

((5)) (6) Help develop a sense of community in which the citizens cooperate with the public schools and community agencies and groups to resolve their school and community concerns and to recognize that the schools are available for use by the community day and night, year-round or any time when the programming will not interfere with the preschool through grade twelve program.

Sec. 2. Section 1, chapter 138, Laws of 1973 as amended by section 2, chapter 120, Laws of 1979 ex. sess. and RCW 28A.58.247 are each amended to read as follows:

Notwithstanding the provisions of RCW 28B.50.250, 28B.50.530 or any other law, rule, or regulation, any school district is authorized to provide community education programs in the form of instructional, recreational and/or service programs on a noncredit and nontuition basis, excluding fees for supplies, materials, or instructor costs, for the purpose of stimulating the full educational potential and meeting the needs of the district's residents of all ages, and making the fullest use of the district's school facilities: PROVIDED, That school districts are encouraged to provide programs for prospective parents, prospective foster parents, and prospective adoptive parents on parenting skills and on the problems of child abuse and methods to avoid child abuse situations: PROVIDED FURTHER, That ((such)) community education programs shall be consistent with rules and regulations promulgated by the state superintendent of public instruction governing cooperation between common schools, community college districts, and other civic and governmental organizations which shall have been developed in cooperation with the state board for community college education and shall be programs receiving the approval of said superintendent.

NEW SECTION. Sec. 3. Section 3, chapter 120, Laws of 1979 ex. sess. and RCW 28A.58.248 are each repealed.

Passed the House April 25, 1985.

Passed the Senate April 26, 1985.

Approved by the Governor May 16, 1985.

Filed in Office of Secretary of State May 16, 1985.

CHAPTER 345

[Engrossed Substitute House Bill No. 804]

TIRE RECYCLING

AN ACT Relating to public health and safety; amending RCW 70.95.010, 70.95.020, 70.95.030, and 70.95.260; adding new sections to chapter 70.95 RCW; and prescribing penalties.

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

Sec. 1. Section 1, chapter 134, Laws of 1969 ex. sess. as last amended by section 1, chapter 123, Laws of 1984 and RCW 70.95.010 are each amended to read as follows:

The legislature finds:

(1) Continuing technological changes in methods of manufacture, packaging, and marketing of consumer products, together with the economic and population growth of this state, the rising affluence of its citizens, and its expanding industrial activity have created new and ever-mounting problems involving disposal of garbage, refuse, and solid waste materials resulting from domestic, agricultural, and industrial activities.

(2) Traditional methods of disposing of solid wastes in this state are no longer adequate to meet the ever-increasing problem. Improper methods and practices of handling and disposal of solid wastes pollute our land, air and water resources, blight our countryside, adversely affect land values, and damage the overall quality of our environment.

(3) Considerations of natural resource limitations, energy shortages, economics and the environment make necessary the development and implementation of solid waste recovery and/or recycling plans and programs.

(4) The following priorities in the management of solid waste are necessary and should be followed in order of descending priority as applicable:

- (a) Waste reduction;
- (b) Waste recycling;
- (c) Energy recovery or incineration; and
- (d) Landfill.

(5) There is an imperative need to anticipate, plan for, and accomplish effective storage, control, recovery, and recycling of discarded vehicle tires with the subsequent conservation of resources and energy.

Sec. 2. Section 2, chapter 134, Laws of 1969 ex. sess. as amended by section 2, chapter 41, Laws of 1975-'76 2nd ex. sess. and RCW 70.95.020 are each amended to read as follows:

The purpose of this chapter is to establish a comprehensive state-wide program for solid waste handling, and solid waste recovery and/or recycling which will prevent land, air, and water pollution and conserve the natural, economic, and energy resources of this state. To this end it is the purpose of this chapter:

(1) To assign primary responsibility for adequate solid waste handling to local government, reserving to the state, however, those functions necessary to assure effective programs throughout the state;

(2) To provide for adequate planning for solid waste handling by local government;

(3) To provide for the adoption and enforcement of basic minimum performance standards for solid waste handling;

(4) To provide technical and financial assistance to local governments in the planning, development, and conduct of solid waste handling programs;

(5) To encourage storage, proper disposal, and recycling of discarded vehicle tires and to stimulate private recycling programs throughout the state.

It is the intent of the legislature that local governments be encouraged to use the expertise of private industry and to contract with private industry to the fullest extent possible to carry out solid waste recovery and/or recycling programs.

Sec. 3. Section 3, chapter 134, Laws of 1969 ex. sess. as last amended by section 2, chapter 123, Laws of 1984 and RCW 70.95.030 are each amended to read as follows:

As used in this chapter, unless the context indicates otherwise:

- (1) "City" means every incorporated city and town.
- (2) "Committee" means the solid waste advisory committee.
- (3) "Department" means the department of ecology.
- (4) "Director" means the director of the department of ecology.
- (5) "Disposal site" means the location where any final treatment, utilization, processing, or depository of solid waste occurs.
- (6) "Functional standards" means criteria for solid waste handling expressed in terms of expected performance or solid waste handling functions.
- (7) "Jurisdictional health department" means city, county, city-county, or district public health department.
- (8) "Person" means individual, firm, association, copartnership, political subdivision, government agency, municipality, industry, public or private corporation, or any other entity whatsoever.
- (9) "Solid waste" means all putrescible and nonputrescible solid and semisolid wastes including, but not limited to, garbage, rubbish, ashes, industrial wastes, swill, demolition and construction wastes, abandoned vehicles or parts thereof, and discarded commodities.
- (10) "Solid waste handling" means the management, storage, collection, transportation, treatment, utilization, processing, and final disposal of solid wastes, including the recovery and recycling of materials from solid wastes, the recovery of energy resources from such wastes or the conversion of the energy in such wastes to more useful forms or combinations thereof.
- (11) "Waste reduction" means reducing the amount or type of waste generated.
- (12) "Waste recycling" means reusing waste materials and extracting valuable materials from a waste stream.
- (13) "Energy recovery or incineration" means reducing the volume of wastes by use of an enclosed device using controlled flame combustion.
- (14) "Landfill" means a disposal facility or part of a facility at which waste is placed in or on land and which is not a land treatment facility.
- (15) "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any person or property is or may

be transported or drawn upon a public highway, except devices moved by human or animal power or used exclusively upon stationary rails or tracks.

NEW SECTION. Sec. 4. (1) No person may drop, deposit, discard, or otherwise dispose of vehicle tires on any public property or private property in this state 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 unless:

(a) The property is designated by the state, or by any of its agencies or political subdivisions, for the disposal of discarded vehicle tires; and

(b) The person is authorized to use the property for such purpose.

(2) A violation of this section is punishable by a civil penalty, which shall not be less than two hundred dollars nor more than two thousand dollars for each offense.

(3) This section does not apply to the storage or deposit of vehicle tires in quantities deemed exempt under rules adopted by the department of ecology under its functional standards for solid waste.

NEW SECTION. Sec. 5. There is levied and there shall be collected by the department of revenue from every person engaging within this state in business making retail sales of new replacement vehicle tires, an annual assessment equal to the gross proceeds of the sales of new replacement vehicle tires sold within this state, multiplied by twelve hundredths of one percent. All of the applicable provisions of chapter 82.32 RCW have full force and application with respect to taxes imposed under this section. For the purposes of this section, "new replacement vehicle tires" means tires that are newly manufactured for vehicle purposes and does not include re-treaded vehicle tires.

NEW SECTION. Sec. 6. There is created an account within the state treasury to be known as the vehicle tire recycling account. All assessments and other funds collected or received under this chapter shall be deposited in the vehicle tire recycling account and used for the administration and implementation of this chapter as provided by section 7 of this act.

NEW SECTION. Sec. 7. Moneys in the account may be appropriated to the department of ecology:

(1) To provide for funding to state and local governments for the removal of discarded vehicle tires from unauthorized tire dump sites; and

(2) To accomplish the other purposes of RCW 70.95.020(5).

Sec. 8. Section 26, chapter 134, Laws of 1969 ex. sess. and RCW 70.95.260 are each amended to read as follows:

The department shall in addition to its other powers and duties:

(1) Cooperate with the appropriate federal, state, interstate and local units of government and with appropriate private organizations in carrying out the provisions of this chapter.

(2) Coordinate the development of a solid waste management plan for all areas of the state in cooperation with local government, the ~~((planning and community affairs agency or its successor))~~ department of community development, and other appropriate state and regional agencies. The plan shall relate to solid waste management for twenty years in the future and shall be reviewed biennially, revised as necessary, and extended so that perpetually the plan shall look to the future for twenty years as a guide in carrying out a state coordinated solid waste management program.

(3) Provide technical assistance to any person as well as to cities, counties, and industries.

(4) Initiate, conduct, and support research, demonstration projects, and investigations, and coordinate research programs pertaining to solid waste management systems.

(5) Develop state-wide programs to increase public awareness of and participation in tire recycling, and to stimulate and encourage local private tire recycling centers and public participation in tire recycling.

(6) May, under the provisions of the Administrative Procedure Act, chapter 34.04 RCW, as now or hereafter amended, from time to time promulgate such rules and regulations as are necessary to carry out the purposes of this chapter.

NEW SECTION. Sec. 9. To aid in the state-wide tire recycling campaign, the legislature strongly encourages various industry organizations which are active in resource recycling efforts to provide active cooperation with the department of ecology so that additional technology can be developed for the tire recycling campaign.

NEW SECTION. Sec. 10. Sections 4 through 7 and 9 of this act are each added to chapter 70.95 RCW.

NEW SECTION. Sec. 11. The department of ecology shall submit a report to the appropriate committees of the legislature by January 1, 1987, on the implementation of sections 4 through 7 and 9 of this act.

Passed the House April 26, 1985.

Passed the Senate April 26, 1985.

Approved by the Governor May 16, 1985.

Filed in Office of Secretary of State May 16, 1985.

CHAPTER 346

[Substitute House Bill No. 848]

PRISONER ESCAPE, RELEASE, OR FURLOUGH—NOTIFICATION PROCEDURES

AN ACT Relating to crimes and punishments; amending RCW 9.94A.030 and 43.43.745; and adding new sections to chapter 9.94A RCW.

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