

RCW; (10) Chiropody, chapter 18.22 RCW; (11) Chiropractic Act, chapter 18.25 RCW; (12) Registration of Contractors, chapter 18.27 RCW; (13) Debt Adjusting Act, chapter 18.28 RCW; (14) Dental Hygienist Act, chapter 18.29 RCW; (15) Dentistry, chapter 18.32 RCW; (16) Dispensing Opticians, chapter 18.34 RCW; (17) Drugless Healing, chapter 18.36 RCW; (18) Embalmers and Funeral Directors, chapter 18.39 RCW; (19) Engineers and Land Surveyors, chapter 18.43 RCW; (20) Escrow Agents Registration Act, chapter 18.44 RCW; (21) Furniture and Bedding Industry, chapter 18.45 RCW; (22) Maternity Homes, chapter 18.46 RCW; (23) Midwifery, chapter 18.50 RCW; (24) Nursing Homes, chapter 18.51 RCW; (25) Optometry, chapter 18.53 RCW; (26) Osteopathy, chapter 18.57 RCW; (27) Patent Medicine Peddlers, chapter 18.60 RCW; (28) Pharmacists, chapter 18.64 RCW; (29) Pharmacy Owners and Wholesale Druggists, chapter 18.67 RCW; (30) Physical Therapy, chapter 18.74 RCW; (31) Practical Nurses, chapter 18.78 RCW; (32) Prophylactic Vendors, chapter 18.81 RCW; (33) Proprietary Schools, chapter 18.82 RCW; (34) Psychologists, chapter 18.83 RCW; (35) Real Estate Brokers and Salesmen, chapter 18.85 RCW; (36) Registered Professional Nurses, chapter 18.88 RCW; (37) Sanitarians, chapter 18.90 RCW; (38) Veterinarians, chapter 18.92 RCW.

Passed the Senate March 6, 1969

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CHAPTER 123

[Engrossed Senate Bill No. 138]

POLICE BENEFITS--

FIRST CLASS CITIES

AN ACT Relating to police benefits in first class cities; amending section 4, chapter 39, Laws of 1909, as last amended by section 1, chapter 191, Laws of 1961, and RCW 41.20.050; amending section 5, chapter 39, Laws of 1909, as last amended by section 2, chapter 191, Laws of 1961, and RCW 41.20.060; amending section 4, chapter 69, Laws of 1955 and RCW 41.20.150; and adding a new section to chapter 41.20 RCW.

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 191, Laws of 1961, and RCW 41.20.050 are each amended to read as follows:

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, after hearing, if one is requested in writing, 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 hereafter shall be paid from the fund during his lifetime a pension equal to fifty percent of the amount of salary at any time hereafter attached to the position held by the retired member for the year preceding the date of his retirement: PROVIDED, That no such pension shall exceed an amount equivalent to (~~one-half~~) fifty percent of the salary 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 a person hereafter retiring who has served as a member for more than twenty-five years, shall have his pension payable under this section increased by two percent per year for each full year of such additional service to a maximum of five additional years.

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.

Sec. 2. Section 5, chapter 39, Laws of 1909, as last amended by section 2, chapter 191, Laws of 1961, and RCW 41.20.060 are each

amended 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))~~ fifty percent of the amount of salary at any time hereafter attached to the position which he held in the department at the date of his retirement, but not to exceed an amount equivalent to ~~((one-half))~~ fifty percent of the salary 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, That where, at the time of retirement hereafter for disability under this section, such person has served honorably for a period of more than twenty-five years as a member, in any capacity, of the regularly constituted police department of a city subject to the provisions of this chapter, the foregoing percentage factors to be applied in computing the pension payable under this section shall be increased by two percent per year for each full year of such additional service to a maximum of five additional years.

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.

Sec. 3. Section 4, chapter 69, Laws of 1955 and RCW 41.20.150

are each amended to read as follows:

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: PROVIDED, That in the case of any member who has completed twenty years of service, such member, upon termination for any cause except for a conviction of a felony, shall have the option of electing, in lieu of recovery of his contributions as herein provided, to be classified as a vested member in accordance with the following provisions:

(1) Written notice of such election shall be filed with the board within thirty days after the effective date of such member's termination;

(2) During the period between the date of his termination and the date upon which he becomes a retired member as hereinafter provided, such vested member and his spouse or dependent children shall be entitled to all benefits available under chapter 41.20 RCW to a retired member and his spouse or dependent children with the exception of the service retirement allowance as herein provided for: PROVIDED, That any claim for medical coverage under RCW 41.20.120 shall be attributable to service connected illness or injury;

(3) Any member electing to become a vested member shall be entitled at such time as he otherwise would have completed twenty-five years of service had he not terminated, to receive a service retirement allowance computed on the following basis: Two percent of the amount of salary at any time hereafter attached to the position held by the vested member for the year preceding the date of his termination, for each year of service rendered prior to the date of his termination. At such time the vested member shall be regarded as a retired member and, in addition to the retirement allowance herein provided for, shall continue to be entitled to all such other benefits as are by chapter 41.20 RCW made available to retired members.

NEW SECTION. Sec. 4. There is added to chapter 41.20 RCW a new section to read as follows:

The provisions of this 1969 amendatory act shall be applicable to all members employed on the date of enactment thereof, and to those who shall thereafter become members, but shall not apply to any former member who has terminated his employment prior to the effective date of this 1969 amendatory act.

Passed the Senate February 14, 1969
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CHAPTER 124
[Senate Bill No. 265]
TOWNS--JURISDICTION OF WATERS
AS FACTOR IN CALCULATING AREA

AN ACT Relating to cities and towns; and amending section 35.21.160, chapter 7, Laws of 1965 and RCW 35.21.160.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 35.21.160, chapter 7, Laws of 1965 and RCW 35.21.160 are each amended to read as follows:

The powers and jurisdiction of all incorporated cities and towns of the state having their boundaries or any part thereof adjacent to or fronting on any bay or bays, lake or lakes, sound or sounds, river or rivers, or other navigable waters are hereby extended into and over such waters and over any tidelands intervening between any such boundary and any such waters to the middle of such bays, sounds, lakes, rivers, or other waters in every manner and for every purpose that such powers and jurisdiction could be exercised if the waters were within the city or town limits. In calculating the area of any town for the purpose of determining compliance with the limitation on the area of a town prescribed by RCW 35.21.010, the area over which jurisdiction is conferred by this section shall not be included.

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