

New section.

SEC. 3. There is added to chapter 100, Laws of 1959 and to chapter 19.06 RCW a new section to read as follows:

Penalty.

Any violation of this chapter shall be a misdemeanor.

RCW 19.06.020 amended.

SEC. 4. Section 2, chapter 100, Laws of 1959 and RCW 19.06.020 are each amended to read as follows:

Governmental agencies to purchase blind made goods, services.

Any board, commission, officer, employee or other person or persons of the state, or any county, city, town, school district or other agency, political subdivision or taxing district of the state, whose duty it is to purchase materials, supplies, goods, wares, merchandise or produce, or to procure services, for the use of any department or institution within the state, shall make such purchases and procure such services whenever available, from any nonprofit agency for the blind located within the state which manufactures or distributes blind made products: *Provided*, That the goods and services made by or offered by such agencies shall be equal in quality and price to those available from other sources.

Passed the Senate February 1, 1961.

Passed the House February 25, 1961.

Approved by the Governor March 6, 1961.

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CHAPTER 57.

[ S. B. 134. ]

VOLUNTEER FIREMEN'S RELIEF AND PENSIONS.

AN ACT relating to volunteer firemen's relief and pensions; amending section 16, chapter 261, Laws of 1945 as last amended by section 2, chapter 159, Laws of 1957, and RCW 41.24.160; amending section 17, chapter 261, Laws of 1945 as last amended by section 3, chapter 253, Laws of 1953, and RCW 41.24.170; amending section 18, chapter 261, Laws of 1945, and RCW 41.24.180; amending section 20, chapter 261, Laws of 1945 as amended by section 5, chapter 253, Laws of 1953, and RCW 41.24.200; amending

section 22, chapter 261, Laws of 1945 as last amended by section 4, chapter 159, Laws of 1957, and RCW 41.24-.220; and amending section 23, chapter 261, Laws of 1945 as last amended by section 5, chapter 159, Laws of 1957, and RCW 41.24.230.

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

SECTION 1. Section 16, chapter 261, Laws of 1945 as last amended by section 2, chapter 159, Laws of 1957, 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 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.

Volunteer firemen's benefits. Death benefits.

In the case provided for herein, the monthly payment provided may be converted in whole or in part, into a lump sum payment, not in any case to exceed eight thousand five hundred dollars, equal or proportionate, as the case may be, to the value of the annuity then remaining, to be fixed and certi-

fied by the state insurance commissioner, in which event the monthly payments shall cease in whole or in part accordingly or proportionately. Such conversion may be made either upon written application to the state board and shall rest in the discretion of the state board; or the state board is authorized to make, and authority is hereby given it to make, on its own motion, lump sum payments, equal or proportionate, as the case may be, to the value of the annuity then remaining in full satisfaction of claims due to dependents. Within the rule aforesaid the amount and value of the lump sum payment may be agreed upon between the applicant and the state board. Any person receiving a monthly payment hereunder at the time of the effective date of this act may elect, within two years, to convert such payments into a lump sum payment as herein provided.

RCW 41.24.170  
amended.

SEC. 2. Section 17, chapter 261, Laws of 1945 as last amended by section 3, chapter 253, Laws of 1953, and RCW 41.24.170 are each amended to read as follows:

Retirement  
pensions.

Whenever any fireman on June 5, 1953, had been a member and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and which municipality and fireman are enrolled within three years thereafter, and the fireman has reached the age of sixty-five years, the board of trustees may order and direct that he be paid a monthly pension of fourteen dollars from the fund.

Whenever a fireman has been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and the annual retirement fee has been paid for a period of twenty-

five years, the board of trustees shall order and direct that such fireman be paid a monthly pension of sixty-five dollars from the fund upon his attaining the age of sixty-five years and for the balance of his life.

Whenever any fireman has been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and the annual retirement fee has been paid for a period of less than twenty-five years by reason of the fact that part of such service was rendered prior to June 5, 1953, the board of trustees shall order and direct that such fireman shall receive the minimum monthly pension herein provided increased by the sum of two dollars each month for each year the annual fee has been paid, but not to exceed the maximum monthly pension herein provided, upon such fireman attaining the age of sixty-five years and for the balance of his life: *Provided, however,* That nothing herein contained shall be construed as reducing the amount of any pension to which any fireman shall have been eligible to receive under the provisions of section 1, chapter 103, Laws of 1951.

No pension herein provided shall become payable before the sixty-fifth birthday of the fireman.

No pension herein provided shall be payable for any service less than twenty-five years.

SEC. 3. Section 18, chapter 261, Laws of 1945, and RCW 41.24.180 are each amended to read as follows:

RCW 41.24.180  
amended.

The board of trustees of any municipal corporation shall direct payment in lump sums from said fund in the following cases:

Lump sum  
payments.

(1) To any volunteer fireman, upon attaining the age of sixty-five years, who, for any reason, is not qualified to receive the monthly retirement pen-

sion herein provided and who was enrolled in said fund and on whose behalf annual fees for retirement pension were paid, an amount equal to the amount paid by himself: *Provided, however,* That this provision shall not be construed as depriving any active fireman from completing the requisite number of years of active service after attaining the age of sixty-five years as may be necessary to entitle him to the pension as herein provided.

(2) If any fireman dies before attaining the age at which a pension shall be payable to him under the provisions of this chapter, there shall be paid to his widow, or if there be no widow to his child or children, or if there be no widow or child or children then to his heirs at law as may be determined by the board of trustees or to his estate if it be administered and there be no heirs as above determined, an amount equal to the amount paid into said fund by himself.

(3) If any fireman dies after beginning to receive the pension provided for in this chapter, and before receiving an amount equal to the amount paid by himself and the municipality or municipalities in whose department he shall have served, there shall be paid to his widow, or if there be no widow then to his child or children, or if there be no widow or child or children then to his heirs at law as may be determined by the board of trustees, or to his estate if it be administered and there be no heirs as above determined, an amount equal to the difference between the amount paid into said fund by himself and the municipality or municipalities in whose department he shall have served and the amount received by him as a pensioner.

(4) If any volunteer fireman retires from the fire service before attaining the age of sixty-five years, he may make application for the return of the amount paid into said fund by himself.

SEC. 4. Section 20, chapter 261, Laws of 1945 as amended by section 5, chapter 253, Laws of 1953, and RCW 41.24.200, are each amended to read as follows:

RCW 41.24.200 amended.

The aggregate term of service of any fireman need not be continuous nor need it be confined to a single fire department nor a single municipality in this state to entitle such fireman to a pension: *Provided*, That he has been duly enrolled in a fire department of a municipality which has elected to make provisions for the retirement of its firemen at the time he becomes eligible for such pension as in this chapter provided, and has paid all fees prescribed. To be eligible to the full pension a fireman must have an aggregate of twenty-five years service, have made twenty-five annual payments into the fund, and be at least sixty-five years of age at the time he commences drawing the pension provided for by this act, all of which twenty-five years service must have been in the fire department of a municipality or municipalities which have elected to make provisions for the retirement of its volunteer firemen: *Provided, however*, That nothing herein contained shall require any fireman having twenty-five years active service to continue as a fireman, but such fireman if he retires by reason of such service prior to reaching the age of fifty-five years shall be required to pay the total annual retirement fee required of firemen and the municipality up to and including the year in which his fifty-fifth birthday shall occur to be eligible for a pension: *Provided further*, That the amount of monthly pension shall not be increased by any such payments after retirement from active service but the pension shall be computed as of the date of retirement from active service.

Service need not be continuous nor in single department.

SEC. 5. Section 22, chapter 261, Laws of 1945 as last amended by section 4, chapter 159, Laws of

RCW 42.24.220 amended.

1957, and RCW 41.24.220 are each amended to read as follows:

Hospitaliza-  
tion, surgery,  
etc.

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, to be set by the state board, not exceeding twenty-five 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.

RCW 41.24.230  
amended.

SEC. 6. Section 23, chapter 261, Laws of 1945 as last amended by section 5, chapter 159, Laws of 1957, and RCW 41.24.230 are each amended to read as follows:

Funeral and  
burial  
expenses.

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 disability 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.

Passed the Senate February 7, 1961.

Passed the House February 25, 1961.

Approved by the Governor March 6, 1961.