

NEW SECTION. Sec. 17. This act shall take effect on June 30, 1986.

Passed the House March 8, 1986.

Passed the Senate March 6, 1986.

Approved by the Governor April 2, 1986.

Filed in Office of Secretary of State April 2, 1986.

CHAPTER 207

[Senate Bill No. 3193]

OCCUPATIONAL DISEASES—INDUSTRIAL INSURANCE CLAIMS

AN ACT Relating to occupational disease; and amending RCW 41.40.200.

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

Sec. 1. Section 21, chapter 274, Laws of 1947 as last amended by section 3, chapter 18, Laws of 1982 and RCW 41.40.200 are each amended to read as follows:

(1) Subject to the provisions of RCW 41.40.310 and 41.40.320, upon application of a member, or his or her employer, a member who becomes totally incapacitated for duty as the natural and proximate result of an accident occurring in the actual performance of duty or who becomes totally incapacitated for duty and qualifies to receive benefits under Title 51 RCW as a result of an occupational disease, as now or hereafter defined in RCW 51.08.140, while in the service of an employer, without wilful negligence on his or her part, shall be retired: PROVIDED, The medical adviser after a medical examination of such member made by or under the direction of the said medical adviser shall certify in writing that such member is mentally or physically totally incapacitated for the further performance of his or her duty ((to his employer)) and that such member should be retired: PROVIDED FURTHER, That the ((retirement board)) director concurs in the recommendation of the medical adviser: AND PROVIDED FURTHER, No application shall be valid or a claim thereunder enforceable unless in the case of an accident the claim is filed within two years after the date upon which the injury occurred or, in the case of an occupational disease, the claim is filed within two years after the member separated from service with the employer. The coverage provided for occupational disease under this section may be restricted in the future by the legislature for all current and future members.

(2) The retirement for disability of a judge, who is a member of the retirement system, by the supreme court under Article IV, section 31 of the Constitution of the state of Washington (House Joint Resolution No. 37, approved by the voters November 4, 1980), with the concurrence of the

~~((retirement board))~~ director, shall be considered a retirement under subsection (1) of this section.

Passed the Senate March 8, 1986.

Passed the House March 5, 1986.

Approved by the Governor April 2, 1986.

Filed in Office of Secretary of State April 2, 1986.

CHAPTER 208

[Senate Bill No. 3336]

CLASS H LICENSE—HOTELS—LIQUOR BY THE BOTTLE

AN ACT Relating to hotel class H licensees' authority to sell liquor by the bottle to registered guests for consumption in guest rooms or at banquets in the hotel; and amending RCW 66.24.400; declaring an emergency; and providing an effective date.

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

Sec. 1. Section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as last amended by section 2, chapter 94, Laws of 1981 and RCW 66.24.400 are each amended to read as follows:

There shall be a retailer's license, to be known and designated as class H license, to sell spirituous liquor by the individual glass, beer, and wine, at retail, for consumption on the premises, including mixed drinks and cocktails compounded or mixed on the premises only: PROVIDED, That a hotel licensed under this section may sell liquor by the bottle to registered guests of the hotel for consumption in guest rooms, hospitality rooms, or at banquets in the hotel: PROVIDED FURTHER, That a patron of a bona fide hotel, restaurant, or club licensed under this section may remove from the premises recorked or recapped in its original container any portion of wine which was purchased for consumption with a meal, and registered guests who have purchased liquor from the hotel by the bottle may remove from the premises any unused portion of such liquor in its original container. Such class H license may be issued only to bona fide restaurants, hotels and clubs, and to dining, club and buffet cars on passenger trains, and to dining places on passenger boats and airplanes, and to dining places at publicly owned civic centers with facilities for sports, entertainment, and conventions, and to such other establishments operated and maintained primarily for the benefit of tourists, vacationers and travelers as the board shall determine are qualified to have, and in the discretion of the board should have, a class H license under the provisions and limitations of this title.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of state