

any vacancies among appointee members shall be as in the case of original appointment.

The governor may designate an employee of the governor's office familiar with the traffic safety commission to act on behalf of the governor during the absence of the governor at one or more of the meetings of the commission. The vote of the designee shall have the same effect as if cast by the governor if the designation is in writing and is presented to the person presiding at the meetings included within the designation.

The governor may designate a member, other than the governor's designee, to preside during the governor's absence.

NEW SECTION. Sec. 2. 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 House March 7, 1982.

Passed the Senate March 3, 1982.

Approved by the Governor March 12, 1982.

Filed in Office of Secretary of State March 12, 1982.

CHAPTER 31

[Substitute House Bill No. 834]

GAME LAWS—SUBSEQUENT VIOLATIONS, PENALTY—SUPERIOR COURT JURISDICTION—ARTICLE INVENTORY

AN ACT Relating to game; amending section 77.16.240, chapter 36, Laws of 1955 as last amended by section 6, chapter 310, Laws of 1981 and RCW 77.21.010; and prescribing penalties.

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

Section 1. Section 77.16.240, chapter 36, Laws of 1955 as last amended by section 6, chapter 310, Laws of 1981 and RCW 77.21.010 are each amended to read as follows:

(1) A person violating RCW 77.16.040, 77.16.050, 77.16.060, 77.16.080, 77.16.210, ~~((or))~~ 77.16.220, 77.16.310, 77.16.320, or 77.32.211, or committing a violation of RCW 77.16.020~~((;))~~ or 77.16.120~~((; or 77.16.310))~~ involving big game or an endangered species is guilty of a gross misdemeanor and shall be punished by a fine of not less than two hundred fifty dollars and not more than one thousand dollars or by imprisonment in the county jail for not less than thirty days and not more than one year or by both the fine and imprisonment. Each subsequent violation within a five-year period of RCW 77.16.040, 77.16.050, or 77.16.060, or of RCW 77.16.020 or 77.16.120 involving big game or an endangered species, as defined by the Washington state game commission under the authority of RCW 77.04.090, shall be prosecuted and punished as a class C felony as defined in

RCW 9A.20.020. In connection with each such felony prosecution, the director shall provide the court with an inventory of all articles or devices seized under this title in connection with the violation. Inventoried articles or devices shall be disposed of pursuant to RCW 77.21.040.

(2) A person violating or failing to comply with this title or a rule of the commission for which no penalty is otherwise provided is guilty of a misdemeanor and shall be punished for each offense by a fine of not less than twenty-five dollars or by imprisonment for not more than ninety days in the county jail or by both the fine and imprisonment.

(3) Persons convicted of a violation shall pay the costs of prosecution and the penalty assessment in addition to the fine or imprisonment.

(4) The unlawful killing, taking, or possession of each wildlife member constitutes a separate offense.

(5) District courts have jurisdiction concurrent with the superior courts of misdemeanors and gross misdemeanors committed in violation of this title or rules of the commission and may impose the punishment provided for these offenses. Superior courts have jurisdiction over felonies committed in violation of this title.

Passed the House February 12, 1982.

Passed the Senate March 7, 1982.

Approved by the Governor March 16, 1982.

Filed in Office of Secretary of State March 16, 1982.

CHAPTER 32

[Engrossed Substitute Senate Bill No. 4708]

HORSE RACING—FEES—PARIMUTUEL RECEIPTS, COMMISSION'S PERCENTAGES, RETENTION PERCENTAGES—WASHINGTON BRED BREEDERS AWARD

AN ACT Relating to horse racing; amending section 4, chapter 55, Laws of 1933 and RCW 67.16.020; amending section 6, chapter 55, Laws of 1933 as amended by section 1, chapter 39, Laws of 1973 1st ex. sess. and RCW 67.16.050; amending section 6, chapter 31, Laws of 1979 and RCW 67.16.105; amending section 2, chapter 94, Laws of 1969 ex. sess. as amended by section 4, chapter 31, Laws of 1979 and RCW 67.16.130; amending section 7, chapter 31, Laws of 1979 and RCW 67.16.180; creating a new section; and declaring an emergency.

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

Section 1. Section 4, chapter 55, Laws of 1933 and RCW 67.16.020 are each amended to read as follows:

It shall be the duty of the commission, as soon as it is possible after its organization, to prepare and promulgate a complete set of rules and regulations to govern the race meets in this state. It shall determine and announce the place, time and duration of race meets for which license fees are exacted; and it shall be the duty of each person holding a license under the authority of this chapter, and every owner, trainer, jockey, and attendant at