

Payments not credited against the department's debt pursuant to RCW 74-.20.101 may not be assessed or collected under this section.

NEW SECTION. Sec. 42. Sections 1 through 15, 24, and 25 of this act shall constitute a new chapter in Title 26 RCW.

NEW SECTION. Sec. 43. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 44. Section 2, chapter 28, Laws of 1913, section 1, chapter 297, Laws of 1927, section 35, chapter 154, Laws of 1973 1st ex. sess. and RCW 26.20.050 are each repealed.

Passed the House March 1, 1984.

Passed the Senate February 26, 1984.

Approved by the Governor March 28, 1984.

Filed in Office of Secretary of State March 28, 1984.

CHAPTER 261

[Engrossed Substitute Senate Bill No. 4653]

WASHINGTON COUNCIL FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT

AN ACT Relating to children; amending section 2, chapter 4, Laws of 1982 and RCW 43.121.020; amending section 9, chapter 4, Laws of 1982 and RCW 43.121.090; amending section 10, chapter 4, Laws of 1982 and RCW 43.121.100; amending section 36.18.010, chapter 4, Laws of 1963 as last amended by section 7, chapter 15, Laws of 1982 1st ex. sess. and RCW 36.18.010; adding new sections to chapter 43.131 RCW; repealing section 1, chapter 4, Laws of 1982 and RCW 43.121.010; repealing section 2, chapter 4, Laws of 1982, section 1 of this act and RCW 43.121.020; repealing section 3, chapter 4, Laws of 1982 and RCW 43.121.030; repealing section 4, chapter 4, Laws of 1982 and RCW 43.121.040; repealing section 5, chapter 4, Laws of 1982 and RCW 43.121.050; repealing section 6, chapter 4, Laws of 1982 and RCW 43.121.060; repealing section 7, chapter 4, Laws of 1982 and RCW 43.121.070; repealing section 8, chapter 4, Laws of 1982 and RCW 43.121.080; repealing section 9, chapter 4, Laws of 1982, section 2 of this act and RCW 43.121.090; repealing section 10, chapter 4, Laws of 1982, section 3 of this act and RCW 43.121.100; repealing section 15, chapter 4, Laws of 1982 and RCW 43.121.910; repealing section 11, chapter 4, Laws of 1982 and RCW 43.121.900; and providing an expiration date.

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

Sec. 1. Section 2, chapter 4, Laws of 1982 and RCW 43.121.020 are each amended to read as follows:

(1) There is established in the executive office of the governor a Washington council ((\sigma)) for the prevention of child abuse and neglect subject to the jurisdiction of the governor. As used in this chapter, "council" means the Washington council ((\sigma)) for the prevention of child abuse and neglect.

(2) The council shall be composed of the chairperson and ten other members as follows:

(a) The chairperson and four other members shall be appointed by the governor and shall be selected for their interest and expertise in the prevention of child abuse. A minimum of four designees by the governor shall not be affiliated with governmental agencies. A minimum of two of the designees shall reside east of the Cascade mountain range. Members appointed by the governor shall serve for two-year terms, except that the chairperson and two other members designated by the governor shall initially serve for three years. Vacancies shall be filled for any unexpired term by appointment in the same manner as the original appointments were made.

(b) The secretary of social and health services or the secretary's designee and the superintendent of public instruction or the superintendent's designee shall serve as voting members of the council.

(c) In addition to the members of the council, four members of the legislature shall serve as nonvoting, ex officio members of the council, one from each political caucus of the house of representatives to be appointed by the speaker of the house of representatives and one from each political caucus of the senate to be appointed by the president of the senate.

Sec. 2. Section 9, chapter 4, Laws of 1982 and RCW 43.121.090 are each amended to read as follows:

The council shall report (~~(before the regular session of the legislature in 1983)~~) annually to the governor and to the legislature concerning the council's activities and the effectiveness of those activities in fostering the prevention of child abuse and neglect.

Sec. 3. Section 10, chapter 4, Laws of 1982 and RCW 43.121.100 are each amended to read as follows:

The council may accept contributions, grants, or gifts in cash or otherwise from persons, associations, or corporations. All moneys received by the council or any employee thereof from contributions, grants, or gifts and not through appropriation by the legislature shall be deposited in a depository approved by the state treasurer to be known as the children's trust fund. Disbursements of such funds shall be on the authorization of the council or a duly authorized representative thereof. In order to maintain an effective expenditure and revenue control, such funds shall be subject in all respects to chapter 43.88 RCW, but no appropriation shall be required to permit expenditure of such funds.

Sec. 4. Section 36.18.010, chapter 4, Laws of 1963 as last amended by section 7, chapter 15, Laws of 1982 1st ex. sess. and RCW 36.18.010 are each amended to read as follows:

County auditors shall collect the following fees for their official services: For filing each chattel mortgage, renewal affidavit, or conditional sale contract, and entering same as required by law, two dollars; for each assignment, modification, transfer, correction, or release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars;

For filing a release of chattel mortgage, conditional sale contract, or miscellaneous instrument, two dollars: PROVIDED, That said fee shall be paid at the time of filing the chattel mortgage, conditional sale contract, or miscellaneous instrument, and no charge shall be made when the release of any of the above instruments is filed;

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), three dollars; for each additional legal size page, one dollar; for indexing each name over two, fifty cents;

For marginal release of mortgage or lien, one dollar;

For preparing and certifying copies, for the first legal size page, two dollars; for each additional legal size page, one dollar;

For preparing noncertified copies, for each legal size page, fifty cents;

For administering an oath or taking an affidavit, with or without seal, two dollars;

For issuing marriage license, eight dollars, (this fee includes taking necessary affidavits, filing returns, indexing, and transmittal of a record of the marriage to the state registrar of vital statistics) plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund, which five-dollar fee shall expire June 30, (~~1984~~) 1988, plus an additional five-dollar fee to be transmitted monthly to the state treasurer and deposited in the state general fund which five-dollar fee shall expire June 30, 1987;

For searching records per hour, four dollars;

For recording plats, fifty cents for each lot except cemetery plats for which the charge shall be twenty-five cents per lot; also one dollar for each acknowledgment, dedication, and description: PROVIDED, That there shall be a minimum fee of twenty-five dollars per plat;

For filing of miscellaneous records, not listed above, three dollars;

For making marginal notations on original recording when blanket assignment or release of instrument is filed for record, each notation, fifty cents;

For recording of miscellaneous records, not listed above, for first legal size page, three dollars; for each additional legal size page, one dollar.

NEW SECTION. Sec. 5. There is added to chapter 43.131 RCW a new section to read as follows:

The Washington council for the prevention of child abuse and neglect and its powers and duties shall be terminated on June 30, 1988, as provided in section 6 of this act.

NEW SECTION. Sec. 6. There is added to chapter 43.131 RCW a new section to read as follows:

The following acts or parts of acts as now existing or hereafter amended, are each repealed effective June 30, 1989:

(1) Section 1, chapter 4, Laws of 1982 and RCW 43.121.010;

(2) Section 2, chapter 4, Laws of 1982, section 1 of this act and RCW 43.121.020;

(3) Section 3, chapter 4, Laws of 1982 and RCW 43.121.030;

(4) Section 4, chapter 4, Laws of 1982 and RCW 43.121.040;

(5) Section 5, chapter 4, Laws of 1982 and RCW 43.121.050;

(6) Section 6, chapter 4, Laws of 1982 and RCW 43.121.060;

(7) Section 7, chapter 4, Laws of 1982 and RCW 43.121.070;

(8) Section 8, chapter 4, Laws of 1982 and RCW 43.121.080;

(9) Section 9, chapter 4, Laws of 1982, section 2 of this act and RCW 43.121.090;

(10) Section 10, chapter 4, Laws of 1982, section 3 of this act and RCW 43.121.100; and

(11) Section 15, chapter 4, Laws of 1982 and RCW 43.121.910.

NEW SECTION. Sec. 7. Section 11, chapter 4, Laws of 1982 and RCW 43.121.900 are each repealed.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the Senate March 3, 1984.

Passed the House February 25, 1984.

Approved by the Governor March 28, 1984.

Filed in Office of Secretary of State March 28, 1984.

CHAPTER 262

[Engrossed Senate Bill No. 4309]

SEXUAL EXPLOITATION OF CHILDREN

AN ACT Relating to sexual exploitation of children; adding new sections to chapter 9.68A RCW; repealing section 1, chapter 53, Laws of 1980 and RCW 9.68A.010; repealing section 2, chapter 53, Laws of 1980 and RCW 9.68A.020; repealing section 3, chapter 53, Laws of 1980 and RCW 9.68A.030; repealing section 5, chapter 53, Laws of 1980 and RCW 9.68A.900; repealing section 9A.88.020, chapter 260, Laws of 1975 1st ex. sess. and RCW 9A.44.110; and prescribing penalties.

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

NEW SECTION. Sec. 1. The legislature finds that the prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance. The care of children is a sacred trust and should not be abused by those who seek commercial gain or personal gratification based on the exploitation of children.

The legislature further finds that the protection of children from sexual exploitation can be accomplished without infringing on a constitutionally protected activity. The definition of "sexually explicit conduct" and other operative definitions demarcate a line between protected and prohibited