

Washington state association of counties and the Washington state association of elected county officials.

The county auditor shall set forth separately in the annual budget to be submitted to the board of county commissioners the total amount of emergency warrants issued during the preceding fiscal year, together with a statement showing the amount issued for each emergency, and the board shall include in the annual tax levy, a levy sufficient to raise an amount equal to the total of such warrants: PROVIDED, That the board may fund the warrants or any part thereof into bonds instead of including them in the budget levy.

NEW SECTION. Sec. 2. This 1973 amendatory 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.

EXPLANATORY NOTE

RCW 36.40.040 was amended by 1971 ex. sess. c 85 sec. 4 for the purpose of changing the name of the "Washington state association of county commissioners" to "Washington state association of counties". During the course of passage, the phrase "first six months of the current fiscal year and the actual receipts for the" was omitted but was not indicated as deleted by brackets and strike-through deletion marks.

It is the purpose of this amendment to restore this deleted material and to correct other minor clerical errors which occurred in the 1971 amendment to this section.

Passed the House February 8, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 40

[House Bill No. 310]

INDUSTRIAL INSURANCE--CODE CORRECTION

AN ACT Relating to industrial insurance; reenacting section 51.52.110, chapter 23, Laws of 1961 as last amended by section 36, chapter 43, Laws of 1972 ex. sess. and by section 1, chapter 50, Laws of 1972 ex. sess. and RCW 51.52.110; and declaring an emergency.

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

Section 1. Section 51.52.110, chapter 23, Laws of 1961 as last amended by section 36, chapter 43, Laws of 1972 ex. sess. and by section 1, chapter 50, Laws of 1972 ex. sess. and RCW 51.52.110 are each reenacted to read as follows:

Within thirty days after a decision of the board to deny the petition or petitions for review upon such appeal has been communicated to such workman, beneficiary, employer or other person, or within thirty days after the final decision and order of the board upon such appeal has been communicated to such workman, beneficiary, employer or other person, or within thirty days after the appeal is deemed denied as herein provided, such workman, beneficiary, employer or other person aggrieved by the decision and order of the board may appeal to the superior court.

In cases involving injured workmen such appeal shall be to the superior court of the county of residence of the workman or beneficiary, as shown by the department's records, or to the superior court of the county wherein the injury occurred or where neither the county of residence nor the county wherein the injury occurred are in the state of Washington then the appeal may be directed to the superior court for Thurston county. In all other cases the appeal shall be to the superior court of Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director and on the board. If the case is one involving a self-insurer, a copy of the notice of appeal shall also be served by mail, or personally, on such self-insurer. The department shall, in all cases not involving a self-insurer, within twenty days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. If the case is one involving a self-insurer, such self-insurer shall, within twenty days after receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed to be at issue. In such cases the department may appear and take part in any proceedings. The board shall serve upon the appealing party, the director, the self-insurer if the case involves a self-insurer, and any other party appearing at the board's proceeding, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the board's decision and order, which shall become the record in such case. No bond shall be required on appeals to the superior court or on appeals to the supreme court or the court of appeals, except that an appeal by the employer from a decision and order of the board under RCW 51.48.070, shall be ineffectual unless, within five days following the service

of notice thereof, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named an appeal shall not be a stay: PROVIDED, HOWEVER, That whenever the board has made any decision and order reversing an order of the supervisor of industrial insurance on questions of law or mandatory administrative actions of the director, the department shall have the right of appeal to the superior court.

NEW SECTION. Sec. 2. This 1973 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.

EXPLANATORY NOTE

RCW 51.52.110 was amended twice in the 1972 extraordinary session of the legislature.

(1) 1972 ex.s. c 43 sec. 36 added all references to "self-insurers" in the second paragraph of the section.

(2) 1972 ex.s. c 50 sec. 1 provided that appeal shall be to the workman's or beneficiary's county of residence, "or to the superior court of the county where the injury occurred or where neither ... are in the state of Washington then the appeal may be directed to the superior court of Thurston county".

As these amendments appear to be in different respects the purpose of this act is to give effect to each by reenacting the section with both amendments included therein.

Passed the House February 8, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 41

[House Bill No. 311]

VETERANS' BONUS--CODE CORRECTION

AN ACT Relating to veterans; reenacting section 2, chapter 272, Laws of 1959 as last amended by section 7, chapter 154, Laws of 1972 ex. sess. and by section 2, chapter 157, Laws of 1972 ex. sess. and RCW 73.32.130; and declaring an emergency.

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