

That such residents are eligible to purchase or possess such weapons in Washington and in the state in which such persons reside.

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CHAPTER 75
[House Bill No. 118]
STATE RESIDENTIAL SCHOOLS--
ESTATES OF RESIDENTS, FINANCIAL RESPONSIBILITY

AN ACT Relating to the financial responsibility of the estates of residents of state residential schools for the payment of the costs of care and maintenance at such schools; amending section 5, chapter 141, Laws of 1967 and RCW 72.33.670; amending section 72.33.180, chapter 28, Laws of 1959 as last amended by section 10, chapter 141, Laws of 1967 and RCW 72.33.180; repealing section 6, chapter 141, Laws of 1967 and RCW 72.33-.675; and declaring an emergency.

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

Section 1. Section 5, chapter 141, Laws of 1967 and RCW 72-.33.670 are each amended to read as follows:

In all cases where a determination is made that the estate of a mentally or physically deficient person who resides at a state residential school is able to pay all or any portion of the monthly charges, a notice and finding of financial responsibility shall be personally served on the guardian of the resident's estate, or if no guardian has been appointed then to his spouse or parents or other person acting in a representative capacity and having property in his possession belonging to a resident of a state residential school and the superintendent of the state residential school ((and-to-the-attorney-general)). The notice shall set forth the amount the department has determined that such estate is able to pay per month, not to exceed the monthly charge as fixed in accordance with RCW 72.33.660, and the responsibility for payment to the department of institutions shall commence thirty days after personal service of such notice and finding of responsibility. An appeal from the determination of re-

responsibility may be made to the director by the guardian of the resident's estate, or if no guardian has been appointed then by his spouse, parent or parents or other person acting in a representative capacity and having property in his possession belonging to a resident of a state residential school, within such thirty day period upon written notice of appeal being served upon the director by registered or certified mail. If no appeal is taken, the notice and finding of responsibility shall become final. If an appeal is taken, the execution of notice and finding of responsibility shall be stayed pending the decision of such appeal. Appeals may be heard in any county seat most convenient to the appellant. The hearing of appeals may be presided over by a hearing examiner and the proceedings shall be recorded either manually or by a mechanical device. Any such appeal shall be a "contested case" as defined in RCW 34.04.010, and practice and procedure shall be governed by the provisions of RCW 72.33.650 through 72.33.700, the rules and regulations of the department of institutions, and the Administrative Procedure Act, chapter 34.04 RCW.

Sec. 2. Section 72.33.180, chapter 28, Laws of 1959 as last amended by section 10, chapter 141, Laws of 1967 and RCW 72.33.180 are each amended to read as follows:

The superintendent of a state school shall serve as custodian without compensation of such personal property of a resident as may be located at the school, including moneys deposited with the superintendent for the benefit of such resident. As such custodian, the superintendent shall have authority to disburse moneys from the resident's fund for the following purposes and subject to the following limitations:

(1) Subject to specific instructions by a donor or payor of money to the superintendent for the benefit of a resident, the superintendent may disburse any of the funds belonging to a resident for such personal needs of such resident as the superintendent may deem proper and necessary.

(2) The superintendent may pay to the department of institutions for the costs of care, support and treatment of a resident from the resident's fund when such fund exceeds one thousand dollars, to the extent of any finding of financial responsibility served upon the superintendent after such findings shall have become final: PROVIDED, That if such resident does not have a guardian, parent, spouse or other person acting in a representative capacity, upon whom notice and findings of financial responsibility have been served then the superintendent shall not make payments to the department of institutions as above provided, until a guardian has been appointed by the court, and the time for the appeal of findings of financial responsibility as provided in RCW 72.33.670 shall not commence to run until the appointment of such guardian and the service upon him of notice and findings of financial responsibility.

~~((2))~~ (3) When a resident is granted placement, the superintendent shall deliver to said resident, or the parent, guardian or agency legally responsible for the resident, all or such portion of the funds of which the superintendent is custodian as above defined, or other property belonging to the resident, as the superintendent may deem necessary to the resident's welfare, and the superintendent may during such placement deliver to the former resident such additional property or funds belonging to the resident as the superintendent may from time to time deem proper. When the conditions of placement have been fully satisfied and the resident is discharged, the superintendent shall deliver to such resident, or the parent, person or agency legally responsible for the resident, all funds or other property belonging to the resident remaining in his possession as custodian.

~~((3))~~ (4) All funds held by the superintendent as custodian may be deposited in a single fund, the receipts and expenditures therefrom to be accurately accounted for by him: PROVIDED, That all interest accruing from, or as a result of the deposit of such moneys in a single fund shall be used by the superintendent for the general

welfare of all the residents of such institution: PROVIDED, FURTHER, That when the personal accounts of residents exceed three hundred dollars, the interest accruing therefrom shall be credited to the personal accounts of such residents. All such expenditures shall be subject to the duty of accounting provided for in this section.

~~((4))~~ (5) The appointment of a guardian for the estate of such resident shall terminate the superintendent's authority as custodian of a resident's funds upon receipt by the superintendent of a certified copy of letters of guardianship. Upon the guardian's request, the superintendent shall immediately forward to such guardian any funds or other property of the resident remaining in the superintendent's possession together with a full and final accounting of all receipts and expenditures made therefrom.

~~((5))~~ (6) Upon receipt of a written request from the superintendent stating that a designated individual is a resident of the state school for which he has administrative responsibility and that such resident has no legally appointed guardian of his estate, any person, bank, corporation, or agency having possession of any money, bank accounts, or choses in action owned by such resident, shall, if the amount does not exceed one thousand dollars, deliver the same to the superintendent as custodian and mail written notice thereof to such resident at the state school. The receipt of the superintendent shall constitute full and complete acquittance for such payment and the person, bank, corporation, or agency making such payment shall not be liable to the resident or his legal representatives. All funds so received by the superintendent shall be duly deposited by him as custodian in the resident's fund to the personal account of such resident.

If any proceeding is brought in any court to recover property so delivered, the attorney general shall defend the same without cost to the person, bank, corporation, or agency effecting such delivery to the superintendent, and the state shall indemnify such person, bank, corporation, or agency against any judgment rendered

as a result of such proceeding.

NEW SECTION. Sec. 3. Section 6, chapter 141, Laws of 1967 and RCW 72.33.675 are hereby repealed.

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health and safety, and the support of the state government and its existing public institutions and shall take effect immediately.

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CHAPTER 76
[House Bill No. 140]
WASHINGTON STATE RECREATION TRAILS SYSTEM ACT

AN ACT Relating to recreation trails.

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

NEW SECTION. Section 1. This act may be cited as the Washington State Recreation Trails System Act.

NEW SECTION. Sec. 2. As used in this act, "IAC" means the Washington state interagency committee for outdoor recreation, and "system" means the Washington state recreation trails system.

NEW SECTION. Sec. 3. (1) In order to provide for the ever increasing outdoor recreation needs of an expanding resident and tourist population and to promote public access to, travel within, and the enjoyment and appreciation of outdoor areas of Washington, it is declared to be in the public interest to plan a system of trails throughout the state to enable and encourage the public to engage in outdoor recreation activities.

(2) The purpose of this act is to provide the means for attaining these objectives by instituting a method for establishing a system of state recreation trails, and by prescribing the manner by which a proposed trail may be included in the system.

NEW SECTION. Sec. 4. (1) The system shall be composed of trails as designated by the IAC. Such trails shall meet the conditions established in this act and such supplementary criteria as the