

chapter 52, Laws of 1957, and RCW 35.43.160; and  
(2) Section 35.43.170, chapter 7, Laws of 1965, section 1,  
chapter 58, Laws of 1965, and RCW 35.43.170.

Passed the Senate April 30, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

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CHAPTER 117

[Engrossed Senate Bill No. 865]

"COUNTY COMMISSIONERS"--

TERM AS APPLIED TO CHARTER COUNTIES--  
POWERS AS TO LAWMAKING IN CERTAIN FIELDS

AN ACT Relating to counties; adding a new section to chapter 36.32  
RCW; and adding a new section to Title 36 RCW.

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

NEW SECTION. Section 1. There is added to Title 36 RCW a new  
section to read as follows:

The term "county commissioners" when used in this Title or any  
other provision of law shall include the governmental authority  
empowered to so act under the provisions of a charter adopted by any  
county of the state.

NEW SECTION. Sec. 2. There is added to chapter 36.32 RCW as  
new section to read as follows:

Nothing in this chapter shall permit the counties to adopt, by  
reference or by ordinance, regulations relating to the subject matter  
contained in chapters 19.28, 43.22, 70.79, or 70.87 RCW.

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CHAPTER 118

[Engrossed Substitute Senate Bill No. 866]

STATE RESIDENTIAL SCHOOLS

AN ACT Relating to state institutions; amending section 72.33.180,  
chapter 28, Laws of 1959 as last amended by section 2, chapter  
75, Laws of 1970 ex. sess. and RCW 72.33.180; amending section  
2, chapter 141, Laws of 1967 and RCW 72.33.655; amending

section 4, chapter 141, Laws of 1967 and RCW 72.33.665; creating a new section; and declaring an emergency.

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

Section 1. Section 72.33.180, chapter 28, Laws of 1959 as last amended by section 2, chapter 75, Laws of 1970 ex. sess. and RCW 72.33.180 are each amended to read as follows:

The superintendent of a state school shall serve as custodian without compensation of such personal property of a resident as may be located at the school, including moneys deposited with the superintendent for the benefit of such resident. As such custodian, the superintendent shall have authority to disburse moneys from the resident's fund for the following purposes and subject to the following limitations:

(1) Subject to specific instructions by a donor ((or payer)) of money to the superintendent for the benefit of a resident, the superintendent may disburse any of the funds belonging to a resident for such personal needs of such resident as the superintendent may deem proper and necessary.

(2) The superintendent may pay to the department of ((institutions)) social and health services for the costs of care, support ((and)) maintenance, treatment, hospitalization, medical care and rehabilitation of a resident from the resident's fund when such fund exceeds ((one thousand)) two hundred dollars, to the extent of any finding of financial responsibility served upon the superintendent after such findings shall have become final except, reduction of such funds to another amount may be made where necessary to qualify such person for eligibility in any public or private program for the care, treatment, hospitalization, support, training, or rehabilitation of such person, and to qualify such person for the payment of the liabilities from any public or private program providing benefits for the payment of all or a portion of the costs of care, treatment, hospitalization, support, training, or rehabilitation: PROVIDED, That if such resident does not have a guardian, parent, spouse, or other person acting in a representative capacity, upon whom notice and findings of financial responsibility have been served then the superintendent shall not make payments to the department of ((institutions)) social and health services as above provided, until a guardian has been appointed by the court, and the time for the appeal of findings of financial responsibility as provided in RCW 72.33.670 shall not commence to run until the appointment of such guardian and the service upon him of notice and findings of financial responsibility.

(3) When a resident is granted placement, the superintendent shall deliver to said resident, or the parent, guardian, or agency legally responsible for the resident, all or such portion of the

funds of which the superintendent is custodian as above defined, or other property belonging to the resident, as the superintendent may deem necessary to the resident's welfare, and the superintendent may during such placement deliver to the former resident such additional property or funds belonging to the resident as the superintendent may from time to time deem proper. When the conditions of placement have been fully satisfied and the resident is discharged, the superintendent shall deliver to such resident, or the parent, person, or agency legally responsible for the resident, all funds or other property belonging to the resident remaining in his possession as custodian.

(4) All funds held by the superintendent as custodian may be deposited in a single fund, the receipts and expenditures therefrom to be accurately accounted for by him: PROVIDED, That all interest accruing from, or as a result of the deposit of such moneys in a single fund shall be used by the superintendent for the general welfare of all the residents of such institution: PROVIDED, FURTHER, That when the personal accounts of residents exceed three hundred dollars, the interest accruing therefrom shall be credited to the personal accounts of such residents. All such expenditures shall be subject to the duty of accounting provided for in this section.

(5) The appointment of a guardian for the estate of such resident shall terminate the superintendent's authority as custodian of a resident's funds upon receipt by the superintendent of a certified copy of letters of guardianship. Upon the guardian's request, the superintendent shall immediately forward to such guardian any funds or other property of the resident remaining in the superintendent's possession together with a full and final accounting of all receipts and expenditures made therefrom.

(6) Upon receipt of a written request from the superintendent stating that a designated individual is a resident of the state school for which he has administrative responsibility and that such resident has no legally appointed guardian of his estate, any person, bank, corporation, or agency having possession of any money, bank accounts, or choses in action owned by such resident, shall, if the amount does not exceed (~~one thousand~~) two hundred dollars, deliver the same to the superintendent as custodian and mail written notice thereof to such resident at the state school. The receipt of the superintendent shall constitute full and complete acquittance for such payment and the person, bank, corporation, or agency making such payment shall not be liable to the resident or his legal representatives. All funds so received by the superintendent shall be duly deposited by him as custodian in the resident's fund to the personal account of such resident.

If any proceeding is brought in any court to recover property

so delivered, the attorney general shall defend the same without cost to the person, bank, corporation, or agency effecting such delivery to the superintendent, and the state shall indemnify such person, bank, corporation, or agency against any judgment rendered as a result of such proceeding.

Sec. 2. Section 2, chapter 141, Laws of 1967 and RCW 72.33.655 are each amended to read as follows:

The estates of all mentally or physically deficient persons who have been admitted to the state residential schools listed in RCW 72.33.030 either by application of their parents or guardian or by commitment of court, or who may hereafter be admitted or committed to such institutions, shall be liable for their per capita costs of care, support and treatment: PROVIDED, That the estate funds may not be reduced as a result of such liability below an amount ~~((of one thousand dollars))~~ as set forth in section 1 of this 1971 amendatory act.

Sec. 3. Section 4, chapter 141, Laws of 1967 and RCW 72.33.665 are each amended to read as follows:

The department of ~~((institutions))~~ social and health services shall investigate and determine the assets of the estates of each resident of a state residential school and the ability of each such estate to pay all, or any portion of, the average monthly charge for care, support and treatment at a state residential school as determined by the procedure set forth in RCW 72.33.660: PROVIDED, That the sum ~~((of one thousand dollars))~~ as set forth in section 1 of this 1971 amendatory act shall be retained by the estate of the resident at all times for such personal needs as may arise: PROVIDED FURTHER, That where any person other than a resident or the guardian of his estate deposits funds so that the depositor and a resident become joint tenants with the right of survivorship, such funds shall not be considered part of the resident's estate so long as the resident is not the sole survivor among such joint tenants.

NEW SECTION. Sec. 4. The secretary of the department of social and health services or his designee may, upon the death of a resident, supplement such funds as were in the resident's account at the time of his death to provide funeral and burial expenses for such deceased resident: PROVIDED, That the total of the resident's account funds plus the state supplementation which may be used for funeral and burial purposes shall not exceed six hundred fifty dollars.

NEW SECTION. Sec. 5. This 1971 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 immediately.

Passed the Senate May 10, 1971.

Passed the House May 10, 1971.

Approved by the Governor May 19, 1971.

Filed in Office of Secretary of State May 20, 1971.

CHAPTER 119

[Senate Bill No. 883]

WEED DISTRICTS

AN ACT Relating to weed districts; and amending section 8, chapter 125, Laws of 1929 as amended by section 4, chapter 250, Laws of 1961, and RCW 17.04.180.

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

Section 1. Section 8, chapter 125, Laws of 1929 as amended by section 4, chapter 250, Laws of 1961, and RCW 17.04.180 are each amended to read as follows:

Whenever there shall be included within any weed district any lands belonging to the county, the boards of county commissioners shall determine the amount of the taxes for which such lands would be liable if the same were in private ownership, and the county commissioners shall appropriate from the current expense fund of the county sufficient money to pay such amounts. Whenever any state lands shall be located within any weed district the county treasurer shall certify annually and forward to the commissioner of public lands, or, if the lands are occupied by or used in connection with any state institution, to the ~~((director of business control))~~ secretary of social and health services, or if the land is under use as state highway right of way, to the director of highways, a statement showing the amount of the tax to which such lands would be liable if the same were in private ownership, separately describing each lot or parcel, and the commissioner of public lands, or the ~~((director of business control))~~ secretary of social and health services, or the director of highways, as the case may be, shall cause a proper record to be made in their respective offices of the charges against such lands, and shall certify the same to the state auditor thirty days previous to the convening of the biennial session of the legislature, and the state auditor shall, at the next session of the legislature thereafter certify to the legislature the amount of such charges against such lands, and the legislature shall provide