

NEW SECTION. Section 1. Section 28A.03.050, chapter 223, Laws of 1969 ex. sess., section 103, chapter 176, Laws of 1969 ex. sess. and RCW 28A.03.050 are each repealed.

NEW SECTION. Sec. 2. All moneys remaining in the accumulated sick leave fund in the office of superintendent of public instruction on the thirtieth day of June, 1975, and all moneys thereafter paid into such fund, shall be and are hereby transferred to the general fund of the state.

NEW SECTION. Sec. 3. This 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 June 30, 1975.

Passed the House March 14, 1975.

Passed the Senate May 7, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

## CHAPTER 61

[House Bill No. 141]

### THEFT OF LIVESTOCK—CRIMINAL PENALTIES—EXEMPLARY DAMAGES

AN ACT Relating to livestock; amending section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955 and RCW 9.54.090; amending section 1, chapter 63, Laws of 1961 and RCW 9.54.115; repealing section 1, chapter 90, Laws of 1970 ex. sess. and RCW 9.08.050; providing a contingent repealer; and prescribing penalties.

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

Section 1. Section 353, chapter 249, Laws of 1909 as amended by section 1, chapter 97, Laws of 1955 and RCW 9.54.090 are each amended to read as follows:

Every person who steals or unlawfully obtains, appropriates, brings into this state, buys, sells, receives, conceals, or withholds in any manner specified in RCW 9.54.010—

(1) Property of any value by taking the same from the person of another or from the body of a corpse; or

(2) Property of any value by taking the same from any building that is on fire or by taking the same after it has been removed from a building in consequence of an alarm of fire; or

(3) A record of a court or officer, or a writing, instrument, or record kept, filed, or deposited according to law with or in the keeping of any public officer or officers; or

(4) ~~((From any range or pasture, any horse, mare, gelding, foal or filly, ass or mule, one or more head of neat cattle, or any sheep; or~~

~~(5)))~~ Property of the value of more than twenty-five dollars if obtained by color or aid of any order for the payment or delivery of property or money or any check or draft, knowing that the maker or drawer of such order, check, or draft was not authorized or entitled to make or draw the same; or

~~((6)))~~ (5) Property of the value of more than seventy-five dollars, in any manner whatever; shall be guilty of grand larceny and be punished by imprisonment in the state penitentiary for not more than fifteen years.

Every other larceny with the exception of larceny of livestock shall be petit larceny and shall be a gross misdemeanor.

Sec. 2. Section 1, chapter 63, Laws of 1961 and RCW 9.54.115 are each amended to read as follows:

Every person who, without lawful authority and with intent to deprive or defraud the owner thereof, wilfully ((takes, leads or transports away, conceals, withholds, slaughters, or otherwise appropriates to his own use)) (1) Takes, leads or transports away, conceals withholds, slaughters; or (2) Otherwise appropriates to his own use, injures, or kills any horse, mule, cow, heifer, bull, or steer, or swine, or sheep, shall be guilty of ((grand larceny)) a felony and shall be punished by imprisonment for not more than fifteen years but not less than one year, or by fine of not more than one thousand dollars but not less than five hundred dollars, or by both such fine or imprisonment: PROVIDED, That a person whose conduct is in violation both of this section and of any other law or laws of the State of Washington shall be guilty of a felony and penalized as herein provided.

Any owner who suffers damages as a result of a violation of this section may bring a civil action, in any court of competent jurisdiction, to recover exemplary damages up to three times the actual damages sustained.

NEW SECTION. Sec. 3. Section 1, chapter 90, Laws of 1970 ex. sess. and RCW 9.08.050 are each repealed.

NEW SECTION. Sec. 4. Sections 1 and 2 of this 1975 amendatory act shall take effect as provided by the state Constitution and shall remain in effect until the effective date of the repeal of RCW 9.54.090 and 9.54.115 by section 9A.92.010, chapter \_\_ (Substitute Senate Bill No. 2092), Laws of 197\_ ex. sess., at which time sections 1 and 2 of this 1975 amendatory act shall also be repealed.

Passed the House May 14, 1975.

Passed the Senate May 7, 1975.

Approved by the Governor May 22, 1975.

Filed in Office of Secretary of State May 22, 1975.

---

## CHAPTER 62

[House Bill No. 170]

### MOTOR VEHICLES—SPECIAL FUEL TAX— EXEMPTIONS, DATE EXTENDED

AN ACT Relating to special fuel tax; and amending section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 156, Laws of 1973 1st ex. sess. and RCW 82.38.030.

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

Section 1. Section 4, chapter 175, Laws of 1971 ex. sess. as last amended by section 1, chapter 156, Laws of 1973 1st ex. sess. and RCW 82.38.030 are each amended to read as follows:

(1) There is hereby levied and imposed upon special fuel users a tax of nine cents per gallon or each one hundred cubic feet of compressed natural gas measured at standard pressure and temperature on the use (within the meaning of the word use as defined herein) of special fuel in any motor vehicle: PROVIDED, That in order to encourage experimentation with nonpolluting fuels, no tax shall