

CHAPTER 224

[House Bill No. 344]

INDUSTRIAL INSURANCE

AN ACT Relating to industrial insurance; amending section 67, chapter 289, Laws of 1971 ex. sess. as amended by section 37, chapter 43, Laws of 1972 ex. sess. and RCW 51.04.110; amending section 3, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.012; amending section 51.12.100, chapter 23, Laws of 1961 as amended by section 11, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.100; amending section 51.28.010, chapter 23, Laws of 1961 as amended by section 5, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.010; amending section 39, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.025; amending section 51.28.070, chapter 23, Laws of 1961 and RCW 51.28.070; amending section 51.32.010, chapter 23, Laws of 1961 as amended by section 40, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.010; amending section 1, chapter 30, Laws of 1974 ex. sess. and RCW 51.32.040; amending section 51.32.060, chapter 23, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1973 and RCW 51.32.060; amending section 17, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 110, Laws of 1973 and RCW 51.32.073; amending section 51.36.020, chapter 23, Laws of 1961 as last amended by section 51, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.020; amending section 53, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.060; amending section 18, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.033; amending section 60, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.160; amending section 51.52.070, chapter 23, Laws of 1961 and RCW 51.52.070; adding new sections to chapter 23, Laws of 1961 and to chapter 51.32 RCW; repealing section 51.32.005, chapter 23, Laws of 1961, section 2, chapter 77, Laws of 1969 ex. sess. and RCW 51.32.005; repealing section 51.32.070, chapter 23, Laws of 1961, section 1, chapter 108, Laws of 1961, section 1, chapter 166, Laws of 1965 ex. sess., section 9, chapter 289, Laws of 1971 ex. sess., section 2, chapter 147, Laws of 1973, section 97, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.32.070; and providing an effective date.

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

Section 1. Section 67, chapter 289, Laws of 1971 ex. sess. as amended by section 37, chapter 43, Laws of 1972 ex. sess. and RCW 51.04.110 are each amended to read as follows:

The director shall appoint a workmen's compensation advisory committee composed of nine members: ~~Three representing subject workmen, three representing subject employers, ((and three ex officio members, without a vote, one of whom represents the department, who shall be chairman, one of whom represents self-insurers, and one of whom represents employees of self-insurers))~~ one representing self-insurers, one representing workmen of self-insurers, and one ex officio member, without a vote, representing the department, who shall be chairman. This committee shall conduct a continuing study of any aspects of workmen's compensation as the committee shall determine require their consideration. The committee shall report its findings to the department or the board of industrial insurance appeals for such action as deemed appropriate. The members of the committee shall be appointed for a term of three years commencing on July 1, 1971 and the terms of the members representing the workmen and employers shall be staggered so that the director shall designate one member from each such group initially appointed whose term shall expire on June 30, 1972 and one member from each such group whose term shall expire on June 30, 1973. The members shall serve without compensation, but shall be entitled to expenses as provided in RCW 43.03.050 and 43.03.060. The committee may hire such experts, if any, as it shall require to discharge its duties, and may utilize such personnel and facilities of the department and board of industrial insurance appeals as it shall need without charge. All expenses of this committee shall be paid by the department.

The workmen's compensation advisory committee created by this section shall conduct a study of the advisability and necessity of deposits by self-insurers into the reserve fund to guarantee the payments of pensions established pursuant to this title, and shall report its findings and recommendations on this study to the department, and the department shall transmit said findings and recommendations to the next regular session of the legislature.

Sec. 2. Section 3, chapter 77, Laws of 1969 ex. sess. and RCW 51.08.012 are each amended to read as follows:

For the purposes of (~~RCW 51.08.030 and 51.32.005~~) this title, "accredited school" means a school or course of instruction which is:

(1) Approved by the state superintendent of public instruction, the state board of education, the state board for community college education, or the state division of vocational education of the coordinating council for occupational education; or

(2) Regulated or licensed as to course content by any agency of the state or under any occupational licensing act of the state, or recognized by the apprenticeship council under an agreement registered with the apprenticeship council pursuant to chapter 49.04 RCW.

Sec. 3. Section 51.12.100, chapter 23, Laws of 1961 as amended by section 11, chapter 43, Laws of 1972 ex. sess. and RCW 51.12.100 are each amended to read as follows:

The provisions of this title shall not apply to (~~all employers and workmen, except~~) a master or member of a crew of any vessel, (~~engaged in maritime occupations~~) or to employers and workmen for whom (~~no~~) a right or obligation exists under the maritime laws for personal injuries or death of such workmen.

If an accurate segregation of payrolls of workmen (~~engaged in maritime occupations and working part time on shore and part time off shore~~) for whom such a right or obligation exists under the maritime laws cannot be made by the employer, the director is hereby authorized and directed to fix from time to time a basis for the (~~appropriate [approximate]~~) approximate segregation of the payrolls of employees to cover the (~~shore~~) part of their work for which no right or obligation exists under the maritime laws for injuries or death occurring in such work, and the employer, if not a self-insurer, shall pay premiums on that basis for the time such workmen are engaged in their work.

Where two or more employers are simultaneously engaged in a common enterprise at one and the same site or place in maritime occupations under circumstances in which no right or obligation exists under the maritime laws for personal injuries or death of such workmen, such site or place shall be deemed for the purposes of this title to be the common plant of such employers.

In the event payments are made under this title prior to the final determination under the maritime laws, such benefits shall be repaid if recovery is subsequently made under the maritime laws.

Sec. 4. Section 51.28.010, chapter 23, Laws of 1961 as amended by section 5, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.010 are each amended to read as follows:

Whenever any accident occurs to any workman it shall be the duty of such workman or someone in his behalf to forthwith report such accident to his employer, superintendent or foreman in charge of the work, and of the employer to at once report such accident and the injury resulting therefrom to the department ~~((and also to any local representative of the department))~~ pursuant to RCW 51.28.025, as now or hereafter amended, where the workman has received treatment from a physician, has been hospitalized, disabled from work, or has died as the apparent result of such accident and injury.

Upon receipt of such notice of accident, the ~~((director))~~ department shall immediately forward to the workman ~~((and/or))~~ or his beneficiaries or dependents notification, in nontechnical language, of ~~((his))~~ their rights under this title.

Sec. 5. Section 39, chapter 289, Laws of 1971 ex. sess. and RCW 51.28.025 are each amended to read as follows:

(1) ~~Whenever ((a self-insuring))~~ an employer has notice or knowledge of an injury or occupational disease sustained by any workman in his employment who has received treatment from a physician, has been hospitalized, disabled from work or has died as the apparent result of such injury or occupational disease, he shall immediately report the same to the department on forms prescribed by ~~((the director))~~ it. The report shall include:

- (a) The name, address, and business of the employer;
- (b) The name, address, and occupation of the ~~((employee))~~ workman;
- (c) The date, time, cause, and nature of the injury or occupational disease;
- (d) Whether the injury or occupational disease arose in the course of the injured ~~((employee's occupation, and))~~ workman's employment;
- (e) All available information pertaining to the nature of the injury or occupational disease including but not limited to any visible signs, any complaints of the workman, any time lost from work, and the observable effect on the workman's bodily functions, so far as is known; and

(f) Such other pertinent information as the ~~((director))~~ department may prescribe by regulation.

(2) Failure or refusal to file the report required by subsection (1) shall subject the offending employer to a penalty of one hundred dollars for each offense, to be collected in a civil action in the name of the ~~((director))~~ department and paid into the ~~((medical aid))~~ supplemental pension fund.

Sec. 6. Section 51.28.070, chapter 23, Laws of 1961 and RCW 51.28.070 are each amended to read as follows:

Information contained in the claim files and records of injured workmen, under the provisions of this title, shall be deemed confidential and shall not be open to public inspection (other than to public employees in the performance of their official duties), but representatives of a claimant, be it an individual or an organization, may review a claim file or receive specific information therefrom upon the presentation of the signed authorization of the claimant. Employers or their duly authorized representatives may review ~~((the))~~ any files of their own injured workmen in connection with any pending claims. Physicians treating or examining workmen claiming benefits under this title, or physicians giving medical advice to the department regarding any claim may, at the discretion of the department, inspect the claim files and records of injured workmen, and other persons may make

such inspection, at the departments discretion, when such persons are rendering assistance to the department at any stage of the proceedings on any matter pertaining to the administration of this title.

Sec. 7. Section 51.32.010, chapter 23, Laws of 1961 as amended by section 40, chapter 289, Laws of 1971 ex. sess. and RCW 51.32.010 are each amended to read as follows:

Each workman injured in the course of his employment, or his family or dependents in case of death of the workman, shall receive compensation in accordance with this chapter, and, except as in this title otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever: PROVIDED, That if an injured workman, or the surviving spouse of an injured workman shall not have the legal custody of a child for, or on account of whom payments are required to be made under this ((chapter)) title, such payment or payments shall be made to the person or persons having the ((lawful)) legal custody of such child but only for the periods of time after the department has been notified of the fact of such legal custody, and it shall be the duty of any such person or persons receiving payments because of legal custody of any child immediately to notify the department of any change in such legal custody.

Sec. 8. Section 1, chapter 30, Laws of 1974 ex. sess. and RCW 51.32.040 are each amended to read as follows:

No money paid or payable under this title shall, except as provided for in RCW 74.20A.090 and 74.20A.100, prior to the issuance and delivery of the check or warrant therefor, be capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment or charge shall be void: PROVIDED, That if any workman suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman suffers any other injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That, if any workman suffers an injury and dies therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to the surviving spouse, or to the child or children if there is no surviving spouse: PROVIDED FURTHER, That any application for compensation under the foregoing provisos of this section shall be filed with the department or self-insuring employer within one year of the date of death: PROVIDED FURTHER, That if the injured workman resided in the United States as long as three years prior to the date of injury, such payment shall not be made to any surviving spouse or child who was at the time of the injury a nonresident of the United States: PROVIDED FURTHER, That any workman receiving benefits under this title who is subsequently confined in, or who subsequently becomes eligible therefor while confined in any institution under conviction and sentence

shall have all payments of such compensation canceled during the period of confinement but after discharge from the institution payment of benefits thereafter due shall be paid if such workman would, but for the provisions of this proviso, otherwise be entitled thereto: PROVIDED FURTHER, That if any prisoner is injured in the course of his employment while participating in a work or training release program authorized by chapter 72.65 RCW and is subject to the provisions of this title, he shall be entitled to payments under this title subject to the requirements of chapter 72.65 RCW unless his participation in such program has been canceled, or unless he is returned to a state correctional institution, as defined in RCW 72.65.010(3), as a result of revocation of parole or new sentence: PROVIDED FURTHER, That if such incarcerated workman has during such confinement period, any beneficiaries, they shall be paid directly the monthly benefits which would have been paid to him for himself and his beneficiaries had he not been so confined. Any lump sum benefits to which the workman would otherwise be entitled but for the provisions of ((this)) these provisos shall be paid on a monthly basis to his beneficiaries.

Sec. 9. Section 51.32.060, chapter 23, Laws of 1961 as last amended by section 1, chapter 147, Laws of 1973 and RCW 51.32.060 are each amended to read as follows:

When the supervisor of industrial insurance shall determine that permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

(1) If married at the time of injury, sixty-five percent of his wages but not less than two hundred fifteen dollars per month.

(2) If married with one child at the time of injury, sixty-seven percent of his wages but not less than two hundred fifty-two dollars per month.

(3) If married with two children at the time of injury, sixty-nine percent of his wages but not less than two hundred eighty-three dollars.

(4) If married with three children at the time of injury, seventy-one percent of his wages but not less than three hundred six dollars per month.

(5) If married with four children at the time of injury, seventy-three percent of his wages but not less than three hundred twenty-nine dollars per month.

(6) If married with five or more children at the time of injury, seventy-five percent of his wages but not less than three hundred fifty-two dollars per month.

(7) If unmarried at the time of the injury, sixty percent of his wages but not less than one hundred eighty-five dollars per month.

(8) If unmarried with one child at the time of injury, sixty-two percent of his wages but not less than two hundred twenty-two dollars per month.

(9) If unmarried with two children at the time of injury, sixty-four percent of his wages but not less than two hundred fifty-three dollars per month.

(10) If unmarried with three children at the time of injury, sixty-six percent of his wages but not less than two hundred seventy-six dollars per month.

(11) If unmarried with four children at the time of injury, sixty-eight percent of his wages but not less than two hundred ninety-nine dollars per month.

(12) If unmarried with five or more children at the time of injury, seventy percent of his wages but not less than three hundred twenty-two dollars per month.

(13) For any period of time where both husband and wife are entitled to compensation as temporarily or totally disabled workmen, only that spouse having the higher wages of the two shall be entitled to claim their child or children for compensation purposes.

(14) In case of permanent total disability, if the character of the injury is such as to render the workman so physically helpless as to require the hiring of the services of an attendant, ~~((the monthly payment by))~~ the department shall make monthly payments to such attendant for such services ~~((shall be an amount not to exceed forty percent of the average monthly wage in the state as computed in RCW 51.08.018 per month))~~ as long as such requirement continues, but such payments shall not obtain or be operative while the workman is receiving care under or pursuant to the provisions of chapters 51.36 and 51.40 RCW.

(15) Should any further accident result in the permanent total disability of an injured workman, he shall receive the pension to which he would be entitled, notwithstanding the payment of a lump sum for his prior injury.

(16) In no event shall the monthly payments provided in this section exceed seventy-five percent of the average monthly wage in the state as computed under the provisions of RCW 51.08.018, except that this limitation shall not apply to the payments provided for in subsection (14) of this section.

Sec. 10. Section 17, chapter 289, Laws of 1971 ex. sess. as last amended by section 3, chapter 110, Laws of 1973 and RCW 51.32.073 are each amended to read as follows:

Each employer shall retain from the earnings of each workman that amount as shall be fixed from time to time by the director, the basis for measuring said amount to be determined by the director. The money so retained shall be matched in an equal amount by each employer, and all such moneys shall be remitted to the department in such manner and at such intervals as the department directs and shall be placed in the supplemental pension fund: PROVIDED, That the state apprenticeship council shall pay the entire amount into the supplemental pension fund for registered apprentices or trainees during their participation in supplemental and related instruction classes. The moneys so collected shall be used exclusively for the additional payments from the supplemental pension fund prescribed in ~~((RCW 51.32.070))~~ this title and shall be no more than necessary to make such payments on a current basis.

NEW SECTION. Sec. 11. There is added to chapter 23, Laws of 1961 and to chapter 51.32 RCW a new section to read as follows:

Any payments to or on account of any child or children of a deceased or temporarily or totally permanently disabled workman pursuant to any of the provisions of chapter 51.32 RCW shall terminate when any such child reaches the age of eighteen years unless such child is a dependent invalid child or is permanently enrolled at a full time course in an accredited school, in which case such payments after age eighteen shall be made directly to such child. Payments to any dependent invalid child over the age of eighteen years shall continue in the amount previously paid on account of such child until he shall cease to be dependent. Payments to any child over the age of eighteen years permanently enrolled at a full time course in an accredited school shall continue in the amount

previously paid on account of such child until he reaches an age over that provided for in the definition of "child" in this title or ceases to be permanently enrolled whichever occurs first. Where the workman sustains an injury or dies when any of his children is over the age of eighteen years and is either a dependent invalid child or is a child permanently enrolled at a full time course in an accredited school the payment to or on account of any such child shall be made as herein provided.

NEW SECTION. Sec. 12. There is added to chapter 23, Laws of 1961 and to chapter 51.32 RCW a new section to read as follows:

Notwithstanding any other provision of law, every surviving spouse and every permanently totally disabled workman or temporarily totally disabled workman, if such workman was unmarried at the time of his injury or was then married but the marriage was later terminated by judicial action, receiving a pension or compensation for temporary total disability under this title pursuant to compensation schedules in effect prior to July 1, 1971, shall after July 1, 1975, be paid fifty percent of the average monthly wage in the state as computed under RCW 51.08.018 per month and an amount equal to five percent of such average monthly wage per month to such totally disabled workman if married at the time of his injury and the marriage was not later terminated by judicial action, and an additional two percent of such average monthly wage for each child of such totally disabled workman at the time of injury in the legal custody of such totally disabled workman or such surviving spouse up to a maximum of five such children. The monthly payments such surviving spouse or totally disabled workman are receiving pursuant to compensation schedules in effect prior to July 1, 1971 shall be deducted from the monthly payments above specified.

Where such a surviving spouse has remarried, or where any such child of such workman, whether living or deceased, is not in the legal custody of such workman or such surviving spouse there shall be paid for the benefit of and on account of each such child a sum equal to two percent of such average monthly wage up to a maximum of five such children in addition to any payments theretofore paid under compensation schedules in effect prior to July 1, 1971 for the benefit of and on account of each such child. In the case of any child or children of a deceased workman not leaving a surviving spouse or where the surviving spouse has later died, there shall be paid for the benefit of and on account of each such child a sum equal to two percent of such average monthly wage up to a maximum of five such children in addition to any payments theretofore paid under such schedules for the benefit of and on account of each such child.

If the character of the injury or occupational disease is such as to render the workman so physically helpless as to require the hiring of the services of an attendant, the department shall make monthly payments to such attendant for such services as long as such requirement continues but such payments shall not obtain or be operative while the workman is receiving care under or pursuant to the provisions of this title except for care granted at the discretion of the supervisor pursuant to RCW 51.36.010: PROVIDED, That such payments shall not be considered compensation nor shall they be subject to any limitation upon total compensation payments.

No part of such additional payments shall be payable from the accident fund.

The director shall pay monthly from the supplemental pension fund such an amount as will, when added to the compensation theretofore paid under compensation schedules in effect prior to July 1, 1971, equal the amounts hereinabove specified.

In cases where money has been or shall be advanced to any such person from the pension reserve, the additional amount to be paid under this section shall be reduced by the amount of monthly pension which was or is predicated upon such advanced portion of the pension reserve.

NEW SECTION. Sec. 13. There is added to chapter 23, Laws of 1961 and to chapter 51.32 RCW a new section to read as follows:

(1) Whenever any payment of benefits under this title is made because of clerical error, mistake of identity, innocent misrepresentation by or on behalf of the recipient thereof mistakenly acted upon, or any other circumstance of a similar nature, all not induced by fraud, the recipient thereof shall repay it and recoupment may be made from any future payments due to the recipient on any claim with the state fund or self-insurer, as the case may be. The department or self-insurer, as the case may be, must make claim for such repayment or recoupment within one year of the making of any such payment or it will be deemed any claim therefor has been waived. The director, pursuant to rules adopted in accordance with the procedures provided in the administrative procedure act, chapter 34.04 RCW, may exercise his discretion to waive, in whole or in part, the amount of any such timely claim where the recovery would be against equity and good conscience.

(2) Whenever any payment of benefits under this title has been made pursuant to an adjudication by the department or by order of the board or any court and timely appeal therefrom has been made where the final decision is that any such payment was made pursuant to an erroneous adjudication, the recipient thereof shall repay it and recoupment may be made from any future payments due to the recipient on any claim with the state fund or self-insurer, as the case may be. The director, pursuant to rules adopted in accordance with the procedures provided in the administrative procedure act, chapter 34.04 RCW, may exercise his discretion to waive, in whole or in part, the amount of any such payments where the recovery would be against equity and good conscience.

(3) Whenever any payment of benefits under this title has been induced by fraud the recipient thereof shall repay any such payment together with a penalty of fifty percent of the total of any such payments and the amount of such total sum may be recouped from any future payments due to the recipient on any claim with the state fund or self-insurer against whom the fraud was committed, as the case may be, and the amount of such penalty shall be placed in the supplemental pension fund. Such repayment or recoupment must be demanded or ordered within one year of the discovery of the fraud.

Sec. 14. Section 51.36.020, chapter 23, Laws of 1961 as last amended by section 51, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.020 are each amended to read as follows:

When the injury to any workman is so serious as to require his being taken from the place of injury to a place of treatment, his employer shall, at the expense

of the medical aid fund, or self-insurer, as the case may be, furnish transportation to the nearest place of proper treatment.

Every workman whose injury results in the loss of one or more limbs or eyes shall be provided with proper artificial substitutes and every workman, who suffers an injury to an eye producing an error of refraction, shall be once provided proper and properly equipped lenses to correct such error of refraction and his disability rating shall be based upon the loss of sight before correction. Every workman, whose accident results in damage to or destruction of an artificial limb, eye, or tooth, shall have same repaired or replaced. Every workman whose hearing aid or eyeglasses or lenses are damaged, destroyed, or lost as a result of an industrial accident shall have the same restored or replaced. The department or self-insurer shall be liable only for the cost of restoring damaged hearing aids or eyeglasses to their condition at the time of the accident. All mechanical appliances necessary in the treatment of an injured workman, such as braces, belts, casts, and crutches, shall be provided and all mechanical appliances required as permanent equipment after treatment has been completed shall continue to be provided or replaced without regard to the date of injury or date treatment was completed, notwithstanding any other provision of law. A workman, whose injury is of such short duration as to bring him within the time limit provisions of ~~((subsection (4) of))~~ RCW 51.32.090, shall nevertheless receive during the omitted period medical, surgical, and hospital care and service and transportation under the provisions of this chapter.

Sec. 15. Section 53, chapter 289, Laws of 1971 ex. sess. and RCW 51.36.060 are each amended to read as follows:

Physicians examining or attending injured ~~((employees))~~ workmen under this title shall comply with rules and regulations adopted by the director, and shall make such reports as may be requested by the department or self-insurer upon the condition or treatment of any ~~((injured employee))~~ such workman, or upon any other matters concerning ~~((injured employees))~~ such workmen in their care. All medical information in the possession or control of any person and relevant to the particular injury in the opinion of the department pertaining to any workman whose injury or occupational disease is the basis of a claim under this title shall be made available at any stage of the proceedings to the employer, the claimant's representative, and the department upon request, and no person shall incur any legal liability by reason of releasing such information.

Sec. 16. Section 18, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.033 are each amended to read as follows:

There shall be, in the office of the state treasurer, a fund to be known and designated as the "supplemental pension fund". The director shall be the administrator thereof. Said fund shall be used for the sole purpose of making the additional payments therefrom prescribed in ~~((RCW 51.32.070))~~ this title.

Sec. 17. Section 60, chapter 289, Laws of 1971 ex. sess. and RCW 51.44.160 are each amended to read as follows:

The director is authorized to make periodic temporary interfund transfers between the reserve and supplemental pension funds as may be necessary to provide

for payments from the supplemental pension fund as prescribed in (~~RCW 51.32-070~~) this title. At least once annually, the director shall cause an audit to be made of all pension funds administered by the department to insure that proper crediting of funds has been made, and further to direct transfers between the funds for any interfund loans which may have been made in the preceding year and not fully reimbursed.

Sec. 18. Section 51.52.070, chapter 23, Laws of 1961 and RCW 51.52.070 are each amended to read as follows:

The notice of appeal to the board shall set forth in full detail the grounds upon which the person appealing considers such order, decision, or award is unjust or unlawful, and shall include every issue to be considered by the board, and it must contain a detailed statement of facts upon which such workman, beneficiary, employer, or other person relies in support thereof. The workman, beneficiary, employer, or other person shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in such notice of appeal or appearing in the records of the department. The department shall promptly transmit its original record, or a legible copy thereof produced by mechanical, photographic, or electronic means, in such matter to the board.

NEW SECTION. Sec. 19. The following acts or parts of acts are each repealed:

(1) Section 51.32.005, chapter 23, Laws of 1961, section 2, chapter 77, Laws of 1969 ex. sess. and RCW 51.32.005; and

(2) Section 51.32.070, chapter 23, Laws of 1961, section 1, chapter 108, Laws of 1961, section 1, chapter 166, Laws of 1965 ex. sess., section 9, chapter 289, Laws of 1971 ex. sess., section 2, chapter 147, Laws of 1973, section 97, chapter 154, Laws of 1973 1st ex. sess. and RCW 51.32.070.

NEW SECTION. Sec. 20. This 1975 amendatory act shall take effect on July 1, 1975.

Passed the House March 31, 1975.

Passed the Senate June 3, 1975.

Approved by the Governor June 26, 1975.

Filed in Office of Secretary of State June 27, 1975.

CHAPTER 225
[House Bill No. 350]
LOCAL EXCISE TAX ON
LODGINGS—CREDITS, PREEMPTIONS

AN ACT Relating to public recreation, sports, culture and convention centers; amending section 11, chapter 236, Laws of 1967 as last amended by section 5, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.180; creating new sections; and declaring an emergency.

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

Section 1. Section 11, chapter 236, Laws of 1967 as last amended by section 5, chapter 34, Laws of 1973 2nd ex. sess. and RCW 67.28.180 are each amended to read as follows: