

ACT 225

A Bill for an Act Relating to Disability Retirement Benefits for Firemen and Amending Chapter 6, Revised Laws of Hawaii 1955, as Amended.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 6-46 of the Revised Laws of Hawaii 1955, as amended, is hereby amended in the following respects:

(a) By amending the first paragraph thereof to read as follows:

Upon application of a member, or of the head of his department, any member who has been permanently incapacitated as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, or as the cumulative result of some occupational hazard, through no wilful negligence on his part, may be retired by the board for service-connected total disability provided that:

(b) By adding the following paragraph after the first paragraph of subsection (4) thereof:

In the case of firemen, the cumulative effect of the inhalation of smoke, toxic gases, chemical fumes and other toxic vapors on the heart, lungs and respiratory system shall be construed as an injury received or disease contracted while in the performance of their duty and as the cumulative result of some occupational hazard for the purpose of determining total disability retirement under this section.

SECTION 2. Section 6-46.1 of the Revised Laws of Hawaii 1955, as amended, is hereby amended in the following respects:

(a) By amending the first paragraph thereof to read as follows:

Upon application of a member, or of the head of his department, any member who has been permanently incapacitated for duty as the natural and proximate result of an accident occurring while in the actual performance of duty at some definite time and place, or as the

cumulative result of some occupational hazard, through no wilful negligence on his part, may be retired by the board for service-connected occupational disability provided that:

(b) By adding the following paragraph after the first paragraph of subsection (4) thereof:

In the case of firemen, the cumulative effect of the inhalation of smoke, toxic gases, chemical fumes and other toxic vapors on the heart, lungs and respiratory system shall be construed as an injury received or disease contracted while in the performance of their duty and as the cumulative result of some occupational hazard for the purpose of determining occupational disability retirement under this section.

SECTION 3. This Act shall take effect on January 1, 1966.
(Approved June 30, 1965.) **S.B. 116.**