

the unemployment compensation fund. The commissioner shall maintain a separate record of the deposit, obligation, expenditure and return of funds so deposited. Any money so deposited which either will not be obligated within the period specified by the appropriation law or remains unobligated at the end of the period, and any money which has been obligated within the period but will not be expended, shall be returned promptly to the account of this state in the unemployment trust fund.

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 Senate April 28, 1983.

Passed the House May 3, 1983.

Approved by the Governor May 11, 1983.

Filed in Office of Secretary of State May 11, 1983.

CHAPTER 8

[Substitute Senate Bill No. 3372]

WILDLIFE—ILLEGAL HUNTING OR POSSESSION—REIMBURSE STATE

AN ACT Relating to wildlife; amending section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170; adding a new section to chapter 77.21 RCW; and creating a new section.

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

NEW SECTION, Sec. 1. The legislature finds that wildlife is of great ecological, recreational, esthetic, and economic value to the people of the state of Washington. It further finds that the illegal taking and possession of certain valuable wildlife species is increasing at an alarming rate and that the state should be reimbursed for the loss of individual wildlife of these species in the amounts specified in section 3 of this act.

Sec. 2. Section 77.12.170, chapter 36, Laws of 1955 as last amended by section 2, chapter 310, Laws of 1981 and RCW 77.12.170 are each amended to read as follows:

(1) There is established in the state treasury the state game fund which consists of moneys received from:

- (a) Rentals or concessions of the department;
- (b) The sale of real or personal property held for department purposes;
- (c) The sale of licenses, permits, tags, stamps, and punchcards required by this title;
- (d) Fees for informational materials published by the department;
- (e) Fees for personalized vehicle license plates as provided in chapter 46.16 RCW;
- (f) Articles or wildlife sold by the commission under this title;

- (g) Penalty assessments collected under RCW 77.21.050;
- (h) Compensation for wildlife losses or gifts or grants received under RCW 77.12.320; ~~((and))~~
- (i) Fines, forfeitures, and costs collected under this title for violations of law or rules of the commission; and
- (j) Reimbursements collected under section 3 of this act.

(2) Courts shall collect fines ~~((and))~~ forfeitures, and reimbursements and deposit them within fifteen days after the end of each quarter in the state treasury. Except as provided in RCW 77.12.201, the treasurer shall credit fifty percent of these fines and forfeitures to the state game fund and shall return the remainder to the county in which it was collected.

(3) State and county officers receiving any moneys listed in subsection (1) of this section shall deposit them in the state treasury to be credited to the state game fund.

(4) The term "fines and forfeitures" includes amounts, by whatever name known, levied by courts for violations of this title or rules of the commission but does not include penalty assessments under RCW 77.21.050, ~~((or))~~ actual court costs, or reimbursements required under section 3 of this act.

NEW SECTION. Sec. 3. There is added to chapter 77.21 RCW a new section to read as follows:

(1) Whenever a person is convicted of illegal hunting or possession of wildlife listed in this subsection, the convicting court shall order the person to reimburse the state in the following amounts for each animal killed or possessed:

- (a) Moose, antelope, mountain sheep, mountain goat, and all wildlife species classified as endangered by rule of the commission \$1,000
- (b) Elk, deer, black bear, and cougar \$500

(2) For the purpose of this section, the term "convicted" includes a plea of guilty, a finding of guilt regardless of whether the imposition of the sentence is deferred or any part of the penalty is suspended, and the payment of a fine.

(3) If two or more persons are convicted of illegally hunting or possessing wildlife listed in this section, the reimbursement amount shall be imposed upon them jointly and separately.

(4) The reimbursement amount provided in this section shall be imposed in addition to and regardless of any penalty, including fines, or costs, that is provided for violating any provision of Title 77 RCW. The reimbursement required by this section shall be included by the court in any pronouncement of sentence and may not be suspended, waived, modified, or deferred in any respect. Nothing in this section may be construed to abridge or alter

alternative rights of action or remedies in equity or under common law or statutory law, criminal or civil.

(5) A defaulted reimbursement or any installment payment thereof may be collected by any means authorized by law for the enforcement of orders of the court or collection of a fine or costs, including vacation of a deferral of sentencing or of a suspension of sentence.

(6) All moneys derived from reimbursements required under this section shall be remitted within fifteen days after the end of each fiscal quarter to the state treasurer to the credit of the state game fund.

Passed the Senate April 28, 1983.

Passed the House May 3, 1983.

Approved by the Governor May 11, 1983.

Filed in Office of Secretary of State May 11, 1983.

CHAPTER 9

[House Bill No. 471]

JUDICIARY EDUCATION ACCOUNT—USE OF EXCESS BALANCE

AN ACT Relating to the judiciary education account; amending section 7, chapter 132, Laws of 1981 and RCW 2.56.100; and declaring an emergency.

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

Sec. 1. Section 7, chapter 132, Laws of 1981 and RCW 2.56.100 are each amended to read as follows:

(1) There shall be levied and paid into the judiciary education account hereby created in the general fund of the state treasury a penalty assessment in addition to the penalty or fine imposed as a result of a hearing conducted under RCW 46.63.090 or 46.63.100 on all offenses involving a violation of a state statute or city or county ordinance relating to the operation or use of motor vehicles or the licensing of vehicle operators, except offenses relating to parking of vehicles. The amount of the assessment shall be as follows:

(a) When the fine or penalty is ten dollars to nineteen dollars and ninety-nine cents, four dollars;

(b) When the fine or penalty is twenty dollars to thirty-nine dollars and ninety-nine cents, seven dollars;

(c) When the fine or penalty is forty dollars to fifty-nine dollars and ninety-nine cents, ten dollars;

(d) When the fine or penalty is sixty dollars to ninety-nine dollars and ninety-nine cents, fifteen dollars; and

(e) When the fine or penalty is one hundred dollars or more, twenty dollars.