

## CHAPTER 150

[House Bill No. 595]

## CAMPING CLUBS

AN ACT Relating to camping clubs; amending section 12, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.120; adding new sections to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW; and prescribing penalties.

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

Section 1. Section 12, chapter 106, Laws of 1972 ex. sess. and RCW 19.105.120 are each amended to read as follows:

It shall be unlawful for any person ((who knowingly sells memberships)) to sell or offer to sell a membership or an option to purchase a membership in a camping club for which a promotion permit ((has not been issued or)) is not currently in force ((shall be guilty of a gross misdemeanor and may be fined an amount up to one thousand dollars. It shall be a defense to any prosecution brought under this section that the defendant was or is a bona fide member of a camping club at the time of his selling his single membership therein)) unless the membership being sold is held by a member for his own personal use as a bona fide membership in the camping club.

NEW SECTION. Sec. 2. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

It is unlawful for any person to make or cause to be made, in any document filed with the director or in any proceeding under this chapter, any statement that is, at the time and in light of the circumstances under which it is made, false or misleading in any material respect.

NEW SECTION. Sec. 3. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

Any person who wilfully violates any provisions of this chapter or any rules or order under this chapter commits a gross misdemeanor; but no person may be convicted for the violation of any order if he proves that he had no knowledge of the order. No indictment or information may be returned under this chapter more than five years after the alleged violation.

NEW SECTION. Sec. 4. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

The director may refer such evidence as may be available concerning violations of this chapter or of any rule or order hereunder to the attorney general or the proper prosecuting attorney who may in his discretion, with or without such a reference, institute the appropriate civil or criminal proceedings under this chapter.

NEW SECTION. Sec. 5. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

Nothing in this chapter limits the power of the state to punish any person for any conduct which constitutes a crime by statute or at common law.

NEW SECTION. Sec. 6. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

The director in his discretion (1) may annually, or more frequently, make such public or private investigations within or without this state as he deems necessary to determine whether any registration should be granted, denied or revoked or whether any person has violated or is about to violate any provisions of this chapter or any rule or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder and (2) may publish information concerning any violation of this chapter or any rule or order hereunder.

NEW SECTION. Sec. 7. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

For the purpose of any investigation or proceeding under this chapter, the director or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the director deems relevant or material to the inquiry.

In case of disobedience on the part of any person to comply with any subpoena lawfully issued by the director, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, the superior court of any county or the judge thereof, on application of the director, and after satisfactory evidence of wilful disobedience, may compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such a court on a refusal to testify therein.

NEW SECTION. Sec. 8. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

Whenever it appears to the director that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this chapter or any rule or order hereunder, he may in his discretion:

(1) Issue an order directing the person to cease and desist from continuing the act or practice: **PROVIDED**, That reasonable notice of and opportunity for a hearing shall be given: **PROVIDED, FURTHER**, That the director may issue a temporary order pending the hearing which shall be effective upon delivery to the person affected and which shall remain in effect until ten days after the hearing is held and which shall become final if the person to whom notice is addressed does not request a hearing within fifteen days after receipt of notice; or

(2) The director may without issuing a cease and desist order, bring an action in any court of competent jurisdiction to enjoin any such acts or practices and to enforce compliance with this chapter or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. The director may not be required to post a bond.

NEW SECTION. Sec. 9. There is added to chapter 106, Laws of 1972 ex. sess. and to chapter 19.105 RCW a new section to read as follows:

A permit to promote and sell camping club memberships shall be effective for one year from the date it is issued. The permit may be renewed for additional periods of one year by the payment of a filing fee of fifty dollars and filing with the

director, no later than twenty days prior to the expiration thereof, a renewal application containing such information as the director may require to indicate any substantial changes from the information contained in the original application: PROVIDED, That the Director is not authorized to impose additional material substantive rules upon a permit holder as a condition for the issuance of a renewal permit under this section. A permit to promote and sell camping club memberships for which a renewal application has been regularly filed and the filing fee paid is renewed on the anniversary date of its original issuance unless written notice to the contrary has been mailed to the promoter by the director three days prior to that anniversary date. The director may require the filing of a revised offering circular as a condition of renewal. Further, the director may require the filing of current financial statements within one hundred twenty days of the end of the promoter's fiscal year.

Any permit to promote and sell camping club memberships issued prior to the effective date of this 1975 amendatory act shall be subject to the renewal provisions of this section upon the anniversary date of the issuance of the original permit.

Passed the House April 2, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 2, 1975.

Filed in Office of Secretary of State June 2, 1975.

---

## CHAPTER 151

[House Bill No. 752]

### SCHOOL DISTRICTS—BUDGETS, DELAY— PERMISSIBLE EXPENDITURES

AN ACT Relating to school district budgets; amending section 28A.65.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 26, Laws of 1972 ex. sess. and RCW 28A.65.170; and adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.65 RCW.

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

Section 1. Section 28A.65.170, chapter 223, Laws of 1969 ex. sess. as last amended by section 1, chapter 26, Laws of 1972 ex. sess. and RCW 28A.65.170 are each amended to read as follows:

The budget as finally adopted shall constitute the appropriations of the district for the ensuing fiscal year and the board of directors shall be limited in the making of expenditures and the incurring of liabilities to the grand total of such appropriations. The board of directors shall make no expenditures nor incur any liability for any purpose not provided for in said budget, except for emergencies as hereinabove provided: PROVIDED, That (~~no board of directors shall be prohibited from making expenditures for the payment of regular employees, for the necessary repairs and upkeep of the school plant, for the purchase of books and supplies, and for their participation in joint purchasing agencies authorized in RCW 28A.58.107 during the interim while the budget is being settled. PROVIDED FURTHER, That~~) transfers between budget classes may be made by the school district's chief administrative officer or finance officer, subject to such regulations as may be imposed by the school district board of directors: PROVIDED