

right to continued use of such special card and decal. No additional fees shall be charged for the issuance of such special card and decal. The director shall promulgate such rules and regulations as he deems necessary to carry into effect this section.

Any unauthorized use of such distinguishing card and decal shall constitute a gross misdemeanor.

Sec. 2. Section 2, chapter 128, Laws of 1961 as amended by section 2, chapter 297, Laws of 1975 1st ex. sess. and RCW 46.61.580 are each amended to read as follows:

Any person who has lost both of his or her lower extremities, or who has lost the normal or full use thereof, or who is so severely disabled as to be unable to move without the aid of crutches or a wheelchair, or who has lost both hands, shall be allowed to park a vehicle being used to transport such person for unlimited periods of time in parking zones or areas which are otherwise restricted as to the length of time parking is permitted. This section shall have no application to those zones or areas in which the stopping, parking, or standing of all vehicles is prohibited or which are reserved for special types of vehicles. Such person shall not be permitted the foregoing privilege unless he obtains and displays a distinguishing card or decal as provided in RCW 46.16.380.

NEW SECTION. Sec. 3. This 1976 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.

Passed the Senate March 6, 1976.

Passed the House March 9, 1976.

Approved by the Governor March 16, 1976.

Filed in Office of Secretary of State March 16, 1976.

CHAPTER 103

[Senate Bill No. 3281]

DRUG TREATMENT PROGRAMS

AN ACT Relating to drug treatment programs; amending section 2, chapter 2, Laws of 1973 2nd ex. sess. and RCW 69.50.410; amending section 2, chapter 123, Laws of 1969 ex. sess. and RCW 72.49.020; repealing section 69.32.070, chapter 27, Laws of 1959 and RCW 69.32.070; repealing section 69.32.080, chapter 27, Laws of 1959 and RCW 69.32.080; repealing section 69.32.090, chapter 27, Laws of 1959 and RCW 69.32.090; repealing section 69.32.100, chapter 27, Laws of 1959 and RCW 69.32.100; repealing section 69.32.110, chapter 27, Laws of 1959 and RCW 69.32.110; repealing section 69.32.120, chapter 27, Laws of 1959 and RCW 69.32.120; repealing section 69.32.130, chapter 27, Laws of 1959 and RCW 69.32.130; repealing section 72.48.010, chapter 28, Laws of 1959 and RCW 72.48.010; repealing section 72.48.020, chapter 28, Laws of 1959 and RCW 72.48.020; repealing section 72.48.030, chapter 28, Laws of 1959 and RCW 72.48.030; repealing section 72.48.040, chapter 28, Laws of 1959 and RCW 72.48.040; repealing section 72.48.050, chapter 28, Laws of 1959 and RCW 72.48.050; repealing section 72.48.060, chapter 28, Laws of 1959 and RCW 72.48.060; repealing section 72.48.070, chapter 28, Laws of 1959 and RCW 72.48.070; repealing section 72.48.080, chapter 28, Laws of 1959 and RCW 72.48.080; repealing section 72.48.090, chapter 28, Laws of 1959 and RCW 72.48.090; repealing section 72.48.100, chapter 28, Laws of 1959 and RCW 72.48.100; and repealing section 72.48.110, chapter 28, Laws of 1959 and RCW 72.48.110.

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

Section 1. Section 2, chapter 2, Laws of 1973 2nd ex. sess. and RCW 69.50.410 are each amended to read as follows:

(1) Except as authorized by this chapter it shall be unlawful for any person to sell for profit any controlled substance or counterfeit substance classified in Schedule I, RCW 69.50.204, except leaves and flowering tops of marihuana.

For the purposes of this section only, the following words and phrases shall have the following meanings:

(a) "To sell" means the passing of title and possession of a controlled substance from the seller to the buyer for a price whether or not the price is paid immediately or at a future date.

(b) "For profit" means the obtaining of anything of value in exchange for a controlled substance.

(c) "Price" means anything of value.

(2) Any person convicted of a violation of subsection (1) of this section shall receive a sentence of not more than five years in a correctional facility of the department of social and health services for the first offense. Any person convicted on a second or subsequent cause, the sale having transpired after prosecution and conviction on the first cause, of subsection (1) of this section shall receive a mandatory sentence of five years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for the second or subsequent violation of subsection (1) of this section.

(3) Any person convicted of a violation of subsection (1) of this section by selling heroin shall receive a mandatory sentence of two years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for such violation. Any person convicted on a second or subsequent sale of heroin, the sale having transpired after prosecution and conviction on the first cause of the sale of heroin shall receive a mandatory sentence of ten years in a correctional facility of the department of social and health services and no judge of any court shall suspend or defer the sentence imposed for this second or subsequent violation: PROVIDED, That the board of prison terms and paroles under RCW 9.95.040 shall not reduce the minimum term imposed for a violation under this subsection.

(4) In addition to the sentences provided in subsection (2) of this section, any person convicted of a violation of subsection (1) of this section shall be fined in an amount calculated to at least eliminate any and all proceeds or profits directly or indirectly gained by such person as a result of sales of controlled substances in violation of the laws of this or other states, or the United States, up to the amount of five hundred thousand dollars on each count.

(5) Any person, addicted to the use of controlled substances, who voluntarily ~~((places himself in the custody of))~~ applies to the department of social and health services for the purpose of participating in a rehabilitation program ~~((of))~~ approved by the department for addicts of controlled substances shall be immune from prosecution for subsection (1) offenses unless a filing of an information or indictment against such person for a violation of subsection (1) of this section is made prior to his voluntary participation in the program of the department of social and health services. All applications for immunity under this section shall be sent to the department of social and health services in Olympia. It shall be the

duty of the department to stamp each application received pursuant to this section with the date and time of receipt.

This section shall not apply to offenses defined and punishable under the provisions of RCW 69.50.401 as now or hereafter amended.

Sec. 2. Section 2, chapter 123, Laws of 1969 ex. sess. and RCW 72.49.020 are each amended to read as follows:

There ~~((shall))~~ may be established at an institution, or portion thereof, to be designated by the ~~((director))~~ secretary of the department of ~~((institutions))~~ social and health services, programs for treatment and rehabilitation of persons in need of medical care and treatment due to narcotic abuse or dangerous drug abuse. Such programs ~~((shall))~~ may include facilities for both residential and outpatient treatment. The ~~((director))~~ secretary of the department of ~~((institutions))~~ social and health services shall promulgate rules and regulations~~(s)~~ governing the voluntary admission, ~~((the))~~ treatment, and release of such patients, and all other matters incident to the proper administration of this section.

NEW SECTION. Sec. 3. The following acts or parts of acts are each repealed:

- (1) Section 69.32.070, chapter 27, Laws of 1959 and RCW 69.32.070;
 - (2) Section 69.32.080, chapter 27, Laws of 1959 and RCW 69.32.080;
 - (3) Section 69.32.090, chapter 27, Laws of 1959 and RCW 69.32.090;
 - (4) Section 69.32.100, chapter 27, Laws of 1959 and RCW 69.32.100;
 - (5) Section 69.32.110, chapter 27, Laws of 1959 and RCW 69.32.110;
 - (6) Section 69.32.120, chapter 27, Laws of 1959 and RCW 69.32.120;
 - (7) Section 69.32.130, chapter 27, Laws of 1959 and RCW 69.32.130;
 - (8) Section 72.48.010, chapter 28, Laws of 1959 and RCW 72.48.010;
 - (9) Section 72.48.020, chapter 28, Laws of 1959 and RCW 72.48.020;
 - (10) Section 72.48.030, chapter 28, Laws of 1959 and RCW 72.48.030;
 - (11) Section 72.48.040, chapter 28, Laws of 1959 and RCW 72.48.040;
 - (12) Section 72.48.050, chapter 28, Laws of 1959 and RCW 72.48.050;
 - (13) Section 72.48.060, chapter 28, Laws of 1959 and RCW 72.48.060;
 - (14) Section 72.48.070, chapter 28, Laws of 1959 and RCW 72.48.070;
 - (15) Section 72.48.080, chapter 28, Laws of 1959 and RCW 72.48.080;
 - (16) Section 72.48.090, chapter 28, Laws of 1959 and RCW 72.48.090;
 - (17) Section 72.48.100, chapter 28, Laws of 1959 and RCW 72.48.100;
- and
- (18) Section 72.48.110, chapter 28, Laws of 1959 and RCW 72.48.110.

Passed the Senate March 5, 1976.

Passed the House March 11, 1976.

Approved by the Governor March 18, 1976.

Filed in Office of Secretary of State March 18, 1976.

CHAPTER 104

[Engrossed Senate Bill No. 3261]

PUBLIC DISCLOSURE—(REFERENDUM BILL NO. 36)

AN ACT Relating to state government; amending section 24, chapter 1, Laws of 1973 as amended by section 13, chapter 294, Laws of 1975 1st ex. sess. and RCW 42.17.240; and providing for a referendum to the people.