

(2) "Alternative methods of effluent disposal" means systems approved by the department of social and health services, including at least, mound systems, alternating drain fields, anaerobic filters, evapotranspiration systems, and aerobic systems.

(3) "Failure" means: (a) Effluent has been discharged on the surface of the ground prior to approved treatment; or (b) effluent has percolated to the surface of the ground; or (c) effluent has contaminated or threatens to contaminate a ground water supply.

NEW SECTION. Sec. 3. Local boards of health shall identify failing septic tank drainfield systems in the normal manner and will use reasonable effort to determine new failures. Discretionary judgment will be made in implementing corrections by specifying nonwater-carried sewage disposal devices or other alternative methods of treatment and effluent disposal as a measure of ameliorating existing substandard conditions. Local regulations shall be consistent with the intent and purposes stated herein.

NEW SECTION. Sec. 4. With the advice of the secretary of the department of social and health services, local boards of health are hereby authorized to waive applicable sections of local plumbing and/or building codes that might prohibit the use of an alternative method for correcting a failure.

NEW SECTION. Sec. 5. Sections 2 through 4 of this act shall constitute a new chapter in Title 70 RCW.

Passed the Senate May 23, 1977.

Passed the House May 20, 1977.

Approved by the Governor June 1, 1977.

Filed in Office of Secretary of State June 1, 1977.

CHAPTER 134

[Senate Bill No. 2675]

MERCHANDISE—UNLAWFUL TAKING—DAMAGES—PENALTIES

AN ACT Relating to special rights of action; amending section 1, chapter 59, Laws of 1975 1st ex. sess. and RCW 4.24.230; and prescribing penalties.

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

Section 1. Section 1, chapter 59, Laws of 1975 1st ex. sess. and RCW 4.24.230 are each amended to read as follows:

(1) An adult or emancipated minor who takes possession of any goods, wares or merchandise displayed or offered for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller, and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof shall be liable in addition to actual damages, for a penalty to the owner or seller in the amount of the retail value thereof not to exceed one thousand dollars, plus ~~((costs of preparing and presenting the action))~~ an additional penalty of not less than one hundred dollars nor more than two hundred dollars.

(2) The parent or legal guardian having the custody of an unemancipated minor who takes possession of any goods, wares or merchandise displayed or offered

for sale by any wholesale or retail store or other mercantile establishment without the consent of the owner or seller and with the intention of converting such goods, wares or merchandise to his own use without having paid the purchase price thereof, shall be liable as a penalty to the owner or seller for the retail value of such goods, wares or merchandise not to exceed five hundred dollars plus ~~((costs of preparing and presenting the action))~~ an additional penalty of not less than one hundred dollars nor more than two hundred dollars: PROVIDED, That for the purposes of this subsection, liability shall not be imposed upon any governmental entity or private agency which has been assigned responsibility for the minor child pursuant to court order or action of the department of social and health services.

(3) ~~((Claims))~~ Judgments, but not ~~((judgments))~~ claims, arising under this section may ~~((not))~~ be assigned.

(4) A conviction for violation of ~~((RCW 9.78.010 or 9.54.010))~~ chapter 9A.56 RCW shall not be a condition precedent to maintenance of a civil action authorized by this section.

Passed the Senate May 2, 1977.

Passed the House May 23, 1977.

Approved by the Governor June 1, 1977.

Filed in Office of Secretary of State June 1, 1977.

CHAPTER 135

[Senate Bill No. 2747]

FEDERAL SURPLUS PROPERTY—ACQUISITION

AN ACT Relating to disposal of surplus property; amending section 1, chapter 205, Laws of 1945 as amended by section 1, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.010; amending section 2, chapter 205, Laws of 1945 as amended by section 2, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.020; amending section 4, chapter 205, Laws of 1945 as amended by section 4, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.035; amending section 5, chapter 205, Laws of 1945 as amended by section 5, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.040; and amending section 7, chapter 205, Laws of 1945 as amended by section 6, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.060.

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

Section 1. Section 1, chapter 205, Laws of 1945 as amended by section 1, chapter 70, Laws of 1967 ex. sess. and RCW 39.32.010 are each amended to read as follows:

For the purposes of RCW 39.32.010 through 39.32.060:

The term "eligible ~~((institution))~~ donee" means ~~((any tax-supported medical institution, hospital, clinic, health center, school system, and nonprofit medical institution, hospital, clinic, health center, youth camp facility, school, college or university declared or held exempt from taxation under Section 501(c)(3) of the United States Internal Revenue Code of 1954, and institutions or activities as may be or are hereafter declared or held eligible under federal law to acquire surplus property:~~

The term "state department" means any office, department, commission, institution or other agency of the state of Washington authorized by law to exercise any governmental authority on behalf of the state: