

State-wide city
employees
retirement.
Benefit on
death in
line of duty.

performance of his duty or duties, of which the board of trustees shall be the judge, if death occurs within one year from date of discontinuance of city service caused by such injury, there shall be paid to his estate or to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the board, the sum of one thousand dollars, purchased by the contributions of the cities participating in the retirement system. Cost of this benefit shall be determined by actuarial calculation and prorated equitably to each city. This benefit shall be exclusive of any other benefits due the member under this chapter.

Passed the House February 14, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 159.

[H. B. 332.]

VOLUNTEER FIREMEN'S RELIEF PENSIONS.

AN ACT relating to volunteer firemen's relief and pensions; providing for benefits payable for injuries and death; prescribing a time for filing claims; providing for payment of pension earned in addition to that under any other act; amending section 15, chapter 261, Laws of 1945, as amended by section 1, chapter 253, Laws of 1953, and RCW 41.24.150; amending section 16, chapter 261, Laws of 1945, as last amended by section 2, chapter 253, Laws of 1953, and RCW 41.24.160; amending section 21, chapter 261, Laws of 1945 and RCW 41.24.210; amending section 22, chapter 261, Laws of 1945, as last amended by section 7, chapter 253, Laws of 1953, and RCW 41.24.220; amending section 23, chapter 261, Laws of 1945, as amended by section 4, chapter 103, Laws of 1951, and RCW 41.24.230; and amending section 24, chapter 261, Laws of 1945 and RCW 41.24.240.

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

SECTION 1. Section 15, chapter 261, Laws of 1945, as amended by section 1, chapter 253, Laws of 1953,

and RCW 41.24.150 are each amended to read as follows:

Whenever a fireman serving in any capacity as a member of a fire department subject to the provisions of this chapter becomes physically or mentally disabled, or sick, in consequence or as the result of the performance of his duties, so as to be wholly prevented from engaging in each and every duty of his regular occupation, business or profession, he shall be paid from the fund monthly, the sum of three hundred dollars for a period of not to exceed six months, or ten dollars per day for such period as is part of a month, after which period, if the member is incapacitated to such an extent that he is thereby prevented from engaging in any occupation or performing any work for compensation or profit, he shall be entitled to draw from the fund monthly, the sum of one hundred twenty-five dollars so long as the disability continues, except as hereinafter provided. The board may at any time reopen the grant of such disability pension if the pensioner is gainfully employed, and may reduce it in the proportion that the annual income from such gainful employment bears to the annual income received by the pensioner at the time of his disability: *Provided*, That where a fireman sustains a permanent partial disability the state board may provide that such injured fireman shall receive a lump sum compensation therefor to the same extent as is provided for permanent partial disability under the workmen's compensation act under Title 51 in lieu of such monthly disability payments.

Disability
payments.

Proviso

SEC. 2. Section 16, chapter 261, Laws of 1945, as last amended by section 2, chapter 253, Laws of 1953, and RCW 41.24.160 are each amended to read as follows:

RCW 41.24.160
amended.

Whenever a fireman dies as the result of injuries received, or sickness contracted in consequence or as

Death
benefits.

Volunteer
firemen's
benefits. Death
benefits.

the result of the performance of his duties, the board of trustees shall order and direct the payment of the sum of one thousand dollars to his widow, or if there be no widow, then to his dependent child or children, or if there be no dependent child or children, then to his parents or either of them, and the sum of one hundred dollars per month to his widow during her life; or, if there is no widow, or the widow dies while there are minor children, then to his minor child or children until they reach the age of eighteen years; and if there are no widow, child or children entitled thereto, then to his parents or either of them, if it is proved to the satisfaction of the board that the parents, or either of them, were dependent on the deceased for their support at the time of his death: *Provided*, That if the widow, child or children, or the parents, or either of them, marry while receiving such pension the person so marrying shall thereafter receive no further pension from the fund.

Proviso.

RCW 41.24.210
amended.

SEC. 3. Section 21, chapter 261, Laws of 1945 and RCW 41.24.210 are each amended to read as follows:

Certificate of
disability or
tenure.

No fireman shall receive any pension from the fund, or be entitled to receive any relief or compensation for sickness or injuries received in the performance of his duties, unless there is filed with the board of trustees a certificate of disability or of tenure, which certificate shall be subscribed and sworn to by the claimant, or member of the board of trustees, and in the case of sickness or disability by the duly appointed or authorized attending physician, if there is one. No claim for disability shall be allowed by the state board unless there has been filed with it a report of accident within ninety days after its occurrence and a claim based thereon within one year after the occurrence of the accident on which such claim is based. The board may require such other or further evidence as it deems advisable before ordering any relief, compensation, or pension.

SEC. 4. Section 22, chapter 261, Laws of 1945, as last amended by section 7, chapter 253, Laws of 1953, and RCW 41.24.220 are each amended to read as follows:

RCW 41.24.220 amended.

Whenever any fireman becomes disabled or sick in the performance of his duties by reason of which he is confined to any hospital, an amount not exceeding sixteen dollars daily shall be allowed and paid from said fund toward such hospital expenses for a period not exceeding twenty-six weeks: *Provided*, That this allowance shall not be in lieu of but in addition to any other allowance in this chapter provided: *Provided further*, That costs of surgery, medicine, laboratory fees, x-ray, special therapies, and similar additional costs shall be paid in addition thereto.

Hospitalization, surgery, etc.

Proviso.

Proviso.

SEC. 5. Section 23, chapter 261, Laws of 1945, as amended by section 4, chapter 103, Laws of 1951, and RCW 41.24.230 are each amended to read as follows:

RCW 41.24.230 amended.

Upon the death of any fireman resulting from injuries or sickness in consequence or as the result of the performance of his duties, the board of trustees shall authorize the issuance of a voucher for the sum of five hundred dollars, and upon the death of any fireman who is receiving any pension provided for in this chapter, the board of trustees shall authorize the issuance of a voucher for the sum of two hundred fifty dollars, to help defray the funeral expenses and burial of such fireman, which voucher shall be paid in the manner provided for payment of other charges against the fund.

Funeral expenses.

SEC. 6. Section 24, chapter 261, Laws of 1945 and RCW 41.24.240 are each amended to read as follows:

RCW 41.24.240 amended.

The right of any person to any future payment under the provisions of this chapter shall not be transferable or assignable at law or in equity, and

Benefits not assignable or subject to legal process.

none of the moneys paid or payable or the rights existing under this chapter, shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law. Nothing in this act shall be construed to deprive any fireman, eligible to receive a pension hereunder, from receiving a pension under any other act to which he may become eligible by reason of services other than or in addition to his services as a fireman under this act.

Passed the House February 12, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 160.

[H. B. 453.]

BOVINES—SLAUGHTERING DISEASED ANIMALS.

AN Act relating to bovine diseases; providing for slaughtering of diseased bovine animals and indemnity therefor; adding a new section to chapter 165, Laws of 1927 and chapter 16.36 RCW; making an appropriation; and declaring an emergency.

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

New sections.

SECTION 1. There are added to chapter 165, Laws of 1927 and chapter 16.36 RCW two new sections to read as set forth in sections 2 and 3 of this act:

Indemnity payments.

SEC. 2. The director of agriculture may condemn for slaughter any bovine animals which are infected with a highly contagious or communicable disease, other than tuberculosis and Bang's disease, and pay indemnity therefor in accordance with the provisions of RCW 16.40.080: *Provided*, That the director shall first ascertain that the best interests of the livestock industry and general public will be served thereby.

Proviso.