

after notification by the department or failure satisfactorily to complete reclamation work on any segment of the permit area within two years after completion or abandonment of surface mining on any segment of the permit area shall constitute sufficient grounds for cancellation of a permit and refusal to issue another permit to the delinquent operator until such deficiencies are corrected by the operator.

Passed the Senate March 2, 1989.

Passed the House April 14, 1989.

Approved by the Governor May 3, 1989.

Filed in Office of Secretary of State May 3, 1989.

CHAPTER 231

[Senate Bill No. 5853]

MACHINE GUNS—USE IN COMMISSION OF FELONY—CLASS A FELONY

AN ACT Relating to penalties for discharging a machine gun or threatening or menacing with a machine gun, when such discharging, threatening, or menacing is in the commission or furtherance of a felony other than a violation of RCW 9.41.190; amending RCW 9.41.200; adding a new section to chapter 9.41 RCW; creating a new section; and prescribing penalties.

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

NEW SECTION. Sec. 1. The legislature is concerned about the increasing number of drug dealers, gang members, and other dangerous criminals who are increasingly being found in possession of machine guns. The legislature recognizes that possession of machine guns by dangerous criminals represents a serious threat to law enforcement officers and the general public. The use of a machine gun in furtherance of a felony is a particularly heinous crime because of the potential for great harm or death to a large number of people. It is the intent of the legislature to protect the public safety by deterring the illegal use of machine guns in the furtherance of a felony by creating a separate offense with severe penalties for such use of a machine gun.

Sec. 2. Section 2, chapter 64, Laws of 1933 and RCW 9.41.200 are each amended to read as follows:

For the purpose of RCW 9.41.190 through ((9.41.220)) section 3 of this act, a machine gun is defined as any firearm or weapon known as a machine gun, mechanical rifle, submachine gun, and/or any other weapon, mechanism, or instrument not requiring that the trigger be pressed for each shot and having a reservoir clip, disc, drum, belt, or other separable mechanical device for storing, carrying, or supplying ammunition which can be loaded into such weapon, mechanism, or instrument, and fired therefrom at the rate of five or more shots per second.

NEW SECTION. Sec. 3. A new section is added to chapter 9.41 RCW to read as follows:

It is unlawful for a person, in the commission or furtherance of a felony other than a violation of RCW 9A.10.010, to discharge a machine gun or to menace or threaten with a machine gun, another person. A violation of this section shall be punished as a class A felony under chapter 9A.20 RCW.

Passed the Senate March 8, 1989.

Passed the House April 14, 1989.

Approved by the Governor May 3, 1989.

Filed in Office of Secretary of State May 3, 1989.

CHAPTER 232

[Senate Bill No. 5858]

SCHOOL DISTRICTS—BOARD OF DIRECTORS MEETINGS—LOCATION

AN ACT Relating to education; amending RCW 28A.59.100; and declaring an emergency.

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

Sec. 1. Section 28A.59.100, chapter 223, Laws of 1969 ex. sess. and RCW 28A.59.100 are each amended to read as follows:

The board of directors shall maintain an office (~~where all regular meetings shall be held, and~~) where all records, vouchers and other important papers belonging to the board may be preserved. Such records, vouchers, and other important papers at all reasonable times shall be available for public inspection. The regular meetings shall be held within the district boundaries.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate April 18, 1989.

Passed the House April 14, 1989.

Approved by the Governor May 3, 1989.

Filed in Office of Secretary of State May 3, 1989.

CHAPTER 233

[Substitute House Bill No. 1444]

AT-RISK STUDENTS—ASSISTANCE

AN ACT Relating to students at risk; amending RCW 28A.120.010, 28A.120.016, 28A.120.020, 28A.120.022, 28A.120.032, 28A.58.217, and 28A.02.061; adding a new section to chapter 28A.41 RCW; adding new sections to Title 28A RCW; creating new sections; providing an expiration date; and making an appropriation.

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