

hearing shall be given on or before April 30th preceding the commencement of the next ensuing term.

SEC. 4. This act is necessary for the immediate Emergency.
preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 8, 1955.

Passed the Senate February 24, 1955.

Approved by the Governor March 3, 1955.

CHAPTER 69.

[Sub. H. B. 21.]

FIRST CLASS CITIES—POLICE PENSIONS AND BENEFITS.

AN Act relating to municipal corporations; providing certain benefits and pensions for members of police departments of cities of the first class; and amending section 1, chapter 18, Laws of 1911 and RCW 41.20.010, and section 12, chapter 39, Laws of 1909 and RCW 41.20.040, and section 1, chapter 45, Laws of 1945 and RCW 41.20.050, and section 2, chapter 24, Laws of 1937 and RCW 41.20.060, and section 3, chapter 24, Laws of 1937 and RCW 41.20.080, and section 5, chapter 40, Laws of 1915 and RCW 41. 20.120, and section 1, chapter 30, Laws of 1933 and RCW 41.20.130; and adding a new section to chapter 41.20 RCW.

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

SECTION 1. Section 1, chapter 18, Laws of 1911 Amendment.
and RCW 41.20.010 are each amended to read as follows:

(1) The mayor, clerk, treasurer, president of the city council of each city of the first class, or in case any such city has no city council, the commissioner who has supervision of the police department, together with three members of the police department, to be elected as herein provided, in addition to the Board of trustees; membership.
duties now required of them, are constituted a board Duties.
of trustees of the relief and pension fund of the police department of each such city, and shall provide for

the disbursement of the fund, and designate the beneficiaries thereof.

Selection and terms of office of police department members.

(2) The police department of each city of the first class shall elect three regularly appointed, qualified, and acting members of the department to act as members of the board. On the first election following adoption of this amendatory act, one member shall be elected for a three year term, one for a two year term, and one for a one year term. Thereafter, one new member shall be elected each year for a three year term. Existing members shall continue in office until replaced as provided for in this section.

Election procedure.

(3) Such election shall be held in the following manner. Not more than thirty nor less than fifteen days preceding the first day of June in each year, written notice of the nomination of any member of the department for membership on the board may be filed with the secretary of the board. Each notice of nomination shall be signed by not less than five members of the department, and nothing herein contained shall prevent any member of the department from signing more than one notice of nomination. The election shall be held on a date to be fixed by the secretary during the month of June. Notice of the dates upon which notice of nomination may be filed and of the date fixed for the election of such members of the board shall be given by the secretary of the board by posting written notices thereof in a prominent place in the police headquarters. For the purpose of such election, the secretary of the board shall prepare and furnish printed or typewritten ballots in the usual form, containing the names of all persons regularly nominated for membership and shall furnish a ballot box for the election. Each member of the police department shall be entitled to vote at the election for one nominee as a member of the board except in the first election where each may cast three

votes. The chief of the department shall appoint two members to act as officials of the election, who shall be allowed their regular wages for the day, but shall receive no additional compensation therefor. The election shall be held in the police headquarters of the department and the polls shall open at 7:30 a. m. and close at 8:30 p. m. The one nominee receiving the highest number of votes shall be declared elected to the board and his term shall commence on the first day of July succeeding the election. In the first election the nominee receiving the greatest number of votes shall be elected to the three year term, the second greatest to the two year term and the third greatest to the one year term.

SEC. 2. Section 12, chapter 39, Laws of 1909 and RCW 41.20.040 are each amended to read as follows: Amendment.

The board shall, in addition to other powers herein granted, have power: Powers of board.

(1) To compel witnesses to attend and testify before it upon all matters connected with the administration of this chapter, in the same manner as provided by law for the taking of testimony in courts of record in this state, and its president or any member of the board may administer oaths to such witnesses.

(2) To provide for the payment from the fund of all necessary expenses and printing.

No compensation or emolument shall be paid to any member of the board for any duty required or performed under this chapter.

Each board may make all needful rules and regulations for its guidance in the administration of and in conformity with the provisions of this chapter.

SEC. 3. Section 1, chapter 45, Laws of 1945 and RCW 41.20.050 are each amended to read as follows: Amendment.

Whenever a person has been duly appointed, and has served honorably for a period of twenty-five years or more, as a member, in any capacity, of the regu- Retirement for service.

larly constituted police department of a city subject to the provisions of this chapter, the board may order and direct that such person be retired, and the board shall retire any member so entitled, upon his written request therefor. The member so retired shall be paid from the fund during his lifetime a pension equal to forty-five percent of the amount of salary attached to the rank held by the retired member for the year preceding the date of his retirement: *Provided*, That no pension shall exceed an amount equivalent to one-half the basic salary of a member holding the rank of captain: *Provided further*, That for each additional year of honorable service in excess of twenty-five years, but not to exceed an additional five years of service, the retirement benefit percentage herein provided shall be increased one percent per year.

Veterans.

Any person affected by this chapter who at the time of entering the armed services was a member of such police department and has honorably served in the armed services of the United States in the time of war, shall have added to his period of employment as computed under this chapter, his period of war service in the armed forces, but such credited service shall not exceed five years and such period of service shall be automatically added to each member's service upon payment by him of his contribution for the period of his absence at the rate provided in RCW 41.20.130.

New section.

SEC. 4. A new section is added to chapter 41.20 RCW to read as follows:

Retirement
prior to 25
years of
service.

Whenever any member affected by this chapter terminates his employment prior to the completion of twenty-five years of service he shall receive seventy-five percent of his contributions made after the effective date of this act and he shall not receive any contributions made prior thereto.

SEC. 5. Section 2, chapter 24, Laws of 1937 and RCW 41.20.060 are each amended to read as follows: Amendment.

Whenever any person, while serving as a policeman in any such city becomes physically disabled by reason of any bodily injury received in the immediate or direct performance or discharge of his duties as policeman, or becomes incapacitated for service, such incapacity not having been caused or brought on by dissipation or abuse, of which the board shall be judge, the board may, upon his written request filed with the secretary, or without such written request, if it deems it to be for the benefit of the public, retire such person from the department, and order and direct that he be paid from the fund during his lifetime, a pension equal to one-half of the amount of salary attached to the rank which he held in the department at the date of his retirement, but not to exceed an amount equivalent to one-half the basic salary of a member holding the rank of captain. Retirement for disability.

Whenever such disability ceases, the pension shall cease, and such person shall be restored to active service at the same rank he held at the time of his retirement, and at the current salary attached to said rank at the time of his return to active service.

Disability benefits provided for by this act shall not be paid when the policeman is disabled while he is engaged for compensation in outside work not of a police or special police nature.

SEC. 6. Section 3, chapter 24, Laws of 1937 and RCW 41.20.080 are each amended to read as follows: Amendment.

Whenever any member of the police department of any such city loses his life through violence while actually engaged in the performance of duty as a police officer, leaving a widow or child or children under the age of sixteen years, upon satisfactory proof of such facts made to it, the board shall order and direct that a pension, equal to one-half of the amount of the salary attached to the rank which such Death benefits.

member held in the police department at the time of his death, shall be paid to the widow during her life, or if there is no widow, then to the child or children, until they are sixteen years of age: *Provided*, That if such widow or child or children marry, the person so marrying shall thereafter receive no further pension from the fund.

If any member so losing his life, leaves no wife, or child or children under the age of sixteen years, the board shall pay the sum of two hundred dollars toward the funeral expenses of such member.

Amendment.

SEC. 7. Section 5, chapter 40, Laws of 1915 and RCW 41.20.120 are each amended to read as follows:

Sick benefits.

Whenever any member of the police department, on account of sickness or disability, suffered or sustained while a member of the department, and not caused or brought on by dissipation or abuse, of which the board shall be judge, is confined to any hospital or to his home and requires nursing, care, or attention, the board shall pay the necessary hospital, care, and nursing expenses of such member out of the fund, and the salary of such member shall continue while he is necessarily confined to such hospital or home and necessarily requires care and nursing on account of such sickness or disability for a period not exceeding six months, after which period the other provisions of this chapter shall apply: *Provided*, That the board in all cases may have the member suffering from such sickness or disability examined at any time by a licensed physician or physicians, to be appointed by the board, for the purpose of ascertaining the nature and extent of the sickness or disability, the physician or physicians to report to the board the result of the examination within three days thereafter. Any member who refuses to submit to such examination or examinations shall forfeit all his rights to benefits under this section: *Provided further*, That the board shall desig-

nate the hospital and medical services available to such sick or disabled policeman.

SEC. 8. Section 1, chapter 30, Laws of 1933 and RCW 41.20.130 are each amended to read as follows: Amendment.

There is created in each city subject to the provisions of this chapter a police relief and pension fund. The fund shall be constituted as follows: Police relief and pension fund.

A sum equal to four and one-half percent thereof shall be deducted monthly from the salary of each police officer by the city treasurer and placed in the fund, but the maximum deduction shall not exceed four and one-half percent of the basic monthly salary of a member holding the rank of captain.

At the time the annual tax levy of the city is made, the city council, or other legislative body, shall order the transfer of an amount of money into the fund, sufficient with the salary deductions, to meet the financial requirements thereof:

(1) From moneys collected or received from all licenses issued;

(2) From fines and forfeitures collected or received in money for violation of city ordinances.

Passed the House February 10, 1955.

Passed the Senate February 25, 1955.

Approved by the Governor March 3, 1955.

CHAPTER 70.

[H. B. 25.]

INTOXICATING LIQUOR—PROHIBITIONS RELATING TO MINORS.

AN ACT relating to intoxicating liquor and the penalties thereunder; and amending section 6, chapter 174, Laws of 1935 and RCW 66.44.270 through 66.44.290.

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

SECTION 1. Section 6, chapter 174, Laws of 1935 (heretofore codified as RCW 66.44.270 through 66.44- Division and amendment.