

real property. ~~PROVIDED, That such acquisition shall be made only in contemplation of using such improved or unimproved real property for school district purposes)) deposited to the bond interest and redemption fund and/or the building reserve fund.~~

Sec. 4. Section 4, chapter 115, Laws of 1980 and RCW 28A.58.035 are each amended to read as follows:

Each school district's board of directors shall deposit moneys derived from the lease, rental or occasional use of surplus school property into the district's building reserve fund except for moneys required to be expended for general maintenance, utility, insurance costs, and any other costs associated with the lease or rental of such property, which moneys shall be deposited in the district's general fund.

NEW SECTION. Sec. 5. The effective date of this amendatory act shall be September 1, 1981.

Passed the House April 25, 1981.

Passed the Senate April 24, 1981.

Approved by the Governor May 18, 1981, with the exception of Section 1, which is vetoed.

Filed in Office of Secretary of State May 18, 1981.

Note: Governor's explanation of veto is as follows:

"I am returning herewith without my approval as to Section 1, Substitute House Bill No. 650 entitled:

"AN ACT Relating to school districts."

Section 1 of the bill removes the phrase "necessary or proper to carry out the functions of a school district." As a result, school districts could not use funds to finance any school facility for which there is not specific authority in law. Surprisingly, without this phrase there is no other law that gives school districts definite authority to acquire and construct the broad range of facilities required to carry out many essential school district functions. Without the authority of the "necessary and proper" phrase, school districts may not be able to finance construction of school buildings through the issuance of bonds.

With the exception of Section 1, which I have vetoed, the remainder of Substitute House Bill No. 650 is approved."

## CHAPTER 251

[Substitute Senate Bill No. 3024]

### WANAPUM INDIANS (SOKULK) — CEREMONIAL, SUBSISTENCE FISHERY

AN ACT Relating to the relief of the Sokulk Indians by providing for their fishing in designated areas; adding a new section to chapter 75.12 RCW; and creating a new section.

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

NEW SECTION. Section 1. The legislature finds that the Sokulk Indians, otherwise known as the Wanapum band of Indians, have made a significant effort to maintain their traditional tribal culture, including the

activity of taking salmon for ceremonial and subsistence purposes. The legislature further finds that previously the state has encouraged ceremonial and subsistence fishing by the Wanapums by chapter 210, Laws of 1939 and other permission. Therefore, the intent of the legislature in enacting section 2 of this act is to recognize the cultural importance of salmon fishing to only the Wanapum Indians by authorizing these people a ceremonial and subsistence fishery, while also preserving the state's ability to conserve and manage the salmon resource.

**NEW SECTION.** Sec. 2. There is added to chapter 75.12 RCW a new section to read as follows:

The department is authorized to issue permits to members of the Wanapum band of Indians to take salmon for ceremonial and subsistence purposes. The department shall establish the areas in which the permits are valid and shall regulate the times for and manner of taking the salmon: **PROVIDED**, That nothing in this act shall be construed to create a right to fish for commercial purposes.

Passed the Senate April 24, 1981.

Passed the House April 20, 1981.

Approved by the Governor May 18, 1981.

Filed in Office of Secretary of State May 18, 1981.

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## CHAPTER 252

[Engrossed Senate Bill No. 3372]

### TELEPHONE OR TELEGRAPH SERVICE—FRAUD

AN ACT Relating to fraud in obtaining telephone or telegraph service; amending section 1, chapter 114, Laws of 1955 as last amended by section 1, chapter 42, Laws of 1977 ex. sess. and RCW 9.45.240; and prescribing penalties.

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

Section 1. Section 1, chapter 114, Laws of 1955 as last amended by section 1, chapter 42, Laws of 1977 ex. sess. and RCW 9.45.240 are each amended to read as follows:

(1) Every person who, with intent to evade the provisions of any order of the Washington utilities and transportation commission or of any tariff, rule, or regulation lawfully filed with said commission by any telephone or telegraph company, or with intent to defraud, obtains telephone or telegraph service from any telephone or telegraph company through the use of a false or fictitious name or telephone number or the unauthorized use of the name or telephone number of another, or through any other trick, deceit, or fraudulent device, shall be guilty of a misdemeanor (~~PROVIDED; HOWEVER, That~~). If the value of the telephone or telegraph service which any person obtains in violation of this section during a period of ninety days exceeds (~~seventy-five~~):