

If the penalty is not paid to the department within thirty days after it becomes due and payable, the attorney general, upon the request of the department, shall bring an action in the name of the state of Washington in the superior court of Thurston county or any county in which the person incurring the penalty does business, to recover the penalty. In all such actions the procedures and rules of evidence shall be the same as in an ordinary civil action except as otherwise provided in this chapter. The attorney general shall forthwith take the necessary legal action to enjoin, or otherwise cause to be stopped, such conduct of surface mining.

NEW SECTION. Sec. 8. There is added to chapter 78.44 RCW a new section to read as follows:

In the event state law is preempted under federal surface mining laws relating to surface mining of coal or the department of natural resources determines that a federal program and its rules and regulations relating to the surface mining of coal are as stringent and effective as the provisions of this chapter, the provisions of this chapter shall not apply to such surface mining for which federal permits are issued until such preemption ceases or the department determines such chapter should apply.

NEW SECTION. Sec. 9. Section 19, chapter 64, Laws of 1970 ex. sess. and RCW 78.44.900 are each repealed.

Passed the House March 5, 1984.

Passed the Senate March 4, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.

CHAPTER 216

[Engrossed House Bill No. 1133]

POLITICAL ADVERTISING

AN ACT Relating to political advertising; adding new sections to chapter 42.17 RCW; adding a new section to chapter 29.85 RCW; repealing section 29.85.270, chapter 9, Laws of 1965, section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; and repealing section 29.85.280, chapter 9, Laws of 1965, section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280.

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

NEW SECTION. Sec. 1. (1) All written political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name and address. All radio and television political advertising, whether relating to candidates or ballot propositions, shall include the sponsor's name. The use of an assumed name shall be unlawful. The party with which a candidate files shall be clearly identified in political advertising for partisan office.

(2) Political yard signs are exempt from the requirement of subsection (1) of this section that the name and address of the sponsor of political advertising be listed on the advertising. In addition, the public disclosure commission shall, by rule, exempt from the identification requirements of subsection (1) of this section forms of political advertising such as campaign buttons, balloons, pens, pencils, sky-writing, inscriptions, and other forms of advertising where identification is impractical.

(3) For the purposes of this section, "yard sign" means any outdoor sign with dimensions no greater than eight feet by four feet.

NEW SECTION. Sec. 2. At least one picture of the candidate used in any political advertising shall have been taken within the last five years and shall be no smaller than the largest picture of the same candidate used in the same advertisement.

NEW SECTION. Sec. 3. A person shall not sponsor political advertising which contains information that the person knows, or should reasonably be expected to know, to be false. No political advertising may falsely represent that a candidate is an incumbent for the office sought. A person or candidate shall not make, either directly or indirectly, a false claim stating or implying the support or endorsement of any person or organization.

NEW SECTION. Sec. 4. (1) Except as provided in subsection (2) of this section, the responsibility for compliance with sections 1 through 3 of this act shall rest with the sponsor of the political advertising and not with the broadcasting station or other medium.

(2) If a broadcasting station or other medium changes the content of a political advertisement, the station or medium shall be responsible for any failure of the advertisement to comply with sections 1 through 3 of this act that results from that change.

NEW SECTION. Sec. 5. There is added to chapter 29.85 RCW a new section to read as follows:

A person who removes or defaces lawfully placed political advertising including yard signs or billboards without authorization is guilty of a misdemeanor under chapter 9A.20 RCW. The defacement or removal of each item constitutes a separate violation.

NEW SECTION. Sec. 6. The following acts or parts of acts are each repealed:

(1) Section 29.85.270, chapter 9, Laws of 1965, section 1, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.270; and

(2) Section 29.85.280, chapter 9, Laws of 1965, section 2, chapter 162, Laws of 1975 1st ex. sess. and RCW 29.85.280.

NEW SECTION. Sec. 7. Sections 1 through 4 of this act are each added to chapter 42.17 RCW under a new subchapter entitled "POLITICAL ADVERTISING".

Passed the House March 6, 1984.

Passed the Senate March 5, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.

CHAPTER 217

[Substitute House Bill No. 552]

STATE PATROL—TRAFFIC SAFETY EDUCATION OFFICERS

AN ACT Relating to the Washington state patrol; adding a new section to chapter 43.43 RCW; and declaring an emergency.

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

NEW SECTION. Sec. 1. There is added to chapter 43.43 RCW a new section to read as follows:

(1) The chief of the Washington state patrol shall designate twenty-four or more officers as traffic safety education officers. The chief of the Washington state patrol shall make the designations in a manner designed to ensure that the programs under subsection (2) of this section are reasonably available in all areas of the state.

(2) The chief of the Washington state patrol may permit these traffic safety education officers to appear in their off-duty hours in uniform to give programs in schools or the community on the duties of the state patrol, traffic safety, or crime prevention.

(3) The traffic safety education officers may accept such pay and reimbursement of expenses as are approved by the state patrol from the sponsoring organization.

(4) The state patrol is encouraged to work with community organizations to set up these programs state-wide.

NEW SECTION. Sec. 2. 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 7, 1984.

Passed the Senate March 7, 1984.

Approved by the Governor March 27, 1984.

Filed in Office of Secretary of State March 27, 1984.