

other funds available to it, the amount of the prior expenditures for advance right of way acquisition for the state highway being constructed. Such deposits may be reexpended as provided in this 1969 amendatory act without further or additional appropriations.

NEW SECTION. Sec. 10. Whenever the Washington state highway commission shall purchase or condemn any property pursuant to the authority of RCW 47.12.180 through 47.12.240, as now or later amended, or sections 6 through 9 of this 1969 amendatory act, the commission shall cause any structures so acquired and not removed within a reasonable time to be maintained in good appearance.

Passed the Senate April 22, 1969
Passed the House April 10, 1969
Approved by the Governor April 30, 1969
Filed in office of Secretary of State April 30, 1969

CHAPTER 198
[Engrossed Senate Bill No. 387]
POLICE OFFICERS' POWER OF ARREST

AN ACT Relating to crimes and police officers' power of arrest; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. Any police officer having information to support a reasonable belief that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest said person: PROVIDED, That nothing herein shall extend or otherwise affect the powers of arrest prescribed in chapter 46 RCW.

Passed the Senate April 22, 1969
Passed the House April 12, 1969
Approved by the Governor April 30, 1969
Filed in office of Secretary of State April 30, 1969

CHAPTER 199
[Engrossed Substitute Senate Bill No. 569]
JUSTICE COURTS--DISTRIBUTION OF INCOME

AN ACT Relating to the distribution of certain justice court income; amending section 106, chapter 299, Laws of 1961 and RCW 3.62-.020; amending section 109, chapter 299, Laws of 1961 as amend-

ed by section 1, chapter 111, Laws of 1969 and RCW 3.62.050; amending section 3, chapter 7, Laws of 1891 and RCW 3.16.110; amending section 5, chapter 7, Laws of 1891 and RCW 3.16.130; amending section 181, page 379, Laws of 1863 as amended by section 1901, Code of 1881 and RCW 3.16.160; amending section 151, page 250, Laws of 1854 as amended by section 1848, Code of 1881 and RCW 3.28.070; amending section 600, page 153, Laws of 1869, as amended by section 660, Code of 1881, and RCW 4-.24.180; amending section 1896, Code of 1881 as last amended by section 6, chapter 200, Laws of 1967 and RCW 10.04.110; amending section 3211, Code of 1881, as last amended by section 1, chapter 122, Laws of 1967 and RCW 10.82.070; amending section 15.32.720, chapter 11, Laws of 1961 and RCW 15.32.720; amending section 47, chapter 63, Laws of 1969 (uncodified); amending section 2537, Code of 1881 and RCW 16.28.160; amending section 28, chapter 249, Laws of 1961 and RCW 17.21.280; amending section 14, chapter 4, Laws of 1919 and RCW 18.57.030; amending section 17, chapter 121, Laws of 1899 as amended by section 9, chapter 213, Laws of 1909 and RCW 18.64.260; amending section 14, chapter 192, Laws of 1909 as last amended by section 3, chapter 284, Laws of 1961 and RCW 18.71.020; amending section 21, chapter 70, Laws of 1965 and RCW 18.83.051; amending section 15, chapter 392, Laws of 1955 and RCW 19.30-.140; amending section 36.82.210, chapter 4, Laws of 1963 and RCW 36.82.210; amending section 46.44.045, chapter 12, Laws of 1961 as last amended by section 50, chapter 32, Laws of 1967, and RCW 46.44.045; amending section 46.68.050, chapter 12, Laws of 1961 as last amended by section 10, chapter 99, Laws of 1969 ex. sess. (SB 287) and RCW 46.68.050; amending section 4, chapter 39, Laws of 1963 as amended by section 11, chapter 167, Laws of 1967 and RCW 46.81.030; amending section 6, chapter 39, Laws of 1963 and RCW 46.81.050; amending section 47.08.030, chapter 13, Laws of 1961 and RCW 47.08.030; amending

section 60, chapter 35, Laws of 1945 as last amended by section 1, chapter 170, Laws of 1959 and RCW 50.16.010; amending section 70, chapter 62, Laws of 1933 ex. sess. as last amended by section 5, chapter 172, Laws of 1939 and RCW 66.44.010; amending section 12, page 440, Laws of 1873 (section 12, page 28, Code of 1881, Bagley's Supp.) and RCW 67.19.120; amending section 14, page 50, Laws of 1888 and RCW 70.20.030; amending section 75.08.230, chapter 12, Laws of 1955 as last amended by section 1, chapter..., Laws of 1969 ex. sess. (SB 537) and RCW 75.08.230; amending section 21, chapter 125, Laws of 1911, and RCW 76.04.130; amending section 77.12.170, chapter 36, Laws of 1955 and RCW 77.12.170; amending section 5, page 122, Laws of 1890 and RCW 78.12.050; amending section 80.04.400, chapter 14, Laws of 1961 and RCW 80.04.400; amending section 80.24.040, chapter 14, Laws of 1961 and RCW 80.24.040; amending section 80.24.050, chapter 14, Laws of 1961 and RCW 80.24.050; amending section 81.04.400, chapter 14, Laws of 1961 and RCW 81.04.400; amending section 81.92.150, chapter 14, Laws of 1961 and RCW 81.92.150; amending section 82.36.420, chapter 15, Laws of 1961 and RCW 82.36.420; amending section 10, chapter 18, Laws of 1935 as amended by section 7, chapter 15, Laws of 1967 and RCW 88.16.150; amending section 10, page 368, Laws of 1909 and RCW 28.27.102; amending section 11, page 368, Laws of 1909 and RCW 28.27.104; amending section 5, chapter 77, Laws of 1903 and RCW 28.27.190; amending section 2, chapter 106, Laws of 1909 and RCW 28.58.281; amending section 11, page 360, Laws of 1909 and RCW 28.87.010; amending section 6, page 359, Laws of 1909 and RCW 28.87.030; amending section 12, page 361, Laws of 1909, and RCW 28.87.060; amending section 1, page 357, Laws of 1909 and RCW 28.87.070; amending section 3, page 357, Laws of 1909 and RCW 28.87.080; amending section 7, page 359, Laws of 1909 and RCW 28.87.130; amending section 9, page 360, Laws of 1909 and RCW 28.87.140; amending section 28A.27.102, chapter

..., Laws of 1969 (HB 58) and RCW 28A.27.102; amending section 28A.27.104, chapter ..., Laws of 1969 (HB 58) and RCW 28A.27.104; amending section 28A.87.010, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.010; amending section 28A.87.030, chapter ..., Laws of 1969 (HB 58), and RCW 28A.87.030; amending section 28A.87.060, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.060; amending section 28A.87.070, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.070; amending section 28A.87.080, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.080; amending section 28A.87.130, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.130; amending section 28A.87.140, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.140; providing sections to effect the correlative and pari materia construction of this act with the provisions of Title 28 RCW, or of Titles 28A and 28B RCW if such titles shall be enacted; repealing section 107, chapter 299, Laws of 1961 and RCW 3.62.030; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Part I. Sections not related to Titles 28 or 28A or 28B RCW.

NEW SECTION. Section 1. The state auditor shall establish distribution percentages for use by the county treasurer and state treasurer in remitting justice court income, except for (1) fines, forfeitures, and penalties assessed and collected because of the violation of city and/or county ordinances and (2) fees and costs assessed and collected because of a civil action. A separate percentage shall be established for each city within the county, and for each county, and for the amount that each county shall remit to the state treasurer. These percentages shall be established by reviewing the financial records of each county for the six years prior to January 1, 1969, and determining the average percentage of the net income, from that county's justice courts, that each city, and the county, and the state has received for that period of time. The percentages determined by this procedure shall then be provided to each county trea-

surer for his use in distributing justice court income. Percentages shall be established for each state fund, now receiving justice court income, by determining the average percentage of justice court income that each fund has received from the total income remitted to the state by the counties for this period of time, except that any state fund receiving less than five hundred dollars each year for the two years 1967 and 1968 shall not have a percentage established for it and the amounts of income in such situation shall be added to the amounts remitted to the state general fund for the purpose of calculating average distribution percentages.

The state auditor, with the assistance of the administrator for the courts, shall review the distribution percentages annually. This review shall be based upon the annual percentages of types of violations, in relationship to the total cases processed, to determine if the original percentages established by this section are still proportionately accurate within a margin of plus or minus five percent. In the event the annual review indicates that the existing percentages are not proportionately accurate, the state auditor shall revise the distribution percentages to the percentages indicated in the annual review and notify the county and state treasurer within fifteen days in advance of any quarterly distribution of the revised percentages and the statistics supporting the revision.

Sec. 2. Section 106, chapter 299, Laws of 1961 and RCW 3.62-.020 are each amended to read as follows:

All fees, fines, forfeitures and penalties assessed and collected by justice courts, except fines, forfeitures and penalties assessed and collected because of the violation of city ordinances, shall be remitted by the justice court to the county treasurer at least monthly, together with a financial statement as required by the division of municipal corporations, noting the information necessary for crediting of such funds as required by law. The county treasurer shall place these moneys into the justice court suspense fund.

Sec. 3. Section 109, chapter 299, Laws of 1961 as last amended

by section 1, chapter 111, Laws of 1969 and RCW 3.62.050 are each amended to read as follows:

Quarterly, the county treasurer shall determine the ~~((difference-between-the-amount-deposited-to-the-current-expense-or-salary-fund-by-all-of-the-justice-courts-of-the-county-and-the))~~ total expenditures of ~~((such))~~ the justice courts, including the cost of providing courtroom and office space and including the cost of probation and parole services and any personnel employment therefor. The treasurer shall then ~~((charge-each-governmental-unit-fund-entitled-to-share-in-the-receipts-of-the-courts-its-proportionate-share-of-such-unreimbursed-difference-of-expenditures-incurred-during-the-quarter-and-make-the-appropriate-treasurer's-remittance))~~ transfer an amount, equal to the total expenditures, from the justice court suspense fund to the current expense ((or salary)) fund. ((The-proportionate-share charged-against-each-fund-shall-be-determined-by-the-relationship between-the-unreimbursed-expenditures-and-the-total-credits-of-the-courts-to-each-fund-as-required-by-RCW-3,62,020,--Balances-remaining in-governmental-funds-shall-then-be-remitted-as-provided-by-law.)) The treasurer shall then, using the percentages established as in section 1 of this 1969 amendatory act provided remit the appropriate amounts of the remaining balance in the justice court suspense fund to the state general fund and to the appropriate city treasurer(s). The final remaining balance of the justice court suspense fund shall then be remitted as specified by the county commissioners.

NEW SECTION. Sec. 4. Quarterly, the state treasurer, using section 1 of this 1969 amendatory act, shall calculate the appropriate amounts to be transferred to each appropriate state fund.

Sec. 5. Section 3, chapter 7, Laws of 1891 and RCW 3.16.110 are each amended to read as follows:

The justices of the peace and constables shall charge and collect for the use of their respective counties, and pay into the county treasury on the first Monday in each month, and on going out of office, all the fees now or hereafter allowed by law paid or charge-

able in all cases, except such fees as are a charge against the county or state, and also on the first Monday in each month, and on going out of office, the said justices of the peace shall pay into the county treasury all moneys they shall have received on account of fines collected for violations of any state law: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 6. Section 5, chapter 7, Laws of 1891 and RCW 3.16.130 are each amended to read as follows:

All fees and compensation collected from any source, and all fines collected for violations of any state law, shall be paid to the county treasurer on the first Monday of the following month, and the said justices and constable at the same time shall deliver to such treasurer a statement and copy of the fee book for the month last past, showing by items the sources from which such fees and fines were derived, and shall append thereto an affidavit that they have received no other money for fees or fines, not before paid over to such treasurer: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. The treasurer shall file and preserve in his office said statements and affidavits, and shall issue to said justices and constables one original and one duplicate receipt therefor, and the said justices and constables shall preserve one in their offices and file the duplicate with the county auditor, whereupon the auditor shall charge the treasurer with the amount shown by the receipt.

Sec. 7. Section 181, page 379, Laws of 1863, as amended by section 1901, Code of 1881 and RCW 3.16.160 are each amended to read as follows:

It shall be the duty of every justice, on the first Mondays

in January and July in every year, and on going out of office, to pay over to the treasurer of his county all money he may have received on account of fines, and all fees which may have remained unclaimed in his hands for twelve months; and he shall, at the same time, deliver to such treasurer a statement in writing, showing by items the sources from which such money was derived, and shall append thereto an affidavit that he has received no other money for fines, not before paid over to such treasurer, and has no other fees unclaimed for twelve months, in his hands; and the treasurer's receipt therefor he shall file with the auditor, who shall give him a quietus: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 8. Section 151, page 250, Laws of 1854 as amended by section 1848, Code of 1881 and RCW 3.28.070 are each amended to read as follows:

If any person convicted of a contempt be adjudged to be imprisoned, a warrant of commitment shall be issued by the justice. If he be adjudged to pay a fine, a process may be issued to collect the same; and when so collected, it shall forthwith be paid by the justice into the county treasury: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 9. Section 600, page 153, Laws of 1869 as amended by section 660, Code of 1881, and RCW 4.24.180 are each amended to read as follows:

Fines and forfeitures not specially granted or otherwise appropriated by law, when recovered, shall be paid into the school fund of the proper county: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter

3.62 RCW as now exists or is later amended. Whenever, by the provisions of law, any property real or personal shall be forfeited to the state, or to any officer for its use, the action for the recovery of such property may be commenced in any county where the defendant may be found or where such property may be.

Sec. 10. Section 1896, Code of 1881 as last amended by section 6, chapter 200, Laws of 1967 and RCW 10.04.110 are each amended to read as follows:

In all cases of conviction, unless otherwise provided in this chapter, the justice shall enter judgment for the fine and costs against the defendant, and may commit him to jail until the amount of such fine and costs owing are paid, or the payment thereof be secured as provided by RCW 10.04.120. The amount of such fine and costs owing shall be computed as provided for superior court cases in RCW 10.82.030 and 10.82.040. Further proceedings therein shall be had as in like cases in the superior court: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 11. Section 3211, Code of 1881, as last amended by section 1, chapter 122, Laws of 1967 and RCW 10.82.070 are each amended to read as follows:

Except as otherwise provided by law, all sums of money derived from fines imposed for violation of orders of injunction, mandamus and other like writs, or for contempt of court, and the net proceeds of all fines collected within the several counties of the state for breach of the penal laws, and all funds arising from the sale of lost goods and estrays, and from penalties and forfeitures, shall be paid in cash by the person collecting the same, within twenty days after the collection, to the county treasurer of the county in which the same have accrued, and shall be by him transmitted to the state treasurer, for deposit in the general fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice

court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. ((He shall indicate in such entry the source from which such money was derived.))

Sec. 12. Section 15.32.720, chapter 11, Laws of 1961 and RCW 15.32.720 are each amended to read as follows:

One-half of all fines collected from prosecutions under this chapter shall be paid to the state and the remainder to the county in which the conviction is had: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 13. Section 47, chapter 63, Laws of 1969 (uncodified) is hereby amended to read as follows:

All fees collected under the provisions of this 1969 act shall be paid to the state treasurer to be deposited in the seed fund account in the state general fund as provided for in RCW 43.79.330, as is now or hereafter amended, to be used only in the enforcement of this 1969 act. All moneys collected under the provisions of RCW 15.48.010 through 15.48.260 remaining in such account on the effective date of this 1969 act, shall likewise be used only in the enforcement of this 1969 act: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 14. Section 2537, Code of 1881 and RCW 16.28.160 are each amended to read as follows:

It shall be the duty of any and all persons searching or hunting for stray horses, mules or cattle, to drive the band or herd in which they may find their stray horses, mules or cattle, into the nearest corral before separating their said stray animals from the balance of the herd or band; that in order to separate their said stray animals from the herd or band, the person or persons owning

said stray shall drive them out of and away from the corral in which they may be driven before setting the herd at large. Any person violating this section shall be deemed guilty of a misdemeanor, and on conviction thereof, before a justice of the peace, shall be fined in any sum not exceeding one hundred dollars, and half the costs of prosecution; said fine so recovered to be paid into the school fund of the county in which the offense was committed; and in addition thereto shall be imprisoned until the fine and costs are paid: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 15. Section 28, chapter 249, Laws of 1961 and RCW 17.21-.280 are each amended to read as follows:

All moneys collected under the provisions of this chapter shall be paid to the director for use exclusively in the enforcement of this chapter. All moneys held by the director for the enforcement of chapter 17.20 shall be retained by him for the enforcement of this chapter: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 16. Section 14, chapter 4, Laws of 1919 and RCW 18.57-.030 are each amended to read as follows:

Any person who shall practice or attempt to practice, or hold himself out as practicing osteopathy or osteopathy and surgery in this state, without having, at the time of so doing, a valid, unrevoked certificate as provided in this chapter, shall be guilty of a misdemeanor. In each such conviction the fine shall be paid, when collected, to the state treasurer, and shall constitute a special fund to be used by the director, for the prosecution of illegal practitioners as defined in this chapter, and the said director is authorized to prosecute all persons guilty of a violation of the provi-

sions of this chapter: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3-.62 RCW as now exists or is later amended.

Sec. 17. Section 17, chapter 121, Laws of 1899 as amended by section 9, chapter 213, Laws of 1909 and RCW 18.64.260 are each amended to read as follows:

All suits for the recovery of the several penalties prescribed in this chapter shall be prosecuted in the name of the state of Washington in any court having jurisdiction, and it shall be the duty of the prosecuting attorney of the county wherein such offense is committed to prosecute all persons violating the provisions of this chapter upon the filing of proper complaint. All penalties collected under the provisions of this chapter shall inure to the school fund of the county in which suit was prosecuted and judgment obtained: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 18. Section 14, chapter 192, Laws of 1909 as last amended by section 3, chapter 284, Laws of 1961 and RCW 18.71.020 are each amended to read as follows:

Any person who shall practice or attempt to practice, or hold himself out as practicing medicine and surgery in this state, without having, at the time of so doing, a valid, unrevoked certificate as provided in this chapter, shall be guilty of a misdemeanor. In each such conviction the fine shall be paid, when collected, to the state treasurer: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. The director of licenses is authorized to prosecute all persons guilty of a violation of the provisions of this chapter.

Sec. 19. Section 21, chapter 70, Laws of 1965 and RCW 18.83-.051 are each amended to read as follows:

There is hereby created the "state board of psychological examiners' account" within the state general fund. All moneys received under chapter 18.83 RCW by the state treasurer shall be deposited in the "state board of psychological examiners' account" within the state general fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Each member of the board shall receive the sum of twenty-five dollars per diem when actually attending to the work of the board or any of its committees and for the time spent in necessary travel; and in addition thereto shall be reimbursed for actual traveling, incidental, and clerical expenses necessarily incurred in carrying out the duties of the board. Any such expenses shall be paid from the "state board of psychological examiners' account" within the general fund, to the extent that the moneys are available therein.

Sec. 20. Section 15, chapter 392, Laws of 1955 and RCW 19.30-.140 are each amended to read as follows:

A permanent revolving fund, in which shall be deposited all moneys collected for licenses and all fines collected for violations of the provisions of this chapter, shall be established. Expenses incurred under this chapter, not to exceed receipts, shall be paid from this fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 21. Section 36.82.210, chapter 4, Laws of 1963 and RCW 36.82.210 are each amended to read as follows:

All fines and forfeitures collected for violation of any of the provisions of chapters 36.75, and 36.77 to 36.87, inclusive, when the violation thereof occurred outside of any incorporated city or

town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of the county in which the violation occurred; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

All fines and forfeitures collected for the violation of any of such provisions when the violation thereof occurred inside any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund of such incorporated city or town for the construction and maintenance of city streets; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3-.62 RCW as now exists or is later amended.

Sec. 22. Section 46.44.045, chapter 12, Laws of 1961 as last amended by section 50, chapter 32, Laws of 1967 and RCW 46.44.045 are each amended to read as follows:

(1) Any person violating any of the provisions of RCW 46.44-.040 through 46.44.044 shall be guilty of a misdemeanor and upon first conviction thereof shall be fined a basic fine of not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined a basic fine of not less than fifty dollars nor more than one hundred dollars; and upon a third or subsequent conviction shall be fined a basic fine of not less than one hundred dollars.

(2) In addition to, but not in lieu of, the above basic fines, such person shall be fined two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five

thousand pounds and not in excess of ten thousand pounds, the additional fine shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over, the additional fine shall be four cents per pound for each pound of excess weight: PROVIDED, That upon first conviction, the court in its discretion may suspend the additional fine for excess weight up to five thousand pounds and for excess weight over five thousand pounds may apply the schedule of additional fines as if the excess weight over five thousand pounds were the only excess weight, but in no case shall the basic fine be suspended.

(3) The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction for a period of not to exceed thirty days and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles upon a third or subsequent conviction for a period of not less than thirty days. For the purpose of this section bail forfeiture shall be given the same effect as a conviction. For the purpose of suspension of license registration conviction or bail forfeiture shall be on the same vehicle or combination of vehicles during any twelve month period regardless of ownership.

(4) Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the driver's license for not less than thirty days. Whenever the driver's license and/or the certificate of license registration are suspended under the provisions of this section the judge shall secure such certificates and immediately forward the same to the director with information concerning the suspension thereof.

(5) Any other provision of law to the contrary notwithstanding, justice courts having venue shall have concurrent jurisdiction with the superior courts for the imposition of any penalties authorized under this section.

(6) For the purpose of determining additional fines as pro-

vided by subsection (2), "excess weight" shall mean the poundage in excess of the maximum gross weight prescribed by RCW 46.44.040 through 46.44.044 plus the weights allowed by RCW 46.44.046, 46.44.047, and 46.44.095.

(7) The basic fine provided in subsection (1) shall be distributed as prescribed in RCW 46.68.050: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended (~~;and~~). For the purpose of computing the basic fines and additional fines to be imposed under the provisions of subsections (1) and (2) the convictions shall be on the same vehicle or combination of vehicles within a twelve months period under the same ownership.

(8) The additional fine for excess poundage provided in subsection (2) shall be transmitted by the court to the county treasurer and by him transmitted to the state treasurer for deposit in the motor vehicle fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. It shall then be allocated as provided in RCW 46.68.100.

Sec. 23. Section 46.68.050, chapter 12, Laws of 1961 as last amended by section 10, chapter 99, Laws of 1969, ex. sess. (SB 287) and RCW 46.68.050 are each amended to read as follows:

All fines and forfeitures collected for violation of any of the provisions of this title when the violation occurred outside of any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of the county in which the violation occurred; and one-half into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later

amended.

All fines and forfeitures collected for the violation of any of the provisions of this title when the violation occurred inside any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund for the construction and maintenance of city streets; and one-half into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 24. Section 4, chapter 39, Laws of 1963 as amended by section 11, chapter 167, Laws of 1967 and RCW 46.81.030 are each amended to read as follows:

There shall be levied and paid into the driver education account of the general fund of the state treasury a penalty assessment in addition to the fine or bail forfeiture 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, in the following amounts:

(1) Where a fine is imposed, three dollars for each twenty dollars of fine, or fraction thereof.

(2) If bail is forfeited, three dollars for each twenty dollars of bail, or fraction thereof.

(3) Where multiple offenses are involved, the penalty assessment shall be based on the total fine or bail forfeited for all offenses.

All fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Where a fine is suspended, in whole or in part, the penalty

assessment shall be levied in accordance with the fine actually imposed.

Sec. 25. Section 6, chapter 39, Laws of 1963 and RCW 46.81-.050 are each amended to read as follows:

The gross proceeds of the penalty assessments provided in RCW 46.81.030 shall be transmitted to the city or county treasurer, as the case may be, by the court collecting the same, in the manner and at the times that fines and bail forfeitures are transmitted to such treasurers. The city and county treasurers shall transmit to the state treasurer monthly and without deduction the amount of such penalty assessments received, which shall be credited to the driver education account in the general fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 26. Section 47.08.030, chapter 13, Laws of 1961 and RCW 47.08.030 are each amended to read as follows:

All fines and forfeitures collected for violation of any of the provisions of this title when the violation thereof occurred outside of any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the county road fund of the county in which the violation occurred; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

All fines and forfeitures collected for the violation of any of the provisions of this title when the violation thereof occurred inside any incorporated city or town shall be distributed and paid into the proper funds for the following purposes: One-half shall be paid into the city street fund of such incorporated city or town for the

construction and maintenance of city streets; one-fourth into the state fund for the support of state parks and parkways; and one-fourth into the highway safety fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 27. Section 60, chapter 35, Laws of 1945 as last amended by section 1, chapter 170, Laws of 1959 and RCW 50.16.010 are each amended to read as follows:

There shall be maintained as special funds, separate and apart from all public moneys or funds of this state an unemployment compensation fund and an administrative contingency fund, which shall be administered by the commissioner exclusively for the purposes of this title, and to which RCW 43.01.050 shall not be applicable. The unemployment compensation fund shall consist of

- (1) all contributions collected pursuant to the provisions of this title,
- (2) interest earned upon any moneys in the fund,
- (3) any property or securities acquired through the use of moneys belonging to the fund,
- (4) all earnings of such property or securities,
- (5) any moneys received from the federal unemployment account in the unemployment trust fund in accordance with Title XII of the social security act, as amended,
- (6) all money recovered on official bonds for losses sustained by the fund,
- (7) all money credited to this state's account in the unemployment trust fund pursuant to section 903 of the social security act, as amended, and
- (8) all moneys received for the fund from any other source.

All moneys in the unemployment compensation fund shall be commingled and undivided.

The administrative contingency fund shall consist of all inter-

est on delinquent contributions collected pursuant to this title after June 20, 1953, all fines and penalties collected pursuant to the provisions of this title; and all sums recovered on official bonds for losses sustained by the fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. The amount in this fund in excess of one hundred thousand dollars on the close of business of the last day of each calendar quarter shall be immediately transferred to this state's account in the unemployment trust fund. Moneys available in the administrative contingency fund shall be expended upon the direction of the commissioner, with the approval of the governor, whenever it appears to him that such expenditure is necessary for:

(a) The proper administration of this title and no federal funds are available for the specific purpose to which such expenditure is to be made, provided, the moneys are not substituted for appropriations from federal funds which, in the absence of such moneys, would be made available.

(b) The proper administration of this title for which purpose appropriations from federal funds have been requested but not yet received, provided, the administrative contingency fund will be reimbursed upon receipt of the requested federal appropriation.

Sec. 28. Section 70, chapter 62, Laws of 1933 ex.sess. as last amended by section 5, chapter 172, Laws of 1939 and RCW 66.44.010 are each amended to read as follows:

(1) All county and municipal peace officers are hereby charged with the duty of investigating and prosecuting all violations of this title, and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor, and all fines imposed for violations of this title and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor shall belong to the county, city or town wherein the court imposing the fine is locat-

ed, and shall be placed in the general fund for payment of the salaries of those engaged in the enforcement of the provisions of this title and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

(2) In addition to any and all other powers granted, the board shall have the power to enforce the penal provisions of this title and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor. The board may appoint and employ, assign to duty and fix the compensation of, officers to be designated as liquor enforcement officers. Such liquor enforcement officers shall have the power, under the supervision of the board, to enforce the penal provisions of this title and the penal laws of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor. They shall have the power and authority to serve and execute all warrants and process of law issued by the courts in enforcing the penal provisions of this title or of any penal law of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor. They shall have the power to arrest without a warrant any person or persons found in the act of violating any of the penal provisions of this title or of any penal law of this state relating to the manufacture, importation, transportation, possession, distribution and sale of liquor.

Sec. 29. Section 12, page 440, Laws of 1873 (section 12, page 28, Code of 1881, Bagley's Supp.) and RCW 67.14.120 are each amended to read as follows:

All fines and forfeitures collected under this chapter and all moneys paid into the treasury of any county for licenses as aforesaid, shall be applied to school or county purposes as the local laws of

such county may direct: PROVIDED, That this chapter shall not affect or apply to any private or local laws upon the subject of license in any county in this territory except King county, and no license shall be construed to mean more than the house or saloon kept by the same party or parties: PROVIDED, FURTHER, That no part of this chapter shall in any way apply to the county of Island: AND PROVIDED, FURTHER, That all moneys for licenses within the corporate limits of the town of Olympia shall be paid directly into the town treasury of said town as a municipal fund for the use of said town: AND PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 30. Section 14, page 50, Laws of 1888 and RCW 70.20.030 are each amended to read as follows:

All fines recovered under the provisions of this act and not otherwise provided for, be and the same shall be paid into the county treasury: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 31. Section 75.08.230, chapter 12, Laws of 1955 as amended by section 1, chapter ..., Laws of 1969 ex. sess. (SB 537) and RCW 75.08.230 are each amended to read as follows:

All license fees, taxes, fines, and moneys realized from the sale of property seized or confiscated under the provisions of this title, and all bail moneys forfeited under prosecutions instituted under the provisions of this title, and all moneys realized from the sale of any of the property, real or personal, heretofore or hereafter acquired for the state and under the control of the department, except such moneys as are realized from the sale of food fish or shellfish caught or taken during test fishing operations conducted by the department for the purpose of food fish or shellfish resource evalua-

tion studies, all moneys collected for damages and injuries to any such property, and all moneys collected for rental or concessions from such property, shall be paid into the state treasury general fund: PROVIDED, That all such moneys as are realized from test fishing operations as aforesaid, shall be transmitted to the state treasurer who shall act as custodian, and the treasurer shall place such moneys in a special account known as receipts in excess of budget estimates, to be allotted by the governor, upon the request of the director of fisheries, for the purpose of defraying the costs of such test fishing: PROVIDED FURTHER, That salmon taken in test fishing operations shall not be sold except during a season open to commercial fishing in the district that test fishing is being conducted: PROVIDED FURTHER, That fifty percent of all money received as fines together with all of the costs shall be retained by the county in which the fine was collected.

All fines collected shall be remitted monthly by the justice of the peace or by the clerk of the court collecting the same to the county treasurer of the county in which the same shall be collected, and the county treasurer shall at least once a month remit fifty percent of the same to the state treasurer and at the same time shall furnish a statement to the director showing the amount of fines so remitted and from whom collected: PROVIDED, That in instances wherein any portion of a fine assessed by a court is suspended, deferred, or otherwise not collected, the entire amount collected shall be remitted by the county treasurer to the state treasurer and shall be credited to the general fund: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

The proceeds of all sales of salmon by the director shall be handled in the same manner as the proceeds of the sales of food fish taken in test fishing conducted by the department.

Sec. 32. Section 21, chapter 125, Laws of 1911 and RCW 76.04-.130 are each amended to read as follows:

All fines collected under this act shall be paid into the county treasury of the county in which the offense was committed; PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 33. Section 77.12.170, chapter 36, Laws of 1955 and RCW 77.12.170 are each amended to read as follows:

There is established in the state treasury a fund to be known as the state game fund which shall consist of all moneys received from fees for the sale of licenses and permits, and from fines, forfeitures, and costs collected for violations of this title, or any other statute for the protection of wild animals and birds and game fish, or any rule or regulation of the commission relating thereto: PROVIDED, That fifty percent of all fines and bail forfeitures shall not become part of the state game fund and shall be retained by the county in which collected: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

All state and county officers receiving any moneys in payment of fees for licenses under this title, or in payment of fines, penalties, or costs imposed for violations of this title, or any other statute for the protection of wild animals and birds and game fish, or any rule or regulation of the commission; from rentals or concessions, and from the sale of real or personal property held for game department purposes, shall pay them into the state treasury to be placed to the credit of the state game fund: PROVIDED, That county officers shall remit only fifty percent of all fines and bail forfeitures: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 34. Section 5, page 122, Laws of 1890 and RCW 78.12.050 are each amended to read as follows:

Suits commenced under the provisions of this chapter shall be in the name of the state of Washington, and all judgments and fines collected shall be paid into the county treasury for county purposes; PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 35. Section 80.04.400, chapter 14, Laws of 1961 and RCW 80.04.400 are each amended to read as follows:

Actions to recover penalties under this title shall be brought in the name of the state of Washington in the superior court of Thurston county, or in the superior court of any county in or through which such public service company may do business. In all such actions the procedure and rules of evidence shall be the same as in ordinary civil actions, except as otherwise herein provided. All fines and penalties recovered by the state under this title shall be paid into the treasury of the state and credited to the state general fund or such other fund as provided by law: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 36. Section 80.24.040, chapter 14, Laws of 1961 and RCW 80.24.040 are each amended to read as follows:

All moneys collected under the provisions of this chapter shall within thirty days be paid to the state treasurer and by him deposited to the public service revolving fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 37. Section 80.24.050, chapter 14, Laws of 1961 and RCW 80.24.050 are each amended to read as follows:

Every person, firm, company or corporation, or the officers, agents or employees thereof, failing or neglecting to pay the fees herein required shall be guilty of a misdemeanor, and in addition there- to shall be subject to a penalty of twenty-five dollars for each and every day that the fee remains unpaid after it becomes due, said pen- alty to be collected by the commission in a civil action. All fines and penalties collected under the provisions of this chapter shall be deposited into the public service revolving fund of the state treas- ury: PROVIDED, That all fees, fines, forfeitures and penalties col- lected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 38. Section 81.04.400, chapter 14, Laws of 1961 and RCW 81.04.400 are each amended to read as follows:

Actions to recover penalties under this title shall be brought in the name of the state of Washington in the superior court of Thurs- ton county, or in the superior court of any county in or through which such public service company may do business. In all such ac- tions the procedure and rules of evidence shall be the same as in or- dinary civil actions, except as otherwise herein provided. All fines and penalties recovered by the state under this title shall be paid into the treasury of the state and credited to the state general fund or 'such other fund as provided by law: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 39. Section 81.92.150, chapter 14, Laws of 1961 and RCW 81.92.150 are each amended to read as follows:

In addition to all other penalties provided by law every "stor- age warehouseman" and "warehouseman" subject to the provisions of this chapter and every officer, agent, or employee of any such "storage warehouseman" or "warehouseman" who violates or who procures, aids or abets in the violation of any provisions of this chapter, or any order,

rule , regulation, or decision of the commission shall incur a penalty of one hundred dollars for every such violation. Every violation shall be a separate and distinct offense, and in case of a continuing violation every day's continuance shall be a separate and distinct offense. Every act of commission or omission which procures, aids, or abets in the violation shall be considered a violation under this section and subject to the penalty herein specified.

The penalty shall become due and payable when the person incurring it receives a notice in writing from the commission describing the violation with reasonable particularity and advising such person that the penalty is due.

The commission may, upon written application therefor, received within fifteen days, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as it deems proper, and may ascertain the facts involved in all such applications in such manner and under such regulations as it deems proper.

If the amount of a penalty is not paid to the commission within fifteen days after receipt of the notice imposing it, or within fifteen days after the violator has received notice of the disposition of his application for remission or mitigation, the attorney general shall bring an action in the name of the state in the superior court of Thurston county or of some county in which such violator may be doing business, to recover the penalty. In all such actions the procedure and rules of evidence shall be the same as in ordinary civil actions except as otherwise herein provided. All penalties recovered under this chapter shall be paid into the state treasury and credited to the public service revolving fund: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 40. Section 82.36.420, chapter 15, Laws of 1961 and RCW 82.36.420 are each amended to read as follows:

Fifty percent of all fines and forfeitures imposed in any criminal proceeding by any court of this state for violations of the penal provisions of this chapter shall be paid to the current expense fund of the county wherein collected and the remaining fifty percent shall be paid into the motor vehicle fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. All fees and penalties collected by the director under the penalty provisions of this chapter shall be paid into the motor vehicle fund.

Sec. 41. Section 10, chapter 18, Laws of 1935 as amended by section 7, chapter 15, Laws of 1967 and RCW 88.16.150 are each amended to read as follows:

In all cases where no other penalty is prescribed in this chapter, any violation of this chapter or of any rule or regulation of the board shall be punished as a misdemeanor, and all violations may be prosecuted in any court of competent jurisdiction in any county where the offense or any part thereof was committed. In any case where the offense was committed upon a ship, boat or vessel, and there is doubt as to the proper county, the same may be prosecuted in any county through any part of which the ship, boat or vessel passed, during the trip upon which the offense was committed. All fines collected for any violation of this chapter or any rule or regulation of the board shall within thirty days be paid by the official collecting the same to the state treasurer and shall be credited to the pilotage account: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Part II. Sections affecting Title 28.

Sec. 42. Section 10, page 368, Laws of 1909 and RCW 28.27.102 are each amended to read as follows:

Any superintendent, teacher or attendance officer, who shall fail or refuse to perform the duties prescribed by RCW 28.27.010 through 28.27.130 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor more than one hundred dollars: PROVIDED, That in case of a district officer, such fine shall be paid to the county treasurer and by him placed to the credit of the school district in which said officer resides, and in case of other officers such fine shall be paid to the county treasurer and by him placed to the credit of the general school fund of the county: PROVIDED, FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 43. Section 11, page 368, Laws of 1909 and RCW 28.27.104 are each amended to read as follows:

All fines except as otherwise provided in RCW 28.27.010 through 28.27.130 shall inure and be applied to the support of the public schools in the district where such offense was committed: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 44. Section 5, chapter 77, Laws of 1903 and RCW 28.27-.190 are each amended to read as follows:

All fines collected under the provisions of RCW 28.27.150 through 28.27.190 shall be paid into the county treasury, the same to be placed to the credit of the general school fund: PROVIDED, That all fees, fines, -forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 45. Section 2, chapter 106, Laws of 1909 and RCW 28.58-.281 are each amended to read as follows:

Neglect by any principal or other person in charge of any public or private school or educational institution to comply with the provisions of RCW 28.58.280 through 28.58.283 shall be a misdemeanor, punishable at the discretion of the court by a fine not exceeding fifty dollars. Such fine to be paid to the county treasurer for the benefit of said school district: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 46. Section 11, page 360, Laws of 1909 and RCW 28.87.010 are each amended to read as follows:

Any parent, guardian or other person who shall insult or abuse a teacher in the presence of his school, or anywhere on the school grounds or premises, shall be deemed guilty of a misdemeanor and be liable to a fine of not less than ten dollars nor more than one hundred dollars, and said fine shall be turned over to the county treasurer, and by him remitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 47. Section 6, page 359, Laws of 1909 and RCW 28.87.030 are each amended to read as follows:

In case the district clerk fails to make the reports as by law provided, at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the county superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all moneys so collected shall be

paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 48. Section 12, page 361, Laws of 1909 and RCW 28.87.060 are each amended to read as follows:

Any person who shall wilfully disturb any school or school meeting shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not more than fifty dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 49. Section 1, page 357, Laws of 1909 and RCW 28.87.070 are each amended to read as follows:

Any member of the state board of education, any employee of the state of Washington, any county superintendent or any employee of his office, who shall directly or indirectly disclose any question or questions prepared for the examination of teachers or of eighth grade pupils, or any teacher or other person connected with the instruction of or the examination of eighth grade pupils, who shall, before the time appointed for the use of the questions in the examination of such pupils, disclose the questions, or make known their character, or who shall directly or indirectly assist any such eighth grade pupil to answer any question submitted, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than one hundred nor more than five hundred dollars. Said fine shall be turned over to the county treasurer of the county

in which it is collected, and shall be by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 50. Section 3, page 357, Laws of 1909 and RCW 28.87.080 are each amended to read as follows:

Any officer or person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the state of Washington, or belonging to the school fund of any county or school district in this state, and refusing or failing to pay over the same, as required by law, shall forfeit double the amount so withheld, and interest thereon at the rate of five percent per month during the time of so withholding the same; and it shall be a special duty of the county superintendent of schools to supervise and see that the provisions of this section are fully complied with, and report thereon to the county commissioners semiannually or oftener. Such fines and penalties, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 51. Section 7, page 359, Laws of 1909 and RCW 28.87.130 are each amended to read as follows:

Any school officer who shall refuse or fail to deliver to his qualified successor all books, papers, records and moneys pertaining to his office, or who shall wilfully mutilate or destroy any such property, or any part thereof, or shall misapply moneys entrusted to him by virtue of his office, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof, be punished by a fine not to ex-

ceed one hundred dollars; said fine, when collected, to be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state (~~(and)~~) : PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended. Any director who shall aid in, or give his consent to the employment of a teacher who is not the holder of a valid certificate authorizing him or her to teach in the public schools of this state, shall be personally liable to his district for any loss which it may sustain by reason of the employment of such person not lawfully qualified to teach.

Sec. 52. Section 9, page 360, Laws of 1909 and RCW 28.87.140 are each amended to read as follows:

Any teacher who shall maltreat or abuse any pupil by administering any unjust punishment, or who shall inflict punishment on the head or face of a pupil, shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction shall be fined in any sum not exceeding one hundred dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Part III. Sections affecting proposed 1969 education code.

Sec. 53. Section 28A.27.102, chapter ..., Laws of 1969 (HB 58) and RCW 28A.27.102 are each amended to read as follows:

Any school district superintendent, teacher or attendance officer who shall fail or refuse to perform the duties prescribed by RCW 28A.27.010 through 28A.27.130 shall be deemed guilty of a misdemeanor and, upon conviction thereof, be fined not less than twenty nor

more than one hundred dollars: PROVIDED, That in case of a school district employee, such fine shall be paid to the appropriate county treasurer and by him placed to the credit of the school district in which said employee is employed, and in case of all other officers such fine shall be paid to the appropriate county treasurer and by him placed to the credit of the general school fund of the county or intermediate district, as the case may be: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 54. Section 28A.27.104, chapter ..., Laws of 1969 (HB 58) and RCW 28A.27.104 are each amended to read as follows:

Notwithstanding the provisions of RCW 10.82.070, all fines except as otherwise provided in RCW 28A.27.010 through 28A.27.130 shall inure and be applied to the support of the public schools in the school district where such offense was committed: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 55. Section 28A.87.010, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.010 are each amended to read as follows:

Any person who shall insult or abuse a teacher anywhere on the school premises while such teacher is carrying out his official duties, shall be guilty of a misdemeanor, the penalty for which shall be a fine of not less than ten dollars nor more than one hundred dollars; said fine shall be turned over to the county treasurer and by him remitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 56. Section 28A.87.030, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.030 are each amended to read as follows:

In case any school district superintendent fails to make reports as by law or rule or regulation promulgated thereunder provided, at the proper time and in the proper manner, he shall forfeit and pay to the district the sum of twenty-five dollars for each and every such failure. He shall also be liable, if, through such neglect, the district fails to receive its just apportionment of school moneys, for the full amount so lost. Each and all of said forfeitures shall be recovered in a suit brought by the county or intermediate district superintendent or by any citizen of such district, in the name of and for the benefit of such district, and all moneys so collected shall be paid over to the county treasurer and shall be by him placed to the credit of the general fund of the district to which it belongs: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 57. Section 28A.87.060, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.060 are each amended to read as follows:

Any person who shall wilfully create a disturbance on school premises during school hours or at school activities or school meetings shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not more than fifty dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 58. Section 28A.87.070, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.070 are each amended to read as follows:

Any person having access to any question or questions prepared for the examination of teachers or common school pupils, who shall directly or indirectly disclose the same before the time appointed for

the use of the questions in the examination of such teachers or pupils, or who shall directly or indirectly assist any person to answer any question submitted, shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not less than one hundred nor more than five hundred dollars. Said fine shall be turned over to the county treasurer of the county in which it is collected and shall be by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 59. Section 28A.87.080, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.080 are each amended to read as follows:

Any person collecting or receiving any fines, forfeitures or other moneys belonging to the schools of the state of Washington, or belonging to the school fund of any county or school district in this state, and refusing or failing to pay over the same as required by law, shall be liable for double the amount so withheld, and in addition thereto, interest thereon at the rate of five percent per month during the time of so withholding the same; and it shall be a special duty of the county or intermediate district superintendent of schools to supervise and see that the provisions of this section are fully complied with, including the initiation of court actions therefor, and report thereon to the appropriate county commissioners at least semiannually. Fines and penalties, exclusive of any moneys recovered belonging to the school fund of any county or school district in this state, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 60. Section 28A 87.130, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.130 are each amended to read as follows:

Any school district official or employee who shall refuse or fail to deliver to his qualified successor all books, papers, and records pertaining to his position, or who shall wilfully mutilate or destroy any such property, or any part thereof, shall be guilty of a misdemeanor, the penalty for which shall be a fine not to exceed one hundred dollars: PROVIDED, That for each day there is a refusal or failure to deliver to a successor books, papers and records, a separate offense shall be deemed to have occurred; said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer, who shall place the same to the credit of the current school fund of the state: PROVIDED FURTHER, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Sec. 61. Section 28A.87.140, chapter ..., Laws of 1969 (HB 58) and RCW 28A.87.140 are each amended to read as follows:

Any teacher who shall maltreat or abuse any pupil by administering any unreasonable punishment, or who shall inflict punishment on the head of a pupil, upon conviction thereof shall be guilty of a misdemeanor, the penalty for which shall be a fine in any sum not exceeding one hundred dollars. Said fine, when collected, shall be turned over to the county treasurer and by him transmitted to the state treasurer who shall place the same to the credit of the current school fund of the state: PROVIDED, That all fees, fines, forfeitures and penalties collected or assessed by a justice court because of the violation of a state law shall be remitted as provided in chapter 3.62 RCW as now exists or is later amended.

Part IV. Construction.

NEW SECTION. Sec. 62. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB 58). The provisions of Part II of the instant bill

seek to change existing laws. The provisions of Part III seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part II shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part II shall expire and the provisions of Part III shall concomitantly become effective. It is the further intent of the legislature that Part III of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs then any amendatory provisions of Part III of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part III shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part III shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 63. Part III of this 1969 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 on the date upon which the 1969 education code becomes effective.

NEW SECTION. Sec. 64. Section 107, chapter 299, Laws of 1961 and RCW 3.62.030 are each hereby repealed.

Passed the Senate April 22, 1969
Passed the House April 10, 1969
Approved by the Governor April 30, 1969
Filed in office of Secretary of State April 30, 1969

CHAPTER 200
[House Bill No. 222]
EMPLOYMENT SECURITY--COMPUTATION
OF APPEALS AND PETITION PERIODS

AN ACT Relating to the computation of appeals and petition periods in the administration of the laws relating to unemployment compensation; adding a new section to chapter 35, Laws of 1945 and to chapter 50.32 RCW; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 35, Laws