

to return to and perform his duties, then he shall be retired as herein provided.

SEC. 14. The provisions of this act are intended to be remedial and procedural and any benefits heretofore paid to recipients hereunder pursuant to any previous act are retroactively included and authorized as a part of this act. Construction.

SEC. 15. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to any other persons or circumstances is not affected. Severability.

SEC. 16. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately. Emergency.

Passed the Senate January 21, 1959.

Passed the House January 23, 1959.

Approved by the Governor January 27, 1959.

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## CHAPTER 6.

[ S. B. 51. ]

### POLICE RELIEF AND PENSIONS—FIRST CLASS CITIES.

AN ACT relating to pensions for retired police department members and their families; reenacting section 4, chapter 39, Laws of 1909 as last amended by section 1, chapter 84, Laws of 1957 and RCW 41.20.050; reenacting section 5, chapter 39, Laws of 1909 as last amended by section 2, chapter 84, Laws of 1957 and RCW 41.20.060; reenacting section 7, chapter 39, Laws of 1909 as last amended by section 3, chapter 84, Laws of 1957 and RCW 41.20.080; and declaring an emergency.

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

SECTION 1. Section 4, chapter 39, Laws of 1909 as last amended by section 1, chapter 84, Laws of RCW 41.20.050  
reenacted.

1957 and RCW 41.20.050 are each reenacted to read as follows:

Pension on retirement for years of service.

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 regularly 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 and all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957: *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.

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.

Note: See also section 3, chapter 78, Laws of 1959.

RCW 41.20.060 reenacted.

SEC. 2. Section 5, chapter 39, Laws of 1909 as last amended by section 2, chapter 84, Laws of 1957,

and RCW 41.20.060 are each reenacted to read as follows:

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 a 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, and all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957.

Pension on 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 chapter 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.

Note: See also section 4, chapter 78, Laws of 1959.

SEC. 3. Section 7, chapter 39, Laws of 1909 as last amended by section 3, chapter 84, Laws of 1957, and RCW 41.20.080 are each reenacted to read as follows:

RCW 41.20.080 reenacted.

Whenever any member of the police department of any such city loses his life through violence while

Pension on death of policeman through violence.

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 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: *Provided further*, That all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957.

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.

*Note: See also section 5, chapter 78, Laws of 1959.*

Construction.

SEC. 4. The provisions of this act are intended to be remedial and procedural and any benefits heretofore paid to recipients hereunder pursuant to any previous act are retroactively included and authorized as a part of this act.

Severability.

SEC. 5. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

Emergency.

SEC. 6. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 21, 1959.

Passed the House January 23, 1959.

Approved by the Governor January 27, 1959.