

CHAPTER 279

[Substitute Senate Bill No. 4135]

DEPARTMENT OF SOCIAL AND HEALTH SERVICES AUTHORITY—
REIMBURSEMENT FOR CRIMES AND DISTURBANCES IN STATE
INSTITUTIONS

AN ACT Relating to state institutions; amending section 2, chapter 108, Laws of 1979 ex. sess. as amended by section 120, chapter 136, Laws of 1981 and RCW 72.72.020; amending section 3, chapter 108, Laws of 1979 ex. sess. and RCW 72.72.030; amending section 4, chapter 108, Laws of 1979 ex. sess. and RCW 72.72.040; amending section 3, chapter 49, Laws of 1982 and RCW 72.72.050; amending section 4, chapter 49, Laws of 1982 and RCW 72.72.060; and declaring an emergency.

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

Sec. 1. Section 2, chapter 108, Laws of 1979 ex. sess. as amended by section 120, chapter 136, Laws of 1981 and RCW 72.72.020 are each amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) (~~"Department" means the department of corrections.~~

(2)) "Political subdivisions" means counties, cities, and towns.

((3)) (2) "Institution" means any state institution for the confinement of adult offenders committed pursuant to chapters 10.64, 10.77, and 71.06 RCW or juvenile offenders committed pursuant to chapter 13.40 RCW.

((4) ~~"Secretary" means the secretary of corrections.~~)

Sec. 2. Section 3, chapter 108, Laws of 1979 ex. sess. and RCW 72.72.030 are each amended to read as follows:

(1) There is hereby created, in the general fund, an institutional impact account (~~which shall be administered by the secretary~~). The (~~purpose of this fund is to~~) secretary of social and health services may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by offenders residing in an institution as defined herein under the jurisdiction of the secretary of social and health services. (~~The secretary shall make~~) Such reimbursement shall be made to the extent funds are available from the general fund—institutional impact account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender.

(2) The secretary of corrections may reimburse political subdivisions for criminal justice costs incurred directly as a result of crimes committed by offenders residing in an institution as defined herein under the jurisdiction of the secretary of corrections. Such reimbursement shall be made to the extent funds are available from the general fund—institutional impact

account. Reimbursements shall be limited to law enforcement, prosecutorial, judicial, and jail facilities costs which are documented to be strictly related to the criminal activities of the offender.

Sec. 3. Section 4, chapter 108, Laws of 1979 ex. sess. and RCW 72.72.040 are each amended to read as follows:

(1) The secretary of social and health services and the secretary of corrections shall each promulgate rules pursuant to chapter 34.04 RCW regarding the reimbursement process for their respective agencies.

(2) Reimbursement shall not be made if otherwise provided pursuant to other provisions of state law.

Sec. 4. Section 3, chapter 49, Laws of 1982 and RCW 72.72.050 are each amended to read as follows:

The state shall reimburse cities and counties for their expenses incurred directly as a result of their providing personnel and material pursuant to a contingency plan adopted under RCW 72.02.150. Reimbursement to cities and counties shall be expended solely from the institutional impact account within funds available in that account. If the costs of reimbursements to cities and counties exceed available funds, the secretary of corrections shall request the legislature to appropriate sufficient funds to enable the secretary of corrections to make full reimbursement.

Sec. 5. Section 4, chapter 49, Laws of 1982 and RCW 72.72.060 are each amended to read as follows:

The state shall reimburse cities and counties for their costs incurred under chapter 41.26 RCW if the costs are the direct result of physical injuries sustained in the implementation of a contingency plan adopted under RCW 72.02.150 and if reimbursement is not precluded by the following provisions: If the secretary of corrections identifies in the contingency plan the prison walls or other perimeter of the secured area, then reimbursement will not be made unless the injuries occur within the walls or other perimeter of the secured area. If the secretary of corrections does not identify prison walls or other perimeter of the secured area, then reimbursement shall not be made unless the injuries result from providing assistance, requested by the secretary of corrections or the secretary's designee, which is beyond the description of the assistance contained in the contingency plan. In no case shall reimbursement be made when the injuries result from conduct which either is not requested by the secretary of corrections or the secretary's designee, or is in violation of orders by superiors of the local law enforcement agency.

NEW SECTION. Sec. 6. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state

government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 30, 1983.

Passed the House April 20, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

CHAPTER 280

[Senate Bill No. 4156]

FISHING LICENSE FEES—WHEELCHAIR-CONFINED PERSONS EXEMPT

AN ACT Relating to game fish licenses; and amending section 77.32.230, chapter 36, Laws of 1955 as last amended by section 27, chapter 310, Laws of 1981 and RCW 77.32.230.

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

Sec. 1. Section 77.32.230, chapter 36, Laws of 1955 as last amended by section 27, chapter 310, Laws of 1981 and RCW 77.32.230 are each amended to read as follows:

(1) A person sixty-five years of age or older who is an honorably discharged veteran of the United States armed forces having a service-connected disability and who has been a resident for five years may receive upon application a state hunting and fishing license free of charge.

(2) A person seventy years of age or older who has been a resident for ten years or a blind person or a physically handicapped person confined to a wheelchair may receive upon application a fishing license free of charge.

(3) A fishing license is not required for persons under the age of sixteen.

(4) Tags, permits, stamps, and punchcards required by this chapter shall be purchased separately by persons receiving a free license.

Passed the Senate March 16, 1983.

Passed the House April 21, 1983.

Approved by the Governor May 17, 1983.

Filed in Office of Secretary of State May 17, 1983.

CHAPTER 281

[Substitute Senate Bill No. 4226]

TREE FRUIT SANITATION PROGRAMS—ASSESSMENTS FOR INDUSTRY SERVICE PROGRAMS

AN ACT Relating to tree fruit; amending section 2, chapter 129, Laws of 1969 and RCW 15.26.020; amending section 3, chapter 129, Laws of 1969 and RCW 15.26.030; and adding a new section to chapter 15.26 RCW.

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

Sec. 1. Section 2, chapter 129, Laws of 1969 and RCW 15.26.020 are each amended to read as follows: