

be known as the investment income account. On or before July 20 of each year, the state treasurer shall distribute all money in the investment income account in the following manner. Twenty percent to the treasurer's service fund in the state treasury to help defray the costs of managing the treasurer's trust fund. The remaining eighty percent shall be divided among the various agency accounts from which such investments were made, in proportion to the respective balances thereof.

NEW SECTION. Sec. 5. This 1973 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.

NEW SECTION. Sec. 6. This act shall constitute a new chapter in Title 43 RCW.

Passed the House March 14, 1973.

Passed the Senate April 3, 1973.

Approved by the Governor April 10, 1973.

Filed in Office of Secretary of State April 10, 1973.

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CHAPTER 16  
 [House Bill No. 123]  
 POLICE PENSION BOARD--MAYORAL APPOINTMENT  
 POWER--MAYOR PRO TEM

AN ACT Relating to the board of trustees of the relief and pension fund of police departments in cities of the first class; amending section 1, chapter 39, Laws of 1909 as last amended by section 1, chapter 69, Laws of 1955 and RCW 41.20.010; and amending section 2, chapter 39, Laws of 1909 and RCW 41.20.020.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 39, Laws of 1909 as last amended by section 1, chapter 69, Laws of 1955 and RCW 41.20.010 are each amended to read as follows:

(1) The mayor or his designated representative who shall be an elected official of the city, and the clerk, treasurer, president of the city council or mayor pro tem of each city of the first class, or in case any such city has no city council, the commissioner who has supervision of the police department, together with three members of the police department, to be elected as herein provided, in addition to the duties now required of them, are constituted a board of trustees of the relief and pension fund of the police department of each such city, and shall provide for the disbursement of the fund.

and designate the beneficiaries thereof.

(2) The police department of each city of the first class shall elect three regularly appointed, qualified, and acting members of the department to act as members of the board. On the first election following adoption of this 1955 amendatory act [1955 c 69], one member shall be elected for a three year term, one for a two year term, and one for a one year term. Thereafter, one new member shall be elected each year for a three year term. Existing members shall continue in office until replaced as provided for in this section.

(3) Such election shall be held in the following manner. Not more than thirty nor less than fifteen days preceding the first day of June in each year, written notice of the nomination of any member of the department for membership on the board may be filed with the secretary of the board. Each notice of nomination shall be signed by not less than five members of the department, and nothing herein contained shall prevent any member of the department from signing more than one notice of nomination. The election shall be held on a date to be fixed by the secretary during the month of June. Notice of the dates upon which notice of nomination may be filed and of the date fixed for the election of such members of the board shall be given by the secretary of the board by posting written notices thereof in a prominent place in the police headquarters. For the purpose of such election, the secretary of the board shall prepare and furnish printed or typewritten ballots in the usual form, containing the names of all persons regularly nominated for membership and shall furnish a ballot box for the election. Each member of the police department shall be entitled to vote at the election for one nominee as a member of the board except in the first election where each may cast three votes. The chief of the department shall appoint two members to act as officials of the election, who shall be allowed their regular wages for the day, but shall receive no additional compensation therefor. The election shall be held in the police headquarters of the department and the polls shall open at 7:30 a.m. and close at 8:30 p.m. The one nominee receiving the highest number of votes shall be declared elected to the board and his term shall commence on the first day of July succeeding the election. In the first election the nominee receiving the greatest number of votes shall be elected to the three year term, the second greatest to the two year term and the third greatest to the one year term.

Sec. 2. Section 2, chapter 39, Laws of 1909 and RCW 41.20.020 are each amended to read as follows:

The mayor, or his designated representative, shall be ex officio chairman, the clerk shall be ex officio secretary, and the treasurer shall be ex officio treasurer of said board. The secretary

of said board, at the time of making his annual reports as said city clerk, shall annually report the condition of said fund, the receipts and disbursements on account of the same, together with a complete list of the beneficiaries of said fund, and the amounts paid to each of them.

Passed the House April 5, 1973.

Passed the Senate April 3, 1973.

Approved by the Governor April 10, 1973.

Filed in Office of Secretary of State April 10, 1973.

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CHAPTER 17

[House Bill No. 225]

MOTOR VEHICLE LICENSES--SPRAY,  
FERTILIZER APPLICATORS--DELETED

AN ACT Relating to motor vehicle equipment; amending section 30, chapter 154, Laws of 1963 as amended by section 1, chapter 5, Laws of 1972 ex. sess. and RCW 46.04.552; amending section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 5, Laws of 1972 ex. sess. and RCW 46.16.010.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 30, chapter 154, Laws of 1963 as amended by section 1, chapter 5, Laws of 1972 ex. sess. and RCW 46.04.552 are each amended to read as follows:

"Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway, including but not limited to: Ditch digging apparatus, ((spray or fertilizer applicator rigs designed and used exclusively for spraying or fertilization in the conduct of agricultural operations and nurse rigs or equipment auxiliary to the use of and designed or modified for the fueling, repairing or loading of spray and fertilizer applicator rigs;)) well boring apparatus and road construction and maintenance machinery such as asphalt spreaders, bituminous mixers, bucket loaders, tractors other than truck-tractors, ditchers, leveling graders, finishing machines, motor graders, road rollers, scarifiers, earth moving carry-alls and scrapers, power shovels and draglines, and self-propelled cranes and earth moving equipment. The term does not include house trailers, dump trucks, truck mounted transit mixers, cranes or shovels or other vehicles designed for the transportation of persons or property to which machinery has been attached.

Sec. 2. Section 46.16.010, chapter 12, Laws of 1961 as last amended by section 2, chapter 5, Laws of 1972 ex. sess. and RCW