

RCW 75.08.090 are each amended to read as follows:

All rules and regulations of the director, acting director or such person designated by the director, and all amendments to, or modifications or revocations of existing rules and regulations shall be made and adopted by the director and shall be promulgated ((by publication in a newspaper of general circulation published at the state capital and shall take effect and be in force at the times specified therein)) in accordance with the provisions of chapter 34.04 RCW.

Passed the Senate February 18, 1973.

Passed the House March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

CHAPTER 94
[Senate Bill No. 2415]
GROUND WATERS--REDEFINED

AN ACT Relating to water rights; amending section 3, chapter 263, Laws of 1945 and RCW 90.44.035; and adding a new section to chapter 263, Laws of 1945 and to chapter 90.44 RCW.

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

NEW SECTION. Section 1. There is added to chapter 263, Laws of 1945 and to chapter 90.44 RCW a new section to read as follows:

It is the purpose of this 1973 amendatory act to state as well as reaffirm the intent of the legislature that "ground waters," as defined in chapter 263, Laws of 1945, means all waters within the state existing beneath the land surface, and to remove any possible ambiguity which may exist as a result of the dissenting opinion in State v. Ponten, 77 Wn.2d 463 (1969), or otherwise, with regard to the meaning of "ground waters" in the present wording of RCW 90.44.035. The definition set forth in section 2 of this 1973 amendatory act accords with the interpretation given by all of the various administrative agencies having responsibility for administration of the act since its enactment in 1945.

Sec. 2. Section 3, chapter 263, Laws of 1945 and RCW 90.44.035 are each amended to read as follows:

All ((bodies of)) watersg that exist beneath the land surface ((and that there saturate the interstices of rocks or other materials--that is, the waters of underground streams or channels, artesian basins, underground reservoirs, lakes or basins, whose existence or whose boundaries may be reasonably established or ascertained--)) or beneath the bed of any stream, lake or reservoir,

or other body of surface water within the boundaries of this state, whatever may be the geological formation or structure in which such water stands or flows, percolates or otherwise moves, are defined for the purposes of this chapter as "ground waters." There is recognized a distinction between: (1) Water that exists in underground storage owing wholly to natural processes; for the purposes of this chapter such water is designated as "natural ground water." (2) Water that is made available in underground storage artificially, either intentionally, or incidentally to irrigation and that otherwise would have been dissipated by natural waste; for the purposes of this chapter such water is designated as "artificially stored ground water."

Passed the Senate March 2, 1973.

Passed the House March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

CHAPTER 95

[Senate Bill No. 2360]

STATE AUDITOR--TRANSFER OF DUTIES

AN ACT Relating to state government; transferring certain statutory duties of the state auditor; amending section 1, chapter 223, Laws of 1949 and RCW 40.20.020; amending section 43.84.110, chapter 8, Laws of 1965 and RCW 43.84.110; amending section 47.24.010, chapter 13, Laws of 1961 and RCW 47.24.010; amending section 75.08.240, chapter 12, Laws of 1955 and RCW 75.08.240; amending section 82.36.410, chapter 15, Laws of 1961 and RCW 82.36.410; amending section 19, chapter 22, Laws of 1963 ex. sess. as amended by section 5, chapter 83, Laws of 1967 ex. sess. and RCW 82.37.190; amending section 82.40.290, chapter 15, Laws of 1961 as last amended by section 7, chapter 83, Laws of 1967 ex. sess. and RCW 82.40.290; amending section 84.08.050, chapter 15, Laws of 1961 and RCW 84.08.050; amending section 84.12.240, chapter 15, Laws of 1961 and RCW 84.12.240; amending section 84.16.032, chapter 15, Laws of 1961 and RCW 84.16.032; amending section 84.48.110, chapter 15, Laws of 1961 and RCW 84.48.110; repealing section 43.79.360, chapter 8, Laws of 1965 and RCW 43.79.360; and repealing section 77.04.070, chapter 36, Laws of 1955 and RCW 77.04.070.

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

Section 1. Section 1, chapter 223, Laws of 1949 and RCW