warrants issued by the State Auditor upon presentation of proper vouchers approved by the State Safety Board.

SEC. 72. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-117, as follows:

Funds
subject to
office ex-
penses of
boards.

Section 6604-117. The expenses authorized by Sections 6604-64, 6604-71, 6604-79, 6604-80, 6604-83, 6604-85, 6604-86, 6604-91, 6604-92, 6604-93, 6604-104, 6604-112, and 6604-115, and the cost of necessary record books, stationery, and office appliances for the State Mining Board, and the State Safety Board shall be paid one-half out of the general fund of the

state and one-half out of the medical aid fund, and all bills for same not covered by Section 6604-116 shall be paid by warrants drawn by the state auditor upon vouchers approved by the State Safety Board.

SEC. 73. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-118, as follows:

Section 6604-118. No safety regulation or practice prescribed by any municipal ordinance affecting the safety of workmen is hereby repealed, but in so far as any such regulation or practice shall be inconsistent with any safety standard established by the State Safety Board it shall be superseded thereby forthwith upon the delivery by the State Safety Board to the clerk of the municipality which shall have enacted such ordinance of a copy of a notice in writing of the establishment of such inconsistent safety standard.

Municipal ordinances, when superseded.

SEC. 74. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-119, as follows:

Section 6604-119. Adjudication of invalidity of any of Sections 6604-48 to 6604-120, inclusive, or any part of any section shall not impair or otherwise affect the validity of any other of said sections.

Partial invalidity.

SEC. 75. That there be added to Remington & Ballinger's Annotated Codes and Statutes of Washington a new section to be known as Section 6604-120, as follows:

Section 6604-120. All acts and parts of acts in conflict with the provisions of Sections 6604-48 to Section 6604-120, inclusive, are hereby repealed, but nothing herein contained shall operate to repeal any part of the Coal Mining Code or any of the follow-

Repealing clause.

ing sections of Remington & Ballinger's Annotated Codes and Statutes of Washington, or any part thereof: 6572 to 6589, inclusive, 8213 to 8240, inclusive, and 8626.

SEC. 76. The time when Sections 6604-48 to 6604-120 shall take effect shall be in accordance with the provisions of the seventh amendment to the state constitution, but the rewards and penalties prescribed by Sections 6604-96, 6604-98, 6604-99, 6604-100, 6604-101, 6604-102, 6604-105, 6604-106, 6604-107, 6604-108, and the penalty provided by Section 6604-52, shall not be operative until on and after the expiration of four fractional or full calendar months after said sections shall take effect.

Passed the House March 3, 1919.

Passed the Senate March 10, 1919.

Approved by the Governor March 15, 1919.

Time of
taking
effect.

CHAPTER 131.

[H. B. 251.]

AMENDMENT OF INDUSTRIAL INSURANCE ACT.

AN ACT relating to the compensation of injured workmen and their dependents, and amending sections 6604-2, 6604-3, 6604-4, 6604-5, 6604-6, 6604-10, 6604-22 and 6604-23 of Remington & Ballinger's Annotated Codes and Statutes of Washington.

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

SECTION 1. That section 6604-2 of Rem. & Bal. Code be amended to read as follows:

Section 6604-2. There is a hazard in all employment, but certain employments have come to be, and to be recognized as being, inherently constantly dangerous. This act is intended to apply to all such inherently hazardous works and occupations, and it

Extra
hazardous
occupations.