

NEW SECTION. Section 1. There is added to chapter 260, Laws of 1975 1st ex. sess. and to chapter 9A.56 RCW a new section to read as follows:

(1) A person is guilty of criminal possession of leased or rented machinery, equipment or a motor vehicle if the value thereof exceeds \$1500 and if he:

(a) After renting machinery, equipment or a motor vehicle under an agreement in writing which provides for the return of said item to a particular place at a particular time, fails to return the item to said place within the time specified, is thereafter served by registered or certified mail addressed to him at his last known place of residence or business with a written demand to return said item within 72 hours from the time of the service of such demand, and wilfully neglects to return said item to any place of business of the lessor within five full business days from the date of service of said notice; or

(b) After leasing machinery, equipment or a motor vehicle under an agreement in writing which provides for periodic rental or lease payments for a period greater than six months duration, fails to pay the lessor of said item the periodic payments when due for a period of 90 days, is thereafter served by registered or certified mail addressed to him at his last known place of residence or business with a written demand to return the item to any place of business of the lessor within 72 hours from the time of the service of said demand and wilfully neglects to return said item to any place of business of the lessor within five full business days from the date of service of said notice.

(2) "Wilfully neglects" as used in this section means omits, fails or forbears with intent to deprive the owner of or exert unauthorized control over the property, and specifically excludes the failure to return the item because of a bona fide contract dispute with the owner.

(3) It shall be a defense to any civil action arising out of or involving the arrest or detention of any person who rents or leases machinery, equipment or a motor vehicle that he failed to return the item to any place of business of the lessor within five full business days after receiving written demand therefor.

Criminal possession of leased or rented machinery, equipment or a motor vehicle is a Class C felony.

NEW SECTION. Sec. 2. Section 9A.56.090 of chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.56.090 are each hereby repealed.

Passed the Senate June 6, 1977.

Passed the House June 3, 1977.

Approved by the Governor June 15, 1977.

Filed in Office of Secretary of State June 15, 1977.

CHAPTER 237

[Substitute Senate Bill No. 2544]

HIGHWAYS APPROPRIATIONS—REIMBURSABLE EXPENDITURES—COMPUTER SUSPENSE ACCOUNT

AN ACT Relating to highways; making appropriations and authorizing reimbursable expenditures for the period ending June 30, 1979; and declaring an emergency.

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

NEW SECTION. Section 1. Program R, ASSISTANCE TO OTHERS.

There is hereby appropriated to the Washington state highway commission from the motor vehicle fund for the biennium ending June 30, 1979 \$79,892,000 consisting of \$79,059,000 from federal and local funds, and \$833,000 from bond funds or so much thereof as may be necessary for reimbursable expenditures for the location, design, right of way, and construction on city streets and county roads and other nonstate highways including the unexpended balances of the funds from the sale of bonds for Columbia Basin county roads authorized in chapter 121, Laws of 1951, chapter 311, Laws of 1955, and in chapter 121, Laws of 1965; for reimbursable expenditures on cooperative projects authorized by state and or federal law; for expenditures through federal emergency relief acts, reimbursable expenditures for maintenance on city streets, county roads and other non-state highways, reimbursable expenditures for miscellaneous sales and services to others.

NEW SECTION. Sec. 2. There is hereby appropriated to the state treasurer from the motor vehicle fund for transfer to the highway equipment fund \$1,000,000 or so much thereof as has been set aside in the 1975-77 biennium in the computer suspense account.

NEW SECTION. Sec. 3. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 4. 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 immediately.

Passed the Senate March 30, 1977.
Passed the House June 7, 1977.
Approved by the Governor June 15, 1977.
Filed in Office of Secretary of State June 15, 1977.

CHAPTER 238
[Senate Bill No. 2563]
UNITED STATES PRESIDENTIAL ELECTORS

AN ACT Relating to United States presidential electors; amending section 29.71.020, chapter 9, Laws of 1965 and RCW 29.71.020; amending section 29.71.040, chapter 9, Laws of 1965 and RCW 29.71.040; and providing penalties.

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

Section 1. Section 29.71.020, chapter 9, Laws of 1965 and RCW 29.71.020 are each amended to read as follows:

In the years in which presidential elections are held, each political party nominating candidates for president and vice president of the United States shall nominate their presidential electors for this state and file with the secretary of state certificates of nomination for such candidates at the time and in the manner and number provided by law. Each political party shall require from each candidate for elector a pledge that as an elector he or she will vote for the candidates nominated by that party. The secretary of state shall certify to the county auditors the names