

come into the custody of the commission. For this preservation the commission shall furnish suitable rooms, cases and vaults.

SEC. 7. It shall be the duty of the commission to report biennially to the legislature the condition of the archives Report. under their care, and to make such recommendations as will result in the records of this state being permanently preserved for historic and reference purposes.

Passed the House February 1, 1909.

Passed the Senate February 24, 1909.

Approved March 2, 1909.

## CHAPTER 39.

[H. B. 107.]

### RELATING TO POLICE PENSION FUNDS.

AN ACT to create a police relief, health and insurance fund in incorporated cities of the first class, providing for the disbursement thereof, and creating a Board of Police Pension Fund Commissioners.

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

SECTION 1. The mayor, clerk, treasurer and common council of all incorporated cities of the first class in the State of Washington are, in addition to the duties now required of them, hereby created and constituted a board of trustees *ex-officio* of the police relief and pension fund of the police department of each of said incorporated cities, and shall provide for the disbursement of the said relief and pension fund, and shall designate the beneficiary thereof as hereinafter directed, which said board shall be known as the Board of Police Pension Fund Commissioners. Police pension board.

SEC. 2. The mayor shall be *ex-officio* chairman, the clerk shall be *ex-officio* secretary, and the treasurer shall be *ex-officio* treasurer of said board. Officers. The secretary of said board, at the time of making his annual reports as said

city clerk, shall annually report the condition of said fund, the receipts and disbursements on account of the same, together with a complete list of the beneficiaries of said fund, and the amounts paid to each of them.

Duties of board.

SEC. 3. The said board, for the purpose of said police and relief and pension fund, shall have power to direct and shall direct the payments annually; and when the annual tax levy of the city or town is made, into said fund of the following moneys:

Fund, how created.

First. Not more than one per centum of all moneys collected and received from licenses for the keeping of places wherein spirituous, malt or other intoxicating liquors are sold.

Second. Not more than one-half of all moneys received from taxes or from licenses upon dogs.

Third. All moneys received from the sales of all unclaimed property.

Fourth. Not more than ten per cent. of all moneys received from licenses from pawnbrokers, second-hand stores, junk dealers, and from any person, firm or corporation maintaining or conducting billiard, pool or pigeon hole tables for hire, or billiard and pool rooms.

Fifth. All moneys received from fines for the carrying of concealed weapons.

Sixth. Not more than ten per centum of all fines collected or received in money for violation of city ordinances.

Seventh. The treasurer of any incorporated city which may hereafter be subject to the provisions of this act, shall retain monthly from the pay of each member of the police department of such city, a sum equal to one and one-half per centum of the monthly compensation paid each member for his services as such police officer, said sum to be forthwith paid into said police relief and pension fund, and no other or further deduction shall be made from such pay for any other fund or purpose whatever.

Who eligible to pension.

SEC. 4. Whenever any person at the taking effect of this act, or thereafter, shall have been duly appointed or selected and sworn, and shall have served for twenty

years, or more, in the aggregate, as a member, in any capacity or rank whatever, of the regularly constituted police department of any such city which may hereafter be subject to the provisions of this act, and shall have reached the age of sixty years, said board shall order and direct that such person shall be retired from further service in such police department, and from the date of the making of such order the service of such person in such police department may cease, and such person so retired shall thereafter, during his lifetime, be paid from such fund, a yearly pension equal to one-half of the amount of salary attached to the rank which he may have held in said police department for the period of one year next preceding the date of such retirement.

SEC. 5. Whenever any person, while serving as a policeman in any such city shall become physically disabled by reason of any bodily injury received in the immediate or direct performance or discharge of his duties as such policeman, said board may, upon his written request filed with the secretary of said board, or without such written request, if it deems it to be for the good of said police force, retire such person from said department, and order and direct that he shall be paid from said fund, during his lifetime, a yearly pension equal to one-half of the amount of salary attached to the rank which he may have held in said police department at the date of such retirement, but on the death of such pensioner his heirs or assigns shall have no claim against or upon such police relief or pension fund: *Provided*, That whenever such disability shall cease, such pension shall cease, and such person shall be restored to active service at the same salary he received at the time of his retirement.

SEC. 6. No person shall be retired, as provided in the next preceding section, or receive any benefit from said fund, unless there shall be filed with said board certificate of his disability, which certificate shall be subscribed and sworn to by said person, and by the city physician (if there be one) and two regularly licensed and practicing

physicians of such city, and such board may require other evidence of disability before ordering such retirement and payment as aforesaid.

Pension to widow.

SEC. 7. Whenever any member of the police department of any such city shall lose his life while in the performance of his duty as such police officer, leaving a widow or child or children under the age of sixteen years, then upon satisfactory proof of such facts made to it, such board shall order and direct that a yearly pension, equal to one-third of the amount of the salary attached to the rank which such member held in said police department at the time of his death, shall be paid to such widow during her life, or if no widow, then to the child or children, until they shall be sixteen years of age: *Provided*, That if such widow or child or children, shall marry, then such person so marrying shall thereafter receive no further pension from such fund.

Payment to relatives.

SEC. 8. Whenever any member of the police department of such city shall, after ten years of service, die from natural causes, then his widow, or child, or children under the age of sixteen years, or if there be no widow or children, then his parents or unmarried sisters, minor brother or brothers, dependent upon him for support shall be entitled to the sum of one thousand dollars from such fund.

Physical examination.

SEC. 9. Any person retired for disability under this act may be summoned before the board herein provided for, at any time thereafter, and shall submit himself thereto for examination as to his fitness for duty, and shall abide the decision and order of said board with reference thereto; and all members of such police force who may be retired under the provisions of this act, shall report to the chief of police of such city where so retired on the first Mondays of April, July, October and January of each year; and in cases of emergency, may be assigned to and shall perform such duty as said chief of police may direct, and such persons shall have no claim against such city for payment for such duty so performed.

SEC. 10. Whenever any person who shall have received any benefit from said fund shall be convicted of any felony, or shall become an habitual drunkard, or shall become a non-resident of this state, or shall fail to report himself for examination for duty as required herein, unless excused by the board, or shall disobey the requirements of said board under this act, in respect to said examination or duty, then such board shall order that such pension as may have been granted to such person shall immediately cease, and such person shall receive no further pension allowance or benefit under this act.

Pension ceases, when.

SEC. 11. The board herein provided for shall hold quarterly meetings on the first Mondays of April, July, October and January of each year, and upon the call of its president; it shall issue warrants, signed by its president and secretary, to the persons entitled thereto of the amount of money ordered paid to such persons from such fund by said board, which warrant shall state for what purpose such payment is to be made; it shall keep a record of its proceedings, which record shall be a public record; it shall, at each quarterly meeting, send to the treasurer of such city, a written or printed list of all persons entitled to payment from the fund herein provided for, stating the amount of such payments and for what granted, which list shall be certified to and signed by the president and secretary of such board, attested under oath. The treasurer of such city shall thereupon enter a copy of said list upon a book to be kept for that purpose and which shall [be] known as "The Police Relief and Pension Fund Book," and the said board [shall] direct payment of the amounts named therein to the persons entitled thereto, out of such fund. A majority of all the members of said board herein provided for shall constitute a quorum, and have power to transact business.

Meetings of board.

Payments.

SEC. 12. The board herein provided for shall, in addition to other powers herein granted, have power: First: To compel witnesses to attend and testify before it and upon all matters connected with the operation of this act,

Board may subpoena witnesses.

in the same manner as is or may be provided by law for the taking of testimony in courts of record in this state, and its president or any member of said board may administer oaths to such witnesses. Second: To provide for the payment from such fund of all necessary expenses and printing: *Provided*, That no compensation or emolument shall be paid to any member of said board for any duty required or performed under this act. Third: To make all needful rules and regulations for its guidance in conformity with the provisions of this act.

Expenses of  
sickness.

SEC. 13. Whenever any member of the police department of any such city shall, on account of sickness or disability, caused or sustained while in the discharge of his duty as such member, be confined to any hospital or to his bed, and shall require nursing, care or attention, the said board shall pay the necessary hospital, care and nursing expenses of such member out of said fund, and the salary of said member shall continue while he is necessarily confined to such hospital or bed and necessarily requires care and nursing on account of such sickness or disability for a period not exceeding six months, after which said period the other provisions of this act shall apply.

Payments  
quarterly.

SEC. 14. Payments provided for in this act shall be made quarterly upon proper vouchers. If at any time there is more money in the fund provided for in this act than is necessary for the purposes of this act, then such surplus shall be transferred from such fund to the general fund of the city: *Provided*, That at all times enough money shall be kept in said fund to meet all payments provided for in this act.

Passed by the House February 11, 1909.

Passed by the Senate February 23, 1909.

Approved March 2, 1909.