

fifty percent of the total revenue of the log patrol revolving fund during each bimonthly period. The debris removal account balance shall not exceed ten thousand dollars and shall be in addition to the amount specified in RCW 76.40.015.

NEW SECTION. Sec. 7. It shall be unlawful to dispose of wood debris by depositing such material into any of the navigable waters of this state, except as authorized by law including any discharge or deposit allowed to be made under and in compliance with chapter 90.48 RCW and any rules or regulations duly promulgated thereunder. Violation of this section shall be a misdemeanor.

NEW SECTION. Sec. 8. The department of natural resources shall adopt and enforce such rules and regulations as may be deemed necessary for administering this chapter.

Passed the House March 3, 1973.

Passed the Senate March 1, 1973.

Approved by the Governor March 20, 1973.

Filed in Office of Secretary of State March 20, 1973.

CHAPTER 137

[House Bill No. 224]

EXECUTIVE CONFLICT OF INTEREST ACT--EXPANSION--  
CIVIL PENALTIES

AN ACT Relating to officers and employees of the state of Washington; amending section 13, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.130; amending section 29, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.290; amending section 30, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.300; repealing section 39, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.340; and prescribing penalties.

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

Section 1. Section 13, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.130 are each amended to read as follows:

"State employee" means any individual who is appointed by an agency head, as defined in RCW 42.18.040, or his designee, and serves under the supervision and authority of an agency as defined in RCW 42.18.030.

Notwithstanding the foregoing, the term "state employee" shall not include any of the following:

(1) Officers and employees in the legislative and judicial branches of the state of Washington; and

(2) A reserve of the Washington national guard, when he is not on active duty and is not otherwise a state employee.

An individual shall not be deemed an employee solely by reason of his being subject to recall to active service.

Every state employee shall be deemed either "intermittent" or "regular" as determined by the definitions contained in RCW 42.18.070 and 42.18.100 respectively.

The term "state employee" also includes any member of a commission, board, committee or any other multi-member governing body of an agency.

Sec. 2. Section 29, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.290 are each amended to read as follows:

The attorney general of the state of Washington may bring a civil action in the superior court of ~~((Thurston county))~~ the county in which the violation was alleged to have occurred against any state employee ~~((or))~~, former state employee or other person who shall have ~~((acted to his economic advantage in violation))~~ violated or knowingly assisted any other person in violating any provision of this chapter ((7)) and in such action may recover ~~((damages in an amount equal to the amount of such economic advantage on behalf of the state of Washington, in partial reimbursement of the state for its expenses of administering this chapter))~~ the following damages on behalf of the state of Washington: (1) From each such person a civil penalty of either five hundred dollars or an amount not exceeding three times the amount of the economic value of anything received or sought in violation of this 1973 amendatory act; and (2) any damages sustained by the state, which are caused by the conduct constituting the violation.

Sec. 3. Section 30, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.300 are each amended to read as follows:

The attorney general of the state of Washington may bring a civil action in the superior court of Thurston county ~~((to collect from any person who shall violate REW 42-18-230 a civil penalty of not more than five thousand dollars, in partial reimbursement of the state of Washington for its expenses of administering this chapter))~~ against any person who shall violate RCW 42.18.230. In such action the attorney general shall be awarded the following damages for the state of Washington: (1) A civil penalty of either one thousand dollars or an amount not exceeding three times the economic value of anything which has been given, transferred, or delivered in violation of RCW 42.18.230; and (2) any damages sustained by the state which are caused by the conduct constituting the violation.

NEW SECTION. Sec. 4. Section 39, chapter 234, Laws of 1969 ex. sess. and RCW 42.18.340 are each repealed.

Passed the House March 3, 1973.

Passed the Senate February 26, 1973.

Approved by the Governor March 20, 1973.

Filed in Office of Secretary of State March 20, 1973.

CHAPTER 138

[House Bill No. 359]

SCHOOL DISTRICTS--COMMUNITY  
EDUCATION PROGRAMS

AN ACT Relating to community education programs; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.58 RCW a new section to read as follows:

Notwithstanding the provisions of RCW 28B.50.250, 28B.50.530 or any other law, rule, or regulation, any school district is authorized to provide community education programs in the form of instructional, recreational and/or service programs on a noncredit and nontuition basis, excluding fees for supplies, materials, or instructor costs, for the purpose of stimulating the full educational potential and meeting the needs of the district's residents of all ages, and making the fullest use of the district's school facilities: PROVIDED, That such programs shall be consistent with rules and regulations promulgated by the state superintendent of public instruction governing cooperation between common schools, community college districts, and other civic and governmental organizations which shall have been developed in cooperation with the state board for community college education and shall be programs receiving the approval of said superintendent: PROVIDED FURTHER, That no state funds appropriated to the common schools or the superintendent of public instruction's office shall be used to begin new community education programs or expand existing community education programs.

Passed the House March 3, 1973.

Passed the Senate March 1, 1973.

Approved by the Governor March 20, 1973.

Filed in Office of Secretary of State March 20, 1973.