

CHAPTER 109.

[Senate Bill No. 176.]

FIREMEN'S RELIEF AND PENSIONS—DISABILITY.

AN ACT relating to firemen's relief and pensions; and amending section 9, chapter 382, Laws of 1955 as amended by section 5, chapter 255, Laws of 1961 and RCW 41.18.080.

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

SECTION 1. Section 9, chapter 382, Laws of 1955 as amended by section 5, chapter 255, Laws of 1961 and RCW 41.18.080 are each amended to read as follows:

RCW 41.18.080 amended.

Any fireman who has completed his probationary period and has been permanently appointed, and sustains a disability not in the performance of his duty which renders him unable to continue his service, may request to be retired by filing a written request with his retirement board within sixty days from the date of his disability. The board may, upon such request being filed, consult such medical advice as it deems fit and proper. If the board finds the fireman capable of performing his duties, it may refuse to recommend retirement and order the fireman back to duty. If no request for retirement has been received after the expiration of sixty days from the date of his disability, the board may recommend retirement of the fireman. The board shall give the fireman a thirty day written notice of its recommendation, and he shall be retired upon expiration of said notice. Upon retirement he shall receive a pension equal to fifty percent of his basic salary. For a period of ninety days following such disability the fireman shall receive an allowance from the fund equal to his basic salary. He shall during said ninety days be provided with such medical, hospital, and nursing care as the board deems proper. No funds

Firemen's relief and pensions. Payment upon disability not in line of duty.

Firemen's relief and pensions. Payment upon disability not in line of duty.

shall be expended for such disability if the board determines that the fireman was gainfully employed or engaged for compensation in other than fire department duty when the disability occurred, or if such disability was the result of dissipation or abuse. Whenever any fireman shall die as a result of a disability sustained not in the line of duty, his widow shall receive a monthly pension equal to one-third of his basic salary until remarried; if such widow has dependent upon her for support a child or children of such deceased fireman, she shall receive an additional pension as follows: One child, one-eighth of the deceased's basic salary; two children, one-seventh; three or more children, one-sixth. If there be no widow, monthly payments equal to one-third of the deceased fireman's basic salary shall be made to his child or children. The widow may elect at any time in writing to receive a cash settlement, and if the board after hearing finds it financially beneficial to the pension fund, she may receive the sum of five thousand dollars cash in lieu of all future monthly pension payments, and other benefits, including benefits to any child and/or children.

Passed the Senate March 8, 1965.

Passed the House March 10, 1965.

Approved by the Governor March 20, 1965.