

(7) Provision that the services of the supervisor and the apprenticeship council may be utilized for consultation regarding the settlement of differences arising out of the apprenticeship agreement where such differences cannot be adjusted locally or in accordance with the established trade procedure.

(8) Provision that if an employer is unable to fulfill his obligation under the apprenticeship agreement he may transfer such obligation to another employer.

(9) Such additional standards as may be prescribed in accordance with the provisions of this chapter.

Passed the House March 21, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor April 23, 1979.

Filed in Office of Secretary of State April 23, 1979.

CHAPTER 38

[House Bill No. 630]

PUBLIC WORKS RESERVE FUNDS—LIEN ENFORCEMENT—ATTORNEY FEES

AN ACT Relating to public works and awarding of costs and attorney fees; and amending section 3, chapter 166, Laws of 1921 as last amended by section 3, chapter 236, Laws of 1955 and RCW 60.28.030.

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

Section 1. Section 3, chapter 166, Laws of 1921 as last amended by section 3, chapter 236, Laws of 1955 and RCW 60.28.030 are each amended to read as follows:

Any person, firm, or corporation filing a claim against the reserve fund shall have four months from the time of the filing thereof in which to bring an action to foreclose the lien. The lien shall be enforced by action in the superior court of the county where filed, and shall be governed by the laws regulating the proceedings in civil actions touching the mode and manner of trial and the proceedings and laws to secure property so as to hold it for the satisfaction of any lien against it: PROVIDED, That the public body shall not be required to make any detailed answer to any complaint or other pleading but need only certify to the court the name of the contractor; the work contracted to be done; the date of the contract; the date of completion and final acceptance of the work; the amount retained; the amount of taxes certified due or to become due to the state; and all claims filed with it showing respectively the dates of filing, the names of claimants, and amounts claimed. Such certification shall operate to arrest payment of so much of the funds retained as is required to discharge the taxes certified due or to become due and the claims filed in accordance with this chapter.

In any action brought to enforce the lien, the claimant, if he prevails, is entitled to recover, in addition to all other costs, attorney fees in such sum as the court finds reasonable. If a claimant fails to bring action to foreclose his lien within the four months period, the reserve fund shall be discharged from the lien of his claim and the funds shall be paid to the contractor. The four months limitation shall not, however, be construed as a limitation upon the right to sue the contractor or his surety where no right of foreclosure is sought against the fund.

Passed the House March 21, 1979.

Passed the Senate April 11, 1979.

Approved by the Governor April 23, 1979.

Filed in Office of Secretary of State April 23, 1979.

CHAPTER 39

[House Bill No. 689]

LITTER CONTROL VIOLATORS—PENALTY—REMOVAL

AN ACT Relating to litter control; amending section 6, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.060; and prescribing penalties.

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

Section 1. Section 6, chapter 307, Laws of 1971 ex. sess. and RCW 70.93.060 are each amended to read as follows:

No person shall throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in the state or upon private property in this state not owned by him or in the waters of this state whether from a vehicle or otherwise including but not limited to any public highway, public park, beach, campground, forest land, recreational area, trailer park, highway, road, street, or alley except:

(1) When such property is designated by the state or by any of its agencies or political subdivisions for the disposal of garbage and refuse, and such person is authorized to use such property for such purpose;

(2) Into a litter receptacle in such a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said private or public property or waters.

Any person violating the provisions of this section shall be guilty of a misdemeanor and the fine ~~((or bail forfeiture))~~ for such violation shall not be less than ten dollars for each offense ~~((, and;))~~. In addition thereto, ((in the sound discretion of any court in which conviction is obtained)) except where infirmity or age or other circumstance would create a hardship, such person ((may)) shall be directed by the ((judge)) court in which conviction is obtained to pick up and remove litter from ((any)) public ((place or any)) property and/or private property, with prior permission of the legal owner ~~((upon which it is established by competent evidence that such person has~~