

FOR THE DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT OR SUCCESSOR AGENCY—PUBLIC FACILITIES CONSTRUCTION LOAN REVOLVING FUND

For public works financing through the community economic revitalization board.

Ten percent of the appropriation in this section shall be used to fund projects certified by the planning and community affairs agency or successor agency in the ((community block)) state urban development action grant program and approved by the community economic revitalization board.

If Substitute House Bill No. 245 is not enacted before July 1, 1983, the appropriation in this section shall lapse.

	Reappropriation	Appropriation
GF, St Bldg Constr Acct		20,000,000
Project	Estimated	Estimated
Costs	Costs	Total
Through	7/1/85 and	Costs
6/30/83	Thereafter	
		20,000,000

NEW SECTION. Sec. 47. Section 126, chapter 57, Laws of 1983 1st ex. sess. (uncodified) is repealed.

NEW SECTION. Sec. 48. Sections 2 through 6, 9, 10, 12, 16, 22 through 26, 29, 31 through 34, 36, 38, 41 through 44 of this act are each added to chapter 57, Laws of 1983 1st ex. sess.

NEW SECTION. Sec. 49. 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 House March 8, 1984.

Passed the Senate March 8, 1984.

Approved by the Governor March 14, 1984.

Filed in Office of Secretary of State March 14, 1984.

CHAPTER 183

[Substitute Senate Bill No. 4578]

BOATING SAFETY

AN ACT Relating to boating safety; amending section 48, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.080; amending section 22, chapter 7, Laws of 1983 as amended by section 50, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.110; amending section 52, chapter 3, Laws of 1983 2nd ex. sess. and RCW 43.51.400; adding a new section to chapter 43.51 RCW; and declaring an emergency.

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

Sec. 1. Section 48, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.080 are each amended to read as follows:

(1) The operator of a vessel involved in a collision, accident, or other casualty, to the extent the operator can do so without serious danger to the operator's own vessel or persons aboard, shall render all practical and necessary assistance to persons affected by the collision, accident, or casualty to save them from danger caused by the incident. Under no circumstances may the rendering of assistance or other compliance with this section be evidence of the liability of such operator for the collision, accident, or casualty. The operator shall also give his or her name, address, and the identification of the operator's vessel to the state parks and recreation commission and any person injured and to the owner of any property damaged: PROVIDED, That this requirement shall not apply to operators of vessels when they are participating in an organized competitive event covered by a permit issued by the United States coast guard. These duties are in addition to any duties otherwise imposed by law.

(2) Any person who complies with subsection (1) of this section or who gratuitously and in good faith renders assistance at the scene of a vessel collision, accident, or other casualty, without objection of the person assisted, shall not be held liable for any civil damages as a result of the rendering of assistance or for any act or omission in providing or arranging salvage, towage, medical treatment, or other assistance, where the assisting person acts as any reasonably prudent person would have acted under the same or similar circumstances.

Sec. 2. Section 22, chapter 7, Laws of 1983 as amended by section 50, chapter 3, Laws of 1983 2nd ex. sess. and RCW 88.02.110 are each amended to read as follows:

(1) A violation of this chapter, RCW 43.51.400, and the rules adopted by the department and the state parks and recreation commission pursuant to these statutes is a misdemeanor punishable only by a fine not to exceed one hundred dollars per vessel for the first violation. Subsequent violations in the same year are subject to the following fines:

- (a) For the second violation, a fine of two hundred dollars per vessel;
- (b) For the third and successive violations, a fine of four hundred dollars per vessel.

(2) After subtraction of court costs and administrative collection fees, moneys collected under this section shall be credited to the current expense fund of the arresting jurisdiction.

(3) All law enforcement officers shall have the authority to enforce this chapter, RCW 43.51.400, and the rules adopted by the department and the state parks and recreation commission pursuant to these statutes within their respective jurisdictions: PROVIDED, That a city, town, or county may contract with a fire protection district for such enforcement and fire protection districts are authorized to engage in such activities.

NEW SECTION. Sec. 3. There is added to chapter 43.51 RCW a new section to read as follows:

(1) All reports made to the commission pursuant to RCW 88.02.080 and 43.51.400 shall be without prejudice to the person who makes the report and shall be for the confidential usage of governmental agencies, except as follows:

(a) Statistical information which shall be made public;

(b) The names and addresses of the operator and owner and the registration number or name of the vessel as documented which was involved in an accident or casualty and the names and addresses of any witnesses which, if reported, shall be disclosed upon written request to any person involved in a reportable accident, or, for a reportable casualty, to any member of a decedent's family or the personal representatives of the family.

(2) A report made to the commission pursuant to RCW 88.02.080 and 43.51.400 or copy thereof shall not be used in any trial, civil or criminal, arising out of an accident or casualty, except that solely to prove a compliance or failure to comply with the report requirements of RCW 88.02.080 and 43.51.400, a certified statement which indicates that a report has or has not been made to the commission shall be provided upon demand to any court or upon written request to any person who has or claims to have made a report.

Sec. 4. Section 52, chapter 3, Laws of 1983 2nd ex. sess. and RCW 43.51.400 are each amended to read as follows:

The state parks and recreation commission shall:

(1) Coordinate a state-wide program of boating safety education using to the maximum extent possible existing programs offered by the United States power squadron and the United States coast guard auxiliary;

(2) Adopt rules in accordance with chapter 34.04 RCW, consistent with United States coast guard regulations, standards, and precedents, as needed for the efficient administration and enforcement of this section;

(3) Develop by January 31, 1984, a state-wide inventory of marine state parks and recreational facilities operated by other state and local agencies that are available for marine-related use by persons owning boats in this state;

(4) Enter into agreements aiding the administration of this chapter;

(5) Adopt and administer a casualty and accident reporting program consistent with United States coast guard regulations;

(6) Adopt and enforce recreational boating safety rules, including but not necessarily limited to equipment and navigating requirements, consistent with United States coast guard regulations;

(7) Coordinate with local and state agencies the development of biennial plans and programs for the enhancement of boating safety, safety education, and enforcement of safety rules and laws; allocate money appropriated to the commission for these programs as necessary; and accept

and administer any public or private grants or federal funds which are obtained for these purposes under chapter 43.88 RCW; and

((7)) (8) Take additional actions necessary to gain acceptance of a program of boating safety for this state under the federal boating safety act of 1971.

NEW SECTION. Sec. 5. 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 4, 1984.

Passed the House March 5, 1984.

Approved by the Governor March 14, 1984.

Filed in Office of Secretary of State March 14, 1984.

CHAPTER 184

[Substitute House Bill No. 843]

RETIREMENT—EXCESS COMPENSATION—TRUST FUND EXPENSES— TRANSFER FROM STATE-WIDE CITY EMPLOYEES SYSTEM TO PUBLIC EMPLOYEES' RETIREMENT SYSTEM—CONSOLIDATED EMPLOYERS— ACCRUED VACATION LEAVE

AN ACT Relating to retirement from public service; amending section 6, chapter 294, Laws of 1977 ex. sess. and RCW 41.26.450; amending section 6, chapter 293, Laws of 1977 ex. sess. and RCW 41.32.775; amending section 6, chapter 295, Laws of 1977 ex. sess. and RCW 41.40.650; amending section 13, chapter 274, Laws of 1947 as last amended by section 1, chapter ... (SB 4731), Laws of 1984 and RCW 41.40.120; amending section 32, chapter 274, Laws of 1947 as last amended by section 7, chapter 155, Laws of 1965 and RCW 41.40.310; amending section 9, chapter 163, Laws of 1982 and RCW 41.50.032; amending section 19, chapter 209, Laws of 1969 ex. sess. as amended by section 6, chapter 294, Laws of 1981 and RCW 41.26.210; amending section 20, chapter 209, Laws of 1969 ex. sess. as amended by section 7, chapter 294, Laws of 1981 and RCW 41.26.220; amending section 21, chapter 209, Laws of 1969 ex. sess. as amended by section 103, chapter 81, Laws of 1971 and RCW 41.26-.230; amending section 43.01.040, chapter 8, Laws of 1965 as last amended by section 2, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.040; amending section 43.01.041, chapter 8, Laws of 1965 as amended by section 3, chapter 51, Laws of 1982 1st ex. sess. and RCW 43.01.041; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding new sections to chapter 41.04 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.32 RCW; adding new sections to chapter 41.40 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 43.43 RCW; repealing section 2, chapter 10, Laws of 1982 1st ex. sess. and RCW 41.32.4985; repealing section 34, chapter 52, Laws of 1982 1st ex. sess. and RCW 41.40.187; repealing section 1, chapter 51, Laws of 1982 1st ex. sess. and RCW 41.04.345; making appropriations; and declaring an emergency.

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

NEW SECTION. Sec. 1. There is added to chapter 41.50 RCW a new section to read as follows:

(1) The employer of any employee whose retirement benefits are based in part on excess compensation, as defined in this section, shall, upon receipt of a billing from the department, pay into the appropriate retirement system