

(5) This civil remedy is supplemental to the state's power to prosecute any person for theft of shellfish, for other crimes where shellfish are involved, or for violation of regulations of the department of fisheries.

Passed the Senate March 5, 1990.

Passed the House February 27, 1990.

Approved by the Governor March 23, 1990.

Filed in Office of Secretary of State March 23, 1990.

---

## CHAPTER 164

[Senate Bill No. 6802]

### UTILITY RATES—REDUCTION FOR LOW INCOME DISABLED CITIZENS

AN ACT Relating to reduced utility rates; and amending RCW 74.38.070.

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

Sec. 1. Section 1, chapter 116, Laws of 1979 as last amended by section 1, chapter 44, Laws of 1988 and RCW 74.38.070 are each amended to read as follows:

(1) Notwithstanding any other provision of law, any county, city, town, municipal corporation, or quasi municipal corporation providing utility services may provide such services at reduced rates for low income senior citizens or low income disabled citizens: PROVIDED, That, for the purposes of this section, "low income senior citizen" or "low income disabled citizen" shall be defined by appropriate ordinance or resolution adopted by the governing body of the county, city, town, municipal corporation, or quasi municipal corporation providing the utility services except as provided in subsection (2) of this section. Any reduction in rates granted in whatever manner to low income senior citizens or low income disabled citizens in one part of a service area shall be uniformly extended to low income senior citizens or low income disabled citizens in all other parts of the service area.

(2) For purposes of implementing this section by any public utility district, (a) "low income senior citizen" means a person who is sixty-two years of age or older and whose total income, including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 84.36.381(5)(b), as now or hereafter amended and (b) "low income disabled citizen" means (i) a person qualifying for special parking privileges under RCW 46.16.381(1) (a) through (f) ((σ)) , (ii) a blind person as defined in RCW 74.18.020, or (iii) a disabled, handicapped, or incapacitated person as defined under any other existing state or federal program and whose income,

including that of his or her spouse or cotenant, does not exceed the amount specified in RCW 70.164.020(4).

Passed the Senate February 7, 1990.

Passed the House March 2, 1990.

Approved by the Governor March 23, 1990.

Filed in Office of Secretary of State March 23, 1990.

## CHAPTER 165

[Senate Bill No. 6399]

### SUPPORT ENFORCEMENT—EMPLOYER COOPERATION

AN ACT Relating to employer cooperation with the office of support enforcement; amending RCW 26.23.080 and 26.23.090; and prescribing penalties.

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

**\*Sec. 1. Section 9, chapter 435, Laws of 1987 and RCW 26.23.080 are each amended to read as follows:**

~~((No employer shall discipline or discharge an employee or refuse to hire a person by reason of an action authorized in this chapter. If an employer disciplines or discharges an employee or refuses to hire a person in violation of this section, the employee or person shall have a cause of action against the employer. The employer shall be liable for double the amount of lost wages and any other damages suffered as a result of the violation and for costs and reasonable attorney fees, and shall be subject to a civil penalty of not more than two thousand five hundred dollars for each violation.))~~ (1) The legislature finds that most employers are supportive of the state's efforts to collect child support payments and are willing to assist the state in the collection of these payments as required by RCW 26.23.060. The legislature further finds that employers serve the public interest by employing persons who are attempting to comply with the ordered payment of child support in fulfillment of the provisions of RCW 26.23.060 and by helping with the collection of those obligations. It is the legislature's intent that employers be encouraged to hire and retain such persons, and that the office of support enforcement cooperate with and provide assistance to employers who wish to hire and retain such persons and who wish to help with such collection.

(2) It is unlawful for an employer to discipline or discharge an employee or refuse to employ any individual because of the existence of a withholding obligation under RCW 26.23.060. If an employer violates the provisions of this section, an employee may bring a civil action for the recovery of lost wages and other damages suffered as a result of the violation and for costs and reasonable attorneys' fees. The court may fine the employer for a violation of this section in an amount not to exceed two hundred fifty dollars. The