

SESSION LAWS

OF THE

STATE OF WASHINGTON

REGULAR SESSION, THIRTY-FIFTH LEGISLATURE
Convened January 14, 1957, Adjourned March 14, 1957

Compiled in Chapters by
VICTOR A. MEYERS
Secretary of State



MARGINAL NOTES AND INDEX

By

RICHARD O. WHITE

Code Reviser

Published by Authority

Table of Contents

LAWS, REGULAR SESSION, 1957

	<i>Page</i>
Preface (giving effective dates).....	5
Text, Laws, Regular Session, 1955 (starts).....	7
Authentication	1270

INITIATIVES, REFERENDUMS AND CONSTITUTIONAL AMENDMENTS

Initiatives

Initiatives to the People (starts).....	1271
Initiatives to the Legislature (starts).....	1282

Referendums

Referendum Measures (starts)	1284
Referendum Bills	1287

Constitutional Amendments

Amendments adopted to date (starts).....	1288
Text, Amendments adopted, 1956.....	1290
Text, Proposed Constitutional Amendments (starts).....	1291

INDEX AND TABLES

Tables

Amendments, Revised Code of Washington (starts).....	1304
Index to Amendments, Session Laws (starts).....	1320

Topical Index (starts).....	1341
------------------------------------	------

Preface

The Thirty-Fifth Legislature of the State of Washington convened at 12 o'clock noon, January 14, 1957 (being the second Monday in January), and adjourned *sine die* March 14, 1957.

All acts passed by the session, either approved by the Governor or allowed to become law without his signature, take effect ninety days after adjournment. The effective date falls this year on 12:00 o'clock **midnight**, June 12, 1957, except relief bills, appropriations and other acts in which emergencies have been declared, or acts in which the effective date has been postponed.

A handwritten signature in cursive script, reading "Victor A. Meyers". The signature is written in dark ink and is positioned above the printed name.

VICTOR A. MEYERS
Secretary of State

LAWS OF WASHINGTON

PASSED AT THE

Thirty-Fifth Regular Session 1957

CHAPTER 1.

[S. B. 1]

APPROPRIATION—EXPENSES OF LEGISLATURE.

AN ACT appropriating the sum of three hundred eighty thousand dollars for the actual and necessary expenses of the legislature, and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the general fund the sum of three hundred eighty thousand dollars, or so much thereof as may be necessary, for the purpose of paying the expenses, except legislative printing, of the thirty-fifth legislature. From the amount hereof appropriated the Senate shall not expend more than one hundred seventy five thousand dollars; the House of Representatives shall not expend more than two hundred five thousand dollars. Appropriation.

SEC. 2. None of the funds appropriated herein shall be expended by or for the legislative council, the legislative budget committee or any other legislative interim committee. Prohibited expenditures.

SEC. 3. This act is necessary for the immediate support of the state government and shall take effect immediately. Emergency.

Passed the Senate January 14, 1957.

Passed the House January 14, 1957.

Approved by the Governor January 18, 1957.

CHAPTER 2.

[S. B. 2]

APPROPRIATION—LEGISLATIVE PRINTING.

AN ACT appropriating the sum of sixty-five thousand dollars, or so much thereof as may be necessary, for the printing ordered by the legislature; and declaring an emergency.

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

Appropriation.

SECTION 1. There is hereby appropriated out of the general fund the sum of sixty-five thousand dollars, or so much thereof as may be necessary, to pay for such printing as may be ordered by the thirty-fifth legislature, or either branch thereof.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and shall take effect immediately.

Passed the Senate January 14, 1957.

Passed the House January 14, 1957.

Approved by the Governor January 18, 1957.

CHAPTER 3.

[S. B. 20]

LEGISLATORS—PAYMENTS IN LIEU OF SUBSISTENCE AND LODGING.

AN ACT relating to subsistence and lodging of legislators; and amending section 1, chapter 173, Laws of 1941 as amended by section 1, chapter 4, Laws of 1945 as amended by section 2, chapter 2, Laws of first extraordinary session of 1953 and RCW 44.04.080 and declaring an emergency.

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

SECTION 1. Section 1, chapter 173, Laws of 1941 as amended by section 1, chapter 4, Laws of 1945 as amended by section 2, chapter 2, Laws of first extraordinary session of 1953 and RCW 44.04.080 are hereby amended to read as follows: RCW 44.04.080 amended.

Members of the legislature shall be paid not to exceed twenty-five dollars per day in lieu of subsistence and lodging during and while attending any legislative session. Per diem.

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. Emergency.

Passed the Senate January 17, 1957.

Passed the House January 18, 1957.

Approved by the Governor January 21, 1957.

CHAPTER 4.

[S. B. 25]

APPROPRIATION—PAYMENTS TO LEGISLATORS IN
LIEU OF SUBSISTENCE AND LODGING.

AN ACT appropriating for legislators' subsistence and lodging;
and declaring an emergency.

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

Appropriation.

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of two hundred and seventeen thousand five hundred dollars (\$217,500) for payment to members of the legislature in lieu of subsistence and lodging while in attendance at the thirty-fifth legislative session.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and it takes effect immediately.

Passed the Senate January 18, 1957.

Passed the House January 21, 1957.

Approved by the Governor January 22, 1957.

Note: This law amended by Chapter 289, Laws of 1957.

CHAPTER 5.
[Initiative Measure 199]

LEGISLATIVE REAPPORTIONMENT AND
REDISTRICTING.

AN ACT relating to the state legislature and legislative districts; defining forty-nine senatorial and representative districts; creating three new legislative districts; providing for the number and apportionment of the members of the legislature; increasing the membership of the state senate by three members; substituting census tracts as established by the United States Bureau of the Census for precincts as the basic geographical units from which legislative districts are formed; combining such census tracts to form newly created districts and to change the boundaries and population of some existing districts; and repealing certain acts in conflict therewith.

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

SECTION 1. At the general election to be held in 1958, and every four years thereafter, a senator shall be elected for a term of four years from the following senatorial districts:

Senatorial districts electing in 1958.

Second, sixth, seventh, eighth, thirteenth, fifteenth, twenty-first, twenty-sixth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh and forty-eighth.

In all other senatorial districts a senator shall be elected in 1960, and every four years thereafter, for a term of four years: *Provided*, That in the forty-ninth district a senator shall be elected in 1958 for a term of two years and thereafter the term shall be for four years.

Other.

Proviso.

SEC. 2. The senate shall consist of forty-nine members, one of whom shall be elected from each of the forty-nine senatorial districts, consti-

Senate membership—Senatorial districts enumerated.

tuted as set forth in Sections 3 through 51 of this act.

- First. SEC. 3. First—the counties of Okanogan and Douglas.
- Second. SEC. 4. Second—the counties of Ferry, Stevens, and Pend Oreille.
- Third. SEC. 5. Third—the following census tracts in the City of Spokane: 1, 2, 11, 12, 13, 14, 15, 16, 27, 28.
- Fourth. SEC. 6. Fourth—the following census tracts in the City of Spokane: 29, 30, 31, 40 and 41, and the following census tracts in Spokane County: 23, 24, 25, 26, 27, 28, 35, 36, 37, 38, 39, 40, 49, 50, 51, 52, Millwood, Rockford, Fairfield, Waverly and Latah.
- Fifth. SEC. 7. Fifth—the following census tracts in the City of Spokane: 3, 4, 5, 6, 8, 10, and the following census tracts in Spokane County: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 30, 31, Deer Park.
- Sixth. SEC. 8. Sixth—the following census tracts in the City of Spokane: 17, 18, 23, 24, 25, 26, 32, 33, 34, 37, 38, 39.
- Seventh. SEC. 9. Seventh—the following census tracts in the City of Spokane: 7, 9, 19, 20, 21, 22, 35, 36, and the following census tracts in Spokane County: 29, 32, 33, 34, 41, 42, 43, 44, 45, 46, 47, 48, 53, 54, Medical Lake, Cheney, and Spangle.
- Eighth. SEC. 10. Eighth—the counties of Lincoln, Adams and Grant.
- Ninth. SEC. 11. Ninth—the counties of Whitman, Garfield and Asotin.
- Tenth. SEC. 12. Tenth—the counties of Columbia and Walla Walla.
- Eleventh. SEC. 13. Eleventh—Franklin County and the following census tracts in Benton County: 2, 3, 4, 5, 6, 7, 8, 9, 10, 17, and Kennewick.
- Twelfth. SEC. 14. Twelfth—Chelan County.

- SEC. 15. Thirteenth—Kittitas County and the following census tracts in Yakima County: 2, 3, 4, 5, 6, 7, 8, 12, 13, 14, 15, 17, and Selah. Thirteenth.
- SEC. 16. Fourteenth—the following census tracts in Yakima County: 9, 10, 11, 18, 19, and Yakima. Fourteenth.
- SEC. 17. Fifteenth—the following census tracts in Yakima County: 1, 16, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, Sunnyside, Toppenish and Wapato. Fifteenth.
- SEC. 18. Sixteenth—Klickitat County and the following census tracts in Benton County: 1, 11, 12, 13, 14, 15, 16, 18, 19, 20, and Prosser: and the following census tracts in Yakima County: 22, 23, 29, 30, 38, 39, and 40. Sixteenth.
- SEC. 19. Seventeenth—Skamania County and the following census tracts in Clark County: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, and Camas. Seventeenth.
- SEC. 20. Eighteenth—the counties of Cowlitz and Wahkiakum. Eighteenth.
- SEC. 21. Nineteenth—Pacific County and the following census tracts in Grays Harbor County: 11, 12, 13, Aberdeen and Hoquiam. Nineteenth.
- SEC. 22. Twentieth—Lewis County. Twentieth.
- SEC. 23. Twenty-first—Mason County and the following census tracts in Grays Harbor County: 6, 7, 8, 9 and 10: and the following census tracts in Kitsap County: 5, 6, 12, 13, 14, 15, 16, and Port Orchard. Twenty-first.
- SEC. 24. Twenty-second—Thurston County. Twenty-second.
- SEC. 25. Twenty-third—the following census tracts in Kitsap County: 1, 2, 3, 4, 7, 8, 9, 10, 11, and Bremerton. Twenty-third.
- SEC. 26. Twenty-fourth—the Counties of Clallam and Jefferson and the following census tracts in Grays Harbor County: 1, 2, 3, 4, and 5. Twenty-fourth.

- Twenty-fifth. SEC. 27. Twenty-fifth — the following census tracts in Pierce County: 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 16, Puyallup, and Sumner.
- Twenty-sixth. SEC. 28. Twenty-sixth — the following census tracts in Pierce County: 24, 25, 26, 27, and Ruston: and the following census tracts in the City of Tacoma: 3, 4, 5, 6, 7, 8, 9, 10, and 15.
- Twenty-seventh. SEC. 29. Twenty-seventh—the following census tracts in the City of Tacoma: 1, 2, 11, 12, 13, 14, 16, 17, 19, 20 and 21: and census tract 8 in Pierce County.
- Twenty-eighth. SEC. 30. Twenty-eighth—the following census tracts in Pierce County: 14, 15, 17, 30, 31, and 32: and the following census tracts in the City of Tacoma: 22, 23, 24, 31, 32, 33, 34, and 35.
- Twenty-ninth. SEC. 31. Twenty-ninth — the following census tracts in Pierce County: 18, 19, 20, 21, 22, 23, 28, and 29: and the following census tracts in the City of Tacoma: 18, 25, 26, 27, 28, 29, and 30.
- Thirtieth. SEC. 32. Thirtieth—the following census tracts in King County: 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 39, Auburn, Enumclaw, and Kent.
- Thirty-first. SEC. 33. Thirty-first—the following census tracts in King County: 33, 34, 35, 36, 37, 38, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, and 59: and the following census tracts in the City of Seattle: S-2 and R-1B.
- Thirty-second. SEC. 34. Thirty-second — the following census tracts in the City of Seattle: B-2, B-3, B-6, C-1, C-2, C-3, C-4, E-1, E-2, E-3, and E-4.
- Thirty-third. SEC. 35. Thirty-third—the following census tracts in King County: 64 and 65: and the following census tracts in the City of Seattle: P-2, P-3, Q-2, Q-3, R-2, R-3A, R-3B, R-4A, and R-4B.

SEC. 36. Thirty-fourth — the following census tracts in King County: 22, 23, and the following census tracts in the City of Seattle: N-1, N-2, N-3, N-4, O-4A, O-4B, S-1A, S-1B, and S-3. Thirty-fourth.

SEC. 37. Thirty-fifth—the following census tracts in the City of Seattle: L-2, L-3, L-4, L-5, M-1, M-2, M-3, M-4, M-5, O-1, O-2, and O-3. Thirty-fifth.

SEC. 38. Thirty-sixth—the following census tracts in the City of Seattle: F-1A, F-1B, F-1C, F-2, G-1, G-2, G-3, G-4, G-5, G-6, and L-1. Thirty-sixth.

SEC. 39. Thirty-seventh — the following census tracts in the City of Seattle: J-1, J-2, J-3, K-1, K-2, K-3, K-4, K-5, P-1, Q-1. Thirty-seventh.

SEC. 40. Thirty-eighth — the following census tracts in the County of Snohomish: 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and Snohomish. Thirty-eighth.

SEC. 41. Thirty-ninth—the following census tracts in Snohomish County: 6, 7, 8, 15, 16, 17, 18, and Everett. Thirty-ninth.

SEC. 42. Fortieth—the following census tracts in Snohomish County: 1, 2, and 3: and the following census tracts in Whatcom County: 1, 2, 3, 4, 5, 6, 7, 8, 10, and 18: and the following census tracts in Skagit County: 1, 2, 3, 4, 5, 13, 14, and Sedro Woolley. Fortieth.

SEC. 43. Forty-first—the counties of Island and San Juan: the following census tracts in Skagit County: 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19, Mt. Vernon and Anacortes: and the following census tracts in the County of Snohomish: 4, and 5. Forty-first.

SEC. 44. Forty-second — the following census tracts in Whatcom County: 9, 11, 12, 13, 14, 15, 16, 17, 19 and Bellingham. Forty-second.

SEC. 45. Forty-third—the following census tracts in the City of Seattle: D-2, D-3, D-5, D-6, H-1, H-2, H-3, I-1, I-2, and I-3. Forty-third.

Forty-fourth. SEC. 46. Forty-fourth—the following census tracts in King County: 101 and 102: and the following census tracts in the City of Seattle: A-1, A-2, A-3, A-4, A-5, B-1, B-4, and B-5.

Forty-fifth. SEC. 47. Forty-fifth—the following census tracts in King County: 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 98, 99, 100, 103, and 104.

Forty-sixth. SEC. 48. Forty-sixth—the following census tracts in King County: 90, 91, 92, 93, 94, 95, 96, 97, 105, 106, 107, and 108, and the following census tracts in the City of Seattle: C-5, D-1, D-4, D-7, D-8, D-9, D-10, D-11, and D-12.

Forty-seventh. SEC. 49. Forty-seventh—the following census tracts in King County: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 66, 67, 68, 69, 70, 71, 72, 73, 74, and Kirkland.

Forty-eighth. SEC. 50. Forty-eighth—the following census tracts in King County: 11, 12, 13, 40, 60, 61, 62, 63, and Renton: and the following census tracts in the City of Seattle: R-1A, R-5A, and R-5B.

Forty-ninth. SEC. 51. Forty-ninth—the following census tracts in Clark County: 10 and Vancouver.

House members—Representative districts enumerated. SEC. 52. The House of Representatives shall consist of ninety-nine members to be elected from forty-nine representative districts. Each senatorial district, as numbered and created by this Initiative, shall constitute a representative district bearing the same number.

District representation. SEC. 53. The Thirty-first Representative District shall have three representatives. All other representative districts shall have two representatives.

Terms of office commence. SEC. 54. The terms of office of all senators and representatives elected under the provisions of this act shall commence on the second Monday in January following the date of their election.

Representatives elected in 1958. SEC. 55. The representatives provided for in this act shall be elected at the general election to be held

on the first Tuesday after the first Monday in November, 1958, and every two years thereafter.

SEC. 56. Census tracts referred to herein are all the political divisions, subdivisions, census tracts and other terms to describe census divisions used in the current census division system used and approved by the United States Bureau of the Census of the United States Department of Commerce and the detailed descriptions of said divisions together with detailed maps are on file and available in the Office of Population Research and Washington State Census Board or United States Bureau of Census and the boundaries of census tracts referred to herein are the same boundaries as are shown upon the official documents or maps maintained by or for the United States Bureau of the Census existing as of January 1, 1956, having the same corresponding numbers or names as given to census political divisions.

Census tracts
and bound-
aries defined.

SEC. 57. Any Census tract (division) not specifically mentioned or included within the boundaries of any senatorial and representative district, and which is completely surrounded by territory embraced within a particular senatorial and representative district, shall be and become a part of such senatorial and representative district. In case any such Census tract (division) is not completely surrounded by territory embraced within a particular senatorial and representative district, the Census tract (division) shall be and become a part of the senatorial and representative district having the smallest number of electors and having territory adjoining or contiguous to such Census tract (division) in the same county in which the Census tract (division) is located.

Procedure
when census
tract not
mentioned.

SEC. 58. Chapter 2, Laws of 1931; chapter 20, Laws of 1933; chapter 74, Laws of 1933; chapter 221, Laws of 1951; and RCW 44.04.020, 44.04.110, 44.08.010, 44.08.020, 44.08.060, 44.08.061, 44.12.010, and 44.12.020

Repeat.

Proviso.

are each repealed: *Provided*, That this initiative shall not in any way affect the membership, districts or other organization of the thirty-fifth legislature nor abolish nor shorten any term of office of any member of the Legislature commenced prior to the effectiveness of this initiative.

Filed in the office of the Secretary of State February 16, 1956.

Passed by vote of the people November 6, 1956 at the general election.

Proclamation signed by the Governor December 6, 1956.

CHAPTER 6

[S. B. 18.]

REFUNDS OF ILLEGALLY COLLECTED TAXES

AN ACT relating to refund of taxes illegally collected pursuant to chapter 253, Laws of 1955, providing an appropriation and declaring an emergency.

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

Refund ordered.

SECTION 1. All taxes illegally collected pursuant to chapter 253, Laws of 1955, which have not heretofore been refunded, plus six percent of the amount thereof in lieu of interest, shall be refunded as hereinafter provided without regard to whether payment of such taxes was made under protest.

Determining refund.

SEC. 2. Each county treasurer shall compute the amount of such illegally collected taxes with respect to each separate listing of property and shall add to each amount six percent thereof. The total amount computed in the manner hereinbefore prescribed shall be the amount to be refunded as hereinafter provided for.

Chapter 253 refund fund.

SEC. 3. For purposes of carrying out the provisions of this act there is hereby created in the of-

fice of each county treasurer a fund which is hereby designated as the chapter 253 refund fund.

SEC. 4. On or before the 15th day of February, 1957, each county treasurer shall determine the amount of taxes illegally collected for the general fund and the building fund of each school district within his county pursuant to chapter 253, Laws of 1955, which have not heretofore been refunded, and shall forthwith notify the board of directors of each such school district of the amounts so determined. Thereafter each county treasurer shall transfer from the general fund or from the building fund of each such school district to the chapter 253 refund fund in his office the amount that each of the aforesaid school district funds received from illegally collected taxes: *Provided*, That in the event the cash balance in the building fund of any school district is insufficient to permit a transfer therefrom of the aforesaid amount, the county treasurer shall transfer from the general fund of such district the amount necessary to make up the deficit.

School district
funds trans-
ferred.

Proviso.

SEC. 5. At the time of making the transfers of funds provided for in section 4 of this act, each county treasurer shall certify to the state auditor the total amount of taxes illegally collected for all school districts within his county pursuant to chapter 253, Laws of 1955, which have not been heretofore refunded. The state auditor shall, upon receipt of such certification, forthwith transmit to the treasurer of each county six percent of the amount so certified. The amount received from the state auditor by the county treasurer shall be placed in the chapter 253 refund fund.

SEC. 6. Upon receipt from the state auditor of the amount aforesaid, each county treasurer shall forthwith proceed to draw checks upon the chapter 253 refund fund in the proper amount payable to the person in whose name the property taxed was listed

on the 1956 tax receipts and mail such checks to such persons at their last address as disclosed by the tax rolls or tax receipts in the treasurer's office.

SEC. 7. Any taxes levied in October, 1956, by or for school districts for purposes of refunding taxes attributable to levies extended on the 1956 rolls against the valuation as equalized by the state board of equalization pursuant to chapter 253, Laws of 1955, may be expended by such districts for current expenses and the budgets of said districts are hereby authorized to be extended and amended in such amounts for such purposes. The county treasurers are hereby directed to deposit such taxes when collected in the general fund of the proper school district and not in the county tax refund fund.

SEC. 8. Each county superintendent of schools shall determine the additional amount of tax, if any, which accrued to the county high school fund by reason of computing non-high school levies on valuations as equalized pursuant to chapter 253, Laws of 1955, rather than on valuations returned by the county assessor. The amount so determined by the county superintendent shall be certified by him to the county treasurer who shall transfer said amount from the county high school fund to the proper elementary school district fund on or before June 1, 1957.

Refund sums
as abandoned
property.

SEC. 9. All sums remaining in the chapter 253 refund fund, after June 30, 1958, shall be transmitted by the county treasurer to the abandoned property section of the tax commission, in accordance with the provisions of chapter 385, Laws of 1955, as heretofore amended. The rights of such payees thereafter to the sums so transmitted shall be determined pursuant to chapter 365, Laws of 1955, as heretofore amended.

SEC. 10. Any person who paid or contributed any share of 1956 taxes illegally collected pursuant to

chapter 253, Laws of 1955, and who receives no refund of such amount, shall have a right to reimbursement of said share plus six percent thereof from the person to whom refund of the tax was made by the county treasurer. Such right may be enforced by an action at law on or before, but not after, June 30, 1960.

Right to reimbursement from private party.

SEC. 11. There is hereby appropriated from the general fund the sum of one hundred ninety thousand dollars (\$190,000), or so much thereof as is necessary to carry out the provisions of this act.

Appropriation.

SEC. 12. If any provision of this act is for any reason held to be unconstitutional, all other provisions of this act shall thereupon become inoperative and void.

Severability.

SEC. 13. This act is necessary for the support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the Senate January 18, 1957.

Passed the House January 24, 1957.

Approved by the Governor January 29, 1957.

CHAPTER 7.

[H. B. 13.]

CIVIL PROCEDURE.

AN ACT relating to civil procedure; enacting sections 21 and 747, pages 6 and 151, Laws of 1877, sections 21 and 742, Code 1881 and RCW 4.08.140; amending section 3, page 98, Laws of 1879, section 1255, Code 1881 and RCW 4.24.070; amending section 5, page 98, Laws of 1879, section 1257, Code 1881 and RCW 4.24.080; amending section 2, page 98, Laws of 1879, section 1254, Code 1881 and RCW 4.24.090; amending section 230, page 56, Laws of 1869, section 230, page 47, Laws of 1877, section 226, Code 1881 and RCW 4.44.280; amending section 237, page 174, Laws of 1854, section 312, page 76, Laws of 1869, section 314, page 63, Laws of 1877, section 310, Code 1881, section 2, chapter 130, Laws of 1923 and RCW 4.64.080; amending section 3, chapter 60, Laws of 1929 and RCW 4.64.090 and 4.64.110; repealing section 3, page 133, Laws of 1879, section 2061, Code 1881 and RCW 4.24.110; repealing sections 8 through 12, inclusive, 14 through 16, inclusive, chapter 60, Laws of 1893, section 1, chapter 17, Laws of 1929 and RCW 4.80.060 through 4.80.130, inclusive; repealing sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 35, 36 and 38, chapter 61, Laws of 1893, section 1, chapter 31, Laws of 1901, sections 2, 7 and 9, chapter 104, Laws of 1915, section 1, chapter 49, Laws of 1899, section 2, chapter 116, Laws of 1913, sections 1 and 2, chapter 153, Laws of 1927 and RCW 4.88.010 through 4.88.250, 4.88.270, 4.88.280, and 4.88.300 through 4.88.320; and declaring an emergency.

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

RCW 4.08.140
enacted.

SECTION 1. Section 21, page 6, Laws of 1877, section 747, page 151, Laws of 1877, as last amended by section 21, Code 1881 and section 742, Code of 1881 (heretofore combined and codified as RCW 4.08.140) are each enacted to read as follows:

New party
entitled to
service of
summons.

When a new party is introduced into an action as a representative or successor of a former party, such new party is entitled to the same summons to be served in the same manner as required for defendants in the commencement of an action.

SEC. 2. Section 3, page 98, Laws of 1879, section 1255, Code 1881 and RCW 4.24.070 are each amended to read as follows:

RCW 4.24.070 amended.

All persons losing money or anything of value at or on any illegal gambling games shall have a cause of action to recover from the dealer or player winning, or from the proprietor for whose benefit such game was played or dealt, or such money or things of value won, the amount of the money or the value of the thing so lost.

Recovery of money lost gambling.

SEC. 3. Section 5, page 98, Laws of 1879, section 1257, Code of 1881 and RCW 4.24.080 are each amended to read as follows:

RCW 4.24.080 amended.

It shall be lawful for any person letting or renting any house, room, shop or other building whatsoever, or any boat, booth, garden, or other place, which shall, at any time, be used by the lessee or occupant thereof, or any other person, with his knowledge or consent, for gambling purposes, upon discovery thereof, to avoid and terminate such lease, or contract of occupancy, and to recover immediate possession of the premises by an action at law for that purpose.

Recovering leased premises used for gambling.

SEC. 4. Section 2, page 98, Laws of 1879, section 1254, Code of 1881 and RCW 4.24.090 are each amended to read as follows:

RCW 4.24.090 amended.

All notes, bills, bonds, mortgages, or other securities, or other conveyances, the consideration for which shall be money, or other things of value, won by playing at any unlawful game, shall be void and of no effect, as between the parties thereto and all other persons, except holders in good faith, without notice of the illegality of such contract or conveyance.

Validity of evidence of gambling debt.

SEC. 5. Section 230, page 56, Laws of 1869, section 230, page 47, Laws of 1877, section 226, Code of 1881 and RCW 4.44.280 are each amended to read as follows:

RCW 4.44.280 amended.

Admonitions to jury.

The jurors may be admonished by the court that it is their duty not to converse with any other person, or among themselves, on any subject connected with the trial, or to express any opinion thereon, until the case is finally submitted to them.

RCW 4.64.080 amended.

SEC. 6. Section 237, page 174, Laws of 1854, section 312, page 76, Laws of 1869, section 314, page 63, Laws of 1877, section 310, Code 1881, section 2, chapter 130, Laws of 1923 and RCW 4.64.080 are each amended to read as follows:

Entries in execution docket.

He shall leave space on the same page, if practicable, with each case, in which he shall enter, in the order in which they occur, all the proceedings subsequent to the judgment in said case until its final satisfaction, including the time when and to what county the execution is issued, and when returned, and the return or the substance thereof. When the execution is levied on personal property which is returned unsold, the entry shall be: "levied (noting the date) on property not sold." When any sheriff shall furnish the clerk with a copy of any levy upon real estate on any judgment the minutes of which are entered in his execution docket, the entry shall be: "levied upon real estate," noting the date. When any execution issued to any other county is returned levied upon real estate in such county, the entry in the docket shall be, "levied on real estate of , in county," noting the date, county, and defendants whose estate is levied upon; and when the money is paid, or any part thereof, the amount and time when paid shall be entered; also, when a judgment is appealed, modified, discharged, or in any manner satisfied, the facts in respect thereto shall be entered. The parties interested may also assign or discharge such judgment on such execution docket. When the judgment is fully satisfied in any way, the clerk shall write the word "satisfied," in

large letters across the face of the entry of such judgment.

SEC. 7. Section 3, chapter 60, Laws of 1929 (heretofore divided and codified as RCW 4.64.090 and 4.64.110) is divided and amended to read as set forth in sections 8 and 9 of this act.

Division and amendment.

SEC. 8. (RCW 4.64.090) The abstract of a judgment shall contain (1) the name of the party, or parties, in whose favor the judgment was rendered; (2) the name of the party, or parties, against whom the judgment was rendered; (3) the date of the rendition of the judgment; (4) the amount for which the judgment was rendered, and in the following manner, viz: Principal \$.; interest \$.; costs \$.; total \$.

RCW 4.64.090 enacted without amendment.

SEC. 9. (RCW 4.64.110) A transcript of the docket of a justice of the peace shall contain an exact copy of the judgment from the justice's docket.

RCW 4.64.110 enacted without amendment.

SEC. 10. The following sections are hereby repealed:

Repeal.

(1) Section 3, page 133, Laws of 1879, section 2061, Code 1881 and RCW 4.24.110;

(2) Section 8, chapter 60, Laws of 1893 and RCW 4.80.060;

(3) Section 9, chapter 60, Laws of 1893 and RCW 4.80.070;

(4) Section 10, chapter 60, Laws of 1893 and RCW 4.80.080;

(5) Section 11, chapter 60, Laws of 1893 and RCW 4.80.090;

(6) Section 12, chapter 60, Laws of 1893, section 1, chapter 17, Laws of 1929 and RCW 4.80.100;

(7) Section 14, chapter 60, Laws of 1893 and RCW 4.80.110;

(8) Section 15, chapter 60, Laws of 1893 and RCW 4.80.120;

(9) Section 16, chapter 60, Laws of 1893 and RCW 4.80.130;

Repeal.

(10) Section 1, chapter 61, Laws of 1893, section 1, chapter 31, Laws of 1901 and RCW 4.88.010;

(11) Section 2, chapter 61, Laws of 1893 and RCW 4.88.020;

(12) Section 4, chapter 61, Laws of 1893 and RCW 4.88.030;

(13) Section 5, chapter 61, Laws of 1893 and RCW 4.88.040;

(14) Section 6, chapter 61, Laws of 1893 and RCW 4.88.050;

(15) Section 7, chapter 61, Laws of 1893 and RCW 4.88.060;

(16) Section 10, chapter 61, Laws of 1893, section 1, chapter 153, Laws of 1927 and RCW 4.88.070;

(17) Section 11, chapter 61, Laws of 1893, section 2, chapter 153, Laws of 1927 and RCW 4.88.080;

(18) Section 12, chapter 61, Laws of 1893 and RCW 4.88.090;

(19) Section 13, chapter 61, Laws of 1893 and RCW 4.88.100;

(20) Section 9, chapter 104, Laws of 1915 and RCW 4.88.110;

(21) Section 7, chapter 104, Laws of 1915 and RCW 4.88.120;

(22) Section 2, chapter 116, Laws of 1913, section 2, chapter 104, Laws of 1915 and RCW 4.88.130;

(23) Section 16, chapter 61, Laws of 1893 and RCW 4.88.140;

(24) Section 18, chapter 61, Laws of 1893 and RCW 4.88.150;

(25) Section 19, chapter 61, Laws of 1893, section 1, chapter 49, Laws of 1899 and RCW 4.88.160;

(26) Section 20, chapter 61, Laws of 1893 and RCW 4.88.170;

(27) Section 21, chapter 61, Laws of 1893 and RCW 4.88.180;

(28) Section 22, chapter 61, Laws of 1893 and RCW 4.88.190;

(29) Section 23, chapter 61, Laws of 1893 and Repeal.
RCW 4.88.200;

(30) Section 24, chapter 61, Laws of 1893 and
RCW 4.88.210;

(31) Section 25, chapter 61, Laws of 1893 and
RCW 4.88.220;

(32) Section 26, chapter 61, Laws of 1893 and
RCW 4.88.230;

(33) Section 27, chapter 61, Laws of 1893 and
RCW 4.88.240;

(34) Section 28, chapter 61, Laws of 1893 and
RCW 4.88.250;

(35) Section 35, chapter 61, Laws of 1893 and
RCW 4.88.270;

(36) Section 36, chapter 61, Laws of 1893 and
RCW 4.88.280;

(37) Section 38, chapter 61, Laws of 1893 and
RCW 4.88.300;

(38) Section 8, chapter 61, Laws of 1893 and
RCW 4.88.310;

(39) Section 9, chapter 61, Laws of 1893 and
RCW 4.88.320.

Sec. 11. This act is necessary for the immediate Emergency.
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 January 28, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

Section 1: This section first appeared in 1854 p 219 § 485, the only difference being that the word "notice" was used instead of the word "summons", and the words "to be given in the same manner" were used instead of "to be served in the same manner". Subsequently the law was enacted twice in 1869 pp 6 and 172 §§ 21 and 684. Code of 1881 also published the section twice in different chapters. All former compilations combined these sections using the words "summons" and "service", see § 197 of Ballinger's, Rem. and Bal., Rem. Code 1915, RCS, and RRS. The few cases invoking the section have referred to "summons" and "service". See *Nevin v. Pacific Coast and N.P. Co.* (1919), 105 Wash. 192 and cases cited therein. The purpose of this re-

Explanatory
note.

enactment is to remove the redundancy from the law without any change therein.

Sec. 2: The words "said games" have been changed to read "illegal gambling games" since the former phrase has lost some of its meaning. This section was part of the territorial penal code and was only qualifiedly repealed by the 1909 criminal code. "Said games" and "such game" refer to the games enumerated in section 1, p 97, 1879 (Code 1881 § 1253) notwithstanding its repeal by section 52, chapter 249, Laws of 1909 and notwithstanding its implied repeal by section 218, chapter 249, Laws of 1909, since the act of 1879 has both criminal and civil aspects and the repeal by the 1909 law should be held to apply to the criminal aspects. See *O'Neil v. Crampton*, 18 Wn(2d) 579. The present enumerations of "said games" are presently found in RCW 9.47.010. Since this later section in RCW replaces the territorial section, and since such later provisions are more general in terms we have inserted the broad term in accordance with the intent of the later act.

Sec. 3: The part of this section which provides for an action at law "to be brought before any justice of the peace of the county in which such use shall be permitted" is apparently invalid under the state Constitution limiting original jurisdiction in cases at law involving the title or possession of real property to the superior court. See state Constitution Art. 4 §§ 6, 10 (Amendment 28); also RCW 3.20.020(a) and 3.20.030. Thus we have deleted the language which is in conflict with the state Constitution and have shortened the descriptive phrase so that the last portion allows a recovery of "immediate possession of the premises by an action at law for that purpose".

Sec. 4: The words "said games" have been changed to read "any unlawful game". See note to Sec. 2, above.

Sec. 5: The language appearing in the territorial law of Code 1881 § 226 relating to the keeping together of the jurors is apparently superseded and now redundant in the light of later laws. See RCW 2.36.140 (derived from 1911 c 57 § 8) which reads in part:

"In no action or proceeding whatever, except felony cases shall the jury sworn to try the issues therein be kept together and in the custody of the officers of the court, save during the actual progress of the trial, until the case shall have been finally submitted to them for their decision. Whenever the jury are kept together in the custody of the officers when the trial is not in progress, they shall be supplied with meals at regular hours, and with comfortable sleeping and toilet accommodations."

See also RCW 4.44.300 relating to the care of the jury while deliberating and RCW 10.49.110, relating to the custody of the jury in a criminal case.

Sec. 6: The language deleted in this section relates to a "writ of error" which had application when the territorial law was in force but since has become obsolete. The writ of error appears to have been superseded by the modern method of appeal. Our courts appear to have treated the terms as interchangeable. See for example: *Philadelphia Mtge. and Trust Co. v. Palmer*, 32 Wash. 455; *Tischner v. Rutledge*, 35 Wash. 285; and *Williams v. McCauley*, 7 Wn(2d) 1.

Secs. 8 and 9: Sections 8 and 9 divided and amended herein derive from a single session law section (1929 c 60 § 3). Former compilations as well as RCW have divided this section on the basis that it contains two separate subjects. In dividing these sections we have also eliminated the unnecessary language "provided for in this act" without changing the substance of the law. Thus section 8 now provides what the abstract of judgment contains and section 9 what a transcript of the docket of the justice of the peace shall contain.

Sec. 10: *Subdivision (1)* repeals RCW 4.24.110 which provides:
"Any owner or lessor of real estate, who pays any money on

account of his liability incurred under RCW 4.24.100, for any act of his tenant, may, in a civil action, recover of such tenant the money so paid."

Explanatory note.

and is expressly dependent upon the existence of RCW 4.24.100. RCW 4.24.100 having been repealed by 1955 c 372 § 1, it appears that RCW 4.24.110 is no longer operative and should be repealed. Subdivisions (2) through (39) are herein repealed since these statutes have been superseded and abrogated by RULES OF COURT, Appeal - Rule 65 (effective January 3, 1956); see also Appeal - Rules 35,36,34,37,38,40,39; Pleading - Rule 17.

CHAPTER 8.

[H. B. 14.]

ENFORCEMENT OF JUDGMENTS.

AN ACT relating to civil procedure; amending section 1, chapter 25, Laws of 1929 and RCW 6.04.030; amending section 7, chapter 25, Laws of 1929 and RCW 6.04.070; amending section 499, page 220, Laws of 1854, section 694, page 174, Laws of 1869, section 757, page 152, Laws of 1877, section 752, Code 1881 and RCW 6.04.120; amending section 4, page 378, Laws of 1854, section 334, page 85, Laws of 1869, section 342, page 71, Laws of 1877, section 338, Code 1881 and RCW 6.08.030; amending section 256, page 179, Laws of 1854, section 347, page 89, Laws of 1869, section 354, page 75, Laws of 1877, section 351, Code 1881 and RCW 6.20.020; amending section 15, chapter 53, Laws of 1899, section 1, chapter 93, Laws of 1927, section 1, chapter 94, Laws of 1939 and RCW 6.24.210; amending section 1, chapter 133, Laws of 1893, section 1, chapter 93, Laws of 1899 and RCW 6.32.010; and declaring an emergency.

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

SECTION 1. Section 1, chapter 25, Laws of 1929 and RCW 6.04.030 are each amended to read as follows:

RCW 6.04.030 amended.

When any judgment of a court of record of this state requires the payment of money, or the delivery of real or personal property, the same may be enforced in those respects by execution. When it requires the performance of any other act, a certified copy of the judgment may be served on the party against whom it is given, or the person or officer who is required thereby, or by law, to

Execution in particular cases.

obey the same, and a writ shall be issued commanding him to obey or enforce the same. If he refuses, he may be punished by the court as for contempt.

RCW 6.04.070 amended.

SEC. 2. Section 7, chapter 25, Laws of 1929 and RCW 6.04.070 are each amended to read as follows:

Execution in name of assignee or personal representative.

In all cases in which a judgment heretofore or hereafter recovered in any court of this state, has been or shall be assigned to any person, execution may issue in the name of the assignee, upon the assignment being recorded in the execution docket, by the clerk of the court in which the judgment is recovered, and in all cases in which a judgment has been or shall be recovered in any such court, and the person in whose name execution might have issued, has died or shall die, execution may issue in the name of the executor, administrator or legal representative of such deceased person, upon letters testamentary or of administration, or other sufficient proof being filed in said cause and minuted upon the execution docket, by the clerk of the court in which said judgment is entered, and upon an order of said court or the judge thereof, which may be made on an ex parte application.

RCW 6.04.120 amended.

SEC. 3. Section 499, page 220, Laws of 1854, section 694, page 174, Laws of 1869, section 757, page 152, Laws of 1877, section 752, Code 1881 and RCW 6.04.120 are each amended to read as follows:

Levy on joint personalty.

When a defendant owns personal property jointly, or in copartnership with any other person, and the interest cannot be separately attached, the sheriff shall take possession of the property, unless the other person having an interest therein shall give the sheriff a sufficient bond, with surety, to hold and manage the property according to law; and the sheriff shall then proceed to sell the interest of the defendant in such property, describing such interest in his advertisement as nearly as may be, and the purchaser shall acquire all the interest of

such defendant therein; but nothing herein contained shall be so construed as to deprive the co-partner of any such defendant of his interest in any such property.

SEC. 4. Section 4, page 378, Laws of 1854, section 334, page 85, Laws of 1869, section 342, page 71, Laws of 1877, section 338, Code 1881 and RCW 6.08.030 are each amended to read as follows:

RCW 6.08.030
amended.

The sureties upon a bond for stay of execution shall possess the same qualifications, and justify in the manner provided by law in other cases.

Qualification
of sureties.

SEC. 5. Section 256, page 179, Laws of 1854, section 347, page 89, Laws of 1869, section 354, page 75, Laws of 1877, section 351, Code 1881 and RCW 6.20.020 are each amended to read as follows:

RCW 6.20.020
amended.

If the sheriff or other officer require it, the sureties shall justify as in other cases, and in case they do not so justify when required, the sheriff or officer shall retain the property; if the sheriff or officer does not require the sureties to justify, he shall stand good for their sufficiency. He shall date and indorse his acceptance upon the bond.

Justification
of sureties.

SEC. 6. Section 15, chapter 53, Laws of 1899, section 1, chapter 93, Laws of 1927, section 1, chapter 94, Laws of 1939 and RCW 6.24.210 are each amended to read as follows:

RCW 6.24.210
amended.

The purchaser from the day of sale until a resale or redemption, and the redemptioner from the day of his redemption until another redemption, shall be entitled to the possession of the property purchased or redeemed, unless the same be in the possession of a tenant holding under an unexpired lease, and in such case shall be entitled to receive from such tenant the rents or the value of the use and occupation thereof during the period of redemption: *Provided*, That when a mortgage contains a stipulation that in case of foreclosure the mortgagor may remain in possession of the mort-

Possession
during period
of redemption.

Proviso.

gaged premises after sale and until the period of redemption has expired the court shall make its decree to that effect and the mortgagor shall have such right: *Provided, further,* That as to any land so sold which is at the time of the sale used for farming purposes, or which is a part of a farm used, at the time of sale, for farming purposes, the judgment debtor shall be entitled to retain possession thereof during the period of redemption and the purchaser or his successor in interest shall, if the judgment debtor does not redeem, have a lien upon the crops raised or harvested thereon during said year of redemption, for interest on the purchase price at the rate of six percent per annum during said year of redemption, and for taxes becoming delinquent during the year of redemption together with interest thereon: *And, provided further,* That in case of any homestead selected in the manner provided by law and occupied for that purpose at the time of sale, the judgment debtor shall have the right to retain possession thereof during the period of redemption without accounting for issues or value of occupation.

Proviso.

Proviso.

RCW 6.32.010 amended.

SEC. 7. Section 1, chapter 133, Laws of 1893, section 1, chapter 93, Laws of 1899 and RCW 6.32.010 are each amended to read as follows:

Order for examination of judgment debtor.

At any time within six years after entry of a judgment for the sum of twenty-five dollars or over, and after the return of an execution against property wholly or partially unsatisfied upon proof thereof, by affidavit or other competent written evidence satisfactory to the judge or after the issuing of an execution against property and upon proof by the affidavit of a party or otherwise to the satisfaction of the court or a judge thereof, that any judgment debtor has property which he unjustly refuses to apply towards the satisfaction of the judgment, such court or judge may, by an order, require

the judgment debtor to appear at a specified time and place before the judge granting the order, or a referee appointed by him, to answer concerning the same; and the judge to whom application is made under this chapter may, if it is made to appear to him by the affidavit of the judgment creditor, his agent or attorney that there is danger of the debtor absconding, order the sheriff to arrest the debtor and bring him before the judge granting the order. Upon being brought before the judge he may be ordered to enter into a bond, with sufficient sureties, that he will attend from time to time before the judge or referee, as shall be directed, during the pendency of the proceedings and until the final termination thereof.

SEC. 8. 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. Emergency.

Passed the House January 28, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

Section 1: The language "as provided in this act" appeared in chapter 25 of the Laws of 1929; which was a correction bill presented by the joint committee on revision of laws. That bill retained the language "this act" as it originally appeared in the territorial laws of 1854 and 1877. The note appended to 1929 House Bill 30 indicates that no major or substantive change was intended in that section. Therefore the intent of the 1929 law apparently was to use the word "act" as used in the territorial laws. "This act" as used in the territorial laws referred to the comprehensive civil practice act consisting of hundreds of sections. To enforce executions as provided in the civil practice act requires resort to sections outside of those contained in chapter 25, Laws of 1929. Thus, the words "as provided in this act" are presently superfluous. The bracketed matter to be deleted was added in RCW to clarify the language pending legislative action.

Sec. 2: The bracketed words "[may issue]", were added by the reviser to correct a clerical omission. The section is amended to include these words.

Sec. 3: The words "he [a defendant]" have been changed to read "a defendant" to assure easier identification and to conform to the sec-

**Explanatory
note.**

tion immediately preceding this one both in the session law and in the code; see RCW 6.04.110.

Sec. 4: The language relating to "ball upon arrest in civil actions" has been deleted since the law relating to bail on arrest in civil actions has been repealed, and under present practice the qualification and justification of sureties appears to be governed generally by chapter 19.72 as to personal sureties and by chapter 48.28 as to corporate sureties. The statutes relating to ball upon arrest in civil actions were repealed by 1927 c 162 § 4 which was introduced by the joint committee on the revision of law in 1927 Senate Bill 61. Appended to the printed bill in 1927 was an analysis stating that the law would simply be repealed were it not for the fact that other statutes referred to the ball upon arrest provisions in defining the qualifications and justification of sureties. As indicated in that analysis, it was necessary, as a part of such act, to enact original provisions relating to personal sureties, codified as RCW 19.72-.020-19.72.050. Since it appears that sureties in such cases as this section provides for should have the same qualifications and justify in the same manner as sureties in other cases and in order to avoid unnecessary amendments in the future, the amendatory language adopts the law as to sureties generally in preference to reference to specific code sections.

Sec. 5: The basic language deleted in this section also relates to bail upon arrest in civil actions, see note to section 4, *supra*. The other changes are merely grammatical.

Sec. 6: The bracketed word "[shall]", was added by the reviser to correct a clerical omission. The section is amended to include this word.

Sec. 7: The bracketed words "[, that any]" were added by the reviser to correct a clerical omission. The section is amended to include these words.

CHAPTER 9.

[H. B. 15.]

CIVIL PROCEDURE—ENFORCEMENT OF JUDGMENTS—
SPECIAL PROCEEDINGS.

AN ACT relating to civil procedure; amending section 24, page 7, Laws of 1877, section 24, Code 1881, and RCW 4.08.200; and section 239, page 49, Laws of 1877 and section 235, Code 1881, and RCW 4.44.350; and section 259, page 52, Laws of 1877 and section 255, Code 1881 and RCW 4.48.080; and section 438, page 96, Laws of 1877 and section 436, Code 1881 and RCW 4.72.010; and section 7, page 340, Laws of 1890 and RCW 5.48.060; and section 341, page 71, Laws of 1877 and section 337, Code 1881 and RCW 6.08.060; and section 7, page 85, Laws of 1890 and RCW 7.08.080; and section 10, page 86, Laws of 1890 and RCW 7.08.110; and section 15, page 42, Laws of 1886 and RCW 7.12.150; and section 671, page 138, Laws of 1877 and section 668, Code 1881 and RCW 7.36.040; and section 153, page 32, Laws of 1877 and section 153, Code 1881 and RCW 7.40.010; and section 166, page 34, Laws of 1877 and section 166, Code 1881 and RCW 7.40.150; and repealing section 36, page 46, Laws of 1886 and RCW 7.12.320; and section 173, page 35, Laws of 1877 and section 173, Code 1881 and RCW 7.40.220; and declaring an emergency.

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

SECTION 1. Section 24, page 7, Laws of 1877, section 24, Code of 1881 and RCW 4.08.200 are each amended to read as follows:

RCW 4.08.200
amended.

When leave is given to intervene, a copy of the intervenor's complaint shall be served upon the parties to the action or proceedings who have not appeared, or publication of a notice of the intervention containing a brief statement of the nature of the intervenor's demand shall be made in all cases where there are absent or nonresident defendants. The notice shall be published in the same manner and for the same length of time as prescribed for publication of summons. And the complaint shall also be served upon the attorneys of the parties who have appeared, who may answer or demur to it as if it were an original complaint. The court shall determine upon the

Practice in
intervention.

rights of the intervenor at the same time the action is decided, and if the claim of the party intervening is not sustained, he shall pay all costs incurred by the intervention: *Provided*, That no intervention shall be cause for delay in the trial of an action between the original parties thereto.

Proviso.

RCW 4.44.350 amended.

SEC. 2. Section 239, page 49, Laws of 1877, section 235, Code 1881 and RCW 4.44.350 are each amended to read as follows:

Court recess while jury is out.

While the jury is absent the court may adjourn from time to time, in respect to other business, but it is nevertheless to be deemed open for every purpose connected with the cause submitted to the jury until a verdict is rendered or the jury discharged.

RCW 4.48.080 amended.

SEC. 3. Section 259, page 52, Laws of 1877, section 255, Code 1881 and RCW 4.48.080 are each amended to read as follows:

Proceedings on filing referee's report.

The report shall be filed with the clerk. Either party may, within such time as may be prescribed by the rules of the court, or by special order, move to set the same aside, or for judgment thereon, or such order or proceeding as the nature of the case may require.

RCW 4.72.010 amended.

SEC. 4. Section 438, page 96, Laws of 1877, section 436, Code 1881 and RCW 4.72.010 are each amended to read as follows:

Vacation, modification of judgments—Causes for.

The superior court in which a judgment or final order has been rendered, or made, shall have power to vacate or modify such judgment or order:

(1) By granting a new trial for the cause, within the time and in the manner, and for any of the causes prescribed by the rules of court relating to new trials.

(2) By a new trial granted in proceedings against defendant served by publication only as prescribed in RCW 4.28.200.

(3) For mistakes, neglect or omission of the

clerk, or irregularity in obtaining a judgment or order.

(4) For fraud practiced by the successful party in obtaining the judgment or order.

(5) For erroneous proceedings against a minor or person of unsound mind, when the condition of such defendant does not appear in the record, nor the error in the proceedings.

(6) For the death of one of the parties before the judgment in the action.

(7) For unavoidable casualty, or misfortune preventing the party from prosecuting or defending.

(8) For error in a judgment shown by a minor, within twelve months after arriving at full age.

SEC. 5. Section 7, page 340, Laws of 1890 and RCW 5.48.060 amended to read as follows:

RCW 5.48.060 amended.

In case of the loss or destruction by fire or otherwise of the records, or any part thereof, of any probate court or superior court having probate jurisdiction, the judge of any such court may proceed, upon its own motion, or upon application in writing of any party in interest, to restore the records, papers, and proceedings of either of said courts relating to the estates of deceased persons, including recorded wills, wills probated, or filed for probate in such courts, all marriage records and all other records and proceedings, and for the purpose of restoring said records, wills, papers or proceedings, or any part thereof, may cause citations or other process to be issued to any and all parties to be designated by him, and may compel the attendance in court of any and all witnesses whose testimony may be necessary to the establishment of any such record or part thereof, and the production of any and all written or documentary evidence which may be by him deemed necessary in determining the true import and effect of the original record, will, paper, or other document belonging to the files of said courts; and may make

Replacement of lost or destroyed probate records.

such orders and decrees establishing such original record, will, paper, document or proceeding, or the substance thereof, as to him shall seem just and proper.

RCW 6.08.060 amended.

SEC. 6. Section 341, page 71, Laws of 1877, section 337, Code 1881 and RCW 6.08.060 are each amended to read as follows:

Stay of execution—Judgment against sureties.

If the judgement is not satisfied, at any time after the expiration of the period for which execution has been stayed, the plaintiff, may, upon motion supported by an affidavit that such judgment or any part thereof is unpaid, and stating how much still remains due thereon, have judgment against the sureties upon said bond, for the balance remaining due, and have an execution therefor, upon which no stay shall be allowed.

RCW 7.08.080 amended.

SEC. 7. Section 7, page 85, Laws of 1890 and RCW 7.08.080 are each amended to read as follows:

Assignment for benefit of creditors—Exceptions to claims.

Any person interested may appear within three months after filing such report and file with said clerk any exceptions to the claim or demand of any creditor, and the clerk shall forthwith cause notice thereof to be given to the creditor, which shall be served and returned as in case of summons, and the said court shall proceed to hear proof of the parties in the premises, and shall render such judgment therein as shall be just, and may allow a trial by jury thereon.

RCW 7.08.110 amended.

SEC. 8. Section 10, page 86, Laws of 1890 and RCW 7.08.110 are each amended to read as follows:

Assignment for benefit of creditors—Not void, when.

No assignment shall be declared fraudulent or void for want of any list or inventory as provided in RCW 7.08.010 through 7.08.170. The court or judge may, upon application of the assignee, or any creditor, compel the appearance in person of the debtor before such court or judge to answer under oath such matters as may then and there be inquired of him; and such debtor may then and there be fully

examined under oath as to the amount and situation of his estate, and the names of the creditors, and amounts due to each, with their places of residence, and the court may compel the delivery to the assignee of any property or estate embraced in the assignment.

SEC. 9. Section 15, page 42, Laws of 1886 and RCW 7.12.150 are each amended to read as follows:

The court before whom the action is pending may at any time appoint a receiver to take possession of property attached under the provisions of this chapter, and to collect, manage and control the same and pay over the proceeds according to the nature of the property and the exigency of the case.

RCW 7.12.150
amended.

Attachment—
Appointment
of receiver
for property.

SEC. 10. Section 671, page 138, Laws of 1877, section 668, Code 1881 and RCW 7.36.040 are each amended to read as follows:

Writs of habeas corpus may be granted by the supreme court or superior court, or by any judge of either court, and upon application the writ shall be granted without delay.

RCW 7.36.040
amended.

Habeas corpus
—Who may
grant writ.

SEC. 11. Section 153, page 32, Laws of 1877, section 153, Code 1881 and RCW 7.40.010 are each amended to read as follows:

Restraining orders and injunctions may be granted by the superior court, or by any judge thereof.

RCW 7.40.010
amended.

Injunctions—
Who may
grant.

SEC. 12. Section 166, page 34, Laws of 1877, section 166, Code 1881 and RCW 7.40.150 are each amended to read as follows:

Whenever it shall appear to any court granting a restraining order or an order of injunction, or by affidavit, that any person has wilfully disobeyed the order after notice thereof, such court shall award an attachment for contempt against the party charged or an order to show cause why it should not issue. The attachment or order shall be issued by the clerk

RCW 7.40.150
amended.

Injunctions—
Contempt for
disobedience.

of the court, and directed to the sheriff, and shall be served by him.

Repeal.

SEC. 13. Section 36, page 46, Laws of 1886 and RCW 7.12.320, and section 173, page 35, Laws of 1877, section 173, Code 1881 and RCW 7.40.220 are each hereby repealed.

Emergency.

SEC. 14. 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 January 28, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

I. Generally:

The Statute Law Committee has recently completed a comprehensive review of Titles 4, 6 and 7 of the Revised Code of Washington relating to civil procedure, enforcement of judgments and special proceedings. In the course of this work the committee encountered several statutes, enacted prior to the adoption of the state Constitution, which contain references to terms and vacations of court. While the concept of terms and vacations is not consistent with our Constitution which provides that the supreme court and the superior courts shall always be open for the transaction of business except on nonjudicial days (Constitution Art. IV §§ 4, 6, and Amendment 28) the statutes have never been amended to delete the obsolete language, although the various code compilers have more or less consistently omitted the language from their respective publications. The primary purpose of this bill is to accomplish the deletion of such obsolete language.

The provisions of this bill were also considered and approved by the Judicial Council at its meeting of March 3, 1956.

Relating to terms and vacations of court, see *Skagit, etc., Lumber Company v. Cole*, 1 Wash. 330 (1890); *Coyle v. Seattle Electric Company*, 31 Wash. 181; *Gordon v. Hillman*, 102 Wash. 411; also state Constitution Art. IV §§ 4, 6, and Amendment 28; also RCW 2.04.030, 2.04.040, 2.08.030 and 2.08.040; also Rules Peculiar to the Business of the Supreme Court, Rules 4 and 5. See also *Peterson v. Dillon*, 27 Wash. 78; *State ex rel. Romano v. Yakey*, 43 Wash. 15, and *State ex rel. Lockhart v. Claypool*, 132 Wash. 374. The words "district court" are herein amended to read "superior court"; see state Constitution Art. XXVII.

II. Additional comments relating to particular sections.

Section 1: RCW and all earlier compilations have ended this section after the word "thereto". This construction is apparently approved by our supreme court, see *Schnebly v. Rehmke*, 78 Wash. 565 (1914).

Sec. 4: In the first paragraph, the language relating to terms of court has been deleted and the remainder of the paragraph has been reworded to clarify language remaining after deletion.

Subdivision (1) is amended to refer to "Rules of Court" since the grounds for new trial are now enumerated in General Rules of Superior Court, Rule 16. Explanatory note.

Sec. 12. The words "a restraining order or" added upon recommendation of the Judicial Council. See in this respect *State v. Nicoll*, 40 Wash. 517.

The words "an order" substituted for the words "a rule" to conform with current practice.

Sec. 13: This section repeals:

(1) 1886 p 46 § 36, RCW 7.12.320, relating to attachments, which provided:

"The judge of any district court shall have power to make every order in vacation which, by the provisions of this chapter, may be made by the court term time."

and

(2) 1869 p 41 § 71, Code 1881 § 173, RCW 7.40.220, relating to injunctions, which provides:

"The judge of the district court shall have power to make every order in vacation which, by the provisions of this chapter, may be made by the court in term time."

Terms and vacations of court having been abolished by Art. IV §§ 4, 6 (Amendment 28) of our state Constitution, it would seem to follow that the above statutes, granting authority during vacations, cannot have any present scope of operation. By reason of the abovementioned sections of the Constitution, the power formerly given to the court in term time is now effective at all times.

CHAPTER 10.

[H. B. 16.]

CRIMINAL PROCEDURE.

AN ACT relating to crimes and punishments and the rights and custody of persons accused of crime; amending section 1046, Code 1881 and RCW 10.40.070, and section 51, chapter 28, Laws of 1891 and RCW 10.40.080; repealing sections 42, 253, 292, 443 and 444, chapter 249, Laws of 1909, and section 240, chapter 249, Laws of 1909 and RCW 9.91.100, and section 1934, Code 1881, section 233, page 396, Laws of 1873, section 41, page 109, Laws of 1854, and section 5, chapter 149, Laws of 1895 and RCW 10.58.050, and section 1113, Code 1881, section 128, page 98, Laws of 1854 and RCW 10.82.060, and section 40, chapter 28, Laws of 1891, section 1025, Code 1881 and RCW 10.37.075, and section 17, chapter 11, Laws of 1891, section 1272, Code 1881, section 2, page 90, Laws of 1875 and RCW 9.87.040, and section 9, chapter 30, Laws of 1907, and section 1, chapter 151, Laws of 1917, and section 1, page 376, Laws of 1854 and RCW 10.25.120, and chapter 60, Laws of 1907, and section 7, chapter 150, Laws of 1925 extraordinary session and RCW 10.73.020, and section 32, chapter 61, Laws of 1893 and RCW 10.73.050 and 10.73.060; and declaring an emergency.

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

RCW 10.40.070 amended.

SECTION 1. Section 1046, Code 1881 and RCW 10.40.070 are each amended to read as follows:

Motion to set aside indictment.

The motion to set aside the indictment can be made by the defendant on one or more of the following grounds, and must be sustained.

(1) When it is not indorsed "a true bill," and the indorsement signed by the foreman of the grand jury as prescribed by RCW 10.28.150;

(2) When it has not been presented and marked "filed" as prescribed by RCW 10.28.200;

(3) When any person, other than the grand jurors, was present before the grand jury when the question was taken upon the finding of the indictment, or when any person, other than the grand jurors, was present before the grand jury

during the investigation of the charge, except as required or permitted by law.

(4) That the grand jury were not selected, drawn, summoned, impaneled, or sworn as prescribed by law.

SEC. 2. Section 51, chapter 28, Laws of 1891 and RCW 10.40.080 are each amended to read as follows: RCW 10.40.080 amended.

A motion to set aside an information can be made by the defendant on one or more of the following grounds, and must be sustained: Motion to set aside information.

(1) When it is not signed by the prosecuting attorney.

(2) When it is not verified.

(3) When it has not been marked "filed" by the clerk.

SEC. 3. The following acts or parts of acts are repealed: Repeal.

(1) Chapter 60, Laws of 1907 (uncodified);

(2) Section 42, chapter 249, Laws of 1909 (uncodified);

(3) Section 240, chapter 249, Laws of 1909 and RCW 9.91.100;

(4) Section 253, chapter 249, Laws of 1909 (uncodified);

(5) Section 292, chapter 249, Laws of 1909 (uncodified);

(6) Sections 443 and 444, chapter 249, Laws of 1909 (uncodified);

(7) Section 1934, Code 1881, section 233, page 396, Laws of 1873, and section 41, page 109, Laws of 1854 (uncodified);

(8) Section 5, chapter 149, Laws of 1895 and RCW 10.58.050;

(9) Section 1113, Code 1881, section 128, page 98, Laws of 1854 and RCW 10.82.060;

(10) Section 9, chapter 30, Laws of 1907 (uncodified);

Repeal.

(11) Section 1, chapter 151, Laws of 1917 (uncodified);

(12) Section 1, page 376, Laws of 1854 and RCW 10.25.120;

(13) Section 17, chapter 11, Laws of 1891, section 1272, Code 1881, section 2, page 90, Laws of 1875 and RCW 9.87.040;

(14) Section 7, chapter 150, Laws of 1925 extraordinary session and RCW 10.73.020;

(15) Section 32, chapter 61, Laws of 1893 and RCW 10.73.050 and RCW 10.73.060;

(16) Section 40, chapter 28, Laws of 1891, section 1025, Code 1881 and RCW 10.37.075.

Emergency.

SEC. 4. 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 January 28, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Section 1. Section 1046, Code 1881 and RCW 10.40.070 are amended to remove as one of the grounds to set aside an indictment the requirement that the names of the witnesses are not indorsed upon it. This requirement is now obsolete as Code 1881 § 995 (RCS § 2043) which formerly required the names of witnesses to be indorsed on an indictment was repealed by section 9, chapter 150, Laws of 1925 extraordinary session.

Sec. 2. Section 51, chapter 28, Laws of 1891 and RCW 10.40.080 are amended to remove as one of the grounds to set aside an information the requirement that the names of the witnesses be indorsed upon it. Subdivision (4) refers to RCS § 2050 which was amended by section 2, chapter 150, Laws of 1925 extraordinary session to eliminate the indorsement of witnesses on informations and provided instead for the filing and serving of a list of witnesses by the prosecution and the defendant.

Sec. 3. Subdivision (1) Sections 1 and 2 of chapter 60, Laws of 1907 (RRS §§ 2149, 2150) relating to immunity of witnesses in prosecutions for bribery, grafting or corrupt solicitation were omitted from RCW as having been superseded by 1909 c 249 §§ 39 and 78 (RRS §§ 2291, 2330) RCW 10.52.090, 9.18.080.

The criminal code (1909 c 249 § 49) provides as follows:

"No statute, law or rule is continued in force because it is consistent with the provisions of this act on the same subject; but in all cases provided for by this act, all statutes, laws and rules heretofore in force in this state, whether consistent or not with the provisions of this act, unless expressly continued in force by it are repealed and abrogated."

See also *State v. Bielman*, 86 Wash. 460 and *State ex rel. McCoske v. Kinnear*, 145 Wash. 686, 689. Explanatory note.

Subdivisions (2) 1909 c 249 § 42 (RRS § 2294) relating to the application of the 1909 criminal code to prior offenses has been omitted from RCW as obsolete. That section provides:

"Nothing contained in any provision of this act shall apply to an offense committed or act done at any time before the day when this act shall take effect. Such an offense shall be punished according to, and such act shall be governed by, the provisions of law existing when it is done or committed, in the same manner as if this act had not been passed."

Except for offenses of murder and arson where death ensues the statute of limitations (RCW 10.01.020) has expired as to all crimes committed prior to 1909. Furthermore, the general savings section, RCW 10.01.040 provides that all offenses shall be punished under the law in force at the time the offense was committed. See *State v. Hanlen*, 193 Wash. 494.

Subdivision (3) 1909 c 249 § 240; RCW 9.91.100 (RRS § 2492) relating to "Interfering with dead body or funeral" is superseded by the 1943 cemetery act, see RCW 68.08.120 and 68.48.010(3).

Subdivision (4) 1909 c 249 § 253 (RRS § 2505) relating to "Possession of uninspected oils and effacing brands from oil barrels" was omitted from RCW as obsolete. The instant section imposes a criminal sanction upon the act of selling, etc., certain oils which have not been approved by the state oil inspector and upon selling empty barrels without effacing inspection brands thereon. The oil inspection acts (1903 c 187, 1905 c 161, and 1907 c 192) have all been repealed by 1907 c 192 § 8, 1913 c 60 § 14 and 1927 c 63 § 1, rendering the instant section a nullity.

Subdivision (5) 1909 c 249 § 292 (RRS § 2544) provides that:

"Every person who shall practice medicine or surgery or dentistry without having obtained and filed in the office of the county clerk where he resides, a license as required by law, shall be guilty of a gross misdemeanor."

This section was omitted from RCW as obsolete.

(a) Dentistry: The law never required dentists to register with the county clerk. They were and are required to register with the county auditor:

1893 p 91 § 5; Rem. and Bal. § 8417

1923 p 31 § 15; RRS § 10030-15

1935 p 294 § 7; Rem. Supp. § 10031-7; RCW 18.32.190;

under penalty of misdemeanor:

1893 p 92 § 8; 1901 p 316 § 4; Rem. and Bal. § 8421

1923 p 39 § 36; RRS § 10030-36;

under penalty of gross misdemeanor:

1935 p 299 § 16; Rem. Supp. § 10031-16; RCW 18.32.390;

and penalty of forfeiture of license:

1923 p 31 § 15; RRS § 10030-16

1935 p 297 § 10; Rem. Supp. § 10031-10; RCW 18.32.190.

(b) Physicians and surgeons: Former laws required the certificate to be filed in county of residence:

1890 p 119 § 7; 1 H.C. § 2850; 1 Bal. § 3018

1909 p 681 § 9; Rem. and Bal. § 8395

1919 p 376 §§ 5, 6; RRS § 10012, 10013;

The above requirement was repealed by 1941 c 166 § 2, and the same act [1941 c 166 § 1; Rem. Supp. 1941 § 10010-1; RCW 18.71.080] provided for annual registration with the director of licenses.

Subdivision (6) 1909 c 249 § 443 (RRS § 2695) relates to "Selling liquors not aged." This section was held to be impliedly repealed by the liquor act of 1933 (1933 ex.s. c 62) and was omitted from RCW for that reason.

The same reasoning would seem to apply to 1909 c 249 § 444 (RRS § 2696) "Mixing, distilling, selling, etc., low wines or spirits" which was likewise omitted.

Subdivision (7) Section 1934, Code of 1881 and the earlier sections from which it was derived was omitted from RCW and RRS as being

Explanatory
note.

superseded by section 16, chapter 11, Laws of 1891 (codified as RCW 10.16.090).

Subdivision (8) Repeal of section 5, chapter 149, Laws of 1895 and RCW 10.58.050 is recommended because the section provides proof of marriage under the 1895 act (chapter 149, Laws of 1895). All other sections of the 1895 act have been repealed by section 52, chapter 249, Laws of 1909 which appears to render this section a nullity.

Subdivision (9) This section is repealed as it has been expressly superseded by RCW 10.82.070 requiring that fines be paid to the current state school fund. See *Slayden v. Carr*, 94 Wash. 412, 162 Pac. 529.

Subdivision (10) Section 9, chapter 30, Laws of 1907 (uncodified) reads as follows:

"All the criminal insane now confined in the state hospitals for the insane shall be forthwith sent by the authorities of those hospitals to the State penitentiary and placed in the control of the warden and confined by him in the ward or department for the criminal insane, herein provided for, and shall not thereafter be discharged from his custody save in the manner herein provided. Any criminally insane person now confined in the state penitentiary shall be transferred to the ward for the criminally insane, and shall not be discharged, save as herein provided."

The purpose of this section was to effectuate the transfer of the criminally insane to the state penitentiary in accordance with chapter 30, Laws of 1907 and is of a temporary nature.

Subdivision (11) Section 1, chapter 151, Laws of 1917 (uncodified) reads as follows:

"That whenever heretofore the board of county commissioners of any county, shall have offered a reward to any person or persons who shall apprehend, bring back and secure any person for the commission of a felony, but shall not have named, in such offer, the person whose apprehension is sought, and any person, in consequence of such offer, shall have apprehended, brought back and secured the person who committed such felony, and such person shall have been charged therewith and convicted thereof, and the board of county commissioners shall have ordered such reward paid to the person so affecting such arrest and conviction, and the county auditor of such county shall have issued a warrant in payment of such reward, and such warrant shall have been held or shall be invalid by reason of the fact that in the offer of such reward by the board of county commissioners, no particular person was named as the person for whose arrest and conviction such reward was offered, such warrant shall be and is hereby declared to be valid, and it shall be the duty of the county treasurer of such county to pay such warrant out of the fund in the county treasury upon which the same was drawn, but no interest shall be paid thereon."

This section is special legislation to validate warrants issued prior to the 1917 law and is now obsolete.

Subdivision (12) This section is obsolete. For the procedure followed in the disposition of criminal or civil proceedings when a new county is created see chapter 28, Laws of 1911.

Subdivision (13) This section refers to vagrancy as defined in section 1271, Code of 1881 which was repealed by section 1, chapter 43, Laws of 1927. As this section sets forth the procedure to be followed for the examination of vagrants as defined in section 1271, Code 1881, which was repealed, it is doubtful whether it has been of any validity since that repeal.

Subdivision (14) This section was abrogated by Rules of Court, Rules on Appeal—Rule 65 (effective January 3, 1956); and is no longer of any force or effect.

Subdivision (15) These sections of RCW and the session law section were abrogated by Rules of Court, Rules on Appeal—Rule 65 (effective January 3, 1956); and are no longer of any force or effect.

Subdivision (16) RCW 10.37.075 reads as follows:

"In prosecutions under the provisions of the penal code, sections fifty-two, sixty and ninety-one, where the owner of the property is unknown, such property shall, for the purpose of this code, be deemed and held to be owned by the state of Washington; and in all cases where the indictment or information alleges the state to be the owner of such property, and the proof on the trial discloses the name of the actual owner, it shall not be deemed a variance, or failure of proof, unless the defendant is the actual owner."

Explanatory
note.

The three sections referred to relate to crimes involving theft of animals or stock and were part of Hill's Penal Code. As all three sections were repealed by chapters 43 and 25, Laws of 1927, the section appears to be a nullity and it is recommended that it be repealed.

CHAPTER 11.

[H. B. 17.]

HOSPITAL DISTRICTS.

AN ACT relating to hospital districts; amending section 1, chapter 82, Laws of 1955 and RCW 70.44.040.

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

SECTION 1. Section 1, chapter 82, Laws of 1955 and RCW 70.44.040 are each amended to read as follows:

RCW 70.44.040
amended.

The provisions of Title 54 relating to elections and procedure of the commission, except vacancies occurring therein, and boundaries and consolidation of public utility districts shall govern public hospital districts, except that the total vote cast upon the proposition to form the district shall exceed forty percent of the total number of votes cast in the precincts comprising the districts at the next preceding general and county election, and except that hospital district commissioners shall hold office for the term of six years and until their successors are elected and qualified, each term to commence on the second Monday in January in each year following the election. At the election at which the proposition is submitted to the voters as to whether a district shall be formed, three commissioners shall be elected to hold office, respectively, for the terms of two, four, and

Hospital
districts.—
Elections—
Vacancies—
Procedure—
Boundaries—
Consolidations
—Terms of
commissioners.

Hospital
districts.
Elections—
Vacancies—
Procedure—
Boundaries—
Consolidations
—Terms of
commissioners.

six years. All candidates shall be voted upon by the entire district, and the candidate residing in commissioner district No. 1 receiving the highest number of votes in the hospital district shall hold office for the term of six years; the candidate residing in commissioner district No. 2 receiving the highest number of votes in the hospital district shall hold office for the term of four years; and the candidate residing in commissioner district No. 3 receiving the highest number of votes in the hospital district shall hold office for the term of two years. Each term shall date from the time above specified following the election, but shall also include the period intervening between the election and the beginning of the regular terms specified in this section: *Provided*, That in public hospital districts encompassing portions of more than one county, the total vote cast upon the proposition to form the district shall exceed forty percent of the total number of votes cast in each portion of each county lying within the proposed district at the next preceding general county election. The portion of said proposed district located within each county shall constitute a separate commissioner district. There shall be three district commissioners whose terms shall be six years. Each district shall be designated by the name of the county in which it is located. All candidates for commissioners shall be voted upon by the entire district. Not more than one commissioner shall reside in any one district: *Provided further*, That in the event there are only two districts then two commissioners may reside in one district. The term of each commissioner shall commence on the second Monday in January in each year following his election. At the election at which the proposition is submitted to the voters as to whether a district shall be formed, three commissioners shall be elected to hold office, respectively, for the terms of two, four, and six years. The candidate receiving the highest number of votes within

Proviso.

Proviso.

the district, as constituted by said election, shall serve a term of six years; the candidate receiving the next highest number of votes shall hold office for a term of four years; and the candidate receiving the next highest number of votes shall hold office for a term of two years: *Provided further*, That the holding of each such term of office shall be subject to the residential requirements for district commissioners hereinbefore set forth in this section. Proviso.

Passed the House January 28, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

RCW 70.44.040 had its origin in 1945 c 264 § 5 and was successively amended by 1945 c 264 § 5, 1947 c 229 § 1, 1953 c 267 § 2 and 1955 c 82 § 1. The only change indicated in the 1955 bill (Senate Bill 107) occurred in the first sentence and reads as follows: "The provisions of Title 54 relating to elections [, vacancies,] and procedure of the commission, except vacancies occurring therein, . . .". The 1955 bill purports to amend the 1947 amendment of the original act (1945 c 264) without mention of the intervening 1953 amendment either in the title of the act or in the introductory paragraph of the section; furthermore, the original and printed bill (1955 SB 107) simply omitted the three provisos which had been added by the 1953 amendment, without indicating them as deleted matter. This would seem to indicate that the use of the 1947 amendment (rather than the 1953 amendment) as the basis for amending the section in 1955 was inadvertent. The instant bill amends the 1955 amendment to reinstate the provisos which were added to the section in 1953. Explanatory note.

CHAPTER 12.

[H. B. 18.]

WHARFINGERS AND WAREHOUSEMEN.

AN ACT relating to wharfingers and warehousemen; enacting
RCW 22.24.010.

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

SECTION 1. RCW 22.24.010 is enacted to read as follows: RCW 22.24.010
enacted.

As used in this chapter:

"Dock" or "wharf" includes any and all struc- Definitions.
"Dock,"
"wharf."

Definitions.

tures at which any steamboat, vessel, or other watercraft lands for the purpose of receiving or discharging freight from or for the public, together with any building or warehouse used for storing such freight for the public for hire;

"Warehouse."

"Warehouse" includes any building or structure in which freight is received for storage from the public for hire, intended for shipment or discharge by any watercraft;

"Wharfinger,"
"warehouseman."

"Wharfinger" or "warehouseman" includes every corporation, company, association, joint stock association, partnership and person, their lessees, trustees or receivers appointed by any court whatsoever, operating or managing any dock, wharf or structure where steamboats, vessels or other watercraft land for the purpose of discharging freight for the public, and where such freight is received on such dock, wharf or structure for the public for hire within the state;

"Commission."

"Commission" means the public service commission.

Passed the House February 12, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

Explanatory
note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Senate Bill 98 (chapter 316, Laws of 1955) was a bill relating to public service companies.

Sections 1 through 3 of the bill, which were concerned with amending the definition of "Gas Plant" as contained in RCW 80.04.010, attempted to follow the established legislative style of setting forth all of the RCW components of a divided session law section by setting forth RCW 80.04.010 (amended) and RCW 81.04.010 (not amended). A third session law component, RCW 22.24.010 which is the subject of the instant bill was omitted, apparently through inadvertence. In order to assure a session law background for this code section, it is herewith presented for enactment. The language is that of the pertinent portion of the original session law (1911 c 117 § 8 as last amended by 1929 c 223 § 1).

CHAPTER 13.

[H. B. 19.]

NOXIOUS WEEDS

AN ACT relating to noxious weeds; amending section 5, chapter 125, Laws of 1929 as last amended by section 1, chapter 107, Laws of 1951, and RCW 17.04.240, 17.04.250, and 17.04.260; amending section 3, chapter 194, Laws of 1937 as last amended by section 1, chapter 213, Laws of 1951, and RCW 17.08.050, 17.08.060, 17.08.070, 17.08.080 and 17.08.090; and amending section 4, chapter 194, Laws of 1937 as last amended by section 2, chapter 89, Laws of 1953, and RCW 17.08.100 and 17.08.110; validating certain proceedings, and declaring an emergency.

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

SECTION 1. Section 5, chapter 125, Laws of 1929 as last amended by section 1, chapter 107, Laws of 1951 (heretofore divided and codified as RCW 17.04.240, 17.04.250, and 17.04.260) is divided and amended as set forth in sections 2, 3, and 4 of this act.

Division and amendment.

SEC. 2. (RCW 17.04.240) The directors shall annually determine the amount of money necessary to carry on the operations of the district and shall classify the property therein in proportion to the benefits to be derived from the operations of the district and in accordance with such classification shall prorate the cost so determined and shall levy assessments to be collected with the general taxes of the county. In the event that any bonded or warrant indebtedness pledging tax revenue of the district shall be outstanding on April 1, 1951, the directors may, for the sole purpose of retiring such indebtedness, continue to levy a tax upon all taxable property in the district until such bonded or warrant indebtedness shall have been retired.

RCW 17.04.240 enacted without amendment.

SEC. 3. (RCW 17.04.250) The county treasurer shall be ex officio treasurer of such district and the

RCW 17.04.250 amended.

Weed districts.
District treasurer, duties—
Fund.

county assessor and other county officers shall take notice of the formation of such district and of the tax levy and shall extend the tax on the tax roll against the property liable therefor the same as other taxes are extended, and such tax shall become a general tax against such property, and shall be collected and accounted for as other taxes, with the terms and penalties thereto attached. The moneys collected from such tax shall be paid into a fund to be known as "fund of weed district..... of.....county" (giving the number of district and name of county). All expenses in connection with the operation of such district, including the expenses of initial and annual meetings, shall be paid from such fund, upon vouchers approved by the board of directors of such district.

RCW 17.04.260 amended.
Limit of indebtedness.

SEC. 4. (RCW 17.04.260) No district shall contract any obligation in any year in excess of the revenues which will be available during the current year from the tax levy made in the preceding year.

Division and amendment.

SEC. 5. Section 3, chapter 194, Laws of 1937 as last amended by section 1, chapter 213, Laws of 1951 (heretofore divided and codified as RCW 17.08.050, 17.08.060, 17.08.070, 17.08.080 and 17.08.090) is divided and amended as set forth in sections 6, 7, 8, 9 and 10 of this act.

RCW 17.08.050 amended.
Weed extermination areas.
State college to cooperate.

SEC. 6. (RCW 17.08.050) It shall be the duty of the state college of Washington through its experiment station and extension service to cooperate with the boards of county commissioners and with the state department of agriculture: (1) To inform them of the names, habits, and growth of noxious or poison weeds and plants which are prevalent in the respective counties in the state of Washington and which are detrimental to agriculture or livestock; (2) to describe methods for the destruction, prevention or extermination of such weeds or plants;

and (3) to publish lists of such weeds and plants designated as noxious or poison together with pertinent information thereon for public distribution.

SEC. 7. (RCW 17.08.060) It shall be the duty of the boards of county commissioners and the director of the state department of agriculture: (1) To determine what methods, rules and regulations are to be used and the specific weed, weeds or plants to be destroyed, prevented or exterminated in the weed extermination areas established: *Provided*, That the directors of any weed district organized and continuing under chapter 17.04 RCW shall have final approval of any regulations applying on crop lands to weeds generally distributed within the boundaries of such weed districts; (2) to carry out, or cause to be carried out, these designated methods, rules and regulations on the weeds or plants specified; but whenever such methods, rules and regulations require only the prevention of seed production of noxious or poison weeds on crop lands, it shall be the duty of the owner thereof to prevent such seed production; and (3) upon information of the existence of any noxious or poison weed not generally distributed within this state, to thoroughly investigate the existence and the probability of the spread thereof and to establish, maintain and enforce such regulations as in their opinion are necessary to circumscribe and exterminate or prevent the spread of such weed.

RCW 17.08.060
amended.
Duties of
board and
directors.

SEC. 8. (RCW 17.08.070) Methods and rules to be followed in extermination areas may be changed or modified by the authority setting up the areas whenever in their judgment a change is justified, practical, and in the interest of the public welfare. Upon the determination of methods, rules and regulations to be followed in any area, the boards and the director shall publish such methods, rules, and regulations weekly for three consecutive weeks

RCW 17.08.070
enacted with-
out amend-
ment.

in a newspaper published in the county in which the area is located and of general circulation in the county.

RCW 17.08.080 amended. Weed supervisor—Owner may be employed.

SEC. 9. (RCW 17.08.080) The boards of county commissioners and the director of the state department of agriculture are hereby authorized to employ a weed supervisor and such additional help and to purchase such equipment and materials as may be necessary in carrying out these duties: *Provided*, That whenever feasible and practicable the landowner shall be employed to carry out the practices required but when so hired the portion of the costs to be paid by him shall be deducted from any payments accruing to him because of such employment.

RCW 17.08.090 amended. Right of entry.

SEC. 10. (RCW 17.08.090) These commissioners and director or their agents may enter upon any and all lands at any reasonable time in carrying out the duties or making investigations specified in RCW 17.08.050 through 17.08.080 and may take such samples of weeds, weed seeds, or other material necessary in the conduct of these duties or investigations and shall not be subject to action for trespass or damage because of such entrance or the taking of such samples.

Division and amendment.

SEC. 11. Section 4, chapter 194, Laws of 1937 as last amended by section 2, chapter 89, Laws of 1953 (heretofore divided and codified as RCW 17.08.100 and 17.08.110) is divided and amended as set forth in sections 12 and 13 of this act.

RCW 17.08.100 amended. Cooperation with other agencies.

SEC. 12. (RCW 17.08.100) The boards of county commissioners and the state department of agriculture are authorized to cooperate with other governmental, public or private agencies for the purposes of, and within the limitations of this chapter.

RCW 17.08.110 enacted without amendment.

SEC. 13. (RCW 17.08.110) The cost of eradication work performed in any weed extermination

area shall be paid in the following manner: One-fourth thereof shall be paid from the weed control fund of the county in which the land is located and the remaining three-fourths by the owner of the land upon which the eradication work is performed: *Provided*, That on crop land the share of the cost to be paid by the owner of the land shall be increased by the board to the full cost of the eradication work, and when prevention of seed production only is required on crop land the board, after due notice of its intention so to do in the manner set out in RCW 17.08.120, shall assess the full cost thereof.

SEC. 14. The provisions of this act are retro-active and any actions or proceedings had or taken under the provisions of RCW 17.04.240, 17.04.250, 17.04.260, 17.08.050, 17.08.060, 17.08.070, 17.08.080, 17.08.090, 17.08.100 or 17.08.110 are hereby ratified, validated and confirmed.

Act retro-active.

Validation.

SEC. 15. 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.

Emergency.

Passed the House January 30, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Explanatory note.

The Statute Law Committee in review by Title 17 of the Revised Code of Washington has noted several instances where a session law section had been divided into two or more RCW sections and the legislature has subsequently amended one or more, but less than all, of the RCW sections derived from the session law section.

The purpose of this bill is to enact the RCW sections, thereby ratifying the division of the session law section into several code sections, and curing any possible defect arising from the amendment of less than the whole session law section.

In all sections the RCW language is used as the basic language and additions and deletions merely restore to the various sections the language of the original session laws in lieu of the revised language of RCW, retaining, however, the forms of capitalization, punctuation, etc., which are permissible under the present code revision act. In section 3, however, we are not restoring the words "made by the county com-

Explanatory note.

missioners' which follow the words "tax levy" in the first sentence, for the reason that RCW 17.04.240 (section 2 of this bill) was amended by 1951 c 107 § 1 to provide that *the directors* make the levy.

Sections 1 through 4. 1929 c 125 § 5 combined 1921 c 150 §§ 5 and 8. RRS codified this as three sections (2774-2, 2775 and 2778). These became RCW 17.04.240, 17.04.250 and 17.04.260. RCW 17.04.240 was subsequently amended by 1951 c 107 § 1.

Sections 5 through 10. 1937 c 194 § 3 was divided and codified by the 1941 Code Committee as RCW 17.08.050, 17.08.060, 17.08.070, 17.08.080 and 17.08.090. RCW 17.08.070 was subsequently amended by 1951 c 213 § 1.

Sections 11 through 13. 1937 c 194 § 4 was divided and codified by the 1941 Code Committee as RCW 17.08.100 and 17.08.110. RCW 17.08.110 was subsequently amended by 1953 c 89 § 2.

CHAPTER 14.

[H. B. 20.]

MUNICIPAL AIRPORTS

AN ACT relating to powers of municipalities concerning airports and aeronautical facilities; combining RCW 14.08.120 through 14.08.150 and 14.08.320 as RCW 14.08.120, enacting section 8, chapter 182, Laws of 1945 as amended by section 1, chapter 178, Laws of 1953, and RCW 14.08.120; validating certain proceedings, and declaring an emergency.

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

Combination and enactment.

SECTION 1. Section 8, chapter 182, Laws of 1945 as amended by section 1, chapter 178, Laws of 1953 (heretofore divided and codified as RCW 14.08.120, 14.08.130, 14.08.140, 14.08.150, and 14.08.320) is combined and enacted as RCW 14.08.120 to read as follows:

RCW 14.08.120 enacted. Specific powers of municipalities operating airports.

In addition to the general powers in this chapter conferred, and without limitation thereof, a municipality which has established or may hereafter establish airports, restricted landing areas or other air navigation facilities, or which has acquired or set apart or may hereafter acquire or set apart real property for such purpose or purposes is hereby authorized:

Delegate authority.

(1) To vest authority for the construction, enlargement, improvement, maintenance, equipment, operation and regulation thereof in an officer, a board

or body of such municipality by ordinance or resolution which shall prescribe the powers and duties of such officer, board or body. The expense of such construction, enlargement, improvement, maintenance, equipment, operation and regulation shall be a responsibility of the municipality.

(2) To adopt and amend all needful rules, regulations and ordinances for the management, government and use of any properties under its control, whether within or without the territorial limits of the municipality; to appoint airport guards or police, with full police powers; to fix by ordinance or resolution, as may be appropriate, penalties for the violation of said rules, regulations and ordinances, and enforce said penalties in the same manner in which penalties prescribed by other rules, regulations and ordinances of the municipality are enforced. For the purposes of such management and government and direction of public use, such part of all highways, roads, streets, avenues, boulevards, and territory as adjoins the limits of any airport or restricted landing area acquired or maintained under the provisions of this chapter shall be under like control and management of the municipality. It may also adopt and enact rules, regulations and ordinances designed to safeguard the public upon or beyond the limits of private airports or landing strips within such municipality or its police jurisdiction against the perils and hazards of instrumentalities used in aerial navigation. Rules, regulations and ordinances shall be published as provided by general law or the charter of the municipality for the publication of similar rules, regulations, and ordinances. They must conform to and be consistent with the laws of this state and the rules and regulations of the aeronautics commission of the state and shall be kept in conformity, as nearly as may be, with the then current federal legislation governing aeronautics and the regulations

Rules, regulations and ordinances—Enforcement.

duly promulgated thereunder and the rules and standards issued from time to time pursuant thereto.

Airport fund.

(3) Municipalities operating airports may create a special airport fund, and provide that all receipts from the operation of such airports be deposited in such fund, which fund shall remain intact from year to year and may be pledged to the payment of aviation bonds, or kept for future maintenance, construction or operation of airports or airport facilities.

Lease or sell airport facilities.

(4) To lease such airports or other air navigation facilities, or real property acquired or set apart for airport purposes, to private parties, any municipal or state government or the national government, or any department of either thereof, for operation; to lease or assign to private parties, any municipal or state government or the national government, or any department of either thereof, for operation or use consistent with the purposes of this chapter, space, area, improvements, or equipment of such airports; to sell any part of such airports, other air navigation facilities or real property to any municipal or state government, or to the United States or any department or instrumentality thereof, for aeronautical purposes or purposes incidental thereto, and to confer the privileges of concessions of supplying upon its airports goods, commodities, things, services and facilities: *Provided*, That in each case in so doing the public is not deprived of its rightful, equal, and uniform use thereof.

Proviso.

Lease or sell real or personal property.

(5) Such municipality may sell or lease any property, real or personal, acquired for airport purposes and belonging to the municipality, which, in the judgment of its governing body, may not be required for aircraft landings, aircraft takeoffs or related aeronautic purposes, in accordance with the laws of this state, or the provisions of the charter of the municipality, governing the sale or leasing of similar municipally owned property: *Provided*, That any

Proviso.

such lease of real property for aircraft manufacturing or aircraft industrial purposes or to any manufacturer of aircraft or aircraft parts or for any other business, manufacturing or industrial purpose or operation relating to, identified with or in any way dependent upon the use, operation or maintenance of the airport may be made for any period not to exceed seventy-five years: *And provided further*, That any such lease of real property made for a longer period than ten years shall contain provisions requiring the municipality and the lessee to permit the rentals for each five year period thereafter, to be readjusted at the commencement of each such period, if written request for such readjustment is given by either party to the other at least thirty days before the commencement of the five year period in respect of which such readjustment is requested. If in such event the parties cannot agree upon the rentals for such five year period they shall submit to have the disputed rentals for such five year period adjusted by arbitration. The lessee shall pick one arbitrator and the governing body of the municipality one, and the two so chosen shall select a third, and such board of arbitrators, after a review of all pertinent facts may increase or decrease such rentals, or continue the previous rate thereof.

Proviso.

The proceeds of sale of any property the purchase price of which was obtained by the sale of bonds shall be deposited in the bond sinking fund. In the event all the proceeds of sale are not needed to pay the principal of bonds remaining unpaid, the remainder shall be paid into the airport fund of the municipality. The proceeds of sales of property the purchase price of which was paid from appropriations of tax funds shall be paid into the airport fund of the municipality.

Disposition of proceeds.

(6) To determine the charges or rental for the use of any properties under its control and the charges for any services or accommodations, and

Determine charges and rentals.

Proviso.

the terms and conditions under which such properties may be used: *Provided*, That in all cases the public is not deprived of its rightful, equal, and uniform use of such property. Charges shall be reasonable and uniform for the same class of service and established with due regard to the property and improvements used and the expense of operation to the municipality. The municipality shall have and may enforce liens, as provided by law for liens and enforcement thereof, for repairs to or improvement or storage or care of any personal property, to enforce the payment of any such charges.

Incidental powers.

(7) To exercise all powers necessarily incidental to the exercise of the general and special powers herein granted.

Construction of act.

SEC. 2. The provisions of section 1 of this act shall be construed as a restatement and continuation of existing law, and not as a new enactment. It shall not be construed as affecting any existing right acquired under its provisions, nor as affecting any proceeding instituted thereunder.

Act retroactive.

SEC. 3. The provisions of section 1 of this act are retroactive and any actions or proceedings had or taken under the provisions of RCW 14.08.120 through 14.08.150 or 14.08.320 are hereby ratified, validated and confirmed.

Emergency.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House January 30, 1957.

Passed the Senate February 11, 1957.

Approved by the Governor February 19, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Section 8, chapter 182, Laws of 1945 was divided by the 1941 Code Committee into RCW sections 14.08.120, 14.08.130, 14.08.140, 14.08.150 and

14.08.320. Note that subdivision (1) of section 8, chapter 182, Laws of 1945 (section 1 of this bill) is in reality introductory material which applies to all other subdivisions of this section. As presently codified in RCW 14.08.120 it appears to relate only to subdivisions (2) and (3) of section 8, chapter 182, Laws of 1945. In order to insure the operation of this section as it was enacted by the legislature, it appears necessary to recombine it as a single section, as is done in this bill. The language of the bill is that of section 8, chapter 182, Laws of 1945 with the exception of subdivision (6) which incorporates the language of section 1, chapter 178, Laws of 1953 which amend RCW 14.08.140, derived therefrom. The word "act" as it appeared in the 1945 act has been changed to "chapter" to conform to RCW style.

Explanatory
note.

CHAPTER 15.

[S. B. 45.]

WORLD FAIR COMMISSION.

AN ACT relating to the world fair commission and amending sections 2 and 3, chapter 307, Laws of 1955 and adding new sections to chapter 307, Laws of 1955, and declaring an emergency.

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

SECTION 1. Section 2, chapter 307, Laws of 1955 is amended to read as follows:

1955 c 307 § 2
amended.

There is created the world fair commission to consist of eight members to be selected as follows: Three by the governor, of whom one shall be designated by the governor as chairman of the commission, two by the president of the senate and two by the speaker of the house of representatives, to serve until April 30, 1959, and one member of the Seattle City Council, to be appointed by the Seattle City Council. The commission shall serve without compensation and shall meet at such time as it is called by the governor or by the chairman of the commission.

Commission
created.

Appointment
of members—
Terms—Meet-
ings.

SEC. 2. Section 3, chapter 307, Laws of 1955 is amended to read as follows:

1955 c 307 § 3
amended.

The commission shall make complete studies and investigations concerning the feasibility and desirability of such a world fair and shall cooperate with other civic groups studying this matter.

Commission
duties.

Report. The commission shall file a report of its conclusions and its recommendations as to the recommended participation of the state of Washington in assisting such a fair and as to legislation necessary therefor. Copies of said report shall be submitted to the governor, the president of the senate, and the speaker of the house of representatives by November 1, 1958. The commission may employ such staff and personnel as is necessary to carry out its duties.

Staff.

New section. SEC. 3. There is added to chapter 307, Laws of 1955 a new section to read as follows:

May form corporation. The members of the world fair commission are empowered to form a nonprofit corporation under the provisions of chapter 24.04 RCW. The members of the corporation shall be members as long as they are members of the commission or until their successors are appointed and qualify.

New section. SEC. 4. There is added to chapter 307, Laws of 1955 a new section to read as follows:

To stage world fair. In addition to powers prescribed by chapter 24.04 RCW, the world fair commission through the corporation formed by its members shall stage a world fair within the state of Washington during the year 1960 or as soon thereafter as deemed practical by the commission and shall dramatize the history, accomplishments, and resources of the state by suitable exhibits.

Emergency. 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 January 29, 1957.

Passed the House February 14, 1957.

Approved by the Governor February 19, 1957.

CHAPTER 16.

[S. B. 54.]

CONVEYANCE OF LAND BY TACOMA METROPOLITAN
PARK DISTRICT.

AN ACT authorizing the metropolitan park district of Tacoma to sell to the First Evangelical Lutheran Church of Tacoma a parcel of land located in the city of Tacoma.

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

SECTION 1. The board of park commissioners of the metropolitan park district of Tacoma is authorized and empowered to convey to the First Evangelical Lutheran Church of Tacoma for such consideration as may be determined by the board of park commissioners of the metropolitan park district of Tacoma and the board of trustees of the First Evangelical Lutheran Church of Tacoma a parcel of land located in the City of Tacoma, Pierce County, Washington, and more particularly described as follows:

Conveyance authorized.

Lots three to six, inclusive, Block 518, Map of New Tacoma, Washington Territory, according to plat filed for record February 3, 1875, in the office of the County Auditor of Pierce County; together with a ten foot strip of alley adjacent thereto, vacated by ordinance No. 8906 of the city of Tacoma; and also together with that portion of the west one foot of South "I" Street adjacent to said lots, vacated by ordinance No. 9452 of the city of Tacoma.

Description.

Passed the Senate January 30, 1957.

Passed the House February 14, 1957.

Approved by the Governor February 19, 1957.

CHAPTER 17.

[S. B. 97.]

HUNTING LICENSES—INSTRUCTION IN USE OF
FIREARMS.

AN ACT relating to game and game fish; adding a new section to chapter 36, Laws of 1955, and to chapter 77.32 RCW.

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

New section.

SECTION 1. There is added to chapter 36, Laws of 1955, and chapter 77.32 RCW a new section to read as follows:

Certificate prerequisite to license.

The commission may, as a condition precedent to the granting of a hunting license, require that all persons seventeen years of age or younger present a certificate stating that the holder has completed a course of instruction of at least four hours in the safe handling of firearms.

Training program.

The commission is authorized to establish a program for training persons in the safe handling of firearms, and for this purpose may cooperate with the National Rifle Association, organized sportsmen's groups, or any public or private association or organization having as one of its objectives the promotion of safety in firearms handling.

The commission shall prescribe the type of instruction, the qualifications of the instructors, and has the right to except certain areas from the requirements of such instruction when facilities for giving instruction are not available.

Firearms safety certificate.

Each trainee, upon successful completion of the course shall be furnished a firearms safety certificate which shall be signed by an authorized instructor and which certificate shall be considered as compliance with this act for the purpose of obtaining a hunting license.

Passed the Senate February 4, 1957.

Passed the House February 14, 1957.

Approved by the Governor February 19, 1957.

CHAPTER 18.

[S. B. 326.]

DEFICIENCY APPROPRIATIONS.

AN ACT making deficiency appropriations for certain state officers, departments, and institutions for the payment of salaries and wages, operations, and for the pensions, benefits, awards, refunds, apportionments, and transfers; and declaring an emergency.

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

SECTION 1. By reason of deficiencies in the appropriations made by the thirty-fourth regular session of the legislature and by the extraordinary session of the 1955 legislature, the following sums or so much thereof as shall severally be found necessary, are hereby appropriated for the fiscal biennium ending June 30, 1957:

FROM THE GENERAL FUND.		
FOR THE SECRETARY OF STATE:		FOR
Salaries, Wages and Operations	\$26,900.00	Sect'y of state.
FOR THE STATE TREASURER:		State
Salaries, Wages and Operations	\$3,500.00	treasurer.
FOR THE DEPARTMENT OF PUBLIC ASSISTANCE:		Dept. of public
Old Age Assistance	\$5,335,002.00	assistance.
Aid to the Blind and Blind Vocational Rehabilitation	58,333.00	
Aid to Dependent Children....	532,708.00	
Foster Care	339,254.00	
Disability Assistance	259,041.00	
General Assistance.....	2,648,980.00	
Burials	194,962.00	
Unallocated: This amount may be allocated among the above programs at the discretion of the department	1,039,392.00	
Medical Care	4,716,850.00	
Total	\$15,124,522.00	
FOR THE DEPARTMENT OF PUBLIC INSTITUTIONS:		Dept. of public insti-
Eastern State Hospital		tutions.
Salaries and Wages.....	\$420,500.00	

FOR Dept. of public institutions.	Lakeland Village		
	Salaries and Wages.....	140,500.00	
	Washington State Penitentiary		
	Salaries and Wages.....	139,000.00	
	Rainier State School		
	Salaries and Wages.....	298,500.00	
	Western State Hospital		
	Salaries and Wages.....	497,000.00	
	Total	<hr style="width: 100px; margin-left: 0;"/>	\$1,495,500.00

FROM THE WASHINGTON STATE PATROL RETIREMENT FUND.

State patrol retirement board.	FOR THE WASHINGTON STATE PA- TROL RETIREMENT BOARD:		
	Pensions, Benefits, Awards and Refunds		\$10,000.00

FROM THE CURRENT SCHOOL FUND.

County school districts.	FOR APPORTIONMENT TO COUNTIES FOR SCHOOL DISTRICTS IN AC- CORDANCE WITH THE PROVISIONS OF CHAPTER 141, LAWS OF 1945, AND ACTS AMENDATORY THERE- TO: <i>Provided</i> , That no portion of this appropriation shall be expended for the cost of estab- lishing or maintaining kinder- gartens under Chapter 28.35 RCW		\$2,655,000.00
-----------------------------	---	--	----------------

FROM THE MOTOR VEHICLE EXCISE FUND.

Cities and towns.	FOR TRANSFERS; AND DISTRIBUTION TO CITIES AND TOWNS, AS PROVIDED BY CHAPTER 144, LAWS OF 1943, AND CHAPTER 7, LAWS OF 1953, EXTRAORDINARY SESSION		\$6,000,000.00
----------------------	--	--	----------------

FROM THE WAR VETERANS' COMPENSATION BOND
RETIREMENT FUND.

Bond retire- ment and interest.	FOR BOND RETIREMENT AND IN- TEREST:		\$164,334.00
---------------------------------------	--	--	--------------

Emergency. 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 Senate February 16, 1957.

Passed the House February 20, 1957.

Approved by the Governor February 25, 1957.

CHAPTER 19.

[H. B. 164.]

PRISONERS—CREDITING OF EARNINGS.

AN ACT relating to state institutions, and amending section 3, chapter 305, Laws of 1927 and RCW 72.08.250, and section 9, chapter 212, Laws of 1927 and RCW 72.12.080.

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

SECTION 1. Section 3, chapter 305, Laws of 1927 and RCW 72.08.250 are each amended to read as follows:

RCW 72.08.250 amended.

Where a prisoner is employed at any occupation for which pay is allowed or permitted, or at any gainful occupation from which the state derives an income, the department shall credit the prisoner with the total amount of his earnings.

Crediting of earnings—State penitentiary.

The amount of earnings credited but unpaid to a prisoner may be paid to the prisoner's wife, children, mother, father, brother, or sister as the inmate may direct upon approval of the superintendent. Upon release, or discharge, from the penitentiary all unpaid earnings of the prisoner shall be paid to him.

SEC. 2. Section 9, chapter 212, Laws of 1927 and RCW 72.12.080 are each amended to read as follows:

RCW 72.12.080 amended.

Where a prisoner is employed at any occupation for which pay is allowed or permitted, or at any gainful occupation from which the state derives an income, the department shall credit the prisoner with the total amount of his earnings. The amount of earnings credited but unpaid to a prisoner may be paid to the prisoner's wife, children, mother, father, brother, or sister as the inmate may direct upon approval of the superintendent. Upon release or discharge from the reformatory, all unpaid earnings of the prisoner shall be paid to him.

Crediting of earnings—State reformatory.

Passed the House February 1, 1957.

Passed the Senate February 20, 1957.

Approved by the Governor February 28, 1957.

CHAPTER 20.

[H. B. 165.]

STATE WARRANTS—VOUCHERS—ADVANCES.

AN ACT relating to the duties of the state auditor in the issuance of warrants and advances to state officers and departments and amending section 1, chapter 73, Laws of 1915 and RCW 43.09.090.

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

RCW 43.09.090 amended.

SECTION 1. Section 1, chapter 73, Laws of 1915 and RCW 43.09.090 are each amended to read as follows:

Warrants—
Vouchers—
Advances.

It shall be unlawful for the state auditor to issue any warrant or warrants except upon vouchers for services rendered or materials furnished, duly certified and authenticated: *Provided*, That if any officer or department of the state files with the auditor a surety company bond satisfactory to the auditor, and conditioned for the proper accounting for, and legal expenditure of, any moneys to be advanced, the auditor may from time to time advance to such officer or department, out of the appropriation for the expenses of such officer or department, such amounts as he deems advisable, not exceeding the principal of such bond, and in no event exceeding two thousand dollars: *Provided, further*, That the advances by the state auditor to the state penitentiary and state reformatory to be expended by the superintendents to supply the needs of inmates who are released from custody, as provided by law, shall be in amounts not to exceed five thousand dollars.

Proviso.

Proviso.

Passed the House February 1, 1957.

Passed the Senate February 20, 1957.

Approved by the Governor February 28, 1957.

CHAPTER 21.

[H. B. 169.]

PAROLED OR RELEASED PRISONERS—CLOTHING,
MONEY, TRANSPORTATION.

AN ACT relating to paroled and released inmates of the state penitentiary and reformatory, or other facility to which such inmate may be transferred; providing for furnishing of clothing, money and transportation; adding a new section to chapter 72.08 RCW; and repealing section 4, chapter 94, Laws of 1955, and section 1, chapter 152, Laws of 1951, and RCW 72.08.342.

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

SECTION 1. There is added to chapter 72.08 RCW New section.
a new section to read as follows:

Every person confined in the state penitentiary Prisoner
supplied upon
release.
or the state reformatory pursuant to court order, or transferred therefrom to another facility for the custody of the inmates of such penal institutions, upon his parole or release, shall be supplied by the superintendent of such institutions, except as otherwise provided, with:

- (1) suitable and presentable clothing, Clothing.
- (2) transportation to his place of residence or Transporta-
tion.
place where approved employment has been gained within the state: *Provided*, That if an out-of-state parole plan has been approved by the board of prison terms and paroles, then an amount not to exceed twenty-five dollars may be expended by the superintendent for transportation, and Proviso.
- (3) the sum of forty dollars. Cash.

If any inmate to be released from such penal institutions, or other facilities of the department of institutions to which an inmate has been transferred, has, in the opinion of the superintendent, ample funds with which to defray the expenses as required by subdivisions (1), (2), and (3), or any one or more of them, he shall be required to do so, or, if in the opinion of the superintendent suitable ar-

rangements have otherwise been made for the expenses of providing the requirements of subdivisions (1), (2), or (3), or any one or more of them, the superintendent may consent to any or all of such arrangements.

Repeal.

SEC. 2. Section 1, chapter 152, Laws of 1951, section 4, chapter 94, Laws of 1955 and RCW 72.08.342 are each repealed.

Passed the House February 6, 1957.

Passed the Senate February 20, 1957.

Approved by the Governor February 28, 1957.

CHAPTER 22.

[S. B. 13.]

ANIMALS.

AN ACT relating to animals; amending section 1, chapter 148, Laws of 1919, as amended by section 10, chapter 31, Laws of 1951, and RCW 16.28.010 and 16.28.040; amending section 33, chapter 165, Laws of 1927, as amended by section 8, chapter 17, Laws of 1953, and RCW 16.36.110, 16.40.130 and 16.44.180; repealing sections 2550 and 2551, Code 1881 and section 1, chapter 72, Laws of 1891 (uncodified); repealing sections 7 and 10, chapter 27, Laws of 1893 (uncodified); repealing section 15, chapter 146, Laws of 1901 (uncodified); repealing section 17, chapter 75, Laws of 1937 (uncodified); providing penalties, and declaring an emergency.

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

Division and amendment.

SECTION 1. Section 1, chapter 148, Laws of 1919, as amended by section 10, chapter 31, Laws of 1951 (heretofore divided and codified as RCW 16.28.010 and 16.28.040) is divided and amended as set forth in sections 2 and 3 of this act.

RCW 16.28.010 enacted without amendment.

SEC. 2. (RCW 16.28.010) The term "animal" as used in this chapter means cattle and hogs.

RCW 16.28.040 amended.

SEC. 3. (RCW 16.28.040) Any person about whose premises any animal may be in the habit of

running at large at any time between the first day of October and the first day of March east of the Cascade range and between the first day of December and the first day of March, west of the Cascade range, and at any time of the year within a district in which livestock shall not run at large, established as provided by RCW 16.24.030, may take up such animal and shall within ten days thereafter cause the same to be registered with the sheriff of his county under "estrays found," giving the information required by the record as fully as practicable, and the sheriff shall charge against such estrays the said fee of fifty cents for each animal so registered. Breachy or vicious animals may be taken up and registered as herein provided.

Registration
by finder.

SEC. 4. Section 33, chapter 165, Laws of 1927, as amended by section 8, chapter 17, Laws of 1953 (heretofore divided and codified as RCW 16.36.110, 16.40.130 and 16.44.180) is divided and amended to read as set forth in sections 5, 6 and 7 of this act.

Division and
amendment.

SEC. 5. (RCW 16.36.110) A violation of or a failure to comply with any provision of this chapter shall be a misdemeanor. Each day upon which a violation occurs shall constitute a separate violation. Any person violating the provisions of RCW 16.36.005, 16.36.020, 16.36.103, 16.36.105, 16.36.107, 16.36.108 or 16.36.109 may be enjoined from continuing such violation.

RCW 16.36.110
enacted with-
out amend-
ment.

SEC. 6. (RCW 16.40.130) Every person who shall violate or fail to comply with any of the provisions of this chapter for which violation or failure to comply no specific penalty is provided in this chapter shall be deemed guilty of a misdemeanor.

RCW 16.40.130
amended.

Penalty.

SEC. 7. (RCW 16.44.180) Every person who shall violate or fail to comply with any of the provisions of this chapter for which violation or failure to com-

RCW 16.44.180
amended.

Penalty.

ply no specific penalty is provided in this chapter shall be deemed guilty of a misdemeanor.

Repeal.

SEC. 8. The following acts or parts of acts are repealed:

- (1) Sections 2550 and 2551, Code 1881 and section 1, chapter 72, Laws of 1891 (uncodified);
- (2) Section 7, chapter 27, Laws of 1893 (uncodified);
- (3) Section 10, chapter 27, Laws of 1893 (uncodified);
- (4) Section 15, chapter 146, Laws of 1901 (uncodified); and
- (5) Section 17, chapter 75, Laws of 1937 (uncodified).

Emergency.

SEC. 9. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate January 28, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

The Statute Law Committee in reviewing Title 16 of the Revised Code of Washington has noted several instances where a session law section had been divided into two or more RCW sections and the legislature has subsequently amended one or more, but less than all, of the RCW sections derived from the session law section. This bill is designed to enact such RCW sections, thereby ratifying the division of the session law sections and curing any possible defect arising from the former amendment of less than the whole session law section.

The bill also proposes the repeal of certain sections which appear to be obsolete.

In all sections the RCW language is used as the basic language and the additions and deletions merely restore to the various sections the language of the original session laws in lieu of the revised language, retaining, however, the forms of capitaliation, punctuation, etc., which are permissible under the present code revision act.

Sections 1 through 3. 1919 c 148 § 1 was divided and codified by the 1941 Code Committee as RCW 16.28.010 and 16.28.040. RCW 16.28.010 was subsequently amended by 1951 c 31 § 10.

Secs. 4 through 7. Chapter 165, Laws of 1927 was divided into three RCW chapters (16.36, 16.40, and 16.44) and section 33, the penalty section,

was repeated as a part of each chapter, being codified as RCW 16.36.110, 16.40.130, and 16.44.180.

Explanatory
note.

Chapter 17, Laws of 1953 added several new sections to chapter 16.36 RCW, and amended RCW 16.36.100 to impose additional penalties. This bill preserves the 1953 language of RCW 16.36.100 and restores the 1927 language to RCW 16.40.130 and 16.44.180.

Sec. 8.

Subdivision 1. Code 1881 §§ 2550, 2551 and section 1, chapter 72, Laws of 1891 (uncodified) provided for the registration of animal brands in the office of the county auditor. They appear to be superseded by chapter 156, Laws of 1935 (chapter 16.56 RCW) which requires brands to be recorded with department of agriculture.

Subdivision 2. Chapter 27, Laws of 1893 is an early law relating to cruelty to animals. It appears to be superseded by chapter 146, Laws of 1901 (chapter 16.52 RCW). 1893 c 27 § 5 providing for search and seizure in the case of exhibitions of fighting animals or birds was repealed by 1909 p 906 § 52 and by 1927 c 43 § 1. 1893 c 27 § 7, herein proposed for repeal provides:

"After such seizure of said fowls, birds, dogs or other animals as provided for in section five of this act, application shall be made to a trial, justice or municipal court for an order of forfeiture of the same . . ." (emphasis supplied.)

The repeal of section 5 therein referred to appears to render section 7 inoperative and the repeal of section 7 is thus recommended. The present law as to exhibitions of fighting animals is covered in chapter 16.52 RCW, and is also declared a public nuisance (RCW 9.66.010).

Subdivisions 3 and 4. 1893 c 27 § 10 and 1901 c 146 § 15 relate to the disposition of fines collected for violation of 1893 and 1901 cruelty prevention laws. They appear to be superseded by the general statute on this subject, 1909 p 323 § 9 (RCW 10.82.070, formerly 9.01.140). As to supersession of prior laws for the disposition of fines, see, *Slayden v. Carr*, 94 Wash. 412.

Subdivision 5. 1937 c 75 § 17 appropriated money for the administration of chapter 75, Laws of 1937 and chapter 156, Laws of 1935 relating to the branding and slaughtering of livestock. The appropriation was of course only valid during the biennium 1937-1939, and is now obsolete.

CHAPTER 23.

[S. B. 44.]

CREDIT UNIONS.

AN ACT relating to credit unions; amending section 1, chapter 173, Laws of 1933 as last amended by section 1, chapter 131, Laws of 1943 and RCW 31.12.010, 31.12.020, and 31.12.030; amending section 15, chapter 173, Laws of 1933 as last amended by section 4, chapter 48, Laws of 1953, and RCW 31.12.100; amending section 17, chapter 173, Laws of 1933 as amended by Section 14, chapter 131, Laws of 1943, and RCW 31.12.210; amending section 21, chapter 173, Laws of 1933 as amended by section 17, chapter 131, Laws of 1943, and RCW 31.12.240; amending section 20, chapter 173, Laws of 1933 as amended by section 2, chapter 213, Laws of 1947, and RCW 31.12.260; amending section 23, chapter 173, Laws of 1933 as last amended by sections 6, 7 and 8, chapter 48, Laws of 1953, and RCW 31.12.270, 31.12.280 and 31.12.290.

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

Division and amendment.

SECTION 1. Section 1, chapter 173, Laws of 1933 as amended by section 1, chapter 131, Laws of 1943 (heretofore divided and codified as RCW 31.12.010, 31.12.020 and 31.12.030) is divided and amended as set forth in sections 2, 3 and 4 of this amendatory act.

RCW 31.12.010 amended. Definitions. "Supervisor."

SEC. 2. (RCW 31.12.010) as used in this chapter: "Supervisor" means the state supervisor of savings and loan associations;

"Credit union."

"Credit union" means a corporation organized under this chapter;

"Central credit union."

"Central credit union" means a corporation organized under this chapter or the Federal Credit Union Act to serve directors and committeemen of credit unions within this state, and to serve credit unions within this state;

"Board."

"Board" means the board of directors of a credit union.

RCW 31.12.020 enacted without amendment.

SEC. 3. (RCW 31.12.020) A credit union is a cooperative society incorporated for the twofold pur-

pose of promoting thrift among its members and creating a source of credit for them at legitimate rates of interest for provident, productive, and educational purposes.

SEC. 4. (RCW 31.12.030) A corporation organized under this chapter shall include in its name the words "credit union," and other distinguishing words may be used. No person, partnership, or association and no corporation except one incorporated under this chapter shall receive payment on shares or deposits from its members, or loan such payment on shares or deposits in the manner provided hereby, or transact business under a name or title containing the words "credit union," without compliance with the provisions hereof. Exception is made of an organization incorporated and composed of corporations organized under this chapter or under federal laws. Nothing herein shall affect corporations organized under federal laws, nor shall this chapter repeal, amend, or affect laws relating to savings and loan associations.

RCW 31.12.030
amended.

Use of words
in name—
Compliance
required.

SEC. 5. Section 15, chapter 173, Laws of 1933 as last amended by section 4, chapter 48, Laws of 1953, and RCW 31.12.190 are each amended to read as follows:

RCW 31.12.190
amended.

The board shall have the general direction of the affairs of the corporation and shall meet as often as may be necessary, but not less than once in each month. It shall act upon all applications for membership and upon the expulsion of members, determine the rate of interest on loans subject to the limitations herein, determine the rate of interest to be paid on deposits, which shall not exceed four percent per year, determine the types of security which shall be acceptable on loans subject to the limitations herein, and fill vacancies in the board and in such committees for which provision as to filling of vacancies is not made herein, until the next

Powers and
duties of
directors.

election. It shall make recommendations to the members relative to the need of amendments to the bylaws and other matters upon which it deems the members should act at any regular or special meeting. The board from time to time shall set the amount of shares and deposits which any one member may hold in the credit union, and set the amount which may be loaned, secured or unsecured, to any one member, all subject to the limitations contained in this chapter. At each annual or semiannual period the board may declare a dividend from net earnings, which shall be paid on all shares outstanding at the time of declaration, and which may be paid to members on shares withdrawn during the period. Shares which become paid up during the year shall be entitled to a proportional part of the dividend calculated from the first day of the month following such payment in full: *Provided*, That the board may compute such full shares if purchased on or before the tenth day of any month, as of the first day of the month. The board may borrow money in behalf of the credit union, for the purpose of making loans, and the payment of debts or withdrawals. The aggregate amount of such loans shall not exceed thirty-three and one-third percent of the credit union's paid-in and unimpaired capital and surplus except with the approval of the supervisor. It may, by a two-thirds vote, remove from office any officer or any member of a committee for cause except members of the auditing committee. The board shall make a written report to the members at each annual meeting.

Proviso.

RCW 31.12.210
amended.

SEC. 6. Section 17, chapter 173, Laws of 1933 as amended by section 14, chapter 131, Laws of 1943, and RCW 31.12.210 are each amended to read as follows:

Compensation
of directors
and officers—

No director shall receive compensation for his services as such or as a member of a committee, nor

shall he borrow from the corporation to an amount in excess of his shares and deposits in the credit union and the accumulated earnings standing to his credit on the books of the corporation, nor may he become an endorser, surety, or comaker for a loan made by the credit union. The treasurer elected by the board may receive such compensation as the board may authorize.

Loans to directors.

SEC. 7. Section 21, chapter 173, Laws of 1933 as amended by section 17, chapter 131, Laws of 1943, and RCW 31.12.240 are amended to read as follows:

RCW 31.12.240 amended.

The credit committee shall hold meetings at least once a month; act on all applications for loans; approve in writing all personal loans granted and any security pledged therefor; and submit to the board all applications for loans other than personal loans, with their recommendation thereon, except as provided in section 8 of this amendatory act.

Credit committee—
Powers and duties.

No personal loan shall be made unless all the members of the credit committee who are present when the application is considered, which number shall constitute at least two-thirds of the members of the committee, approve such loan, except as provided in section 8 of this amendatory act. No loan shall be granted unless it promises to be of benefit to the borrower. A borrower shall have not less than one fully paid share.

SEC. 8. There is added to chapter 173, Laws of 1933 and to chapter 31.12 RCW a new section to read as follows:

New section.

The board of any credit union organized under this chapter whose assets are in excess of two hundred thousand dollars may appoint a loan officer for the purpose of approving certain types of loans without further authorization from the credit committee. Credit unions with assets of two hundred thousand dollars or less may appoint such a loan officer: *Provided*, That the supervisor has given

Loan officer—
Powers.

Proviso.

his prior approval thereto. Such loan officer may be authorized to approve only the following types of loans without the approval of the credit committee:

(1) Personal loans to an amount not exceeding five hundred dollars, on the unindorsed or unsecured note of the borrower;

(2) Personal loans in excess of five hundred dollars so long as that amount of the loan exceeding five hundred dollars is secured by the borrower's pledged shares in the credit union;

(3) Personal loans refinancing loans previously made where the new loan balance will not exceed the loan balance originally authorized and the actual indebtedness is not increased by more than five hundred dollars.

RCW 31.12.260
amended.

SEC. 9. Section 20, chapter 173, Laws of 1933 as amended by section 2, chapter 213, Laws of 1947, and RCW 31.12.260 are each amended to read as follows:

Funds to be
loaned; excess
to be deposited
or invested.

The capital, deposits, and surplus of a credit union shall be invested in loans to members, with the approval of the credit committee or the loan officer where permitted herein, and also when required herein, of the board of directors, and any capital, deposits, or surplus funds in excess of the amount for which loans may be approved may, be deposited in banks or trust companies or in state or national banks located in this state, or invested in any bonds or securities or other investments which are at the time legal investments for savings and loan associations in this state, except first mortgage real estate loans, or in the shares of other credit unions or savings and loan associations organized under the laws of this state or the United States. No credit union shall carry on a banking business or carry any demand, commercial, or checking accounts, nor issue any time or demand certificates of deposit. At least five percent of the total assets of a credit union shall

be carried as cash on hand or as balances due from banks and trust companies, or invested in the bonds or notes of the United States, or of any state, or subdivision thereof, which are legal investments for savings and loan associations. Whenever the aforesaid ratio falls below five percent, no further loans shall be made until the ratio has been re-established. Investments other than personal loans shall be made only with the approval of the board.

SEC. 10. Section 23, chapter 173, Laws of 1933 as last amended by sections 6, 7 and 8, chapter 48, Laws of 1953 (heretofore divided and codified as RCW 31.12.270, 31.12.280 and 31.12.290) is divided and amended as set forth in sections 11, 12 and 13 of this act.

Division and amendment.

SEC. 11. (RCW 31.12.270) A credit union may make (1) personal loans to its members secured by the note of the borrower; (2) loans to its members secured by first mortgages or real estate contracts in which members are buyers if such mortgage or contract relates to real estate which is situated within the state; such real estate must be within fifty miles of the principal office of the credit union unless with prior approval of the supervisor; and (3) loans to other credit unions upon a two-thirds majority vote of the board: *Provided*, That the total amount of such loans does not exceed twenty-five percent of the paid-in and unimpaired capital and surplus of the lending credit union.

RCW 31.12.270 amended.

Classes of loans—Preference—Term—Indorsers.

Proviso.

Personal loans shall be given preference, and in the event there are not sufficient funds available to satisfy all loan applicants approved by the credit committee, further preference shall be given to the smaller loan. Each personal loan shall be payable within two years from the date thereof: *Provided*, That loans with satisfactory security may be made payable within four years from the date thereof. Each endorser of a note given as security for a per-

Proviso.

sonal loan shall be a resident of the state at the time the loan is made, unless he is a member of the credit union, and if he leaves the state, a new resident endorser shall be immediately provided or the loan shall be at once collectible.

RCW 31.12.280 amended. Limits and conditions of personal loans.

SEC. 12. (RCW 31.12.280) Loans to any one member shall not exceed three thousand five hundred dollars without the permission of the supervisor and shall be limited as follows:

- (1) To an amount not exceeding five hundred dollars on the unindorsed or unsecured note of the borrower;
- (2) Loans to an individual or family community in excess of five hundred dollars must be adequately secured.

RCW 31.12.290 amended. Loans secured by real estate mortgages or contracts—Restrictions on.

SEC. 13. (RCW 31.12.290) The total amount which a credit union may lend on the security of mortgages on, or contracts relating to, real estate shall not exceed the following limits:

- (a) Ten percent of its total assets if its assets are under one hundred thousand dollars.
- (b) Twenty percent of its total assets if its assets are over one hundred thousand dollars but under one million dollars.
- (c) Thirty percent of its total assets if its assets are in excess of one million dollars.

All loans secured by mortgages or contracts on real estate shall be subject to the following restrictions:

- (1) Loans secured by first mortgages shall be only on real estate improved by a home, a combination home and business building, or a two unit residential building in which the owner-borrower is the occupant of one unit; loans may be made for the construction of any such improvements.
- (2) Any loans made on a real estate contract must be through warranty deed and assignment of the seller's interest, and the principal amount of the

purchase price must have been reduced by twenty-five percent; the monthly payments must not be delinquent at time of the loan and the real estate must be such as would qualify for a mortgage loan under paragraph (1) hereof.

(3) The total amount which may be loaned on any one property or to any one family community borrower shall not exceed two and one-half percent of the assets of the credit union, or seventy-five hundred dollars, whichever is greater, except with the prior approval of the supervisor. Such loan shall not exceed: (a) seventy-five percent of the appraised value of the real estate if there is located thereon a home only which is not over thirty months old and incidental outbuildings, or if the loan is made for the construction or completion of such improvements, and (b) sixty percent of the appraised value of the real estate if there is located thereon other habitable buildings of a nature permitted under paragraph (1) hereof.

All taxes and assessments must be paid currently, and all such loans must be amortized by weekly, semimonthly or monthly payments, which payments shall be at the rate of not less than ten percent per year of the original principal.

The real estate covered by any such mortgage or contract must be inspected and appraised by two appraisers each of whom has had two or more years experience in appraising real estate for loan purposes within the area in which the property is located. The credit union must have a policy of title insurance issued concurrently by an insurance company licensed to do business in the state of Washington, insuring the interest of the credit union in the real estate in the full amount of the loan, or must have an abstract brought up to date of the loan and certified by a practicing attorney; also with fire in-

Real estate appraisal.

Title insurance.

urance covering at least the interest of the credit union.

Severability.

SEC. 14. 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 February 6, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 24.

[S. B. 78.]

MENTALLY ILL PERSONS—EXPENSES AND COSTS.

AN ACT relating to the commitment of mentally ill persons, and amending section 51, chapter 139, Laws of 1951 and RCW 71.02.230.

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

RCW 71.02.230 amended.

SECTION 1. Section 51, chapter 139, Laws of 1951 and RCW 71.02.230 are each amended to read as follows:

Expenses—
By whom payable.

After a person has been found mentally ill under RCW 71.02.200, the court shall, after reasonable notice of the time, place and purpose of the hearing has been given to persons subject to liability under this section, inquire into the ability of the person's estate, or his spouse, parents or children, or any combination thereof, to pay the charges for transportation and hospitalization in a state hospital, detention pending proceedings, and court costs. If the court finds that the patient's estate or above named relatives, or combination thereof, are able to pay such charges or any part thereof, an order to such effect shall be entered. If the court finds that neither the patient's estate nor said relatives are able to pay the charge

for transportation to and hospitalization in a state hospital, such costs shall be borne by the state of Washington. If the court finds that neither the patient's estate nor above relatives can pay charges for detention pending proceedings or court costs, such costs shall be borne by the county. When a patient is a resident of another county, the committing county shall recover from the county of the patient's residence all costs and expenses of the patient's detention and commitment.

Costs borne
by state.

Costs borne
by county.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 25.

[S. B. 86.]

STATE INSTITUTIONS—RECONSTRUCTION OF BUILDINGS.

AN ACT relating to state institutions, and amending section 29, chapter 147, Laws of 1891 and RCW 72.04.090.

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

SECTION 1. Section 29, chapter 147, Laws of 1891 and RCW 72.04.090 are each amended to read as follows:

RCW 72.04.090
amended.

If any of the shops or buildings in which convicts are employed are destroyed in any way, or injured by fire or otherwise, they may be rebuilt or repaired immediately under the direction of the department, by and with the advice and consent of the governor, and the expenses thereof shall be paid out of any unexpended funds appropriated to the department for any purpose, not to exceed one hundred thousand dollars: *Provided*, That if a specific appropriation for a particular project has been made by the legislature, only such funds exceeding the cost of

Destruction of
buildings—Re-
construction.

Proviso.

such project may be expended for the purposes of this section.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 26.

[S. B. 87.]

SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS—HOSPITALIZATION COSTS.

AN ACT relating to sexual psychopaths and psychopathic delinquents, and amending section 27, chapter 223, Laws of 1951 and RCW 71.06.260.

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

RCW 71.06.260 amended.

SECTION 1. Section 27, chapter 223, Laws of 1951 and RCW 71.06.260 are each amended to read as follows:

Hospitalization costs—Sexual psychopaths, psychopathic delinquents—By whom paid.

At any time any person is committed as a sexual psychopath or psychopathic delinquent the court shall, after reasonable notice of the time, place and purpose of the hearing has been given to persons subject to liability under this section, inquire into and determine the financial ability of said person, or his parents if he is a minor, or other relatives to pay the cost of care, meals and lodging during his period of hospitalization. Such cost shall be determined by the department of institutions. Findings of fact shall be made relative to the ability to pay such cost and a judgment entered against the person or persons found to be financially responsible and directing the payment of said cost or such part thereof as the court may direct. The person committed, or his parents or relatives, may apply for modification of said judgment, or the order last en-

tered by the court, if a proper showing of equitable grounds is made therefor.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 27.

[S. B. 89.]

IMPRISONMENT OF FELONS.

AN ACT relating to the imprisonment of felons.

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

SECTION 1. The director of the department of institutions may contract with the authorities of the federal government, or the authorities of any state of the United States or of any county in this state providing for the detention in an institution or jail operated by such governmental unit, of prisoners convicted of a felony in the courts of this state and sentenced to a term of imprisonment therefor in the Washington state penitentiary. After the making of a contract under this section, prisoners sentenced to a term of imprisonment in the Washington state penitentiary may be conveyed by the warden or his assistants to the institution or jail named in the contract. The prisoners shall be delivered to the authorities of the institution or jail, there to be confined until their sentences have expired or they are otherwise discharged by law, or until they are returned to the Washington state penitentiary for further confinement.

Contracts with other governmental units for detention of felons.

SEC. 2. Whenever a prisoner who is serving a sentence imposed by a court of this state is transferred from the penitentiary under sections 1 through 4 of

Notice of transfer of prisoner.

this act, the warden shall send to the clerk of the court pursuant to whose order or judgment the prisoner was committed to the penitentiary a notice of transfer, disclosing the name of the prisoner transferred and giving the name and location of the institution to which the prisoner was transferred. The warden shall keep a copy of all notices of transfer on file as a public record open to inspection; and the clerk of the court shall file with the judgment roll in the appropriate case a copy of each notice of transfer which he receives from the warden.

Procedure when transferred prisoner's presence required in judicial proceeding.

SEC. 3. Should the presence of any prisoner confined, under authority of sections 1 through 4 of this act, in an institution of another state or the federal government or in a county jail, be required in any judicial proceeding of this state, the warden of the penitentiary or his assistants shall, upon being so directed by the director of the department of institutions, or upon the written order of any court of competent jurisdiction, or of a judge thereof, procure such prisoner, bring him to the place directed in such order and hold him in custody subject to the further order and direction of the director of the department of institutions, or of the court or of a judge thereof, until he is lawfully discharged from such custody. The warden or his assistants may, by direction of the director of the department of institutions or of the court, or a judge thereof, deliver such prisoner into the custody of the sheriff of the county in which he was convicted, or may, by like order, return such prisoner to the state penitentiary or the institution from which he was taken.

Procedure upon expiration of contracts entered under act.

SEC. 4. Upon the expiration of any contract entered into under sections 1 through 4 of this act, all prisoners of this state confined in such institution or jail shall be returned by the warden or his assistants to the penitentiary of this state, or delivered to such

other institution as the board has contracted with under sections 1 through 4 of this act.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 28.

[S. B. 90.]

MENTALLY ILL PERSONS—INVOLUNTARY HOSPITALIZATION—APPLICATION TO COURT.

AN Act relating to the commitment of the mentally ill, and amending section 17, chapter 139, Laws of 1951 and RCW 71.02.090.

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

SECTION 1. Section 17, chapter 139, Laws of 1951 and RCW 71.02.090 are each amended to read as follows:

RCW 71.02.090 amended.

Any person may make application to the superior court for the county in which an alleged mentally ill person is found for the involuntary hospitalization of such person. Such application shall be made under oath and shall be to the effect that there is in such county a mentally ill person who by reason of such mental illness is unsafe to be at large and requesting that such person be taken before the superior court for examination. Before accepting said application for filing, the same must be endorsed by the prosecuting attorney of said county where the court has not designated some other person, to the effect that he or his deputy has personally examined the applicant, investigated the merits of the application and believes reasonable grounds exist for filing of same.

Involuntary patients—Application to court for hospitalization.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 29.

[S. B. 94.]

ALIEN AND NONRESIDENT SEXUAL PSYCHOPATHS, PSYCHOPATHIC DELINQUENTS, INSANE, FEEBLE-MINDED AND EPILEPTIC PERSONS.

AN ACT relating to alien and nonresident sexual psychopaths, psychopathic delinquents, insane, feeble-minded and epileptic persons; amending sections 1 through 4, chapter 232, Laws of 1953 and RCW 71.04.270 through 71.04.300; and providing penalties.

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

RCW 71.04.270 amended.

SECTION 1. Section 1, chapter 232, Laws of 1953 and RCW 71.04.270 are each amended to read as follows:

Deportation of alien insane, feeble-minded and epileptic persons—Return of residents.

It shall be the duty of the director of institutions, in cooperation with the United States bureau of immigration and/or the United States department of the interior, to arrange for the deportation of all alien sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons who are now confined in, or who may hereafter be committed to, any state hospital for the sexual psychopath, psychopathic delinquent, insane, feeble-minded, or epileptic in this state; to transport such alien sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons to such point or points as may be designated by the United States bureau of immigration or by the United States department of the interior; and to give written permission for the return of any resident of Washington now or hereafter confined in a hospital for the sexual psychopath, psychopathic delinquent, insane, feeble-minded, or epileptic in a territory of the United States or in a foreign country.

RCW 71.04.280 amended.

SEC. 2. Section 2, chapter 232, Laws of 1953 and RCW 71.04.280 are each amended to read as follows:

The director of institutions shall also return all nonresident sexual psychopaths, psychopathic de-

linquents, insane, feeble-minded, or epileptic persons who are now confined in or who may hereafter be committed to a state hospital for the sexual psychopath, psychopathic delinquent, insane, feeble-minded, or epileptic in this state to the state or states in which they may have a legal residence. For the purpose of facilitating the return of such persons the director may enter into a reciprocal agreement with any other state for the mutual exchange of sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons now confined in or hereafter committed to any hospital for the sexual psychopath, psychopathic delinquent, insane, feeble-minded, or epileptic in one state whose legal residence is in the other, and he may give written permission for the return of any resident of Washington now or hereafter confined in a hospital for the sexual psychopath, psychopathic delinquent, insane, feeble-minded, or epileptic in another state. Such residents may be returned directly to the proper Washington state institution without further court proceedings: *Provided*, That if the superintendent of such institution is of the opinion that the returned person is not a sexual psychopath, a psychopathic delinquent, insane, feeble-minded, or epileptic he may discharge said patient: *Provided further*, That if such superintendent deems such person a sexual psychopath, a psychopathic delinquent, insane, feeble-minded, or epileptic, he shall file an application for commitment within ninety days of arrival at the Washington institution.

Return to domicile of nonresident insane, feeble-minded and epileptic persons—Reciprocity—Expense.

Proviso.

Proviso.

A person shall be deemed to be a resident of this state within the meaning of this chapter who has maintained his domiciliary residence in this state for a period of one year preceding commitment to a state institution without receiving assistance from any tax supported organization and who has not subsequently acquired a domicile in another state:

Resident of state; defined.

Proviso.

Provided, That any period of time spent by such person while an inmate of a state hospital or state institution or while on parole, escape, or leave of absence therefrom shall not be counted in determining the time of residence in this or another state.

All expenses incurred in returning sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons from this to another state may be paid by this state, but the expense of returning residents of this state shall be borne by the state making the return.

RCW 71.04.290 amended.

SEC. 3. Section 3, chapter 232, Laws of 1953 and RCW 71.04.290 are each amended to read as follows:

Assistance—
Payment of
expenses.

For the purpose of carrying out the provisions of this chapter the director of public institutions may employ all help necessary in arranging for and transporting such alien and nonresident sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons, and the cost and expense of providing such assistance, and all expenses incurred in affecting the transportation of such alien and nonresident sexual psychopaths, psychopathic delinquents, insane, feeble-minded, or epileptic persons, shall be paid from the funds appropriated for that purpose upon vouchers approved by the department of public institutions.

RCW 71.04.300 amended.

SEC. 4. Section 4, chapter 232, Laws of 1953 and RCW 71.04.300 are each amended to read as follows:

Bringing in-
sane, feeble-
minded and
epileptic per-
sons into state
without per-
mission—
Penalty.

Any person who shall bring, or in any way aid in bringing into the state of Washington, without having first obtained permission in writing from the director of public institutions, any person who has previously been committed to a state institution as a sexual psychopath, a psychopathic delinquent, an insane, feeble-minded, or epileptic person and who has not been fully discharged therefrom shall be guilty of a gross misdemeanor: *Provided*, That this section shall not apply to an officer, agent, or em-

Proviso.

ployee of a common carrier for anything done in the line of duty.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 30.

[S. B. 95.]

ARTICLES PRODUCED BY INMATES OF PENAL, CORRECTIONAL, OR REFORMATORY INSTITUTIONS—PURCHASE BY STATE.

AN ACT relating to the department of institutions and the institutional industries commission; providing for the supervisor of purchasing to give preference to articles produced or manufactured by inmates of penal, correctional, or reformatory institutions in all purchases made for departments and agencies of the state; making certain exceptions; providing for printing and distribution of lists; adding 6 new sections to chapter 43.95 RCW.

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

SECTION 1. There is added to chapter 43.95 RCW a new section to read as follows: New section.

The purpose of this chapter is to aid and assist the department of institutions in minimizing or eliminating idleness among the inmates of the state penal, correctional, or reformatory institutions and promoting rehabilitation by affording such inmates an opportunity to participate in industrial and agricultural activities and to provide for the disposition and sale of the articles produced. Declaration of purpose.

SEC. 2. There is added to chapter 43.95 RCW a new section to read as follows: New section.

The supervisor of purchasing for the state of Washington shall give preference in the purchase of materials and supplies for the institutions, departments and agencies of the state, to those produced Supervisor of purchasing to give preference to goods purchased for state.

by industries authorized and approved by the institutional industries commission.

New section.

SEC. 3. There is added to chapter 43.95 RCW a new section to read as follows:

Declaration of police power—
Construction of chapter.

This chapter shall be deemed an exercise of the police power of the state for the protection of the health, welfare, peace and safety of the people and shall be liberally construed for the accomplishment of that purpose.

New section.

SEC. 4. There is added to chapter 43.95 RCW a new section to read as follows:

Exceptions from chapter—
Evasion enjoined.

Exceptions from the operation of the provisions of this chapter may be made in any case where in the opinion of the supervisor of purchasing, the attorney general and the commissioner of the employment security department, or a majority of them who are hereby constituted a board for such purpose, the articles so produced or manufactured do not meet the reasonable requirements of such departments, institutions, or agencies of the state of Washington. In any case where the requisition made cannot be complied with on account of an insufficient supply of articles or supplies required, the director of the department of institutions may grant an exemption to such requisitioning department or agency of the state of Washington. No department, institution, or agency of the state of Washington shall be allowed to evade the intent and meaning of this section by slight variations from adopted standards when the articles produced or manufactured by such institutional industries are reasonably adapted to the actual needs of such departments, institutions, or agencies of the state of Washington.

New section.

SEC. 5. There is added to chapter 43.95 RCW a new section to read as follows:

No voucher, certificate, or warrant issued on the state treasurer by any such department, institution,

or agency of the state of Washington shall be questioned by him or by the state auditor on the grounds that this chapter has not been complied with by such department, institution, or agency, but if intentional violation of this chapter continues after notice from the governor to desist, such violation shall constitute a malfeasance in office and shall subject the officers responsible for this violation to suspension or removal from office, as may be provided by law in other cases of malfeasance.

Voucher not to be questioned for chapter violation—Violation, malfeasance in office.

SEC. 6. There is added to chapter 43.95 RCW a new section to read as follows:

New section.

The department of institutions may cause to be prepared annually, at such times as it may determine, lists containing the descriptions of all articles and supplies manufactured and produced pursuant to the provisions of this chapter; copies of such list shall be sent to the supervisor of purchasing and to all departments, institutions and agencies of the state of Washington.

Lists to be supplied agencies of the state.

SEC. 7. All acts or parts of acts inconsistent herewith shall be and the same are hereby repealed.

General repeal.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor, March 1, 1957.

CHAPTER 31.

[S. B. 159.]

SUPPORT OF COUNTY LAW LIBRARIES.

AN ACT relating to county law libraries; providing for the maintenance thereof; prescribing duties of clerks of superior courts, and justices of the peace; and amending section 1, chapter 249, Laws of 1953, and RCW 27.24.070.

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

RCW 27.24.070 amended.

SECTION 1. Section 1, chapter 249, Laws of 1953 and RCW 27.24.070 are each amended to read as follows:

Additional filing fees.

In each county having a county law library pursuant to chapter 24 of Title 27 RCW there shall be paid to the clerk of the superior court, in every civil action commenced in that superior court, and there shall be paid to the clerk of each justice of the peace in every civil action commenced in such court where the demand or value of the property in controversy is one hundred dollars or more, in addition to the other fees required by law the sum of one dollar and fifty cents as fees for the support of the law library in that county which are to be taxed as part of costs in each case:

- (1) By each person instituting an action, when the first paper is filed;
- (2) By each defendant, other adverse party, or intervenor, appearing separately, when his appearance is entered on his first paper filed;
- (3) By each person initiating a probate proceeding; and
- (4) By each person obtaining a final decree in a probate proceeding.

Passed the Senate February 11, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 32.

[H. B. 45.]

PROPERTY TAX—EXCESS LEVIES.

AN ACT relating to the authorization of excess property tax levies by certain taxing districts; and amending section 1, chapter 93, Laws of 1955 and RCW 84.52.052; and declaring an emergency.

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

SECTION 1. Section 1, chapter 93, Laws of 1955 and RCW 84.52.052 are each amended to read as follows:

RCW 84.52.052 amended.

The limitations imposed by RCW 84.52.050 through 84.52.056, shall not prevent the levy of additional taxes, not in excess of five mills a year and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, or the levy of additional taxes to pay interest on or toward the reduction, at the rates provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 6, 1932; but this millage limitation with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, school district, metropolitan park district, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, city or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52.056, when authorized so to do by the electors of such county, school district, metropolitan park district, sewer district, water district, public hospital district, rural

Limitation of levies—"Forty mill" limit.

Limitation of
levies—"Forty
mill" limit.

county library district, intercounty rural library district, fire protection district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, and not oftener than twice in such year, in the manner provided by law for holding general elections, at such time as may be fixed by the body authorized to call the same, which special election may be called by the board of county commissioners, board of school directors, or council, board of commissioners, or other governing body of any metropolitan park district, sewer district, water district, public hospital district, rural county library district, intercounty rural library district, fire protection district, city or town, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes," and those opposed thereto to vote "No": *Provided*, That the total number of persons voting at such special election must constitute not less than forty percent of the voters in said taxing district who voted at the last preceding general state election: *Provided further*, That the total number of persons voting on an excess levy for school district purposes at any such special election of any school district must constitute not less than forty percent of the voters in said taxing district who voted at the last preceding general election in such district.

Proviso.

Proviso.

Emergency.

SEC. 2. This act is necessary for the immediate support of the existing public institutions and shall take effect immediately.

Passed the House February 8, 1957.

Passed the Senate February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 33.

[H. B. 192.]

BOOM COMPANIES.

AN ACT relating to forest products, boom companies; amending section 1, chapter 52, Laws of 1907 and RCW 76.28.020.

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

SECTION 1. Section 1, chapter 52, Laws of 1907 and RCW 76.28.020 are each amended to read as follows:

RCW 76.28.020 amended.

Any corporation hereafter organized for the purpose mentioned in RCW 76.28.010, shall within ninety days after its articles of incorporation have been filed, file in the office of the supervisor of forestry a plat or survey of so much of the shore lines of the waters of the state and lands contiguous thereto as are proposed to be appropriated by the corporation. Such plat shall be made from the records of the United States Surveyor General, or by a competent surveyor, after actual survey. The corporation may from time to time whenever it desires to extend its operations to portions of streams not embraced in its original plat, or to other streams tributary to the stream or streams described in the original plat, or any portion of such streams or in any manner to change, modify, or correct its original plat, file additional plats or surveys in the office of the supervisor of forestry, of so much of the shore lines of the waters of the state and lands contiguous thereto as are proposed to be appropriated for such purposes. Whenever, by reason of floods or otherwise, the channel of any stream is so changed as to put the stream beyond the limits of the original plat, or any supplemental or additional plat filed pursuant to the provisions of this section, the corporation may file in the office of the supervisor of forestry additional plats or surveys showing the change in the channel and so much of

Corporation to file plat or survey of property rights proposed to be appropriated.

the shore lines of the waters of the state and lands contiguous thereto as are proposed to be appropriated for its purposes by the corporation, which shall vest it with the same rights that it acquired by the filing of the original plat.

Passed by the House February 1, 1957.

Passed the Senate February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 34.

[H. B. 194.]

LOG DRIVING COMPANIES.

AN ACT relating to forest products, log driving companies; amending section 1, chapter 119, Laws of 1905 and RCW 76.32.030.

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

RCW 76.32.030 amended.

SECTION 1. Section 1, chapter 119, Laws of 1905 and RCW 76.32.030 are each amended to read as follows:

Plat or survey to be filed.

Any corporation organized under this chapter shall within ninety days after its articles of incorporation have been filed, file in the office of the supervisor of forestry a plat or survey of so much of the shore lines of the waters of the state or of any of the rivers or streams thereof and lands contiguous thereto as are proposed to be appropriated by the corporation. Such plat shall be made from the records of the United States Surveyor General or by a competent surveyor, after actual survey. The corporation may from time to time whenever it desires to extend its operations to portions of streams not embraced in its original plat, or to other streams tributary to the stream or streams described in the original plat, or any portion of such streams, file additional plats in the office of the supervisor of

forestry. Whenever by reason of floods or otherwise, the channel of any stream is so changed as to put the stream beyond the limits of the original plat, or any supplemental or additional plat filed pursuant to the provisions of this section, the corporation may file in the office of the supervisor of forestry supplemental plats showing the change in the channel which shall vest it with the same rights that it acquired by the filing of the original plat.

Passed the House February 1, 1957.

Passed the Senate February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 35.

[H. B. 167.]

PSYCHOPATHIC DELINQUENTS AND SEXUAL PSYCHOPATHS—PAROLES AND DISCHARGE.

AN Act relating to psychopathic delinquents and sexual psychopaths; and amending section 23, chapter 223, Laws of 1951 and RCW 71.06.240.

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

SECTION 1. Section 23, chapter 223, Laws of 1951, and RCW 71.06.240 are each amended to read as follows:

Any persons committed under the provisions of this chapter may be paroled by the superintendent of the institution wherein such person is confined whenever the superintendent is of the opinion that such person has improved to an extent that he is no longer a menace to the health, lives or property of himself or others. Such opinion shall be certified to the committing court and unless within thirty days the court orders the return of such person, the superintendent may parole him upon such conditions as the superintendent may deem advisable. After five years the superintendent shall review the

RCW 71.06.240 amended.

Parole and discharge.

Parole and
discharge.

record of such psychopathic delinquent, and if in his opinion such psychopathic delinquent remains safe to be at large, he shall discharge him. In addition, the superintendent may grant temporary visit paroles to psychopathic delinquents; such temporary visit paroles shall not exceed sixty days in duration, and at the expiration of such period the superintendent shall either return the psychopathic delinquent to the institution or grant a parole, as otherwise provided herein. The superintendent may grant temporary visit paroles on such conditions as he may deem advisable, but notice of such temporary visit parole shall be given to the sheriff of the county in which the psychopathic delinquent will be on temporary visit parole and the chief of police of any city or town said delinquent may be visiting.

Passed the House February 22, 1957.

Passed the Senate February 20, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 36.

[H. B. 189.]

FOREST PRODUCTS—MARKS AND BRANDS.

AN ACT relating to forest products, marks and brands; amending section 3, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.030; amending section 4, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.040; amending section 5, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.050; amending section 6, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.060; amending section 7, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.070; amending section 9, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.090; amending section 13, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.130; amending section 14, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.140; amending section 1, chapter 216, Laws of 1949 and RCW 76.36.150; and adding a new section to chapter 154, Laws of 1925 and to chapter 76.36 RCW.

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

SECTION 1. Section 3, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.030 are each amended to read as follows:

RCW 76.36.030 amended.

Every person selecting a mark or brand, before using it, shall make application for the registration thereof in the office of the supervisor of forestry by depositing in that office an impression burned in a piece of leather of appropriate size, or a drawing thereof, together with, in duplicate a written statement duly signed and verified by him or his agent, containing a description of the mark or brand and declaring that such mark or brand is not, and at the time of its adoption by him was not, in use, to his knowledge, by any other person, and that he has selected it in good faith for marking or branding forest products to be transported on common carrier railroads, or floated or rafted in the waters of this state, or booming equipment to be used by him as a part of his operations in securing, rafting, or floating forest products.

Registration of marks or brands.

Registration
of marks or
brands.

The supervisor of forestry, upon receipt of the application and the fee hereinafter provided, if he finds that the mark or brand is not identical with any other mark or brand registered in his office, or does not so closely resemble one registered therein as to be confounded therewith, shall file in his office the impression or drawing, and one copy of the written statement, and shall register the mark or brand in a book to be provided by him and kept for the purpose and known as the "Forest products brand register," entering therein the name of the owner, character of the mark or brand, date of registration, and such other details as he may see fit to enter therein. He shall return to the applicant the other copy of the written statement, with a certificate attached thereto and signed by him or his deputy to the effect that the mark or brand has been duly registered in accordance with the provisions of this chapter, and that the applicant is the registered owner thereof. The supervisor of forestry, in the event of his refusal to register a mark or brand on account of conflict with, or resemblance to, one already registered, shall immediately give notice of that fact to the applicant, who may select another mark or brand, and apply for its registration in the manner of an original application.

RCW 76.36.040
amended.

SEC. 2. Section 4, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.040 are each amended to read as follows:

Assignment.

Every mark or brand registered under this chapter, shall be assignable in law; and the supervisor of forestry, upon presentation to him, in duplicate, of an assignment transferring the mark or brand to a person therein named and duly executed and acknowledged by the owner thereof and the payment of the fee hereinafter mentioned, shall file one copy of the assignment in his office and make an entry in the forest products brand register of the

fact of the assignment, the date thereof and the name of the assignee, and such other details as he may see fit to enter therein. He shall then return to the assignee the other copy of the assignment, with a certificate attached thereto and signed by him or his deputy to the effect that the mark or brand has been duly registered in accordance with the provisions of this chapter and assigned to the assignee, and that the assignee is the registered owner thereof. The assignee, upon the due registration of the assignment, shall be and become the owner of the mark or brand with the full right of exclusive use to the same extent as though he had been the original owner.

SEC. 3. Section 5, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.050 are each amended to read as follows:

RCW 76.36.050 amended.

The certificate of the supervisor of forestry, attached to the original or copy of the written statement or assignment, and signed by him or his deputy as herein provided, shall be received in all courts of this state as evidence of the due and proper registration of the mark or brand and of the ownership thereof without proof of the signature thereto.

Certificate as evidence of registration and ownership.

SEC. 4. Section 6, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.060 are each amended to read as follows:

RCW 76.36.060 amended.

All forest products and booming equipment having impressed thereupon a registered mark or brand shall be presumed to belong to the person appearing on the records in the office of the supervisor of forestry as the owner of such mark or brand. All forest products having impressed thereupon a registered catch brand shall be presumed to belong to the owner of the registered catch brand, unless there shall be impressed thereupon more than one registered catch brand, in which event they shall be presumed to belong to the owner whose registered

Impression of mark--Presumption.

catch brand was placed thereupon latest in point of time.

RCW 76.36.070
amended.

SEC. 5. Section 7, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.070 are each amended to read as follows:

Cancellation
of registration.

The supervisor of forestry, upon the petition of the owner of a registered mark or brand, may cause the registration thereof to be canceled, and, in the event of such cancellation, the mark or brand shall be open to registration by any person subsequently applying therefor.

RCW 76.36.090
amended.

SEC. 6. Section 9, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.090 are each amended to read as follows:

Catch brands.

Every person desiring to use a catch brand as an identifying mark upon forest products or booming equipment purchased or lawfully acquired by him from another, shall before using it, make application for the registration thereof in the office of the supervisor of forestry in the manner prescribed for the registration of other marks or brands as herein required. The provisions contained in this chapter in reference to registration, certifications, assignment, and cancellation, and the fees to be paid to the supervisor of forestry shall apply equally to catch brands. The certificate of the supervisor of forestry shall designate the mark or brand as a catch brand, and the mark or brand selected by the applicant as a catch brand shall be inclosed in the letter C, which shall identify the mark or brand as, and shall be used only in connection with, a catch brand.

RCW 76.36.130
amended.

SEC. 7. Section 13, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.130 are each amended to read as follows:

Sufficiency
of mark.

A mark or brand cut in boom sticks with an ax or other sharp instrument shall be sufficient for the purposes of this chapter if it substantially conforms

to the impression or drawing and written description on file in the office of the supervisor of forestry.

SEC. 8. Section 14, chapter 154, Laws of 1925 extraordinary session and RCW 76.36.140 are each amended to read as follows:

RCW 76.36.140 amended.

In view of the different conditions existing in the logging industry of this state between the parts of the state lying respectively east and west of the crest of the Cascade mountains, forest products may be put into the water of this state or shipped on common carrier railroads without having thereon a registered mark or brand, as herein required, within that portion of the state lying east of the crest of the Cascade mountains and composed of the following counties to wit: Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, Walla Walla, Whitman, and Yakima; and the penalties herein provided for failure to mark or brand such forest products shall not apply: *Provided*, That any person operating within such east portion of the state may select a mark or brand and cause it to be registered in the office of the supervisor of forestry pursuant to the terms of this chapter, and use it for the purpose of marking or branding forest products and booming equipment, and, in the event of the registration of such mark or brand and the use of it in marking or branding forest products or booming equipment, the provisions hereof shall apply as to the forest products and booming equipment so marked or branded.

Application of chapter to Eastern Washington.

SEC. 9. Section 1, chapter 216, Laws of 1949 and RCW 76.36.150 are each amended to read as follows:

RCW 76.36.150 amended.

The supervisor of forestry shall on or before September 30, 1949, and each five-year period thereafter, notify by registered letter the owner or owners of all log marks or brands then of record in the state,

Renewal of marks and brands.

to renew the same. A fee of five dollars shall be charged for new brands or marks, assignment of brands or marks and renewing marks or brands. Upon receipt of said fee, the supervisor of forestry shall give a renewal certificate, which shall give the holder and owner thereof the exclusive right to continue the use of said mark or brand within the state. If any owner or owners of a mark or brand which is on record fails to pay such renewing fee within three months after the notification as herein provided, such brand shall become forfeited and no longer be carried on said records.

Effect of failure to renew—Abandoned marks and brands.

On and after January 1, 1950, no person, firm, association, or corporation shall claim or own any log mark or brand which has not been renewed in accordance with the provisions of this section, and any failure to renew the log mark or brand as required by such provisions shall be deemed the abandonment of the same, and any other person, firm, association, or corporation shall be at liberty to adopt or use such mark or brand so abandoned: *Provided*, That no person, firm, association, or corporation shall be at liberty to claim or use such abandoned mark or brand until after the same has been recorded in his or its own name, in the manner provided in this chapter: *Provided, however*, That no abandoned or canceled brand may be reissued for a period of one year after such abandonment or cancellation, except to the previous owner or his assignee: *Provided further*, That in case of a dispute as to the right to the use of such mark or brand, the supervisor of forestry shall determine which of the applicants is entitled to the use thereof.

Proviso.

Proviso.

Proviso.

New section.

SEC. 10. There is added to chapter 154, Laws of 1925 and to chapter 76.36 RCW a new section to read as follows:

Deposit of fees.

The supervisor of forestry shall deposit all moneys

received under this chapter in the log patrol revolving fund.

Passed the House January 31, 1957.

Passed the Senate February 21, 1957.

Approved by the Governor March 1, 1957.

CHAPTER 37.

[H. B. 25.]

CIVIL RIGHTS—LAW AGAINST DISCRIMINATION.

AN ACT relating to civil rights, amending section 1, chapter 183, Laws of 1949 and RCW 49.60.010; amending section 12, chapter 183, Laws of 1949 and RCW 49.60.020; amending section 2, chapter 183, Laws of 1949 and RCW 49.60.030; amending section 3, chapter 183, Laws of 1949 and RCW 49.60.040; amending section 2, chapter 270, Laws of 1955 and RCW 49.60.050; amending section 6, chapter 270, Laws of 1955 and RCW 49.60.090; amending section 8, chapter 270, Laws of 1955 and RCW 49.60.120; amending section 7, chapter 183, Laws of 1949 and RCW 49.60.180 through 49.60.220; amending section 15, chapter 270, Laws of 1955 and RCW 49.60.230; amending section 16, chapter 270, Laws of 1955 and RCW 49.60.240; amending section 17, chapter 270, Laws of 1955 and RCW 49.60.250; section 9, chapter 183, Laws of 1949 and RCW 49.60.260 through 49.60.300; amending section 10, chapter 183, Laws of 1949 and RCW 49.60.310; and adding three new sections to chapter 183, Laws of 1949 and chapter 49.60 RCW.

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

SECTION 1. Section 1, chapter 183, Laws of 1949 and RCW 49.60.010 are each amended to read as follows:

RCW 49.60.010 amended.

This chapter shall be known as the "Law Against Discrimination." It is an exercise of the police power of the state for the protection of the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of the Constitution of this state concerning civil rights. The legislature hereby finds and declares that practices of

Short title—
Purpose of
chapter.

discrimination against any of its inhabitants because of race, creed, color, or national origin are a matter of state concern, that such discrimination threatens not only the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state. A state agency is herein created with powers with respect to elimination and prevention of discrimination in employment, in places of public resort, accommodation or amusement, and in publicly-assisted housing because of race, creed, color, or national origin; and the board established hereunder is hereby given general jurisdiction and power for such purposes.

RCW 49.60.020 amended.

SEC. 2. Section 12, chapter 183, Laws of 1949 and RCW 49.60.020 are each amended to read as follows:

Construction of chapter—Election of other remedies.

The provisions of this chapter shall be construed liberally for the accomplishment of the purposes thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of any other law of this state relating to discrimination because of race, color, creed, or national origin. Nor shall anything herein contained be construed to deny the right to any person to institute any action or pursue any civil or criminal remedy based upon an alleged violation of his civil rights. However, the election of a person to pursue such a remedy shall preclude him from pursuing those administrative remedies created by this act.

RCW 49.60.030 amended.

SEC. 3. Section 2, chapter 183, Laws of 1949 and RCW 49.60.030 are each amended to read as follows:

Freedom from discrimination—Declaration of civil rights.

The right to be free from discrimination because of race, creed, color, or national origin is recognized as and declared to be a civil right. This right shall include, but not be limited to:

(1) The right to obtain and hold employment without discrimination;

(2) The right to the full enjoyment of any of the accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage or amusement;

(3) The right to secure publicly-assisted housing without discrimination.

SEC. 4. Section 3, chapter 183, Laws of 1949 and RCW 49.60.040 are each amended to read as follows: RCW 49.60.040 amended.

As used in this chapter:

“Person” includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees and receivers or any group of persons; it includes any owner, lessee, proprietor, manager, agent or employee, whether one or more natural persons; and further includes any political or civil subdivisions of the state and any agency or instrumentality of the state or of any political or civil subdivision thereof; Definitions.
“Person.”

“Employer” includes any person acting in the interest of an employer, directly, or indirectly, who has eight or more persons in his employ, and does not include any religious or sectarian organization, not organized for private profit; “Employer.”

“Employee” does not include any individual employed by his parents, spouse or child, or in the domestic service of any person; “Employee.”

“Labor organization” includes any organization which exists for the purpose, in whole or in part, of dealing with employers concerning grievances or terms or conditions of employment, or for other mutual aid or protection in connection with employment; “Labor organization.”

“Employment agency” includes any person undertaking with or without compensation to recruit, procure, refer, or place employees for an employer; “Employment agency.”

“National origin” includes “ancestry”; “Natural origin.”

“Full enjoyment of” includes the right to pur- “Full enjoyment of.”

Definitions.

chase any service, commodity or article of personal property offered or sold on, or by, any establishment to the public, and the admission of any person to accommodations, advantages, facilities or privileges of any place of public resort, accommodation, assemblage or amusement, without acts directly or indirectly causing persons of any particular race, creed or color, to be treated as not welcome, accepted, desired or solicited;

"Any place of public resort, accommodation, assemblage or amusement."

"Any place of public resort, accommodation, assemblage or amusement" includes, but is not limited to, any place, licensed or unlicensed, kept for gain, hire or reward, or where charges are made for admission, service, occupancy or use of any property or facilities, whether conducted for the entertainment, housing or lodging of transient guests, or for the benefit, use or accommodation of those seeking health, recreation or rest, or for the sale of goods, merchandise, services or personal property, or for the rendering of personal services, or for public conveyance or transportation on land, water or in the air, including the stations and terminals thereof and the garaging of vehicles, or where food or beverages of any kind are sold for consumption on the premises, or where public amusement, entertainment, sports or recreation of any kind is offered with or without charge, or where medical service or care is made available, or where the public gathers, congregates, or assembles for amusement, recreation or public purposes, or public halls, public elevators and public washrooms of buildings and structures occupied by two or more tenants, or by the owner and one or more tenants, or any public library or educational institution, or schools of special instruction, or nursery schools, or day care centers or children's camps: *Provided*, That nothing herein contained shall be construed to include or apply to any institute, bona fide club, or place of accom-

Proviso.

modation, which is by its nature distinctly private, including fraternal organizations, though where public use is permitted that use shall be covered by this act; nor shall anything herein contained apply to any educational facility operated or maintained by a bona fide religious or sectarian institution;

Definitions.

“Publicly-assisted housing” includes any building, structure or portion thereof which is used or occupied or is intended to be used or occupied as the home, residence or sleeping place of one or more persons, and the acquisition, construction, rehabilitation, repair or maintenance of which is financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions, or any agency thereof, provided that such a housing accommodation shall be deemed to be publicly-assisted only during the life of such loan and such guarantee or insurance, or if a commitment, issued by a government agency, is outstanding that the acquisition of such housing accommodations may be financed in whole or in part by a loan, whether or not secured by a mortgage, the repayment of which is guaranteed or insured by the federal government or any agency thereof, or the state or any of its political subdivisions, or any agency thereof;

“Publicly-assisted housing.”

“Owner” includes the owner, lessee, sublessee, assignee, agent, creditor, lender or other person having the right to ownership or possession of housing, or to have housing pledged as security for a debt.

“Owner.”

SEC. 5. Section 2, chapter 270, Laws of 1955 and RCW 49.60.050 are each amended to read as follows:

RCW 49.60.050 amended.

There is created the “Washington state board against discrimination,” which shall be composed of five members to be appointed by the governor,

Board created.

one of whom shall be designated as chairman by the governor.

RCW 49.60.090 amended.

SEC. 6. Section 6, chapter 270, Laws of 1955 and RCW 49.60.090 are each amended to read as follows:

Offices of the board.

The principal office of the board shall be in the city of Olympia, but it may meet and exercise any or all of its powers at any other place in the state, and may establish such district offices as it deems necessary.

RCW 49.60.120 amended.

SEC. 7. Section 8, chapter 270, Laws of 1955 and RCW 49.60.120 are each amended to read as follows:

Certain powers and duties of board.

The board shall have the functions, powers and duties:

(1) To appoint an executive secretary and chief examiner, and such investigators, examiners, clerks, and other employees and agents as it may deem necessary, fix their compensation within the limitations provided by law, and prescribe their duties.

(2) To obtain upon request and utilize the services of all governmental departments and agencies.

(3) To adopt, promulgate, amend, and rescind suitable rules and regulations to carry out the provisions of this chapter, and the policies and practices of the board in connection therewith.

(4) To receive, investigate and pass upon complaints alleging unfair practices as defined in this act because of race, creed, color, or national origin.

(5) To issue such publications and such results of investigations and research as in its judgment will tend to promote good will and minimize or eliminate discrimination because of race, creed, color, or national origin.

(6) To make such technical studies as are appropriate to effectuate the purposes and policies of this chapter and to publish and distribute the reports of such studies.

Division and amendment.

SEC. 8. Section 7, chapter 183, Laws of 1949 (heretofore divided and codified as RCW 49.60.180

through 49.60.220) is amended to read as set forth in sections 9 through 13 of this amendatory act.

SEC. 9. (RCW 49.60.180) It is an unfair practice for any employer: RCW 49.60.180 amended.

(1) To refuse to hire any person because of such person's race, creed, color, or national origin, unless based upon a bona fide occupational qualification. Unfair practices of employer defined

(2) To discharge or bar any person from employment because of such person's race, creed, color, or national origin.

(3) To discriminate against any person in compensation or in other terms or conditions of employment because of such person's race, creed, color, or national origin.

(4) To print, or circulate, or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, or national origin, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification: *Provided*, Nothing contained herein shall prohibit advertising in a foreign language. Proviso.

SEC. 10. (RCW 49.60.190) It is an unfair practice for any labor union or labor organization: RCW 49.60.190 amended.

(1) To deny membership and full membership rights and privileges to any person because of such person's race, creed, color, or national origin. Unfair practice of labor union defined.

(2) To expel from membership any person because of such person's race, creed, color, or national origin.

(3) To discriminate against any member, employer, or employee because of such person's creed, color, or national origin.

RCW 49.60.200 amended.

Unfair practices of employment agencies defined.

SEC. 11. (RCW 49.60.200) It is an unfair practice for any employment agency to fail or refuse to classify properly or refer for employment, or otherwise to discriminate against, any individual because of his race, creed, color, or national origin, or to print or circulate, or cause to be printed or circulated any statement, advertisement, or publication, or to use any form of application for employment, or to make any inquiry in connection with prospective employment, which expresses, directly or indirectly, any limitation, specification or discrimination as to race, creed, color, or national origin, or any intent to make any such limitation, specification or discrimination, unless based upon a bona fide occupational qualification: *Provided*, Nothing contained herein shall prohibit advertising in a foreign language.

Proviso.

RCW 49.60.210 amended.

Unfair to discriminate against person opposing unfair practice.

SEC. 12. (RCW 49.60.210) It is an unfair practice for any employer, employment agency, or labor union to discharge, expel, or otherwise discriminate against any person because he has opposed any practices forbidden by this chapter, or because he has filed a charge, testified, or assisted in any proceeding under this chapter.

RCW 49.60.220 amended.

Unfair practice to aid violation.

SEC. 13. (RCW 49.60.220) It is an unfair practice for any person to aid, abet, encourage, or incite the commission of any unfair practice, or to attempt to obstruct or prevent any other person from complying with the provisions of this chapter or any order issued thereunder.

New section.

SEC. 14. There is added to chapter 183, Laws of 1949 and chapter 49.60 RCW, a new section to read as follows:

Unfair practices of places of public resort, accommodation, assemblage, amusement.

It shall be an unfair practice for any person or his agent or employee to commit an act which directly or indirectly results in any distinction, restriction, or discrimination or the requiring of any person to pay a larger sum than the uniform rates

charged other persons, or the refusing or withholding from any person the admission, patronage, custom, presence, frequenting, dwelling, staying, or lodging in any place of public resort, accommodation, assemblage, or amusement except for conditions and limitations established by law and applicable to all persons, regardless of race, creed, color, or national origin.

SEC. 15. There is added to chapter 183, Laws of 1949 and chapter 49.60 RCW, a new section to read as follows: New section.

It shall be an unfair practice:

(1) For the owner of publicly-assisted housing to refuse to sell, rent, or lease to any person or persons such housing because of the race, creed, color, or national origin of such person or persons;

Unfair practices with respect to publicly-assisted housing.

(2) For the owner of any publicly-assisted housing to segregate, separate or discriminate against any person or persons because of the race, creed, color, or national origin of such person or persons, in the terms, conditions, or privileges of any such housing or in the furnishing of facilities or services in connection therewith;

(3) For any person to make or cause to be made any written or oral inquiry concerning the race, creed, color, or national origin of a person or group of persons seeking to purchase, rent, or lease publicly-assisted housing accommodations;

(4) For any person to print or publish or cause to be printed or published any notice or advertisement relating to the sale, rental, or leasing of any publicly-assisted housing accommodation which indicates any preference, limitation, specification, or discrimination based on race, creed, color, or national origin;

(5) For any person, bank, mortgage company or other financial institution to whom application is made for financial assistance for the acquisition, con-

Unfair practices with respect to publicly-assisted housing.

struction, rehabilitation, repair or maintenance of any publicly-assisted housing to make or cause to be made any written or oral inquiry for the purpose of discrimination concerning the race, creed, color, or national origin of a person or group of persons seeking such financial assistance, or concerning the race, creed, color, or national origin of prospective occupants or tenants of such housing, or to discriminate against, any person or persons because of the race, creed, color, or national origin of such person or persons, or prospective occupants or tenants, in the terms, conditions or privileges relating to the obtaining or use of any such financial assistance.

Nothing herein shall be deemed to prevent a bona fide religious, sectarian institution, or fraternal organization from selecting as tenants or occupants of any housing operated by such organization, as part of its religious, sectarian or fraternal activities, adherents or members of such religion, sect, or fraternal organization exclusively, or from giving preference in such selection to such adherents or members.

RCW 49.60.230 amended

SEC. 16. Section 15, chapter 270, Laws of 1955 and RCW 49.60.230 are each amended to read as follows:

Who may file a complaint.

Who may file a complaint:

(1) Any person claiming to be aggrieved by an alleged unfair practice may, by himself or his attorney, make, sign, and file with the board a complaint in writing under oath. The complaint shall state the name and address of the person alleged to have committed the unfair practice and the particulars thereof, and contain such other information as may be required by the board.

(2) Whenever it has reason to believe that any person has been engaged or is engaging in an unfair practice, the board may issue a complaint.

(3) Any employer or principal whose employees,

or agents, or any of them, refuse or threaten to refuse to comply with the provisions of this chapter may file with the board a written complaint under oath asking for assistance by conciliation or other remedial action.

Any complaint filed pursuant to this section must be so filed within six months after the alleged act of discrimination.

SEC. 17. Section 16, chapter 270, Laws of 1955 and RCW 49.60.240 are each amended to read as follows:

RCW 49.60.240 amended.

After the filing of any complaint, the chairman of the board shall refer it to the appropriate section of the board's staff for prompt investigation and ascertainment of the facts. The results of the investigation shall be reduced to written findings of fact, and a finding shall be made that there is or that there is not reasonable cause for believing that an unfair practice has been or is being committed. A copy of said findings shall be furnished to the complainant and to the person named in such complaint, hereinafter referred to as the respondent.

Complaint investigated.

If the finding is made that there is reasonable cause for believing that an unfair practice has been or is being committed, the board's staff shall immediately endeavor to eliminate the unfair practice by conference, conciliation and persuasion.

Conference conciliation.

If an agreement is reached for the elimination of such unfair practice as a result of such conference, conciliation and persuasion, the agreement shall be reduced to writing and signed by the respondent, and an order shall be entered by the board setting forth the terms of said agreement. No order shall be entered by the board at this stage of the proceedings except upon such written agreement.

Agreement, findings.

If no such agreement can be reached, a finding to that effect shall be made and reduced to writing,

with a copy thereof furnished to the complainant and the respondent.

RCW 49.60.250
amended.

SEC. 18. Section 17, chapter 270, Laws of 1955 and RCW 49.60.250 are each amended to read as follows:

Hearing of
complaint by
tribunal—
Order.

In case of failure to reach an agreement for the elimination of such unfair practice, and upon the entry of findings to that effect, the entire file, including the complaint and any and all findings made, shall be certified to the chairman of the board. The chairman of the board shall thereupon appoint a hearing tribunal of three persons, who shall be members of the board or a panel of hearing examiners, acting in the name of the board, to hear the complaint and shall cause to be issued and served in the name of the board a written notice, together with a copy of the complaint, as the same may have been amended, requiring the respondent to answer the charges of the complaint at a hearing before such tribunal, at a time and place to be specified in such notice.

Proviso.

The place of any such hearing may be the office of the board or another place designated by it. The case in support of the complaint shall be presented at the hearing by counsel for the board: *Provided*, That the complainant may retain independent counsel and submit testimony and be fully heard. No member or employee of the board who previously made the investigation or caused the notice to be issued shall participate in the hearing except as a witness, nor shall he participate in the deliberations of the tribunal in such case. Any endeavors or negotiations for conciliation shall not be received in evidence.

The respondent may file a written answer to the complaint and appear at the hearing in person or otherwise, with or without counsel, and submit testimony and be fully heard.

The tribunal conducting any hearing may permit reasonable amendment to any complaint or answer. Testimony taken at the hearing shall be under oath and recorded.

Hearing of
complaint by
tribunal—
Order.

If, upon all the evidence, the tribunal finds that the respondent has engaged in any unfair practice it shall state its findings of fact and shall issue and file with the board and cause to be served on such respondent an order requiring such respondent to cease and desist from such unfair practice and to take such affirmative action, including, (but not limited to) hiring, reinstatement or upgrading of employees, with or without back pay, an admission or restoration to full membership rights in any respondent organization, or to take such other action as, in the judgment of the tribunal, will effectuate the purposes of this chapter, and including a requirement for report of the matter on compliance.

If, upon all the evidence, the tribunal finds that the respondent has not engaged in any alleged unfair practice, it shall state its findings of fact and shall similarly issue and file an order dismissing the complaint.

The board shall establish rules of practice to govern, expedite and effectuate the foregoing procedure.

SEC. 19. There is added to chapter 183, Laws of 1949 and chapter 49.60 RCW, a new section to read as follows:

New section.

If the complainant is dissatisfied with the agreement reached as provided in section 17 hereof, or if the finding is made as provided for in this chapter, that there is no reasonable cause for believing that an unfair practice has been or is being committed, the complainant may within thirty days of approval by the board of such agreement or from receipt of a copy of said finding file a petition for reconsideration by the board and he shall have the right to ap-

Reconsideration.

pear before the board at its next regular meeting in person or by counsel and present such facts, evidence and affidavits of witnesses as may support the complaint.

The board shall establish rules of practice to govern, expedite, and effectuate the foregoing procedure.

Division and amendment.

SEC. 20. Section 9, chapter 183, Laws of 1949 (heretofore divided and codified as RCW 49.60.260 through 49.60.300) is divided and amended as set forth in sections 21 through 25.

RCW 49.60.260 amended.

Court may enforce orders of tribunal.

SEC. 21. (RCW 49.60.260) (1) The board shall petition the court within the county wherein any unfair practice occurred or wherein any person charged with an unfair practice resides or transacts business, for the enforcement of any order which is not complied with and is issued by a tribunal under the provisions of this chapter and for appropriate temporary relief or a restraining order, and shall certify and file in court a transcript of the entire record of the proceedings, including the pleadings and testimony upon which such order was made and the finding and orders of the hearing tribunal. Within five days after filing such petition in court the board shall cause a notice of the petition to be sent by registered mail to all parties or their representatives.

The court shall have jurisdiction of the proceedings and of the questions determined thereon, and shall have the power to issue such orders and grant such relief by injunction or otherwise, including temporary relief, as it deems just and suitable and to make and enter, upon the pleadings, testimony and proceedings set forth in such transcript, a decree enforcing, modifying and enforcing as so modified, or setting aside in whole or in part any order of the board or hearing tribunal.

(2) The findings of the hearing tribunal as to the facts, if supported by substantial and competent evidence shall be conclusive. The court, upon its own motion or upon motion of either of the parties to the proceeding, may permit each party to introduce such additional evidence as the court may believe necessary to a proper decision of the cause.

(3) The jurisdiction of the court shall be exclusive and its judgment and decree shall be final, except that the same shall be subject to a review by the supreme court, on appeal, by either party, irrespective of the nature of the decree or judgment. Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the supreme court, and the record so certified shall contain all that was before the lower court.

Appeal from court order.

SEC. 22. (RCW 49.60.270) Any respondent or complainant aggrieved by a final order of a hearing tribunal may obtain a review of such order in the superior court for the county where the unfair practice is alleged to have occurred or in the county wherein such person resides or transacts business by filing with the clerk of the court, within two weeks from the date of receipt of such order, a written petition in duplicate praying that such order be modified or set aside. The clerk shall thereupon mail the duplicate copy to the board. The board shall then cause to be filed in the court a certified transcript of the entire record in the proceedings, including the pleadings, testimony and order. Upon such filing the court shall proceed in the same manner as in the case of a petition by the board and shall have the same exclusive jurisdiction to grant to any party such temporary relief or restraining order as it deems just and suitable, and in like manner to make and enter a decree enforcing or modifying and enforcing

RCW 49.60.270 amended.

Appeal from order of tribunal.

as so modified or setting aside, in whole or in part, the order sought to be reviewed.

Unless otherwise directed by the court, commencement of review proceedings under this section shall operate as a stay of any order.

RCW 49.60.280 enacted without amendment.

SEC. 23. (RCW 49.60.280) Petitions filed under RCW 49.60.260 and 49.60.270 shall be heard expeditiously and determined upon the transcript filed, without requirement of printing. Hearings in the court under this chapter shall take precedence over all other matters, except matters of the same character.

RCW 49.60.290 amended.

Court may not restrain or enjoin board.

SEC. 24. (RCW 49.60.290) No court of this state shall have jurisdiction to issue any restraining order or temporary or permanent injunction preventing the board from performing any function vested in it by this chapter.

RCW 49.60.300 enacted without amendment.

SEC. 25. (RCW 49.60.300) RCW 49.60.260 to 49.60.290, inclusive, shall not be applicable to orders issued against any political or civil subdivision of the state, or any agency, office, or employee thereof.

RCW 49.60.310 amended.

SEC. 26. Section 10, chapter 183, Laws of 1949 and RCW 49.60.310 are each amended to read as follows:

Misdemeanor to interfere with or resist board.

Any person that wilfully resists, prevents, impedes, or interferes with the board or any of its members or representatives in the performance of duty under this chapter, or that wilfully violates an order of the board, is guilty of a misdemeanor; but procedure for the review of the order shall not be deemed to be such wilful conduct.

Severability.

SEC. 27. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or cir-

cumstances other than those to which it is held invalid shall not be affected thereby.

Passed the House February 25, 1957.

Passed the Senate February 23, 1957.

Approved by the Governor March 2, 1957.

CHAPTER 38.

[Sub. H. B. 68.]

STATE DEPARTMENT OF NATURAL RESOURCES.

AN ACT relating to state government; providing for administration of laws pertaining to the natural resources of the state; establishing a new department of natural resources consisting of a board, an administrator and a supervisor; abolishing certain offices, departments, boards, commissions and committees; transferring powers, duties and functions of the abolished agencies and others to the new department; prescribing the powers, duties and functions of the board, administrator and the supervisor; providing for the financing of the new agency; and declaring an emergency.

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

SECTION 1. The purpose of this act is to provide for more effective and efficient management of the forest and land resources in the state by consolidating into a department of natural resources certain powers, duties and functions of the division of forestry of the department of conservation and development, the board of state land commissioners, the state forest board, all state sustained yield forest committees, director of conservation and development, state capitol committee, director of licenses, secretary of state, tax commission and commissioner of public lands.

Purpose
of act.

SEC. 2. For the purpose of this act, except where a different interpretation is required by the context:

Definitions.

(1) "Department" means the department of natural resources;

"Department."

“Board.”

(2) “Board” means the board of natural resources;

“Administrator.”

(3) “Administrator” means the administrator of the department of natural resources;

“Supervisor.”

(4) “Supervisor” means the supervisor of natural resources;

“Agency,”
“state agency.”

(5) “Agency” and “state agency” means any branch, department, or unit of the state government, however designated or constituted;

“Commissioner.”

(6) “Commissioner” means the commissioner of public lands.

Department created.

SEC. 3. The department of natural resources is hereby created, to consist of a board of natural resources, an administrator and a supervisor.

Board of natural resources—Composition.

SEC. 4. The board shall consist of five members: The governor, the superintendent of public instruction, the commissioner of public lands, the dean of the college of forestry of the University of Washington and the director of the institute of agricultural sciences of the State College of Washington.

Administrator of department.

SEC. 5. The commissioner of public lands shall be the administrator of the department.

Supervisor of natural resources—Appointment.

SEC. 6. The supervisor shall be appointed by the administrator with the advice and consent of the board. He shall serve at the pleasure of the administrator.

Powers, duties, functions of certain state agencies transferred to department—Agencies abolished.

SEC. 7. The department shall exercise the powers, duties and functions of the following state agencies, and the said agencies are hereby abolished and all of their powers, duties and functions are transferred to the department of natural resources: The division of forestry of the department of conservation and development, the board of state land commissioners, the state forest board and all state sustained yield forest committees.

SEC. 8. The department shall exercise the powers, duties and functions of the director of conservation

and development with respect to forestry powers, duties and functions as set forth in RCW 43.21.020, 43.21.030 and Title 76 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of conservation and development transferred.

SEC. 9. The department shall exercise the powers, duties and functions of the state capitol committee with respect to capitol building lands and resources thereon as set forth in RCW 79.24.010 through 79.24.090, and such powers, duties and functions are hereby transferred to the department.

Functions of state capitol committee transferred.

SEC. 10. The department shall exercise the powers, duties and functions of the director of licenses and all other state agencies with respect to the harvesting and export of Christmas trees, as set forth in chapter 19.12 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of licenses transferred.

SEC. 11. The department shall exercise all of the powers, duties and functions of the secretary of state with respect to: (1) Booming companies, under the provisions of chapter 76.28 RCW; (2) log driving companies, under the provisions of chapter 76.32 RCW; (3) log marks and brands, under the provisions of chapter 76.36 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of secretary of state transferred.

SEC. 12. The department shall exercise the powers, duties and functions of the director of licenses and the tax commission of the state of Washington with respect to log patrols, as set forth in chapter 76.40 RCW, and such powers, duties and functions are hereby transferred to the department.

Functions of director of licenses and tax commission transferred.

SEC. 13. The department shall exercise all of the powers, duties and functions now vested in the commissioner of public lands and such powers, duties and functions are hereby transferred to the department.

Functions of commissioner of public lands transferred.

Proviso.

ment: *Provided*, That nothing herein contained shall effect his ex officio membership on any committee provided by law.

Functions relating to sustained yield forests.

SEC. 14. All sustained yield forests established by RCW 79.52.010 shall be managed and administered by the department of natural resources.

Powers and duties of board.

SEC. 15. The board shall:

(1) Perform all the duties relating to appraisal, appeal, approval and hearing functions heretofore performed by the board of state land commissioners, the state forest board and the capitol committee to the extent such functions are transferred to the department;

(2) Establish policies to insure that the acquisition, management and disposition of all lands and resources within the department's jurisdiction are based on sound principles designed to achieve the maximum effective development and use of such lands and resources consistent with laws applicable thereto;

(3) Constitute the board of appraisers provided for in article 16, section 2 of the state Constitution;

(4) Constitute the commission on harbor lines provided for in article 15, section 1 of the state Constitution as amended;

(5) Hold regular monthly meetings at such times as it may determine, and such special meetings as may be called by the chairman or majority of the board membership upon written notice to all members thereof: *Provided*, That the board may dispense with any regular meetings, except that the board shall not dispense with two consecutive regular meetings;

Proviso.

(6) Adopt and enforce such rules and regulations as may be deemed necessary and proper for carrying out the powers, duties and functions imposed upon it by this act;

(7) Employ and fix the compensation of such technical, clerical and other personnel as may be deemed necessary for the performance of its duties;

Personnel.

(8) Appoint such advisory committees as it may deem appropriate to advise and assist it to more effectively discharge its responsibilities. The members of such committees shall receive no compensation, but shall be entitled to reimbursement for actual and necessary expenses in attending committee meetings on the same basis as state officers and employees generally;

Advisory committees.

(9) Meet and organize within thirty days after effective date of this act and on the third Monday of each January following a state general election at which the elected ex officio members of the board are elected. The board shall select its own chairman. The commissioner of public lands shall be the secretary of the board. The board may select a vice chairman from among its members. In the absence of the chairman and vice chairman at a meeting of the board, the members shall elect a chairman pro tem. No action shall be taken by the board except by the agreement of at least three members. The department and the board shall maintain its principal office at the capital;

Organization.

(10) Be entitled to reimbursement individually for necessary travel and other expenses incurred in the discharge of their official duties on the same basis as is provided by law for state officers and employees generally.

Expenses.

SEC. 16. The administrator shall have responsibility for performance of all the powers, duties and functions of the department except those specifically assigned to the board. In the performance of his powers, duties and functions, the administrator shall conform to policies established by the board, and may employ and fix the compensation of such per-

Powers and duties of administrator—
Personnel.

sonnel as may be required to perform the duties of his office.

Powers and duties of supervisor.

SEC. 17. The supervisor shall:

(1) Be charged with the direct supervision of the department's activities as delegated to him by the administrator;

(2) Perform his duties in conformance with the policies established by the board;

(3) Organize the department, with approval of the administrator, into such subordinate divisions as he may deem appropriate for the conduct of its operations;

Personnel.

(4) Employ and fix the compensation of such technical, clerical and other personnel as may be required to carry on activities under his supervision;

(5) Delegate by order any of his powers, duties and functions to one or more deputies or assistants as he may desire;

Bond.

(6) Furnish before entering upon his duties a surety bond payable to the state in such amount as may be determined by the board, conditioned for the faithful performance of his duties and for his accounting of all moneys and property of the state that may come into his possession or under his control by virtue of his office.

Oaths.

SEC. 18. The supervisor and his duly authorized deputies may administer oaths.

Validation of acts of other agencies.

SEC. 19. Neither the abolishment or transfer of any agency, nor any transfer of powers, duties and functions, as provided in this act, shall effect the validity of any act performed by such agency or any officer or employee thereof prior to the taking effect of this act.

Administrator's reports—
Recommending legislation.

SEC. 20. The administrator shall submit to the governor and to the legislature, on or before the last day of December immediately preceding each reg-

ular session of the legislature and at other times when required by the governor, a written report of the work of the department, including a statement of the expenditures thereof, with such recommendations for legislation as the department may deem advisable for the better management of the lands, forests, and other natural resources of the state.

SEC. 21. When any officer, member, or employee of an agency abolished by provisions of this act is, under provisions of existing law, designated as a member ex officio of another board, commission, committee, or other agency, and no provision is made in this act with respect to a substitute, the administrator shall designate the officer or other person to serve hereafter in that capacity.

Administrator
to designate
substitutes.

SEC. 22. Upon the taking effect of this act and the organization of the department, the responsible head of each agency abolished or transferred in whole or in part to the department by this act, shall deliver to the department all books, documents, records, papers, files, or other writings, all cabinets, furniture, office equipment, motor vehicles, and other tangible property and all funds in its custody or under its control, used or held in the exercise of the powers and the performance of the duties and functions so transferred, along with all pending business before such agency: *Provided*, That, if the books, documents, records, papers, files and other writings pertaining to a function transferred by this act to the department from agencies not abolished by this act are considered by the head of the agency from which such transfer is made to be essential to the performance of duties retained by such agency, the agency head may deliver to the department certified copies of such books, documents, records, papers, files and other writings.

Transfer of
property and
records of
agencies
herein
abolished.

Proviso.

SEC. 23. The appropriations made to the various agencies abolished by this act shall be transferred

Transfer of
appropriations
of agencies
abolished.

to and made available to the department of natural resources. Appropriations for the exercise of powers, duties and functions transferred to the department from agencies that are not abolished by this act shall be transferred to and made available to the department in accordance with the provisions of section 24 of this act.

Director of budget to determine apportionment on transfers.

SEC. 24. The transfer of equipment, funds and appropriations from agencies that are not abolished by this act to the department, as provided in sections 22 and 23 of this act, shall be accomplished in accordance with apportionments among the several agencies by the director of the budget, who shall have due consideration to the total of the appropriations to the several agencies, the size and nature of the functions to be transferred and the feasibility of segregating such equipment to the various functions. The director of the budget shall certify such apportionments to the agencies affected and to the state auditor, the state treasurer and department of general administration, each of whom shall make the appropriate transfers and adjustments in their funds and appropriation accounts and equipment records in accordance with such certification.

Savings clause.

SEC. 25. Nothing in this act shall be interpreted as changing existing law with respect to:

(1) Property given to a state agency on restrictive conveyance with provision for reversion to the grantor or for the vesting of title in another if and when such property is not used by the agency concerned for the stipulated purposes;

(2) Land or other property acquired by any state agency for highway purposes.

Facilities and services available to other agencies.

SEC. 26. Upon request by any state agency vested by law with the authority to acquire or manage real property, the department shall make available to such agency the facilities and services of the depart-

ment of natural resources with respect to such acquisition or management, upon condition that such agency reimburse the department for the cost of such services.

SEC. 27. All employees of the department of natural resources shall be governed by any merit system which is now or may hereafter be enacted by law governing such employment.

Employee's merit system.

SEC. 28. 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.

Severability.

SEC. 29. 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.

Emergency.

Passed the House February 16, 1957.

Pased the Senate February 25, 1957.

Approved by the Governor March 6, 1957.

CHAPTER 39.

[H. B. 119.]

CEMETERY DISTRICTS

AN ACT relating to cemetery districts; and amending section 13, chapter 6, Laws of 1947 and RCW 68.16.130.

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

SECTION 13, chapter 6, Laws of 1947 and RCW 68.16.130 are each amended to read as follows:

RCW 68.16.130 amended.

(1) A cemetery district organized under this chapter shall have power to acquire, establish, maintain, manage, improve and operate cemeteries and conduct any and all of the businesses of a cemetery

Powers to do cemetery business.

as defined in this title. A cemetery district shall constitute a cemetery authority as defined in this title and shall have and exercise all powers conferred thereby upon a cemetery authority and be subject to the provisions thereof.

Districts may embrace certain third and fourth class cities.

(2) A cemetery district may include within its boundaries the lands embraced within the corporate limits of third class cities in counties of the fourth class, or within the corporate limits of fourth class towns in the classes of counties enumerated in RCW 68.16.010, and in any such cases the district may acquire any cemetery or cemeteries theretofore maintained and operated by any such city or town and proceed to maintain, manage, improve and operate the same under the provisions hereof. In such event the governing body of the city or town, after the transfer takes place, shall levy no cemetery tax.

Passed the House February 1, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 6, 1957.



CHAPTER 40.

[S. B. 77.]

CONVEYANCE OF TIDELANDS TO PORT OF GRAYS HARBOR.

AN ACT relating to certain tidelands in Grays Harbor county; authorizing and directing the governor to execute and the secretary of state to attest a deed to said tidelands to the port of Grays Harbor; amending section 4, chapter 27, Laws of 1913 (uncodified); and adding to chapter 27, Laws of 1913, a new section to be known as section 5.

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

SECTION 1. Section 4, chapter 27, Laws of 1913 (uncodified), is amended to read as follows:

All of the tidelands described in section 1 of this

1913 c 27 § 4 amended. Tideland grant.

act are hereby granted to the said port of Grays Harbor.

SEC. 2. There is added to chapter 27, Laws of 1913, a new section to be known as section 5 and to read as follows: New section.

The commissioner of public lands of the state of Washington is authorized and directed to certify to the governor in the manner provided by law, for deed without reservation to the port of Grays Harbor, all of the tidelands described in section 1 of this act, and the governor is authorized and directed to execute, and the secretary of state to attest with his signature and seal, in the manner provided by law, a correction deed conveying without reservation to the port of Grays Harbor all of said tidelands. Such deed shall supersede that prior deed to such property filed of record in the office of the commissioner of public lands at page 327, volume 12, of state record of tideland deeds. Conveyance to port of Grays Harbor directed.

Passed the Senate February 8, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 7, 1957.

CHAPTER 41.

[S. B. 104.]

PORT DISTRICTS—SALE OF SURPLUS LANDS.

AN ACT relating to certain port districts and the sale of surplus lands thereof, and repealing section 1, chapter 152, Laws of 1925, extraordinary session, and RCW 53.08.100.

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

Repeal.

SECTION 1. Section 1, chapter 152, Laws of 1925, extraordinary session, and RCW 53.08.100 are each hereby repealed.

Passed the Senate February 8, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 7, 1957.

CHAPTER 42.

[S. B. 47.]

URBAN RENEWAL LAW

AN ACT to provide for the rehabilitation, redevelopment, and clearance of blighted areas in cities and towns in this state in accordance with urban renewal plans approved by the governing bodies thereof; to define the duties, liabilities, exemptions and powers of such cities and towns in undertaking such activities, including the power to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future deteriorated or blighted areas, to issue revenue bonds and other obligations, to levy taxes and assessments and to enter into agreements to secure federal aid and comply with conditions imposed in connection therewith; to provide for an urban renewal agency and its powers hereunder if a city or town determines it to be in the public interest; to authorize public bodies to furnish funds, services, facilities and property in aid of urban renewal projects hereunder; and to provide that properties while held by a public agency hereunder shall be exempt from taxation.

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

SECTION 1. The following terms wherever used or referred to in this act, shall have the following meanings, unless a different meaning is clearly indicated by the context: Definitions.

(1) "Agency" or "urban renewal agency" shall mean a public agency created by section 16 of this act. "Agency,"
"urban
renewal
agency."

(2) "Blighted area" shall mean an area which, by reason of the substantial physical dilapidation, deterioration, defective construction, material, and arrangement and/or age or obsolescence of buildings or improvements, whether residential or nonresidential, inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality; inappropriate or mixed uses of land or buildings; high density of population and overcrowding; defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility or usefulness; excessive land coverage; insanitary or unsafe conditions; deterioration of site; diversity of ownership; tax or special assessment delinquency exceeding the fair value of the land; defective or unusual conditions of title; improper subdivision or obsolete platting; or the existence of conditions which endanger life or property by fire or other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime; substantially impairs or arrests the sound growth of the city or its environs, retards the provision of housing accommodations or constitutes an economic or social liability, and/or is detrimental, or constitutes a menace, to the public health, safety, welfare, and morals in its present condition and use. "Blighted
area."

Definitions.
"Bonds."

(3) "Bonds" shall mean any bonds, notes, or debentures (including refunding obligations) herein authorized to be issued.

"Clerk."

(4) "Clerk" shall mean the clerk or other official of the municipality who is the custodian of the official records of such municipality.

"Federal government."

(5) "Federal government" shall include the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

"Local governing body."

(6) "Local governing body" shall mean the council or other legislative body charged with governing the municipality.

"Mayor."

(7) "Mayor" shall mean the chief executive of a city or town.

"Municipality."

(8) "Municipality" shall mean any incorporated city or town in the state.

"Obligee."

(9) "Obligee" shall include any bondholder, agent or trustees for any bondholders, or lessor demising to the municipality property used in connection with an urban renewal project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality.

"Person."

(10) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or school district; and shall include any trustee, receiver, assignee, or other person acting in a similar representative capacity.

"Public body."

(11) "Public body" shall mean the state or any municipality, township, board, commission, district, or any other subdivision or public body of the state.

"Public officer."

(12) "Public officer" shall mean any officer who is in charge of any department or branch of the government of the municipality relating to health, fire, building regulations, or to other activities concerning dwellings in the municipality.

"Real property."

(13) "Real property" shall include all lands, in-

cluding improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest, right and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise.

Definitions.

(14) "Redevelopment" may include (a) acquisition of a blighted area or portion thereof; (b) demolition and removal of buildings and improvements; (c) installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions of this act in accordance with the urban renewal plan, and (d) making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the municipality itself) at its fair value for uses in accordance with the urban renewal plan.

"Redevelopment."

(15) "Rehabilitation" may include the restoration and renewal of a blighted area or portion thereof, in accordance with an urban renewal plan, by (a) carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements; (b) acquisition of real property and demolition or removal of buildings and improvements thereon where necessary to eliminate unhealthful, insanitary or unsafe conditions, lessen density, reduce traffic hazards, eliminate obsolete or other uses detrimental to the public welfare, or otherwise to remove or prevent the spread of blight or deterioration, or to provide land for needed public facilities; (c) installation, construction or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions of this act; and (d) the disposition of any property acquired in such urban renewal area (including sale, initial leas-

"Rehabilitation."

Definitions.

ing, or retention by the municipality itself) at its fair value for uses in accordance with such urban renewal plan.

"Urban re-
newal area."

(16) "Urban renewal area" means a blighted area which the local governing body designates as appropriate for an urban renewal project or projects.

"Urban re-
newal plan."

(17) "Urban renewal plan" means a plan, as it exists from time to time, for an urban renewal project, which plan (a) shall conform to the comprehensive plan or parts thereof for the municipality as a whole; and (b) shall be sufficiently complete to indicate such land acquisition, demolition, and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban renewal area, zoning and planning changes, if any, land uses, maximum densities, building requirements, and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

"Urban re-
newal project."

(18) "Urban renewal project" may include undertakings or activities of a municipality in an urban renewal area for the elimination and for the prevention of the development or spread of blight, and may involve redevelopment in an urban renewal area, or rehabilitation in an urban renewal area, or any combination or part thereof in accordance with an urban renewal plan.

Declaration of
purpose and
necessity.

SEC. 2. It is hereby found and declared that blighted areas which constitute a serious and growing menace, injurious to the public health, safety, morals and welfare of the residents of the state exist in municipalities of the state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime and depreciation of property values, constitutes an economic and so-

cial liability, substantially impairs or arrests the sound growth of municipalities, retards the provision of housing accommodations, aggravates traffic problems and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of such areas is a matter of state policy and state concern in order that the state and its municipalities shall not continue to be endangered by areas which are focal centers of disease, promote juvenile delinquency, are conducive to fires, are difficult to police and to provide police protection for, and, while contributing little to the tax income of the state and its municipalities, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization and other forms of public protection, services, and facilities.

Declaration of purpose and necessity.

It is further found and declared that certain of such areas, or portions thereof, may require acquisition, clearance, and disposition subject to use restrictions, as provided in this act, since the prevailing condition of decay may make impracticable the reclamation of the area by rehabilitation; that other areas or portions thereof may, through the means provided in this act, be susceptible of rehabilitation in such a manner that the conditions and evils hereinbefore enumerated may be eliminated, remedied or prevented; and that to the extent feasible salvable blighted areas should be rehabilitated through voluntary action and the regulatory process.

It is further found and declared that the powers conferred by this act are for public uses and purposes for which public money may be expended and the power of eminent domain exercised; and that the necessity in the public interest for the provisions herein enacted is hereby declared as a matter of legislative determination.

Encourage-
ment of pri-
vate enter-
prise.

SEC. 3. A municipality, to the greatest extent it determines to be feasible in carrying out the provisions of this act, shall afford maximum opportunity, consistent with the sound needs of the municipality as a whole, to the rehabilitation or redevelopment of the urban renewal area by private enterprise. A municipality shall give consideration to this objective in exercising its powers under this act, including the formulation of a workable program, the approval of urban renewal plans (consistent with the comprehensive plan or parts thereof for the municipality), the exercise of its zoning powers, the enforcement of other laws, codes and regulations relating to the use of land and the use and occupancy of buildings and improvements, the disposition of any property acquired, and the provision of necessary public improvements.

Formulation
of workable
program.

SEC. 4. A municipality for the purposes of this act may formulate a workable program for utilizing appropriate private and public resources to eliminate, and prevent the development or spread of, blighted areas, to encourage needed urban rehabilitation, to provide for the redevelopment of such areas, or to undertake such of the aforesaid activities, or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for: the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation of blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds and other public improvements, by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures;

and the clearance and redevelopment of blighted areas or portions thereof.

SEC. 5. No municipality shall exercise any of the powers hereafter conferred upon municipalities by this act until after its local governing body shall have adopted a resolution finding that: (1) one or more blighted areas exist in such municipality; and (2) the rehabilitation, redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of such municipality.

Findings by local governing board required.

SEC. 6. (1) A municipality shall not approve an urban renewal project for an urban renewal area unless the local governing body has, by resolution, determined such area to be a blighted area and designated such area as appropriate for an urban renewal project. The local governing body shall not approve an urban renewal plan until a comprehensive plan or parts of such plan for an area which would include an urban renewal area for the municipality have been prepared as provided in chapter 35.63 RCW. For this purpose and other municipal purposes, authority is hereby vested in every municipality to prepare, to adopt, and to revise from time to time, a comprehensive plan or parts thereof for the physical development of the municipality as a whole (giving due regard to the environs and metropolitan surroundings), to establish and maintain a planning commission for such purpose and related municipal planning activities, and to make available and to appropriate necessary funds therefor. A municipality shall not acquire real property for an urban renewal project unless the local governing body has approved the urban renewal project plan in accordance with subsection (4) hereof.

Project approval in resolution.

Comprehensive plan required.

Authority vested in municipalities.

(2) The municipality may itself prepare or cause to be prepared an urban renewal plan, or any person or agency, public or private, may submit such a plan

Preparation of plan—Preliminary procedure.

to the municipality. Prior to its approval of an urban renewal project, the local governing body shall submit such plan to the planning commission of the municipality for review and recommendations as to its conformity with the comprehensive plan or parts thereof for the development of the municipality as a whole. The planning commission shall submit its written recommendations with respect to the proposed urban renewal plan to the local governing body within sixty days after receipt of it. Upon receipt of the recommendations of the planning commission, or if no recommendations are received within sixty days, then without such recommendations, the local governing body may proceed with the hearing on the proposed urban renewal project plan prescribed by subsection (3) hereof.

Hearing—
Notice.

(3) The local governing body shall hold a public hearing on an urban renewal plan after public notice thereof. Such notice shall be given by publication once each week for two consecutive weeks not less than ten nor more than thirty days prior to the date of the hearing in a newspaper having a general circulation in the urban renewal area of the municipality and by mailing a notice of such hearing not less than ten days prior to the date of the hearing to the persons whose names appear on the county treasurer's tax roll as the owner or reputed owner of the property, at the address shown on the tax roll. The notice shall describe the time, date, place, and purpose of the hearing, shall generally identify the urban renewal area affected, and shall outline the general scope of the urban renewal plan under consideration.

Factors necessary for approval of plan.

(4) Following such hearing, the local governing body may approve an urban renewal project if it finds that (a) a workable and feasible plan exists for making available adequate housing for the persons who may be displaced by the project; (b) the

urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole; (c) the urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise; and (d) a sound and adequate financial program exists for the financing of said project; (e) the urban renewal project area is a blighted area as defined in section 1 (2) hereof.

(5) An urban renewal project plan may be modified at any time by the local governing body: *Provided*, That if modified after the lease or sale by the municipality of real property in the urban renewal project area, such modification shall be subject to such rights at law or in equity as a lessee or purchaser, or his successor or successors in interest may be entitled to assert.

Modification
of plan.

Proviso.

(6) Upon the approval of an urban renewal project by a municipality, the provisions of the urban renewal plan with respect to the future use and building requirements applicable to the property covered by said plan shall be controlling with respect thereto.

Plan controls
future use.

SEC. 7. Every municipality shall have all the powers necessary or convenient to carry out and effectuate the purposes and provisions of this act, including the following powers in addition to others herein granted:

Certain
powers of mu-
nicipalities
enumerated.

(1) To undertake and carry out urban renewal projects within the municipality, to make and execute contracts and other instruments necessary or convenient to the exercise of its powers under this act, and to disseminate blight clearance and urban renewal information.

(2) To provide or to arrange or contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets,

Certain powers of municipalities enumerated.

roads, public utilities or other facilities for, or in connection with, an urban renewal project; to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements; and to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of an urban renewal project, and to include in any contract let in connection with such a project, provisions to fulfill such of said conditions as it may deem reasonable and appropriate.

(3) Within the municipality, to enter upon any building or property in any urban renewal area, in order to make surveys and appraisals, provided that such entries shall be made in such a manner as to cause the least possible inconvenience to the persons in possession, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; to acquire by purchase, lease, option, gift, grant, bequest, devise, eminent domain, or otherwise, any real property and such personal property as may be necessary for the administration of the provisions herein contained, together with any improvements thereon; to hold, improve, clear, or prepare for redevelopment any such property; to dispose of any real property; to insure or provide for the insurance of any real or personal property or operations of the municipality against any risks or hazards, including the power to pay premiums on any such insurance: *Provided*, That no statutory provision with respect to the acquisition, clearance, or disposition of property by public bodies shall restrict a municipality in the exercise of such functions with respect to an urban renewal project.

Proviso.

(4) To invest any urban renewal project funds

held in reserves or sinking funds or any such funds which are not required for immediate disbursement, in property or securities in which mutual savings banks may legally invest funds subject to their control; to redeem such bonds as have been issued pursuant to section 10 of this act at the redemption price established therein or to purchase such bonds at less than redemption price, all such bonds so redeemed or purchased to be cancelled.

Certain powers of municipalities enumerated.

(5) To borrow money and to apply for, and accept, advances, loans, grants, contributions and any other form of financial assistance from the federal government, the state, county, or other public body, or from any sources, public or private, for the purposes of this act, and to enter into and carry out contracts in connection therewith. A municipality may include in any application or contract for financial assistance with the federal government for an urban renewal project such conditions imposed pursuant to federal laws as the municipality may deem reasonable and appropriate and which are not inconsistent with the purposes of this act.

(6) Within the municipality, to make or have made all plans necessary to the carrying out of the purposes of this act and to contract with any person, public or private, in making and carrying out such plans and to adopt or approve, modify, and amend such plans. Such plans may include, without limitation: (a) a comprehensive plan or parts thereof for the locality as a whole, (b) urban renewal plans, (c) plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements, (d) plans for the enforcement of state and local laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements, and (e) appraisals,

Certain powers of municipalities enumerated.

title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects. The municipality is authorized to develop, test, and report methods and techniques, and carry out demonstrations and other activities, for the prevention and the elimination of urban blight and to apply for, accept, and utilize grants of, funds from the federal government for such purposes.

(7) To prepare plans for the relocation of families displaced from an urban renewal area, and to coordinate public and private agencies in such relocation, including requesting such assistance for this purpose as is available from other private and governmental agencies, both for the municipality and other parties.

(8) To appropriate such funds and make such expenditures as may be necessary to carry out the purposes of this act, and in accordance with state law: (a) levy taxes and assessments for such purposes; (b) acquire land by negotiation and/or eminent domain; (c) close, vacate, plan, or replan streets, roads, sidewalks, ways, or other places; (d) plan or replan, zone or rezone any part of the municipality; (e) adopt annual budgets for the operation of an urban renewal agency, department, or offices vested with urban renewal project powers under section 15 of this act; (f) enter into agreements with such agencies or departments (which agreements may extend over any period) respecting action to be taken by such municipality pursuant to any of the powers granted by this act.

(9) Within the municipality, to organize, coordinate, and direct the administration of the provisions of this act as they apply to such municipality in order that the objective of remedying blighted areas and preventing the causes thereof within such municipality may be most effectively promoted and

achieved, and to establish such new office or offices of the municipality or to reorganize existing offices in order to carry out such purpose most effectively.

Certain powers of municipalities enumerated.

(10) To exercise all or any part or combination of powers herein granted.

SEC. 8. A municipality shall have the right to acquire by condemnation, in accordance with the procedure provided for condemnation by such municipality for other purposes, any interest in real property, which it may deem necessary for an urban renewal project under this act after the adoption by the local governing body of a resolution declaring that the acquisition of the real property described therein is necessary for such purpose. Condemnation for urban renewal of blighted areas is declared to be a public use, and property already devoted to any other public use or acquired by the owner or his predecessor in interest by eminent domain may be condemned for the purposes of this act.

Eminent domain—
Right of.

The award of compensation for real property taken for such a project shall not be increased by reason of any increase in the value of the real property caused by the assembly, clearance, or reconstruction, or proposed assembly, clearance, or reconstruction in the project area. No allowance shall be made for the improvements begun on real property after notice to the owner of such property of the institution of proceedings to condemn such property. Evidence shall be admissible bearing upon the insanitary, unsafe, or substandard condition of the premises, or the unlawful use thereof.

SEC. 9. (1) A municipality may sell, lease, or otherwise transfer real property or any interest therein acquired by it for an urban renewal project, in an urban renewal area for residential, recreational, commercial, industrial, or other uses or for public use, and may enter into contracts with respect thereto, or may retain such property or inter-

Disposal of real property in urban renewal area.

Disposal of
real property
in urban re-
newal area.

Proviso.

est only for parks and recreation, education, public utilities, public transportation, public safety, health, highways, streets, and alleys, administrative buildings, or civic centers, in accordance with the urban renewal project plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of blighted areas or otherwise to carry out the purposes of this act: *Provided*, That such sale, lease, other transfer, or retention, and any agreement relating thereto, may be made only after the approval of the urban renewal plan by the local governing body. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the urban renewal plan, and may be obligated to comply with such other requirements as the municipality may determine to be in the public interest, including the obligation to begin, within a reasonable time, any improvements on such real property required by the urban renewal plan. Such real property or interest shall be sold, leased, otherwise transferred, or retained at not less than its fair value for uses in accordance with the urban renewal plan. In determining the fair value of real property for uses in accordance with the urban renewal plan, a municipality shall take into account, and give consideration to, the uses provided in such plan; the restrictions upon, and the covenants, conditions, and obligations assumed by, the purchaser or lessee or by the municipality retaining the property; and the objectives of such plan for the prevention of the recurrence of blighted areas. The municipality in any instrument of conveyance to a private purchaser or lessee may provide that such purchaser or lessee shall be without power to sell, lease, or otherwise transfer the real property with-

out the prior written consent of the municipality until he has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired by a municipality which, in accordance with the provisions of the urban renewal plan, is to be transferred, shall be transferred as rapidly as feasible, in the public interest, consistent with the carrying out of the provisions of the urban renewal plan. The inclusion in any such contract or conveyance to a purchaser or lessee of any such covenants, restrictions, or conditions (including the incorporation by reference therein of the provisions of an urban renewal plan or any part thereof) shall not prevent the recording of such contract or conveyance in the land records of the auditor or the county in which such city or town is located, in such manner as to afford actual or constructive notice thereof.

Disposal of real property in urban renewal area.

(2) A municipality may dispose of real property in an urban renewal area to private persons only under such reasonable competitive bidding procedures as it shall prescribe or as hereinafter provided in this subsection. A municipality may, by public notice by publication once each week for three consecutive weeks in a newspaper having a general circulation in the community, prior to the execution of any contract or deed to sell, lease, or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section, invite bids from, and make available all pertinent information to, private redevelopers or any persons interested in undertaking to redevelop or rehabilitate an urban renewal area, or any part thereof. Such notice shall identify the area, or portion thereof, and shall state that such further information as is available may be obtained at such office as shall be designated in said notice. The municipality shall consider all re-

Competitive bidding procedure required.

Disposal of
real property
in urban re-
newal area.

development or rehabilitation bids and the financial and legal ability of the persons making such bids to carry them out. The municipality may accept such bids as it deems to be in the public interest and in furtherance of the purposes of this act. Thereafter, the municipality may execute, in accordance with the provisions of subsection (1), and deliver contracts, deeds, leases, and other instruments of transfer.

Exception to
subsection (1).

(3) A municipality may operate and maintain real property acquired in an urban renewal area for a period of three years pending the disposition of the property for redevelopment, without regard to the provisions of subsection (1) above, for such uses and purposes as may be deemed desirable even though not in conformity with the urban renewal plan: *Provided*, That the municipality may, after a public hearing, extend the time for a period not to exceed three years.

Proviso.

Bonds—
Power to
issue.

SEC. 10. (1) A municipality shall have the power to issue bonds from time to time in its discretion to finance the undertaking of any urban renewal project under this act, including, without limiting the generality thereof, the payment of principal and interest upon any advances for surveys and plans for urban renewal projects, and shall also have power to issue refunding bonds for the payment or retirement of such bonds previously issued by it. Such bonds shall not pledge the general credit of the municipality and shall be made payable, as to both principal and interest, solely from the income, proceeds, revenues, and funds of the municipality derived from, or held in connection with, its undertaking and carrying out of urban renewal projects under this act: *Provided*, That payment of such bonds, both as to principal and interest, may be further secured by a pledge of any loan, grant, or contribution from the federal government or other

Proviso.

source, in aid of any urban renewal projects of the municipality under this act.

(2) Bonds issued under this section shall not constitute an indebtedness within the meaning of any constitutional or statutory debt limitation or restriction, and shall not be subject to the provisions of any other law or charter relating to the authorization, issuance, or sale of bonds. Bonds issued under the provisions of this act are declared to be issued for an essential public and governmental purpose, and, together with interest thereon and income therefrom, shall be exempted from all taxes.

Declaration
as to bonds.

(3) Bonds issued under this section shall be authorized by resolution or ordinance of the local governing body and may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, not exceeding six percent per annum, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium), be secured in such manner, and have such other characteristics, as may be provided by such resolution or trust indenture or mortgage issued pursuant thereto.

Issuance of
bonds—Form.

(4) Such bonds may be sold at not less than ninety-eight percent of par at public or private sale, or may be exchanged for other bonds on the basis of par: *Provided*, That such bonds may be sold to the federal government at private sale at not less than par and, in the event less than all of the authorized principal amount of such bonds is sold to the federal government, the balance may be sold at public or private sale at not less than ninety-eight per-

Sale pro-
cedure.

Proviso.

cent of par at an interest cost to the municipality of not to exceed the interest cost to the municipality of the portion of the bonds sold to the federal government.

Allocation of taxes from property to bond fund.

(5) The municipality may annually pay into a fund to be established for the benefit of such bonds any and all excess of the taxes received by it from the same property over and above the average of the annual taxes authorized without vote for a five-year period immediately preceding the acquisition of the property by the municipality for renewal purposes, such payment to continue until such time as all bonds payable from the fund are paid in full. Any other taxing unit in a municipality is authorized to allocate a like amount of such excess taxes to the municipality or municipalities in which it is situated.

Continuing validity of signatures.

(6) In case any of the public officials of the municipality whose signatures appear on any bonds or coupons issued under this act shall cease to be such officials before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such officials had remained in office until such delivery. Any provision of any law to the contrary notwithstanding, any bonds issued pursuant to this act shall be fully negotiable.

Bonds negotiable.

Construction given bonds in legal proceeding.

(7) In any suit, action, or proceeding involving the validity or enforceability of any bond issued under this act or the security therefor, any such bond reciting in substance that it has been issued by the municipality in connection with an urban renewal project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located, and carried out in accordance with the provisions of this act.

SEC. 11. All banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business, all insurance companies, insurance associations, and other persons carrying on an insurance business and all executors, administrators, curators, trustees, and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by a municipality pursuant to this act: *Provided*, That such bonds and other obligations shall be secured by an agreement between the issuer and the federal government in which the issuer agrees to borrow from the federal government and the federal government agrees to lend to the issuer, prior to the maturity of such bonds or other obligations, moneys in an amount which (together with any other moneys irrevocably committed to the payment of interest on such bonds or other obligations) will suffice to pay the principal of such bonds or other obligations with interest to maturity thereon, which moneys under the terms of said agreement are required to be used for the purpose of paying the principal of, and the interest on, such bonds or other obligations at their maturity. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

Bonds as legal investment, security.

Proviso

SEC. 12. (1) All property of a municipality, including funds, owned or held by it for the purposes

Property exempt from process.

of this act, shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall judgment against a municipality be a charge or lien upon such property: *Provided*, That the provisions of this section shall not apply to, or limit the right of, obligees to pursue any remedies for the enforcement of any pledge or lien given pursuant to this act by a municipality on its rents, fees, grants, or revenues from urban renewal projects.

Proviso.

Property exempt from taxes.

(2) The property of a municipality, acquired or held for the purposes of this act, is declared to be public property used for essential public and governmental purposes and such property shall be exempt from all taxes of the municipality, the county, the state, or any political subdivision thereof: *Provided*, That such tax exemption shall terminate when the municipality sells, leases, or otherwise disposes of such property in an urban renewal area to a purchaser or lessee which is not a public body or other organization normally entitled to tax exemption with respect to such property.

Proviso.

Certain powers of public body enumerated to carry out project.

SEC. 13. (1) For the purpose of aiding in the planning, undertaking, or carrying out of an urban renewal project located within the area in which it is authorized to act, any public body authorized by law or by this act, may, upon such terms, with or without consideration, as it may determine: (a) dedicate, sell, convey, or lease any of its interest in any property, or grant easements, licenses, or other rights or privileges therein to a municipality; (b) incur the entire expense of any public improvements made by such public body, in exercising the powers granted in this section; (c) do any and all things necessary to aid or cooperate in the planning or carrying out of an urban renewal plan; (d) lend, grant, or contribute funds to a municipality; (e) enter into agreements (which may extend over any period,

notwithstanding any provision or rule of law to the contrary) with a municipality or other public body respecting action to be taken pursuant to any of the powers granted by this act, including the furnishing of funds or other assistance in connection with an urban renewal project, and (f) cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone any part of the urban renewal area; and provide such administrative and other services as may be deemed requisite to the efficient exercise of the powers herein granted.

(2) Any sale, conveyance, lease, or agreement provided for in this section shall be made by a public body with appraisal, public notice, advertisement, or public bidding in accordance with the provisions of section 9 (2).

Section 9 (2)
applicable.

SEC. 14. Any instrument executed by a municipality and purporting to convey any right, title, or interest in any property under this act shall be conclusively presumed to have been executed in compliance with the provisions of this act insofar as title or other interest of any bona fide purchasers, lessees, or transferees of such property is concerned.

Construction
of instruments
of conveyance.

SEC. 15. (1) A municipality may itself exercise its urban renewal project powers (as herein defined) or may, if the local governing body by resolution determines such action to be in the public interest, elect to have such powers exercised by the urban renewal agency (created by section 16) or a department or other officers of the municipality or by any existing public body corporate, as they are authorized to exercise under this act.

Exercise of
urban renewal
project
powers.

Urban renewal
project
powers
enumerated.

(2) In the event the local governing body makes such determination, such body may authorize the urban renewal agency or department or other officers of the municipality to exercise any of the following urban renewal project powers:

(a) To formulate and coordinate a workable program as specified in section 4.

(b) To prepare urban renewal plans.

(c) To prepare recommended modifications to an urban renewal project plan.

(d) To undertake and carry out urban renewal projects as required by the local governing body.

(e) To make and execute contracts as specified in section 7, with the exception of contracts for the purchase or sale of real or personal property.

(f) To disseminate blight clearance and urban renewal information.

(g) To exercise the powers prescribed by section 7 (2), except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages, shall be reserved to the local governing body.

(h) To enter any building or property, in any urban renewal area, in order to make surveys and appraisals in the manner specified in section 7 (3).

(i) To improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area.

(j) To insure real or personal property as provided in section 7 (3).

(k) To effectuate the plans provided for in section 7 (6).

(l) To prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation.

(m) To prepare plans for carrying out a program of voluntary or compulsory repair and rehabilitation of buildings and improvements.

Urban renewal project powers enumerated.

(n) To conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects.

(o) To negotiate for the acquisition of land.

(p) To study the closing, vacating, planning, or replanning of streets, roads, sidewalks, ways, or other places and to make recommendations with respect thereto.

(q) To organize, coordinate, and direct the administration of the provisions of this act.

(r) To perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and the performance of the duties and responsibilities entrusted to the local governing body.

Any powers granted in this act that are not included in section 15 (2) as powers of the urban renewal agency or a department or other officers of a municipality in lieu thereof, may only be exercised by the local governing body or other officers, boards, and commissions as provided under existing law.

SEC. 16. (1) When a municipality has made the finding prescribed in section 5 and has elected to have the urban renewal project powers, as specified in section 15, exercised, such urban renewal project powers may be assigned to a department or other officers of the municipality or to any existing public body corporate, or the legislative body of a city may create an urban renewal agency in such municipality to be known as a public body corporate to which such powers may be assigned.

Assignment of urban renewal project powers.

(2) If the urban renewal agency is authorized to transact business and exercise powers hereunder,

Urban renewal agency.

Board of commissioners,
urban renewal
agency.

the mayor, by and with the advice and consent of the local governing body, shall appoint a board of commissioners of the urban renewal agency which shall consist of five commissioners. The initial membership shall consist of one commissioner appointed for one year, one for two years, one for three years, and two for four years; and each appointment thereafter shall be for four years.

(3) A commissioner shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.

The powers and responsibilities of an urban renewal agency shall be exercised by the commissioners thereof. A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers and responsibilities of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws shall require a larger number. Any persons may be appointed as commissioners if they reside within the municipality.

The urban renewal agency or department or officers exercising urban renewal project powers shall be staffed with the necessary technical experts and such other agents and employees, permanent and temporary, as it may require. An agency authorized to transact business and exercise powers under this act shall file, with the local governing body, on or before March 31st of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting

forth is assets, liabilities, income, and operating expense as of the end of such calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the municipality and that the report is available for inspection during business hours in the office of the city clerk and in the office of the agency.

Board of commissioners, urban renewal agency.

(4) For inefficiency, neglect of duty, or misconduct in office, a commissioner may be removed.

SEC. 17. For all of the purposes of this act, no person shall, because of race, creed, color, or national origin, be subjected to any discrimination.

Discrimination prohibited.

SEC. 18. No public official, department or division head of a municipality or urban renewal agency or department or officers which have been vested by a municipality with urban renewal project powers and responsibilities under section 15, shall voluntarily acquire any interest, direct or indirect, in any urban renewal project, or in any property included or planned to be included in any urban renewal project of such municipality, or in any contract or proposed contract in connection with such urban renewal project. Where such acquisition is not voluntary, the interest acquired shall be immediately disclosed in writing to the local governing body and such disclosure shall be entered upon the minutes of the governing body. If any such official, department or division head owns or controls, or owned or controlled within two years prior to the date of hearing on the urban renewal project, any interest, direct or indirect, in any property which he knows is included in an urban renewal project, he shall immediately disclose this fact in writing to the local governing body, and such disclosure shall be entered upon the minutes of the governing body, and any such official, department or division head shall not participate in any action on that particular project

Certain acts of public officials and employees prohibited.

Certain acts of public officials and employees prohibited.

by the municipality or urban renewal agency, department, or officers which have been vested with urban renewal project powers by the municipality pursuant to the provisions of section 15. A majority of the commissioners of an urban renewal agency exercising powers pursuant to this act shall not hold any other public office under the municipality other than their commissionership or office with respect to such urban renewal agency, department, or officers. Any violation of the provisions of this section shall constitute misconduct in office.

Severability.

SEC. 19. Notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Short title.

SEC. 20. This act shall be known and may be cited as the "Urban Renewal Law."

Passed the Senate February 8, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 7, 1957.

CHAPTER 43.

[H. B. 260.]

DISPENSING OPTICIANS—LICENSES.

AN ACT relating to dispensing opticians; providing for licensing, regulating and exemptions; providing penalties; and making an appropriation.

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

SECTION 1. Nothing in this act shall:

Construction.

(1) Be construed to limit or restrict a duly licensed physician or optometrist or employees working under the personal supervision of a duly licensed physician or optometrist from the practices enumerated in this act, and each such licensed physician and optometrist shall have all the rights and privileges which may accrue under this act to dispensing opticians licensed hereunder;

(2) Be construed to prohibit an unlicensed person from performing mechanical work upon inert matter in an optical office, laboratory or shop;

(3) Be construed to prohibit an unlicensed person from engaging in the sale of spectacles, eyeglasses, magnifying glasses, goggles, sunglasses, telescopes, binoculars, or any such articles which are completely preassembled and sold only as merchandise;

(4) Be construed to authorize or permit a licensee hereunder to hold himself out as being able to, or to offer to, or to undertake to attempt, by any manner of means, to examine or exercise eyes, diagnose, treat, correct, relieve, operate or prescribe for any human ailment, deficiency, deformity, disease or injury.

SEC. 2. The term "director" wherever used in this act shall mean the director of licenses of the state of Washington. The term "apprentice" wherever used in this act shall mean a person who shall

Definitions.
"Director."

"Apprentice."

be designated an apprentice in the records of the director at the request of a physician, registered optometrist or licensee hereunder, and who shall thereafter receive from such physician, registered optometrist or licensee hereunder training and direct supervision in the work of a dispensing optician.

Apprentices.

Proviso.

SEC. 3. No licensee hereunder may have more than two apprentices in training at one time: *Provided*, That the licensee shall be responsible for the acts of his apprentices in the performance of their work in the apprenticeship program: *Provided further*, That apprentices shall complete their apprenticeship in six years and shall not work longer as an apprentice unless the director determines, after a hearing, that the apprentice was prevented by causes beyond his control from completing his apprenticeship and becoming a licensee hereunder in six years.

Proviso.

Administra-
tion of act.

SEC. 4. This act shall be administered under and pursuant to the administrative code of the state of Washington contained in chapter 7, Laws of 1921 and chapter 43.24 RCW, as amended from time to time.

Examining
committee.

SEC. 5. The examining committee shall consist of three persons primarily engaged in the business of dispensing opticians and who currently hold a valid license under this act.

Dispensing
optician.

SEC. 6. A dispensing optician is a person who prepares duplications of, or prepares and dispenses lenses, spectacles, eyeglasses and/or appurtenances thereto to the intended wearers thereof on written prescriptions from physicians or optometrists, and in accordance with such prescriptions, measures, adapts, adjusts and fabricates such lenses, spectacles, eyeglasses and/or appurtenances thereto to the human face for the aid or correction of visual or ocular anomalies of the human eye: *Provided, how-*

Proviso.

ever, That contact lenses may be fitted only upon a written prescription of a physician or optometrist.

SEC. 7. Any applicant for a license shall be examined if he pays an examination fee of fifty dollars and certifies under oath that:

License applicant, examination fee.

(1) He is 21 years or more of age; and
 (2) He has graduated from an accredited high school; and

Eligibility requirements.

(3) He is a citizen of the United States or has declared his intention of becoming such citizen in accordance with law; and

(4) He is of good moral character; and

(5) He has either:

(a) Had at least three years of apprenticeship training; or

(b) Successfully completed a prescribed course in opticianry in a college or university approved by the director; or

(c) Been principally engaged in practicing as a dispensing optician not in the state of Washington for five years.

SEC. 8. The examination shall determine whether the applicant has a thorough knowledge of the principles governing the practice of a dispensing optician which is hereby declared necessary for the protection of the public health. The director shall license successful examinees and the license shall be conspicuously displayed in the place of business of the licensee.

Examination—
 Issuance and
 display of
 license.

SEC. 9. A license may be suspended or revoked when a licensee:

(1) Has been convicted of a felony involving moral turpitude; or

(2) Is addicted to the use of alcohol or any drugs;
 or

(3) Has used advertising, whether printed, radio, display, or of any other nature, which is fraudulent,

Revocation
 and suspension
 of licenses—
 Grounds.

Dispensing
opticians.
Revocation
and suspension
of licenses—
Grounds.

misleading or inaccurate in any material particular, or misrepresents in any way any goods, services, or credit terms, values, policies, services or the nature or form of the business conducted; or

(4) Has practiced fraud or deception in his application for or in his examination for license; or

(5) Has used the word "licensed," "registered," or any of their synonyms publicly, except as provided in section 8 of this act; or

(6) Has displayed or published, directly or indirectly by any means, a price, terms of payment, or a discount or a policy or practice of generally under-selling competitors, or any reference to the benefits available to the subscribers to any prepaid health plan; or

(7) Has participated in the division, assignment, rebate or refund of fees to a physician or optometrist in consideration of patient referrals; or

(8) Has bartered or given away as premiums in any manner either on his own account or as agent or representative for any other person, firm or corporation, any eyeglasses, spectacles, lenses or frames; or

(9) Has advertised the "free examinations of eyes," "free consultation," "consultation without obligation," "free advice," or any words or phrases of similar import which convey the impression to the public that eyes are examined free or of a character tending to deceive or mislead the public, or in the nature of "bait advertising"; or

(10) Has employed either directly or indirectly, any person commonly known as "cappers" or "steerers" to obtain business; or

(11) Has solicited, or employed any person to solicit from house to house; or

(12) Has used advertising offering a service to the public for which he is not licensed hereunder:

Provided, That nothing in this section shall prohibit

Proviso.

the optician from advertising merchandise for which the license which is the subject of this act is not required; or

(13) Has engaged in a group contract for the duplication of eyeglasses or spectacles without a written prescription from an optometrist or physician; or

(14) Has advertised the services of any other segment of the healing arts; or

(15) Has violated subsections (10) to (17) inclusive of RCW 18.53.140.

SEC. 10. The director, after a hearing, may for good cause reissue or reinstate the license of a person whose license has been revoked or suspended.

Reissuance and reinstatement of licenses.

SEC. 11. The director shall issue a license without examination to any person who makes application therefor within six months after the effective date of this act, pays a fee of fifty dollars and certifies under oath that he is of good moral character and has been actually and principally engaged in the practice of a dispensing optician in the state of Washington for a period of not less than six months immediately preceding the effective date of this act.

License for existing practitioner—Fee.

SEC. 12. Each licensee hereunder shall pay an annual renewal registration fee of twenty-five dollars, on or before the first day of July of each year, and thereupon the license of such person shall be renewed for a period of one year. Any failure to pay the annual renewal registration fee shall render the license invalid, but such license shall be reinstated upon written application therefor to the director and payment of a penalty of ten dollars, together with all delinquent annual license renewal fees.

Annual renewal of license—Fee.

Reinstatement—Penalty.

SEC. 13. There is created the opticians' account of the general fund. All fees required to be paid under the provisions of this act shall be paid to the

Optician's account created—Disposition of fees.

state treasurer to be paid into the opticians' account of the general fund.

Practicing
without license
—Penalty.

SEC. 14. It shall be a gross misdemeanor for any person to practice as a dispensing optician without a license or while his license is suspended or revoked.

Unlawful
practice may
be enjoined.

SEC. 15. If any person engages in the practice of a dispensing optician without possessing a valid license to do so, or if he violates the provisions of section 9 of this act, the attorney general, any prosecuting attorney, the director, or any citizen of the same county may maintain an action in the name of the state of Washington to enjoin such person from engaging in practice as a dispensing optician. The injunction shall not relieve from criminal prosecution, but the remedy by injunction shall be in addition to the liability of such offender to criminal prosecution and to suspension or revocation of his license.

Severability.

SEC. 16. If any provisions 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.

Appropriation.

SEC. 17. There is appropriated from the opticians' account of the general fund fifteen thousand dollars, or such lesser amount as is received by fees under this act, to carry out the provisions of this act.

Passed the House February 22, 1957.

Passed the Senate March 1, 1957.

Approved by the Governor March 7, 1957.

CHAPTER 44.

[S. B. 11.]

CITIES AND TOWNS—WARRANTS—APPROPRIATIONS.

AN ACT relating to budgets and expenditures in certain class cities; amending section 34, chapter 337, Laws of 1955 and RCW 35.33.100; and amending section 35, chapter 337, Laws of 1955 and RCW 35.33.150; and declaring an emergency.

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

SECTION 1. Section 34, chapter 337, Laws of 1955 and RCW 35.33.100 are each amended to read as follows:

RCW 35.33.100 amended.

All emergency expenditures shall be paid from any available funds or by the issuance of emergency warrants. If emergency warrants are issued, they shall be paid from any moneys on hand in the city treasury in the fund properly chargeable with such expenditures.

Emergency warrants.

If at any time there is insufficient money on hand in the fund with which to pay any emergency warrant, the warrant shall be registered, bear interest and be called in the same manner as other city warrants.

If such emergency expenditures are not paid from available funds during the year in which they were appropriated, the clerk shall include in the annual budget to be submitted to the city commission or mayor the total amount of emergency warrants issued during the preceding fiscal year; and at the time the final budget is adopted the city commission or council shall include in its tax levies a levy sufficient to reimburse the fund or funds out of which the emergency warrants were paid or shall budget an item from any revenue source available, for the fund or funds: *Provided*, That any or all of such warrants may be funded into bonds in any manner authorized by law if deemed advisable.

Proviso.

RCW 35.33.150
amended.

SEC. 2. Section 35, chapter 337, Laws of 1955 and RCW 35.33.150 are each amended to read as follows:

Unexpended
appropriations.

All appropriations, except those in special funds established by ordinance or those earmarked by state law to be used only for the purpose or purposes specified by the state law, shall lapse at the end of the fiscal year, but the account shall remain open for twenty days thereafter for the payment of claims incurred prior to the close of such year. Any claim presented after the twentieth day following the close of a fiscal year shall not be paid from the appropriations for that year but shall be provided for in the next ensuing budget: *Provided*, That this shall not prevent payment upon uncompleted improvements in progress at the close of the fiscal year.

Proviso.

Passed the Senate January 29, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

Explanatory
note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

The legislature in 1953, chapter 180, §§ 2, 3 amended RCW 35.33.100 and 35.33.150 as derived from section 6, chapter 158, Laws of 1923. Senate Bill 282 of the 1955 session (chapter 337, Laws of 1955) was a bill relating to the council manager plan of government. Sections 31 through 35 of that bill amended and divided section 6, chapter 158, Laws of 1923 by ratifying the division of that section into four RCW sections, (RCW 35.33.080, 35.33.090, 35.33.100 and 35.33.150) and actually amending the language of 35.33.080. The other three RCW sections, in accordance with legislative bill drafting style were set out in full without amendment. Apparently overlooked was the fact that 35.33.100 and 35.33.150 had been amended in 1953, for they were set forth in the 1955 bill in their former language, that is the RCW language as it was prior to the 1953 amendment. The instant bill amends 35.33.100 and 35.33.150 to restore the language of the 1953 amendments.

CHAPTER 45.

[S. B. 12.]

CIVIL PROCEDURE—NUISANCES.

AN ACT relating to nuisances; amending section 14, page 81, Laws of 1875, section 1248, Code 1881 and RCW 7.48.250; amending section 15, page 81, Laws of 1875, section 1249, Code 1881 and RCW 7.48.260; amending section 17, page 81, Laws of 1875, section 1251, Code 1881 and RCW 7.48.270; amending section 251, chapter 249, Laws of 1909 and RCW 9.66.040; and repealing section 16, page 81, Laws of 1875, Code 1881, section 1250 and RCW 7.48.261, and declaring an emergency.

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

SECTION 1. Section 14, page 81, Laws of 1875, section 1248 of the Code of 1881 and RCW 7.48.250 are each amended to read as follows:

RCW 7.48.250 amended.

Whoever is convicted of erecting, causing or contriving a public or common nuisance as described in this chapter, or at common law, when the same has not been modified or repealed by statute, where no other punishment therefor is specially provided, shall be punished by a fine not exceeding one thousand dollars, and the court with or without such fine, may order such nuisance to be abated, and issue a warrant as hereinafter provided: *Provided*, That orders and warrants of abatement shall not be issued by justices of the peace.

Nuisances.
Penalty—
Abatement.

Proviso.

SEC. 2. Section 15, page 81, Laws of 1875, section 1249, Code 1881 and RCW 7.48.260 are each amended to read as follows:

RCW 7.48.260 amended.

When, upon indictment or information, complaint or action, any person is adjudged guilty of a nuisance, if it be in superior court the court may in addition to the fine imposed, if any, or to the judgment for damages or costs, for which a separate execution may issue, order that such nuisance be abated, or removed at the expense of the defendant, and after inquiry into and estimating, as nearly as may be,

Nuisances.
Warrant of
abatement.

the sum necessary to defray the expenses of such abatement, the court may issue a warrant therefor: *Provided*, That if the conviction was had in a justice court, the justice of the peace shall not issue the order and warrant of abatement, but on application therefor, shall transfer the cause to the superior court which shall proceed to try the issue of abatement in the same manner as if the action had been originally commenced therein.

Proviso.

RCW 7.48.270 amended.

SEC. 3. Section 17, page 81, Laws of 1875, section 1251, Code 1881 and RCW 7.48.270 are each amended to read as follows:

Nuisances. Stay of warrant.

Instead of issuing such warrant, the court may order the same to be stayed upon motion of the defendant, and upon his entering into a bond in such sum and with such surety as the court may direct to the state, conditioned either that the defendant will discontinue said nuisance, or that within a time limited by the court, and not exceeding six months, he will cause the same to be abated and removed, as either is directed by the court, and upon his default to perform the condition of his bond, the same shall be forfeited, and the court, upon being satisfied of such default, may order such warrant forthwith to issue, and an order to show cause why judgment should not be entered against the sureties of said bond.

RCW 9.66.040 amended.

SEC. 4. Section 251, chapter 249, Laws of 1909 and RCW 9.66.040 are each amended to read as follows:

Abatement of nuisance.

Any court or magistrate before whom there may be pending any proceeding for a violation of RCW 9.66.030, shall, in addition to any fine or other punishment which it may impose for such violation, order such nuisance abated, and all property unlawfully used in the maintenance thereof destroyed by the sheriff at the cost of the defendant: *Provided*, That if the conviction was had in a justice court, the

Proviso.

justice of the peace shall not issue the order and warrant of abatement, but on application therefor, shall transfer the cause to the superior court which shall proceed to try the issue of abatement in the same manner as if the action had been originally commenced therein.

SEC. 5. Section 16, page 81, Laws of 1875, section 1250, Code 1881 and RCW 7.48.261 are each repealed. Repeal.

SEC. 6. 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. Emergency.

Passed the Senate January 24, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

This bill is a companion to the bill which was submitted for the purpose of deleting obsolete language relating to terms and vacations of court as it appears in various sections of the territorial laws.

It is submitted as a separate bill because the law of nuisance is partly criminal in nature. Only one section, RCW 7.48.270, is concerned with the deletion of language relating to terms and vacations of court. That section likewise contains language relating to the issuance of orders and warrants of abatement by justices of the peace, a practice which is disapproved in *State v. Schaffer*, 31 Wash. 305, on the ground that Article IV, section 6 of the state Constitution specially enumerates actions to prevent and abate a nuisance "so as to fall within the exclusive original jurisdiction of the superior courts . . ." This and other sections of the 1875 law as well as 1909 c 249 § 251, are herein proposed for amendment or repeal, deleting the language authorizing the issuance and enforcement of orders and warrants of abatement by justices of the peace, and adding language to carry out the construction of the *Schaffer* case, *supra*.

The repealed section, Code 1881 § 1250, RCW 7.48.261, provided as follows:

"When the conviction is had upon an action before a justice of the peace, and no appeal is taken, the justice, after estimating as aforesaid, the sum necessary to defray the expenses of removing or abating the nuisance, may issue a like warrant."

CHAPTER 46.

[S. B. 28.]

CRIMES—PERJURY.

AN ACT relating to the crime of perjury; amending section 99, chapter 249, Laws of 1909 and RCW 9.72.010, and section 104, chapter 249, Laws of 1909 and RCW 9.72.060.

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

RCW 9.72.010 amended.

SECTION 1. Section 99, chapter 249, Laws of 1909 and RCW 9.72.010 are each amended to read as follows:

Perjury—
First degree.

Every person who, in any action, proceeding, hearing, inquiry, or investigation, in any of which an oath may lawfully be administered, shall swear that he will testify, declare, depose, or certify truly, or that any testimony, declaration, deposition, certificate, affidavit, or other writing by him sworn to or affirmed or subscribed as true, and who, in any such action, proceeding, hearing, inquiry, or investigation shall state or subscribe as true any material matter which he knows to be false, shall be guilty of perjury in the first degree and shall be punished by imprisonment in the state penitentiary for not more than fifteen years.

RCW 9.72.060 amended.

SEC. 2. Section 104, chapter 249, Laws of 1909 and RCW 9.72.060 are each amended to read as follows:

Perjury.
Deposition—
When complete.

The making of a deposition, certificate, or affidavit shall be deemed to be complete when it is sworn to or affirmed by a person: (a) after signature has been waived by stipulation of such person; or (b) when it is subscribed to by such person with intent that it be uttered or published as true.

Passed the Senate February 8, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 47.

[S. B. 68.]

PRESERVATION AND EXHIBITION OF HISTORICAL MATERIALS.

AN ACT relating to historical materials and amending sections 1, 2 and 3, chapter 160, Laws of 1949 and RCW 27.48.010 through 27.48.030.

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

SECTION 1. Section 1, chapter 160, Laws of 1949 and RCW 27.48.010 are each amended to read as follows:

RCW 27.48.010 amended.

The storage, preservation and exhibit of historical materials, including, but not restricted to, books, maps, writings, newspapers, ancient articles, and tools of handicraft, antiques, artifacts, and relics is declared to be a public project carried on for public purpose and the legislative body of any county, city or town, may provide quarters therefor within the territorial limits thereof and may provide funds necessary for the proper operation of any such institution already in operation, or otherwise provide for the preservation of historical material covered by this act.

Public purpose declared— Powers of counties and municipalities.

SEC. 2. Section 2, chapter 160, Laws of 1949 and RCW 27.48.020 are each amended to read as follows:

RCW 27.48.020 amended.

The maximum amount which any county may expend for these purposes in any one year shall be as follows:

Limitation of county expenditures.

(1) For a county with a population of not over twenty-five thousand, the maximum shall be three thousand dollars;

(2) For a county with a population of not over fifty thousand, the maximum shall be five thousand dollars;

(3) For a county with a population of over fifty thousand, the maximum shall be ten thousand dollars.

RCW 27.48.030
amended.

Custody of
historical
materials.

SEC. 3. Section 3, chapter 160, Laws of 1949 and RCW 27.48.030 are each amended to read as follows:

A county, city or town which has provided quarters for the storage, preservation, or exhibit of historical materials may award custody thereof, as trustee, to the Washington State Historical Society, or the Eastern Washington State Historical Society, or the State Capitol Historical Association, or any organization sponsoring the exhibit thereof if such organization be affiliated with or approved by the Washington State Historical Society or the Eastern Washington State Historical Society.

Passed the Senate February 6, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 48.

[S. B. 84.]

CRIMINAL PROCEDURE—CRIMINALLY INSANE.

AN ACT relating to the criminally insane, and amending section 8, chapter 30, Laws of 1907 and RCW 10.76.060, and section 6, chapter 30, Laws of 1907 and RCW 10.76.070, and section 10, chapter 30, Laws of 1907 and RCW 10.76.090.

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

SECTION 1. Section 8, chapter 30, Laws of 1907 and RCW 10.76.060 are each amended to read as follows:

RCW 10.76.060 amended.

The authorities charged with the maintenance and conduct of Eastern State Hospital shall forthwith provide a ward or department in the hospital wherein shall be confined persons committed as criminally insane. Such persons shall be under the custody and control of the superintendent of the hospital to the same extent that other persons are who are committed to his custody, but such provision shall be made for their control, care and treatment as is proper in view of their derangement. Any person so committed shall not be discharged from the custody of the superintendent save upon the order of a court of competent jurisdiction made after a trial and judgment of discharge.

Eastern State Hospital ward to house criminally insane—Custody.

When any person so committed petitions for a discharge, the superintendent of the hospital shall send him in the custody of a guard to the county where the hearing is to be held at the time the case is called for trial. During the time he is absent from the hospital, he shall be confined in the county jail, but shall at all times be deemed to be in the custody of the guard. If he is remitted to custody, the guard shall forthwith return him to the hospital.

Custody upon petition for discharge.

If the state does not desire to appeal, the order of discharge shall be sufficient acquittal to the super-

intendent. If the state does appeal from an order of discharge, it shall operate as a stay, and the person in custody shall so remain and be forthwith returned to the hospital until the supreme court has rendered a final decision in the cause.

RCW 10.76.070
amended.

SEC. 2. Section 6, chapter 30, Laws of 1907 and RCW 10.76.070 are each amended to read as follows:

Procedure to
secure dis-
charge from
confinement as
criminally
insane.

When any person committed under the authority of this chapter claims to have become sane or mentally responsible and to be free from danger of any relapse or recurrence of mental unsoundness and a safe person to be at large, he shall apply to the physician in charge of the criminal insane for an examination of his mental condition and fitness to be at large. If the physician certifies to the superintendent of the hospital that there is reasonable cause to believe that the person has become sane since his commitment and is a safe person to be at large, the superintendent shall permit him to present a petition to the court that committed him, setting up the facts leading to his commitment, and that he has since become sane and mentally responsible, and is in such condition that he is a safe person to be at large, and shall pray his discharge from custody.

The petition shall be served upon the prosecuting attorney of the county, and it shall be his duty to resist the application. No other pleadings than the petition need be filed, and the court shall set the cause down for trial before a jury, and the trial shall proceed as in other cases. The sole issue to be tried in the case shall be whether the person petitioning for a discharge has, since his commitment, become a safe person to be at large, and the burden of proof shall be upon him. If the evidence given upon his trial upon the criminal charge has been preserved by a certified statement of facts or bill of exceptions filed in the cause, either party may read such parts

of the record as may be desired as evidence upon the hearing.

Procedure to secure discharge from confinement as criminally insane.

The jury shall be required to find whether the petitioner has become sane since his commitment, is not liable to a recurrence of the mental unsoundness or relapse, and is a safe person to be at large. If they so find, he shall be entitled to discharge. If not, his petition shall be dismissed, and he shall be remitted to custody. Either party may appeal to the supreme court from the judgment discharging the petitioner or remitting him to custody. The procedure on appeal shall be the same as in other cases. The judgment of remission shall be conclusive that the petitioner is an unsafe person to be at large at the time of its entry.

If he subsequently claims to have become sane and a safe person to be at large, he may upon a certificate of probable cause by the attending physician, which shows a change in his mental condition since the last trial, his present sanity and fitness to be at large, again petition for discharge, and the proceedings thereon shall be as hereinabove provided.

SEC. 3. Section 10, chapter 30, Laws of 1907 and RCW 10.76.090 are each amended to read as follows:

RCW 10.76.090 amended.

The prosecuting attorney of any county wherein a person may have been acquitted of a crime because of his insanity or mental irresponsibility may cause any such person who is not in custody to be brought before the superior court of that county for trial as to the question of his sanity or mental responsibility by filing a petition in the name of the state setting up the commission of a crime by such a person, his acquittal thereof because of his insanity, and his insanity or mental irresponsibility at the present time. The cause shall be tried to a jury as in this chapter provided.

Commitment after acquittal.

The evidence given upon the trial of the criminal charge, if preserved by a statement of facts or bill

Commitment
after acquittal.

of exceptions, may be read in evidence, or the witnesses testifying upon the former trial may themselves be called. The jurors trying the criminal charge may testify as to the ground of acquittal. If the jury finds that the defendant committed a crime, that he was acquitted thereof because of insanity, and that he is now insane or mentally irresponsible and an unsafe person to be at large, such person shall be committed to the hospital as a criminally insane person and be confined under the provisions of this chapter; otherwise, he shall be discharged. Either party may appeal to the supreme court. The procedure on appeal shall be the same as in other cases.

Passed the Senate February 14, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 49.

[S. B. 85]

MENTAL ILLNESS—HOSPITALIZATION.

AN ACT relating to the commitment of mentally ill persons, and amending section 28, chapter 139, Laws of 1951 and RCW 71.02.130.

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

RCW 71.02.130
amended.

SECTION 1. Section 28, chapter 139, Laws of 1951 and RCW 71.02.130 are each amended to read as follows:

Mentally ill.
Detention
wards,
counties.

There shall be set aside in each county of the state of Washington having a county hospital, such portions of such hospital as may be necessary for the detention and observation of those persons detained under the provisions of this chapter pending further proceedings. In each such hospital there shall be separate detention wards for males and females. The superior court may order the examina-

tion of such persons by medical personnel for the purpose of obtaining testimony as to the alleged mentally ill person's condition. Such observation period shall not exceed sixty days unless a jury trial has been demanded: *Provided*, That in all counties having no county hospital, the court may designate as a detention ward the nearest state hospital for the mentally ill or such other place of detention and treatment as it may deem suitable for the purpose of this chapter, and the superintendents of the state hospitals for the mentally ill so designated shall admit such persons committed thereto in accordance with the provisions of this section: *Provided further*, That liability for the cost of detention and observation in a state hospital and responsibility for transportation to the hospital and return of the patient to the court shall be upon the county of the committing court.

Mentally ill.
Examination
of patient,
county deten-
tion wards—
Duration.

Proviso.

Proviso.

Passed the Senate February 15, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 50.

[S. B. 8.]

CIVIL PROCEDURE—EVIDENCE.

AN ACT relating to civil procedure; and repealing sections 306-310, pages 189-190, Laws of 1854, sections 399, 401-403, pages 106-107, Laws of 1869, sections 406, 408-410, pages 88-89, Laws of 1877, sections 404-408, Code 1881, sections 4-6, chapter 19, Laws of 1891, section 1, chapter 100, Laws of 1897 and RCW 5.04.020-5.04.060; repealing sections 315-320, 323, pages 192-193, Laws of 1854, sections 407, 415, pages 109, 111, Laws of 1869, section 412, page 114, Laws of 1873, sections 412, 415, 418-423, pages 90-91, Laws of 1877, sections 410, 413-421, Code 1881, sections 10-15, chapter 19, Laws of 1891, section 2, chapter 37, Laws of 1925 extraordinary session, section 1, chapter 96, Laws of 1927 and RCW 5.08.010-5.08.100 and 5.16.020; repealing sections 314, 321, pages 190, 192, Laws of 1854, sections 405, 412,

pages 108, 110, Laws of 1869, sections 413, 424, pages 90, 92, Laws of 1877, sections 411, 422, Code 1881, section 1, page 29, Laws of 1888, sections 7-9, chapter 19, Laws of 1891, sections 1-3, chapter 26, Laws of 1901, section 1, chapter 37, Laws of 1925 extraordinary session and RCW 5.12-.010-5.12.060; repealing section 322, page 193, Laws of 1854, section 413, page 111, Laws of 1869, section 414, page 90, Laws of 1877, section 412, Code 1881 and RCW 5.16.010; repealing sections 327-331, pages 193-194, Laws of 1854, sections 419-423, pages 113-114, Laws of 1869, sections 425-429, page 93, Laws of 1877, sections 423-427, Code 1881, sections 17, 18, chapter 19, Laws of 1891, section 1, chapter 26, Laws of 1905 and RCW 5.20.010-5.20.060; repealing section 1, chapter 63, Laws of 1915 and RCW 5.32.010; repealing section 332, page 195, Laws of 1854, section 424, page 114, Laws of 1869, section 430, page 94, Laws of 1877, section 428, Code 1881 and RCW 5.36.010; and declaring an emergency.

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

Repeal.

SECTION 1. The following sections are repealed:

(1) Section 306, page 189, Laws of 1854, section 399, page 107, Laws of 1869, section 406, page 89, Laws of 1877, section 404, Code 1881 and RCW 5.04-.020;

(2) Section 307, page 189, Laws of 1854, section 405, Code 1881, section 1, chapter 100, Laws of 1897 and RCW 5.04.030;

(3) Section 308, page 189, Laws of 1854, section 401, page 107, Laws of 1869, section 408, page 89, Laws of 1877, section 406, Code 1881, section 4, chapter 19, Laws of 1891 and RCW 5.04.040;

(4) Section 309, page 189, Laws of 1854, section 402, page 107, Laws of 1869, section 409, page 89, Laws of 1877, section 407, Code 1881, section 5, chapter 19, Laws of 1891 and RCW 5.04.050;

(5) Section 310, page 190, Laws of 1854, section 403, page 107, Laws of 1869, section 410, page 89, Laws of 1877, section 408, Code 1881, section 6, chapter 19, Laws of 1891 and RCW 5.04.060;

(6) Section 412, page 90, Laws of 1877, section

410, Code 1881, section 1, chapter 96, Laws of 1927 and RCW 5.08.010; Repeal.

(7) Section 323, page 193, Laws of 1854, section 415, page 111, Laws of 1869, section 412, page 114, Laws of 1873, section 415, page 90, Laws of 1877, sections 413, 414, Code 1881, section 10, chapter 19, Laws of 1891, section 2, chapter 37, Laws of 1925 extraordinary session and RCW 5.08.020 and 5.16.020;

(8) Section 415, Code of 1881, section 11, chapter 19, Laws of 1891 and RCW 5.08.030;

(9) Section 315, page 191, Laws of 1854, section 418, page 91, Laws of 1877, section 416, Code 1881, section 12, chapter 19, Laws of 1891 and RCW 5.08-.040;

(10) Section 317, page 191, Laws of 1854, section 420, page 91, Laws of 1877, section 418, Code 1881 and RCW 5.08.050 and 5.08.070;

(11) Section 316, page 191, Laws of 1854, section 407, page 109, Laws of 1869; section 419, page 91, Laws of 1877, section 417, Code 1881, section 13, chapter 19, Laws of 1891 and RCW 5.08.060;

(12) Section 318, page 192, Laws of 1854, section 421, page 92, Laws of 1877, section 419, Code 1881, section 14, chapter 19, Laws of 1891 and RCW 5.08-.080;

(13) Section 319, page 192, Laws of 1854, section 422, page 92, Laws of 1877, section 420, Code 1881 and RCW 5.08.090;

(14) Section 320, page 192, Laws of 1854, section 423, page 92, Laws of 1877, section 421, Code 1881, section 15, chapter 19, Laws of 1891 and RCW 5.08-.100;

(15) Section 314, page 190, Laws of 1854, section 405, page 108, Laws of 1869, section 413, page 90, Laws of 1877, section 411, Code 1881, section 1, page 29, Laws of 1888, section 7, chapter 19, Laws of 1891, section 1, chapter 37, Laws of 1925 extraordinary session and RCW 5.12.010;

Repeal.

(16) Section 8, chapter 19, Laws of 1891 and RCW 5.12.020;

(17) Section 321, page 192, Laws of 1854, section 412, page 110, Laws of 1869, section 424, page 92, Laws of 1877, section 422, Code 1881, section 9, chapter 19, Laws of 1891 and RCW 5.12.030;

(18) Section 1, chapter 26, Laws of 1901 and RCW 5.12.040;

(19) Section 2, chapter 26, Laws of 1901 and RCW 5.12.050;

(20) Section 3, chapter 26, Laws of 1901 and RCW 5.12.060;

(21) Section 322, page 193, Laws of 1854, section 413, page 111, Laws of 1869, section 414, page 90, Laws of 1877, section 412, Code 1881 and RCW 5.16-.010;

(22) Section 327, page 193, Laws of 1854, section 419, page 113, Laws of 1869, section 425, page 93, Laws of 1877, section 423, Code 1881, section 17, chapter 19, Laws of 1891 and RCW 5.20.010;

(23) Section 328, page 194, Laws of 1854, section 420, page 113, Laws of 1869, section 426, page 93, Laws of 1877, section 424, Code 1881 and RCW 5.20-.020;

(24) Section 329, page 194, Laws of 1854, section 421, page 113, Laws of 1869, section 427, page 93, Laws of 1877, section 425, Code 1881, section 18, chapter 19, Laws of 1891 and RCW 5.20.030;

(25) Section 330, page 194, Laws of 1854, section 422, page 114, Laws of 1869, section 428, page 93, Laws of 1877, section 426, Code 1881 and RCW 5.20-.040;

(26) Section 331, page 194, Laws of 1854, section 423, page 114, Laws of 1869, section 429, page 93, Laws of 1877, section 427, Code 1881 and RCW 5.20-.050;

(27) Section 1, chapter 26, Laws of 1905 and RCW 5.20.060;

(28) Section 1, chapter 63, Laws of 1915 and Repeal.
RCW 5.32.010;

(29) Section 332, page 195, Laws of 1854, section 424, page 114, Laws of 1869, section 430, page 94, Laws of 1877, section 428, Code 1881 and RCW 5.36-.010.

SEC. 2. This act is necessary for the immediate Emergency.
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 January 24, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.) Explanatory note.

The above set forth statutes are herein repealed since they have been superseded and abrogated by RULES OF COURT, Pleading—Rule 44 (effective September 1, 1954) which rule reads as follows:

“Rules 26 to 37, inclusive, hereof shall supersede sections 1226, 1227, 1228, 1229, 1230, 1230-1, 1232-1253, inclusive, 1262 of Rem. Rev. Stat. (RCW 5.04.020-5.04.060; RCW 5.08; RCW 5.12; RCW 5.16; RCW 5.20; RCW 5.32.010 and 5.36.010), and any and all other court rules and statutes relating to the subject matter of Rules 26-37. All such superseded statutes and rules shall be of no further force or effect.”

CHAPTER 51.

[S. B. 14.]

CIVIL PROCEDURE—SPECIAL PROCEEDINGS.

AN ACT relating to civil procedure; amending section 6, page 40, Laws of 1886, section 1, chapter 41, Laws of 1903 and RCW 7.12.060; amending section 16, page 42, Laws of 1886 and RCW 7.12.160; amending section 20, page 43, Laws of 1886 and RCW 7.12.190; amending section 25, page 44, Laws of 1886 and RCW 7.12.210; amending section 26, page 44, Laws of 1886 and RCW 7.12.220; amending section 12, chapter 65, Laws of 1895 and RCW 7.16.120; amending section 28, chapter 65, Laws of 1895 and RCW 7.16.280; amending section 678, page 170, Laws of 1869, section 741, page 150, Laws of 1877, section 736, Code 1881 and RCW 7.20.120; amending section 117, page 153, Laws of 1854, section 157, page 39, Laws of 1869, section 159, page 33, Laws of 1877, section 159, Code 1881 and RCW 7.40.080; amending section 2, chapter 42, Laws of 1891 and RCW 7.44.021; amending section 562, page 145, Laws of 1869, section 613, page 127, Laws of 1877, section 608, Code 1881 and RCW 7.48.040; amending section 8, page 80, Laws of 1875, section 1242, Code 1881 and RCW 7.48.200; amending section 520, page 136, Laws of 1869, section 570, page 119, Laws of 1877, section 567, Code 1881 and RCW 7.52.160; amending section 539, page 140, Laws of 1869, section 590, page 122, Laws of 1877, section 586, Laws of 1881, section 585, Code 1881 and RCW 7.52.340; amending section 103, page 150, Laws of 1854, section 143, page 36, Laws of 1869, section 145, page 30, Laws of 1877, section 145, Code 1881 and RCW 7.64.040; amending section 105, page 151, Laws of 1854, section 145, page 36, Laws of 1869, section 147, page 31, Laws of 1877, section 147, Code 1881 and RCW 7.64.060; amending section 106, page 151, Laws of 1854, section 146, page 37, Laws of 1869, section 148, page 31, Laws of 1877, section 148, Code 1881 and RCW 7.64.070; repealing section 488, page 219, Laws of 1854 and section 748, Code 1881 (uncodified); repealing section 493, page 220, Laws of 1854 and section 750, Code 1881 (uncodified); and declaring an emergency.

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

RCW 7.12.060
amended.

SECTION 1. Section 6, page 40, Laws of 1886, section 1, chapter 41, Laws of 1903 and RCW 7.12.060 are each amended to read as follows:

Attachments.

Before the writ of attachment shall issue the

plaintiff, or someone in his behalf, shall execute and file with the clerk a surety bond or undertaking in the sum in no case less than three hundred dollars, in the superior court, nor less than fifty dollars in the justice court, and double the amount for which plaintiff demands judgment, conditional that the plaintiff will prosecute his action without delay and will pay all costs that may be adjudged to the defendant, and all damages which he may sustain by reason of the attachment, not exceeding the amount specified in such bond or undertaking, as the penalty thereof, should the same be wrongfully, oppressively or maliciously sued out. With said bond or undertaking there shall also be filed the affidavit of the sureties, from which it must appear that such sureties are qualified and that they are, taken together, worth the sum specified in the bond or undertaking, over and above all debts and liabilities, and property exempt from execution. No person not qualified to become surety as provided by law, shall be qualified to become surety upon a bond or undertaking for an attachment: *Provided*, That when it is desired to attach real estate only, and such fact is stated in the affidavit for attachment and the ground of attachment is that the defendant is a foreign corporation or is not a resident of the state, or conceals himself so that the ordinary process of law cannot be served upon him, or has absconded or absented himself from his usual place of abode, so that the ordinary process of law cannot be served upon him, the writ of attachment shall issue without bond or undertaking by or on behalf of the plaintiff: *And provided further*, That when the claim, debt or obligation whether in contract or tort, upon which plaintiff's cause of action is based, shall have been assigned to him, and his immediate or any other assignor thereof retains or has any interest therein, then the plaintiff and every assignor of said claim, debt or obligation who retains or has any interest therein,

Attachment
bond.

Proviso.

Proviso.

shall be jointly and severally liable to the defendant for all costs that may be adjudged to him and for all damages which he may sustain by reason of the attachment, should the same be wrongfully, oppressively or maliciously sued out.

RCW 7.12.160
amended.

SEC. 2. Section 16, page 42, Laws of 1886 and RCW 7.12.160 are each amended to read as follows:

Attachment.
Sale of
property be-
fore judgment.

If any of the property attached be perishable or in danger of serious and immediate waste or decay, the sheriff shall sell the same in the manner in which such property is sold on execution. Whenever it shall be made to appear satisfactorily to the court or judge that the interest of the parties to the action will be subserved by a sale of any attached property, the court or judge may order such property to be sold in the same manner as like property is sold under execution. Such order shall be made only upon notice to the adverse party or his attorney in case such party shall have been personally served with a summons in the action.

RCW 7.12.190
amended.

SEC. 3. Section 20, page 43, Laws of 1886 and RCW 7.12.190 are each amended to read as follows:

Attachment
of moneys in
court.

When the property to be attached is a fund in court, the execution of a writ of attachment shall be by leaving with the clerk of the court a copy thereof, with notice in writing specifying the fund.

RCW 7.12.210
amended.

SEC. 4. Section 25, page 44, Laws of 1886 and RCW 7.12.210 are each amended to read as follows:

Subjection of
attached
property to
judgment.

If judgment be recovered by the plaintiff the sheriff shall satisfy the same out of the property attached by him which has not been delivered to the defendant or claimant as in this chapter provided or subjected to execution on another judgment recovered previous to the issuing of the attachment, if it be sufficient for that purpose:

(1) By applying on the execution issued on said judgment the proceeds of all sales of perishable or

other property sold by him, or so much as shall be necessary to satisfy the judgment.

(2) If any balance remain due he shall sell under the execution so much of the property, real or personal, as may be necessary to satisfy the balance, if enough for that purpose remain in his hands.

Notice of the sale shall be given and the sale conducted as in other cases of sales on execution.

SEC. 5. Section 26, page 44, Laws of 1886 and RCW 7.12.220 are each amended to read as follows:

If after selling all the property attached by him remaining in his hands, and applying the proceeds, deducting his fees, to the payment of the judgment, any balance shall remain due, the sheriff shall proceed to collect such balance as upon an execution in other cases. Whenever the judgment shall have been paid the sheriff, upon reasonable demand, shall deliver over to the defendant the attached property remaining in his hands and any proceeds of the property attached unapplied on the judgment.

RCW 7.12.220 amended.

Procedure when attached property insufficient.

Surplus to defendant.

SEC. 6. Section 12, chapter 65, Laws of 1895 and RCW 7.16.120 are each amended to read as follows:

The questions involving the merits to be determined by the court upon the hearing are:

RCW 7.16.120 amended.

Certiorari. Questions involving merits to be determined.

(1) Whether the body or officer had jurisdiction of the subject matter of the determination under review.

(2) Whether the authority, conferred upon the body or officer in relation to that subject matter, has been pursued in the mode required by law, in order to authorize it or to make the determination.

(3) Whether, in making the determination, any rule of law affecting the rights of the parties thereto has been violated to the prejudice of the relator.

(4) Whether there was any competent proof of all the facts necessary to be proved, in order to authorize the making of the determination.

(5) If there was such proof, whether there was,

upon all the evidence, such a preponderance of proof, against the existence thereof, rendered in an action in a court, triable by a jury, as would be set aside by the court, as against the weight of evidence.

RCW 7.16.280
amended.

SEC. 7. Section 28, chapter 65, Laws of 1895 and RCW 7.16.280 are each amended to read as follows:

Mandamus.
Enforcement
of writ—
Penalty.

When a temporary mandate has been issued and directed to any inferior tribunal, corporation, board or person upon whom the writ has been personally served and such tribunal, corporation, board, or person has without just excuse, refused or neglected to obey the same, the court may, upon motion, impose a fine not exceeding one thousand dollars. In case of persistence in a refusal or disobedience, the court may order the party to be imprisoned until the writ is obeyed, and may make any orders necessary and proper for the complete enforcement of the writ.

RCW 7.20.120
amended.

SEC. 8. Section 678, page 170, Laws of 1869, section 741, page 150, Laws of 1877, section 736, Code 1881 and RCW 7.20.120 are each amended to read as follows:

Contempts.
Offender may
be indicted.

Persons proceeded against according to the provisions of this chapter, are also liable to indictment or information for the same misconduct, if it be an indictable offense, but the court before which a conviction is had on the indictment or information in passing sentence shall take into consideration the punishment before inflicted.

RCW 7.40.080
amended.

SEC. 9. Section 117, page 153, Laws of 1854, section 157, page 39, Laws of 1869, section 159, page 33, Laws of 1877, section 159, Code 1881 and RCW 7.40.080 are each amended to read as follows:

Injunctions.
Injunction
bond.

No injunction or restraining order shall be granted until the party asking it shall enter into a bond, in such a sum as shall be fixed by the court or judge granting the order, with surety to the satisfaction of the clerk of the superior court, to the adverse party affected thereby, conditioned to pay

all damages and costs which may accrue by reason of the injunction or restraining order. The sureties shall, if required by the clerk, justify as provided by law, and until they so justify, the clerk shall be responsible for their sufficiency.

SEC. 10. Section 2, chapter 42, Laws of 1891 and RCW 7.44.021 are each amended to read as follows:

RCW 7.44.021 amended.

Upon such affidavit and complaint being filed, the clerk shall issue an order of arrest and bail, directed to the sheriff, which shall be issued, served and returned in all respects as such orders in other cases; before such order shall issue the plaintiff shall file in the office of the clerk a bond, with sufficient surety, to be approved by the clerk, conditioned that the plaintiff will pay the defendant such damages and costs as he shall wrongfully sustain by reason of the action, which surety shall justify as provided by law.

Re exeat.
Arrest and
bail—Bond.

SEC. 11. Section 562, page 145, Laws of 1869, section 613, page 127, Laws of 1877, section 608, Code 1881 and RCW 7.48.040 are each amended as follows:

RCW 7.48.040 amended.

At any time before the order is made or the warrant issues, the defendant may, on motion to the court or judge thereof, have an order to stay the issue of such warrant for such period as may be necessary, not exceeding six months, to allow the defendant to abate the nuisance himself, upon his giving bond to the plaintiff in a sufficient amount with one or more sureties, to the satisfaction of the court or judge thereof, that he will abate it within the time and in the manner specified in such order. The sureties shall justify as provided by law. If the defendant fails to abate such nuisance within the time specified, the warrant for the abatement of the nuisance may issue as if the same had not been stayed.

Nuisances.
Stay of issuance of
warrant.

RCW 7.48.200 amended.

SEC. 12. Section 8, page 80, Laws of 1875, section 1242, Code 1881 and RCW 7.48.200 are each amended to read as follows:

Nuisances. Remedies.

The remedies against a public nuisance are: Indictment or information, a civil action, or abatement. The remedy by indictment or information shall be as regulated and prescribed in this chapter. When a civil action for damage is resorted to, the practice shall conform to RCW 7.48.010 through 7.48.040.

RCW 7.52.160 amended.

SEC. 13. Section 520, page 136, Laws of 1869, section 570, page 119, Laws of 1877, section 567, Code 1881 and RCW 7.52.160 are each amended to read as follows:

Partition. Clerk's certificate of unsatisfied judgment liens.

If an order of sale be made before the distribution of the proceeds thereof, the plaintiff shall produce to the court the certificate of the clerk of the county where the property is situated, showing the liens remaining unsatisfied, if any, by judgment or decree upon the property or any portion thereof, and unless he do so the court shall order a referee to ascertain them.

RCW 7.52.340 enacted.

SEC. 14. Section 539, page 140, Laws of 1869, section 590, page 122, Laws of 1877, section 586, Laws of 1881, section 585, Code 1881 and RCW 7.52.340 are each enacted to read as follows:

Partition. Contingent or vested estates.

In all cases of sales in partition, when it appears that any person has a vested or contingent future right or estate therein, the court shall ascertain and settle the proportionate value of such contingent or vested right or estate, and shall direct such proportion of the proceeds of sale to be invested, secured or paid over in such manner as to protect the rights and interests of the parties.

RCW 7.64.040 amended.

SEC. 15. Section 103, page 150, Laws of 1854, section 143, page 36, Laws of 1869, section 145, page 30, Laws of 1877, section 145, Code 1881 and RCW 7.64-.040 are each amended to read as follows:

The defendant may, within three days after the service of a copy of the affidavit and bond, give notice to the sheriff that he excepts to the sufficiency of the sureties; if he fail to do so, he shall be deemed to have waived all objections to them. When the defendant excepts, the sureties shall justify on notice as provided by law, and the sheriff shall be responsible for the sufficiency of the sureties until the objection to them is either waived as above provided, or until they shall justify, or new sureties shall be substituted and justify. If the defendant except to the sureties, he cannot reclaim the property, as provided in RCW 7.64.050.

Replevin.
Objections to
bond.

Justification
of sureties.

SEC. 16. Section 105, page 151, Laws of 1854, section 145, page 36, Laws of 1869, section 147, page 31, Laws of 1877, section 147, Code 1881 and RCW 7.64.060 are each amended to read as follows:

RCW 7.64.060
amended.

The defendant's sureties, upon a notice to the plaintiff or his attorney, of not less than two, nor more than six days, shall justify as provided by law; upon such justification, the sheriff shall deliver the property to the defendant. The sheriff shall be responsible for the defendant's sureties until they justify, or until justification is completed, or expressly waived, and may retain the property until that time; but if they, or others in their place, fail to justify at the time and place appointed, he shall deliver the property to the plaintiff.

Replevin.
Justification of
defendant's
sureties.

SEC. 17. Section 106, page 151, Laws of 1854, section 146, page 37, Laws of 1869, section 148, page 31, Laws of 1877, section 148, Code 1881 and RCW 7.64.070 are each amended to read as follows:

RCW 7.64.070
amended.

The qualification of sureties and their justification shall be as prescribed by law.

Replevin.
Qualifications
of sureties.

SEC. 18. The following sections are repealed:

Repeal.

(1) Section 488, page 219, Laws of 1854 and section 748, Code 1881 (uncodified); and

Repeal.

(2) Section 493, page 220, Laws of 1854 and section 750, Code 1881 (uncodified).

Emergency.

SEC. 19. 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 January 24, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

Section 1. The language relating to bail upon arrest has been deleted since the law relating to bail on arrest in civil actions has been repealed and under present practice the qualification and justification of sureties appears to be governed generally by chapter 19.72 as to personal sureties and by chapter 48.28 as to corporate sureties. These statutes relating to bail upon arrest in civil actions were repealed by 1927 c 162 § 4 which was introduced by the joint committee on the revision of laws in 1927 Senate Bill 61. Appended to that printed bill was an analysis stating that the law would simply be repealed were it not for the fact that other statutes referred to the bail upon arrest provisions in defining the qualifications and justification of sureties. This section in the proposed bill is one of those other statutes. As indicated in that 1927 analysis it was necessary, as part of such act, to enact original provisions relating to personal sureties, now codified as RCW 19.72.020—19.72.050. Since sureties in these cases should qualify and justify as in other cases, and in order to avoid unnecessary amendment in the future, the amendatory language adopts the law as to sureties generally in preference to reference to specific code sections.

Sec. 2. The words deleted in the proposed bill relating to debts and credits appear in the territorial statute, 1886 p 42 § 16. While other sections of the act of 1886 have been repealed or amended (RCW 7.12.130 and 7.12.200) to delete provisions relating to debts and credits, this section was not so amended. The repeals and amendments were effected by 1927 Senate Bill No. 39 (chapter 100, Laws of 1927) which was introduced by the joint committee on revision of laws. The following note appears at the end of the printed bill:

"NOTE: We recommend the amendment of Sections 13 [RCW 7.12.130] and 21 [RCW 7.12.200] of the Act of 1885-6, pages 42 and 43, by omitting therefrom the clauses which related to the attachment of debts and personal property in the hands of third persons, and the repeal of Sections 18, 22, 23 and 24 of the same act relating to the same subject, for the reason that they are entirely superseded and impliedly repealed by Chapter LVI (56) of the Laws of 1893 relating to garnishments.

"In *Palto v. Aetna Casualty and Surety Co.*, 119 Wash. 101, at page 105, the court says:

"Under the attachment statute of 1886, garnishment was effected by service upon a debtor of the defendant of a copy of the writ of attachment, together with an appropriate notice of garnishment. The legislature of 1893 enacted the present garnishment statute, which in effect superseded the garnishment provisions of the attachment statute."

The garnishment provisions are presently found in chapter 7.32. All former compilations omitted the debts and credits language (except 2

Hill's Code § 303) seemingly relying upon *Wooding v. Puget Sound National Bank*, 11 Wash. 527; *Pierce v. Commercial Investment Company*, 30 Wash. 272.

Explanatory
note.

Sec. 3. The bracketed words "[a copy]" were added by the reviser to correct a manifest clerical omission. The section is amended to add these words.

Sec. 4. In subdivision (1) the language relating to debts and credits has been deleted, see note to section 2, *supra*.

Sec. 5. The language relating to debts and credits has been deleted, see note to section 2, *supra*.

Sec. 6. In subdivision (5) the bracketed word "[as]" was added by the reviser to correct a manifest clerical omission. The section is amended to add these words.

Sec. 7. The bracketed words "[and such tribunal, corporation, board, or person]" were added by the reviser to provide a complete and understandable sentence which had been incomplete by virtue of this clerical omission. The section is amended to add these words.

Sec. 8. The bracketed words "[or information]" were added in two instances by the reviser to conform to existing practice. The section is derived from Code 1881 § 736; however, since the adoption of the state Constitution such actions are proceeded upon by information in nearly every case. For a case arising under this section where an information was filed, see *State v. Tugwell*, 19 Wash. 243; see also state Constitution Art. 1 § 25. The section is amended to add these words.

Sec. 9. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 10. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 11. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 12. The bracketed words "[or information]" were added in two instances by the code reviser to conform to existing practice. This section is amended to add these words. See note to section 8, *supra*.

Sec. 13. The bracketed word "[clerk]" was added by the reviser since the section is derived from a territorial law which imposed the duties herein upon the county auditor. Presently the county clerk performs such duties (see chapters 4.56, 4.64 and 36.23). The section is amended to substitute "clerk" for "auditor."

Sec. 14. This section is reenacted in RCW language since the territorial laws from which it is derived contains obsolete language. All compilations following the Code of 1881 have omitted such language. Section 590 of the 1877 law and section 585 of the 1881 law included language which reads as follows:

"In all cases of sales in partition, when it appears that a married woman has an inchoate right of dower in any of the property sold, or that any person has a vested or contingent future right or estate therein, the court shall ascertain and settle the proportionate value of such inchoate, contingent or vested right or estate, and shall direct such proportion of the proceeds of sale to be invested, secured or paid over in such manner as to protect the rights and interests of the parties."

The language relating to dower and curtesy is manifestly obsolete in view of our probate and community property laws. See RCW, Title 11 and chapter 26.16. See also RCW 11.04.060 which reads:

"The provisions of RCW 11.04.020, as to the inheritance of the husband and wife from each other, apply only to the separate property of the decedents; and take the place of tenancy in dower and tenancy by curtesy, which are hereby abolished."

Compare also Code 1881 § 2414 which reads:

"No estate is allowed the husband as tenant by curtesy, upon the death of his wife, nor is any estate in dower allotted to the wife, upon the death of her husband."

Explanatory
note.

Court decisions indicate that the inchoate right of dower, as it existed in the Washington territory prior to the law which abolished such right, is conclusively gone. See *Ebey v. Ebey*, 1 W. T. 185; *Richards v. Bellingham Bay Land Co.*, 54 F. CCA 290.

Sec. 15. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 16. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 17. The language relating to bail on arrest in civil actions has been deleted, and new matter added, see note to section 1, *supra*.

Sec. 18:

Subdivision (1): Section 748, Code of 1881 was first enacted in 1854 as part of an act to regulate practice and proceedings in civil actions and was reenacted in 1881 under a similarly entitled act. The section relates to examination of sureties and has been superseded by section 3, chapter 162, Laws of 1927 (RCW 19.72.050).

Subdivision (2): Section 750, Code of 1881 was first enacted in 1854 as part of an act to regulate practice and proceedings in civil actions and was reenacted in 1881 under a similarly entitled act. The section relates to the giving of cash bail and its only application would appear to be limited to cases of civil arrest which has been abolished. The sections covering cash bail in criminal proceedings are RCW 10.19.070 and 10.04.040.

CHAPTER 52.

[S. B. 9.]

BUSINESSES AND PROFESSIONS—REGULATION.

AN ACT relating to businesses and professions; amending section 1, chapter 75, Laws of 1923, section 1, chapter 211, Laws of 1927 and RCW 18.15.010; amending sections 3, 5 and 17, chapter 215, Laws of 1937, sections 2, 3, 4 and 9, chapter 180, Laws of 1951 and RCW 18.18.050, 18.18.060, 18.18.070, 18.18.150, 18.18.160, 18.18.170, 18.18.190, 18.18.210, 18.18.260 and 18.18.270; amending section 14, chapter 38, Laws of 1917 and RCW 18.22.160 and 18.22.180; amending section 1, chapter 240, Laws of 1943, sections 6 and 25, chapter 112, Laws of 1935, section 3, chapter 92, Laws of 1941, section 1, chapter 130, Laws of 1951, section 1, chapter 93, Laws of 1953 and RCW 18.32.020 and 18.32.030; amending section 11, chapter 112, Laws of 1935, section 3, chapter 93, Laws of 1953 and RCW 18.32.050, 18.32.060 and 18.32.170; amending section 4, chapter 112, Laws of 1935, section 2, chapter 92, Laws of 1941, section 2, chapter 130, Laws of 1951, sections 4 and 5, chapter 93, Laws of 1953 and RCW 18.32.090 through 18.32.120; amending section 9, chapter 112, Laws of 1935, section 6, chapter 93, Laws of 1953 and RCW 18.32.240 through 18.32.280; amending section 18, chapter 112, Laws of 1935, section 1, chapter 45, Laws of 1937, section 7, chapter 93, Laws of 1953 and RCW 18.32.350 and 18.32.360; amending section 18, chapter 252, Laws of 1941, section 4, chapter 118, Laws of 1943, section 7, chapter 111,

Laws of 1945, section 4, chapter 203, Laws of 1947, section 19, chapter 222, Laws of 1951, section 13, chapter 235, Laws of 1953 and RCW 18.85.180, 18.85.190, 18.85.200 and 18.85-.310; amending sections 21 and 22, chapter 252, Laws of 1941, section 6, chapter 203, Laws of 1947, section 16, chapter 235, Laws of 1953 and RCW 18.85.350 and 18.85.360; reenacting RCW 18.22.020, 18.22.060, 18.22.110, 18.85.240 and 18.85.290; repealing section 2, chapter 205, Laws of 1919; repealing section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929 and RCW 18.15.060; repealing section 20, chapter 38, Laws of 1917; repealing sections 1, 2, 3, and 13, chapter 5, Laws of 1919; repealing sections 1, 2, and 5, chapter 36, Laws of 1919; repealing sections 2 through 7, and 9, chapter 215, Laws of 1909; repealing chapter 235, Laws of 1909; repealing sections 3, 4, 10, 14, and 16, chapter 144, Laws of 1919; repealing sections 1, 2, 3, 7, 13, and 16, chapter 4, Laws of 1919; repealing sections 8 and 11, chapter 180, Laws of 1923; repealing sections 7, 8, 9, and 12, chapter 121, Laws of 1899; repealing sections 4 and 6, chapter 213, Laws of 1909; repealing sections 1, 2, 5, 13, and 16, chapter 192, Laws of 1909; providing penalties; and declaring an emergency.

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

SECTION 1. Section 1, chapter 75, Laws of 1923, as amended by section 1, chapter 211, Laws of 1927 and RCW 18.15.010 are each amended to read as follows:

Any one or any combination of the following practices (when done upon the upper part of the human body for cosmetic purposes and not for the treatment of disease or physical or mental ailments, and when done for payment, either directly or indirectly, or without payment, for the public generally upon male or female) constitutes the practice of barbering: (1) Shaving or trimming the beard or cutting the hair; (2) giving facial and scalp massage or treatments with oils, creams, lotions, or other preparations, either by hand or mechanical appliances; (3) singeing, shampooing or dyeing the hair or applying tonics; (4) applying cosmetic preparations, antiseptics, powders, oils, clays, or lotions to the scalp, face, neck or upper part of the body:

RCW 18.15.010
enacted
without
amendment.

Definition—
Practice of
barbering.

Proviso.

Provided, That the provisions of this chapter shall not apply to any person employed in, or engaged in the operation of any beauty shop or hair dressing establishment.

Combination, division and amendment.

SEC. 2. Sections 3, 5 and 17, chapter 215, Laws of 1937 as amended by sections 2, 3, 4 and 9, chapter 180, Laws of 1951 (heretofore divided, combined and codified as RCW 18.18.050, 18.18.060, 18.18.070, 18.18.150, 18.18.160, 18.18.170, 18.18.190, 18.18.210, 18.18.260, and 18.18.270) are each amended to read as set forth in sections 3 through 12 of this act.

RCW 18.18.050 enacted without amendment. Beauty culture. Operator's license—Qualifications.

SEC. 3. (RCW 18.18.050) An operator's license shall be issued to a student who: (1) Is of the age of eighteen years or over; (2) is of good moral character and temperate habits; (3) has completed two years of high school or the equivalent thereof; (4) is a citizen of the United States or declared his intention to become a citizen; (5) has completed a course of training of not less than two thousand hours in a recognized beauty school, such training not to exceed eight hours in any one day; and (6) who has satisfactorily passed the hairdressing and beauty culture examination in this state.

RCW 18.18.060 enacted without amendment.

SEC. 4. (RCW 18.18.060) An owner may be licensed without examination, but shall not engage in the practice of hairdressing and beauty culture unless licensed as a manager operator, or owner operator.

RCW 18.18.070 enacted without amendment. School license—Qualifications.

SEC. 5. (RCW 18.18.070) No person shall be licensed to conduct a school unless it appears to the director: (1) That the school will maintain the course of instruction herein provided; (2) that instruction in the school at all times is in charge of and under the supervision of a manager operator; (3) that the school will at all times maintain one instructor for each ten students or fraction thereof;

and (4) that at no time does a school have less than two instructors.

SEC. 6. (RCW 18.18.150) Every person licensed under this chapter shall display his license in plain view in the place where he engages in the practice for which the license was issued.

RCW 18.18.150
enacted
without
amendment.

SEC. 7. (RCW 18.18.160) Every owner, manager, and operator licensed under this chapter, within thirty days after changing his place of residence or business as recorded upon the records of the director, shall notify the director in writing of his new place of residence or business.

RCW 18.18.160
enacted
without
amendment.

SEC. 8. (RCW 18.18.170) Every license authorizing a person to conduct a shop shall be issued only in the name of the person owning or conducting the shop, to which may be added the trade name, under which the owner conducts his shop.

RCW 18.18.170
enacted
without
amendment.

No school and shop shall be maintained in the same location; nor shall there be any connecting entrance.

SEC. 9. (RCW 18.18.190) The courses of instruction in every school shall comprise at least the following:

RCW 18.18.190
enacted
without
amendment.
Schools—
Courses of
instruction.

- (1) Shampooing, soap and dry;
- (2) Care of the face and massaging, including make up and care of eyebrows and lashes;
- (3) Care of the scalp and massaging, rinses and packs;
- (4) Hair coloring and bleaching;
- (5) Permanent waving;
- (6) Iron curling or waving;
- (7) Finger waving;
- (8) Hair fashioning;
- (9) Manicuring;
- (10) Hairdressing as it appertains to iron curling or waving, permanent waving, and finger waving;

- (11) Electricity as applied to cosmetology, and the use and application of electrical appliances;
- (12) The reading of law on beauty culture of the state of Washington;
- (13) Shop management, ownership, and business ethics.

RCW 18.18.210
enacted
without
amendment.
Schools—
Regulations
governing.

SEC. 10. (RCW 18.18.210) Every school shall cause the word "school" to appear conspicuously on its literature and advertising matter, and to be painted in letters at least four inches high on all doors leading to the school, which are open to the public generally.

Every school shall have available for every twenty-five students, subject to other requirements by the director, at least: Three shampoo bowls; three hair dryers; two facial chairs; ten curling iron heaters; one sterilizer; one steamer; one croquignole wind permanent wave machine and other permanent wave equipment.

No charge shall be made for student work until the student has completed four hundred hours of instruction and practice.

RCW 18.18.260
enacted
without
amendment.
Unlawful
practices.

SEC. 11. (RCW 18.18.260) No person shall engage in the practice of hairdressing, and beauty culture in any place other than a hairdressing and beauty culture shop or school, except in case of his own family or in case of a person whose physical condition prevents his presence at a shop or school.

No person shall sleep in, or use for residential purposes, any room used wholly or in part as a hairdressing and beauty culture shop, nor engage in hairdressing and beauty culture in any room used for sleeping or residential purposes.

Every hairdressing and beauty culture shop shall maintain an outside entrance separate from the entrances to rooms used for sleeping or residential purposes.

No person other than an operator in demonstrat-

ing, or instructing in the use of any cosmetics or supplies of any kind, shall engage in any of the acts enumerated in RCW 18.18.010 and 18.18.190.

No student shall engage in the practice of hair-dressing and beauty culture except in a school under the direct supervision of an instructor.

SEC. 12. (RCW 18.18.270) Every person shall be guilty of a misdemeanor who: (1) Violates any of the provisions of this chapter or any regulation lawfully promulgated by the director; or, (2) permits any person in his employ or under his supervision or control to practice hairdressing and beauty culture without a license where one is required by this chapter; or, (3) attempts to obtain a license by fraudulent means. Each and every day on which such violation occurs shall constitute a separate offense.

RCW 18.18.270
enacted
without
amendment.

SEC. 13. RCW 18.22.020 is reenacted to read as follows:

RCW 18.22.020
reenacted
without
amendment.

It shall be unlawful for any person to practice chiropody in this state unless he first has obtained a license therefor.

SEC. 14. RCW 18.22.060 is reenacted to read as follows:

RCW 18.22.060
reenacted
without
amendment.

Every applicant for a license to practice chiropody shall pay to the state treasurer a fee of thirty-five dollars.

Application
fee.

An applicant who fails to pass an examination satisfactorily after the expiration of six months from the date of the examination at which he failed, is entitled to a reexamination at a meeting called for the examination of applicants, upon the payment of a fee of fifteen dollars for each reexamination.

SEC. 15. RCW 18.22.110 is reenacted to read as follows:

RCW 18.22.110
reenacted
without
amendment.

Every holder of a chiropody license shall keep his license on exhibition in a conspicuous place in his office or place of business.

Division and amendment.

SEC. 16. Section 14, chapter 38, Laws of 1917 (heretofore divided and codified as RCW 18.22.160 and 18.22.180) is divided and amended to read as set forth in sections 17 and 18 of this act.

RCW 18.22.160 enacted without amendment.

SEC. 17. (RCW 18.22.160) If the director refuses to grant a chiropody license or revokes or suspends one, he shall file in the records of his office a concise statement of the grounds and reasons for his refusal, revocation or suspension. This statement, together with his decision in writing, shall remain a permanent record.

RCW 18.22.180 deleted.

SEC. 18. (RCW 18.22.180)

Combination, division and amendment.

SEC. 19. Section 1, chapter 240, Laws of 1943, sections 6 and 25, chapter 112, Laws of 1935, section 3, chapter 92, Laws of 1941 as amended by section 1, chapter 130, Laws of 1951 and section 1, chapter 93, Laws of 1953 (heretofore divided, combined and codified as RCW 18.32.020 and 18.32.030) are amended to read as set forth in sections 20 and 21 of this act.

RCW 18.32.020 enacted without amendment.

Definition—Practice of dentistry.

SEC. 20. (RCW 18.32.020) A person practices dentistry, within the meaning of this chapter, who (1) represents himself as being able to diagnose, treat, remove stains and concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the human teeth, alveolar process, gums, or jaw, or (2) offers or undertakes by any means or methods to diagnose, treat, remove stains or concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the same, or take impressions of the teeth or jaw, or (3) owns, maintains or operates an office for the practice of dentistry, or (4) engages in any of the practices included in the curricula of recognized and approved dental schools or colleges.

The fact that a person uses any dental degree, or

designation, or any card, device, directory, poster, sign, or other media whereby he represents himself to be a dentist, shall be prima facie evidence that such person is engaged in the practice of dentistry.

Definition—
Practice of
dentistry.

X-ray diagnosis as to the method of dental practice in which the diagnosis and examination is made of the normal and abnormal structures, parts or functions of the human teeth, the alveolar process, maxilla, mandible or soft tissues adjacent thereto, is hereby declared to be the practice of dentistry. Any person other than a regularly licensed physician or surgeon who makes any diagnosis or interpretation or explanation, or attempts to diagnose or to make any interpretation or explanation of the registered shadow or shadows of any part of the human teeth, alveolar process, maxilla, mandible or soft tissues adjacent thereto by the use of x-ray is declared to be engaged in the practice of dentistry, medicine or surgery.

SEC. 21. (RCW 18.32.030) The following practices, acts and operations are excepted from the operation of the provisions of this chapter:

RCW 18.32.030
amended.

(1) The rendering of dental relief in emergency cases in the practice of his profession by a physician or surgeon, licensed as such and registered under the laws of this state, unless he undertakes to or does reproduce lost parts of the human teeth in the mouth or to restore or replace in the human mouth lost or missing teeth;

Dentistry.
Exemptions
from statute.

(2) The practice of dentistry in the discharge of official duties by dentists in the United States army, navy, public health service, veterans' bureau, or bureau of Indian affairs;

(3) Dental schools or colleges approved by the board, and the practice of dentistry by students in dental schools or colleges approved by the board, when acting under the direction and supervision of registered and licensed dentists acting as instructors;

Dentistry.
Exemptions
from statute.

(4) The practice of dentistry by licensed dentists of other states or countries while appearing as clinicians at meetings of the Washington state dental association, or component parts thereof, or at meetings sanctioned by them;

(5) The use of roentgen and other rays for making radiograms or similar records of dental or oral tissues, under the supervision of a licensed dentist or physician;

(6) The making, repairing, altering or supplying of artificial restorations, substitutes, appliances, or materials for the correction of disease, loss, deformity, malposition, dislocation, fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts; providing the same are made, repaired, altered or supplied pursuant to the written instructions and order of a licensed dentist which may be accompanied by casts, models or impressions furnished by said dentist, and said prescriptions shall be retained and filed for a period of not less than three years and shall be available to and subject to the examination of the director of licenses or his authorized representatives;

(7) The removal of calcareous deposits, accretions and stains from the exposed surfaces of the teeth and prescription or application of ordinary mouth washes of soothing character when performed or prescribed by a dental hygienist licensed under the laws of this state;

(8) A qualified and licensed physician and surgeon extracting teeth or performing oral surgery;

(9) A legal practitioner of another state making a clinical demonstration before a medical or dental society, or at a convention approved by the Washington state medical or dental association or Washington progressive dental society;

(10) Students practicing or performing dental

operations, under the supervision of competent instructors, in any reputable dental college.

SEC. 22. Section 11, chapter 112, Laws of 1935 as amended by section 3, chapter 93, Laws of 1953 (heretofore divided and codified as RCW 18.32.050, 18.32.060 and 18.32.170) are amended to read as set forth in sections 23 through 25 of this act.

Division and amendment.

SEC. 23. (RCW 18.32.050) The members of the board shall each receive as compensation the sum of fifteen dollars for each day actually engaged in the duties of the office, and all legitimate and necessary expenses incurred in attending the meetings of the board.

RCW 18.32.050 enacted without amendment.

SEC. 24. (RCW 18.32.060) The board shall make an annual report of its proceedings to the governor by the fifteenth day of December of each year, together with an account of all moneys received and disbursed by it.

RCW 18.32.060 enacted without amendment.

SEC. 25. (RCW 18.32.170) A fee of five dollars shall be charged for every duplicate license issued by the director.

RCW 18.32.170 enacted without amendment.

SEC. 26. Section 4, chapter 112, Laws of 1935 and section 2, chapter 92, Laws of 1941 as amended by section 2, chapter 130, Laws of 1951 and sections 4 and 5, chapter 93, Laws of 1953 (heretofore divided and codified as RCW 18.32.090, 18.32.100, 18.32.110 and 18.32.120) is divided and amended to read as set forth in sections 27 through 30 of this act.

Division and amendment.

SEC. 27. (RCW 18.32.090) No person, unless previously registered or licensed to practice dentistry in this state, shall begin the practice of dentistry or dental surgery, or any branches thereof, without first applying to, and obtaining a license therefor from the director.

RCW 18.32.090 enacted without amendment.

SEC. 28. (RCW 18.32.100) The applicant for a dentistry license shall file an application on a form furnished by the director, and therein state his name,

RCW 18.32.100 enacted without amendment.

Dentistry.
License appli-
cation—
Citizenship of
applicant.

age, place of residence, citizenship, the name of the school or schools attended by him, the period of such attendance, the date of his graduation, whether he has ever been suspended or disbarred from the practice of dentistry, and shall include a statement of all of his dental activities for the previous five years.

The application shall be signed by the applicant and sworn to by him before some person authorized to administer oaths, and shall be accompanied by testimonials of his moral character, and proof of his school attendance and graduation.

Said applicant at the time of making application must, in addition to other requisites, be a citizen of the United States or have first papers for naturalization.

RCW 18.32.110
enacted
without
amendment.

SEC. 29. (RCW 18.32.110) Each applicant shall pay a fee of twenty-five dollars, which shall accompany his application.

RCW 18.32.120
enacted
without
amendment.

SEC. 30. (RCW 18.32.120) When the application and the accompanying proof are found satisfactory, the director shall notify the applicant to appear before the board at a time and place to be fixed by the director, which time shall be not less than sixty days after the receipt of such application by the director.

Dentistry.
Examination
requirements.

Examination shall be made in writing in all theoretic subjects. Both theoretic and practical examinations shall be of a character to give a fair test of the qualifications of the applicant to practice dentistry or dental surgery.

The examination papers, and all grading thereon, and the grading of the practical work, shall be deemed public documents, and preserved for a period of not less than three years after the board has made and published its decisions thereon. All examinations shall be conducted by the board under fair and wholly impartial methods.

Any applicant who fails to make the required grade in his first examination is entitled to take as

many subsequent examinations as he desires upon the prepayment of a fee of twenty-five dollars for each subsequent examination. At least two examinations shall be given in each calendar year.

SEC. 31. Section 9, chapter 112, Laws of 1935 as amended by section 6, chapter 93, Laws of 1953 (heretofore divided and codified as RCW 18.32.240 through 18.32.280) is divided and amended to read as set forth in sections 32 through 36 of this act.

Division and
amendment.

SEC. 32. (RCW 18.32.240) In all proceedings for the revocation or suspension of a license, the holder of the license shall be given twenty days' notice in writing by the director. The notice shall specify the offenses with which the accused person is charged, and shall also give the day and place where the hearing is to be held. The hearing shall be held in the city of Olympia, unless a different place is fixed by the director.

RCW 18.32.240
enacted
without
amendment.

SEC. 33. (RCW 18.32.250) The director may issue subpoenas to compel the attendance of witnesses, or the production of books or documents. The accused shall have opportunity to make his defense, and may have such subpoenas issued as he desires. Subpoenas shall be served in the same manner as in civil cases in the superior court. Witnesses shall testify under oath which may be administered by the director. Testimony shall be taken in writing, and may be taken by deposition under such rules as the director may prescribe.

RCW 18.32.250
enacted
without
amendment.

SEC. 34. (RCW 18.32.260) The committee appointed for that purpose shall hear and determine the charges, make findings and conclusions upon the evidence produced, and file them in the director's office, together with a transcript of all of the evidence, and serve upon the accused a copy of such findings and conclusions.

RCW 18.32.260
enacted
without
amendment.

RCW 18.32.270
enacted
without
amendment.

SEC. 35. (RCW 18.32.270) The revocation or suspension of a license shall be in writing signed by the director, stating the grounds upon which such order is based and the aggrieved person shall have the right to appeal from such order within fifteen days after a copy thereof is served upon him, to the superior court of Thurston county, which shall hear the matter de novo. In such appeal the entire record shall be certified by the director to the court, and the review on appeal shall be confined to the evidence adduced at the hearing before the director.

RCW 18.32.280
enacted
without
amendment.

SEC. 36. (RCW 18.32.280) An appeal shall lie to the supreme court from the judgment of the superior court as provided in other civil cases.

Division and
amendment.

SEC. 37. Section 18, chapter 112, Laws of 1935, section 1, chapter 45, Laws of 1937, as amended by section 7, chapter 93, Laws of 1953 (heretofore divided and codified as RCW 18.32.350 and 18.32.360) is divided and amended to read as set forth in sections 38 and 39 of this act.

RCW 18.32.350
enacted
without
amendment.

Dentistry.
Unlawful
practice—
Employing
unlicensed
dentist—
Penalty.

SEC. 38. (RCW 18.32.350) No manager, proprietor, partnership, or association owning, operating, or controlling any room, office, or dental parlors, where dental work is done, provided, or contracted for, shall employ or retain any unlicensed person or dentist as an operator; nor shall fail, within ten days after demand made by the director or board in writing sent by registered mail, addressed to any such manager, proprietor, partnership, or association at said room, office, or dental parlor, to furnish the director or board with the names and addresses of all persons practicing or assisting in the practice of dentistry in his place of business or under his control, together with a sworn statement showing by what license or authority said persons are practicing dentistry.

The sworn statement shall not be used as evidence in any subsequent court proceedings, except

in a prosecution for perjury connected with its execution.

Any violation of the provisions of this section shall constitute improper, unprofessional, and dishonorable conduct; it shall also constitute grounds for injunction proceedings as provided by this chapter and in addition shall constitute a gross misdemeanor, except that the failure to furnish the information as may be requested in accordance with this section shall constitute a misdemeanor.

SEC. 39. (RCW 18.32.360) It shall be unlawful for any person to practice dentistry under any name, except his own, which shall be that used in his license issued by the director: *Provided*, That this shall not apply to any person who was practicing dentistry in this state on March 20, 1935, under an association or trade name.

RCW 18.32.360
enacted
without
amendment.

Proviso.

Dentistry.
Unlawful
practice—
Names used—
Advertising—
Penalty.

It shall be unlawful for any person to conduct a dental office in his name, or to advertise his name in connection with any dental offices, unless he is personally present therein operating as a dentist, or personally overseeing the operations performed in any office, during most of the time that that office is being operated: *Provided*, That this section shall not prohibit any person from continuing to conduct any offices legally conducted in this state on March 20, 1935.

Proviso.

Any violation of the provisions of this section shall constitute improper, unprofessional and dishonorable conduct; it shall also constitute grounds for injunction proceedings as provided by this chapter, and in addition shall constitute a gross misdemeanor.

SEC. 40. Section 18, chapter 252, Laws of 1941, section 4, chapter 118, Laws of 1943, section 7, chapter 111, Laws of 1945, section 4, chapter 203, Laws of 1947 as amended by section 19, chapter 222, Laws of 1951 and section 13, chapter 235, Laws of 1953

Division and
amendment.

(heretofore divided and codified as RCW 18.85.180, 18.85.190, 18.85.200 and 18.85.310) are divided and amended to read as set forth in sections 41 through 44 of this act.

RCW 18.85.180
enacted
without
amendment.

SEC. 41. (RCW 18.85.180) Every licensed real estate broker must have and maintain an office in this state accessible to the public which shall serve as his office for the transaction of business. Any office so established must comply with the zoning requirements of city or county ordinances and the broker's license must be prominently displayed therein.

RCW 18.85.190
enacted
without
amendment.

SEC. 42. (RCW 18.85.190) A real estate broker may apply to the director for authority to establish one or more branch offices under the same name as the main office upon the payment of five dollars for each branch office. The director shall issue a duplicate license for each of the branch offices showing the location of the main office and the particular branch. Each duplicate license shall be prominently displayed in the office for which it is issued. Each branch office shall be required to have at least one licensed broker authorized by the designated broker to perform the duties of a broker as herein described.

Real estate
brokers.
Licenses—
Branch
offices.

RCW 18.85.200
enacted
without
amendment.

SEC. 43. (RCW 18.85.200) Notice in writing shall be given to the director of any change by a real estate broker of his business location or of any branch office. Upon the surrender of the original license for the business or the duplicate license applicable to a branch office, and the payment of a fee of one dollar, the director shall issue a new license or duplicate license, as the case may be, covering the new location.

RCW 18.85.310
enacted
without
amendment.

SEC. 44. (RCW 18.85.310) Every licensed real estate broker shall keep adequate records of all real estate transactions handled by or through him. The records shall include, but are not limited to, a copy

of the earnest money receipt, and an itemization of the broker's receipts and disbursements with each transaction. These records and all other records hereinafter specified shall be open to inspection by the director or his authorized representatives.

Real estate
brokers.
Broker's
records.

Every real estate broker shall also deliver or cause to be delivered to all parties signing the same, at the time of signing, conformed copies of all earnest money receipts, listing agreements and all other like or similar instruments signed by the parties, including the closing statement.

Delivery of
copies.

Every real estate broker shall also keep separate real estate fund accounts in a recognized Washington state depository authorized to receive funds in which shall be kept separate and apart and physically segregated from licensee broker's own funds, all funds or moneys of clients which are being held by such licensee broker pending the closing of a real estate sale or transaction, or which have been collected for said client and are being held for disbursement for or to said client and such funds shall be deposited not later than the first banking day following receipt thereof.

Separate
funds.

Any violation by a real estate broker of any of the provisions of this section, or RCW 18.85.230, shall be grounds for revocation of the licenses issued to the broker.

SEC. 45. RCW 18.85.240 is reenacted to read as follows:

RCW 18.85.240
reenacted
without
amendment.

The director may deputize one or more of his assistants to perform his duties with reference to refusal, revocation or suspension of licenses, including the power to preside at hearings and to render decisions therein subject to the approval of the director.

SEC. 46. RCW 18.85.290 is reenacted to read as follows:

RCW 18.85.290
reenacted
without
amendment.

The superior court to which the appeal is taken

Real estate
brokers. Hear-
ing the appeal
—Determina-
tions.

shall summarily hear and determine the question involved upon the appeal, and such determination shall be based solely on the transcript of the record. Should the court find that the director has exceeded his authority or that his findings are not supported by a fair preponderance of the evidence, the order of the director shall be reversed or modified.

If said appellant shall fail to perfect his appeal or fail to pay the expense of preparing the transcript as provided herein, said stay of proceedings shall automatically terminate.

Further
appeal.

An appeal may be taken by an appellant whose license has been revoked or suspended by the director, from the final order of the superior court. The proceedings on appeal to the supreme court shall be limited to a review of the proceedings by the director and the superior court in the same manner and subject to the same procedure and requirements as provided for in the case of an appeal in a civil action from a judgment of the superior court of this state.

Combination,
division and
amendment.

SEC. 47. Sections 21 and 22, chapter 252, Laws of 1941 as amended by section 6, chapter 203, Laws of 1947 and section 16, chapter 235, Laws of 1953 (heretofore divided, combined and codified as RCW 18.85.350 and 18.85.360) are amended to read as set forth in sections 48 and 49 of this act.

RCW 18.35.350
enacted
without
amendment.

SEC. 48. (RCW 18.85.350) The director may prefer a complaint for violation of any section of this chapter before any court of competent jurisdiction.

Real estate
brokers.
Enforcement
provisions.

The prosecuting attorney of each county shall prosecute any violation of the provisions of this chapter which occurs in his county, and if the prosecuting attorney fails to act, the director may request the attorney general to take action in lieu of the prosecuting attorney.

Process issued by the director shall extend to all parts of the state, and may be served by any

person authorized to serve process of courts of record.

The director may petition the superior court in any county in this state for the immediate appointment of a receiver to take over, operate or close any real estate office in this state which is found, upon inspection of its books and records to be operating in violation of the provisions of this chapter, pending a hearing as herein provided.

SEC. 49. (RCW 18.85.360) The director may administer oaths; certify to all official acts; subpoena and bring before him any person in this state as a witness; compel the production of books and papers; and take the testimony of any person by deposition in the manner prescribed for procedure of the superior courts in civil cases, in any hearing in any part of the state.

RCW 18.85.360
enacted
without
amendment.

Real estate
brokers. Wit-
nesses—Depo-
sitions.

Each witness, who appears by order of the director, shall receive for his attendance the fees and mileage allowed to a witness in civil cases in the superior court. Witness fees shall be paid by the party at whose request the witness is subpoenaed.

Fees.

If a witness, who has not been required to attend at the request of any party, is subpoenaed by the director, his fees and mileage shall be paid from funds appropriated for the use of the real estate department in the same manner as other expenses of the department are paid.

Subpoenas.

SEC. 50. The following sections are repealed:

Repeal.

- (1) Section 2, chapter 205, Laws of 1919;
- (2) Section 7, chapter 75, Laws of 1923, section 6, chapter 211, Laws of 1927, section 4, chapter 209, Laws of 1929 and RCW 18.15.060;
- (3) Section 20, chapter 38, Laws of 1917;
- (4) Sections 1, 2, 3, and 13, chapter 5, Laws of 1919;
- (5) Sections 1, 2, and 5, chapter 36, Laws of 1919;

Repeal.

- (6) Sections 2 through 7, and 9, chapter 215, Laws of 1909;
- (7) Chapter 235, Laws of 1909;
- (8) Sections 3, 4, 10, 14, and 16, chapter 144, Laws of 1919;
- (9) Sections 1, 2, 3, 7, 13, and 16, chapter 4, Laws of 1919;
- (10) Sections 8 and 11, chapter 180, Laws of 1923;
- (11) Sections 7, 8, 9, and 12, chapter 121, Laws of 1899;
- (12) Sections 4 and 6, chapter 213, Laws of 1909; and
- (13) Sections 1, 2, 5, 13, and 16, chapter 192, Laws of 1909.

Emergency.

SEC. 51. 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 February 12, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

Explanatory note.

(The above measure, being remedial legislation introduced at the request of the Statute Law Committee, was accompanied by the following explanatory note.)

The Statute Law Committee in review of Title 18 of the Revised Code of Washington has noted several instances where a session law section has been divided into two or more RCW sections, or two or more session law sections have been divided and combined into two or more RCW sections, and the legislature has subsequently amended one or more, but less than all, of the RCW sections derived from the session law section or sections.

One of the purposes of this bill is to enact the RCW sections, thereby ratifying the division or combining of the session law section or sections into several code sections, and curing any possible defect arising from the amendment of less than the whole session law section or sections.

In each of the enacting sections the RCW language is used as the basic language.

This note applies to sections 2 through 15 and 19 through 49 of this reviser's correction bill.

Section 1. Section 7, chapter 313, Laws of 1955 repealed the provision requiring licensing of hair cutters in beauty parlors. The proviso of section 1, chapter 211, Laws of 1927 reads as follows:

"Provided, That the provisions of this act shall not apply to any person employed in, or engaged in the operation of, any beauty shop or hair dressing establishment, except as to the cutting of

hair in such establishments, for which provision is hereinafter made."

Explanatory
note.

As RCW 18.15.010 omitted the portion of this section beginning with "except as to", the enactment of this section reaches the desired result of removing from this section the requirement that hair cutters in beauty shops be licensed as barbers, as this requirement was repealed by 1955 c 313 § 7.

Sections 2 through 12. 1937 c 215 §§ 3, 5, and 17 were divided and combined by the 1941 Code Committee into RCW 18.18.050, 18.18.060, 18.18.070, 18.18.150, 18.18.160, 18.18.170, 18.18.190, 18.18.210, 18.18.260 and 18.18.270. RCW 18.18.050, 18.18.060, 18.18.070, and 18.18.210 were subsequently amended by 1951 c 180.

Sections 13 and 15. 1917 c 38 §§ 2 and 11 were divided and combined by the 1941 Code Committee into RCW 18.22.020, 18.22.090 and 18.22.110. RCW 18.22.090 was subsequently repealed by 1955 c 149 § 15.

Section 14. 1921 c 120 §§ 5 and 9 were divided and combined by the 1941 Code Committee into RCW 18.22.060 and 18.22.120. RCW 18.22.120 was subsequently amended by 1955 c 149 § 6.

Sections 16 through 18. 1917 c 38 § 14 was divided by the 1941 Code Committee into RCW 18.22.160 and 18.22.180. RCW 18.22.180 relates to notification of the clerk of the county wherein the license is recorded of the fact of revocation and is in effect repealed by this amendment because the requirement for recording a license to practice chiropody with the county clerk was repealed by 1955 c 149 § 15.

Sections 19 through 21. 1943 c 240 § 1, 1935 c 112 §§ 6 and 25, and 1941 c 92 § 3 were divided and combined by the 1941 Code Committee into RCW 18.32.020 and 18.32.030. RCW 18.32.030 was subsequently amended by 1951 c 130 § 1 and 1953 c 93 § 1.

Sections 22 through 30. 1935 c 112 § 4 as amended by 1941 c 92 § 2 was divided into RCW 18.32.050, 18.32.060 and 18.32.170. RCW 18.32.050 was subsequently amended by 1953 c 93 § 3.

Sections 26 through 30. 1935 c 112 § 4 as amended by 1941 c 92 § 2 was divided by the 1941 Code Committee into RCW 18.32.090, 18.32.100, 18.32.110 and 18.32.120. RCW 18.32.100 and 18.32.120 were subsequently amended by 1953 c 93 §§ 4 and 5.

Sections 31 through 36. 1935 c 112 § 9 was divided by the 1941 Code Committee into RCW 18.32.240, 18.32.250, 18.32.260, 18.32.270 and 18.32.280. RCW 18.32.260 was subsequently amended by 1953 c 93 § 6.

Sections 37 through 39. 1935 c 112 § 18 as amended by 1937 c 45 § 1 was divided by the 1941 Code Committee into RCW 18.32.350 and 18.32.360. RCW 18.32.350 was subsequently amended by 1953 c 93 § 7.

Sections 40 through 44. 1941 c 252 § 18 as amended by 1943 c 118 § 4 as amended by 1945 c 111 § 7 as amended by 1947 c 203 § 4 was divided by the 1941 Code Committee into RCW 18.85.180, 18.85.190, 18.85.200 and 18.85.310. RCW 18.85.310 was subsequently amended by 1953 c 235 § 13.

Sections 45 and 46. 1941 c 252 § 20 was divided by the 1941 Code Committee into RCW 18.85.240, 18.85.250, 18.85.260, 18.85.270, 18.85.280 and 18.85.290. RCW 18.85.250, 18.85.260, 18.85.270 and 18.85.280 were repealed by 1951 c 222 § 28 and 18.85.290 was subsequently amended by 1951 c 222 § 17.

Sections 47 through 49. 1941 c 252 §§ 21 and 22 as amended by 1947 c 203 § 6 was divided and combined by the 1941 Code Committee into RCW 18.85.350 and 18.85.360. RCW 18.85.350 was subsequently amended by 1953 c 235 § 16.

Section 50. The repeal of many of the sections contained in this repealing section is necessary as they relate to the different professional licensing boards and procedures for licensing in existence prior to the 1921 Administrative Code. These boards were abolished by 1921 c 7 § 135 and their powers and duties were transferred to the director of licenses by 1921 c 7 § 96. See Chapter 43.24 RCW for present licensing procedure by the director of licenses.

Explanatory
note.

Subd. (1). 1919 c 205 § 2 relates to membership, per diem, etc., of the abolished board of architect examiners.

Subd. (2). 1929 c 209 § 4 and RCW 18.15.060 provide for license renewal fees for the practice of hair cutting in beauty parlors. Since the requirement for a license to practice hair cutting in beauty parlors was repealed by 1955 c 313 § 7, this section is no longer applicable.

Subd. (3). 1917 c 38 § 20 relates to membership, per diem, quarters, etc., of the abolished board of chiropody examiners.

Subd. (4). 1919 c 5 §§ 1, 2, 3, and 13 relate to creation, membership, meeting, bonding, etc., of the abolished board of chiropractic examiners.

Subd. (5). 1919 c 36 §§ 1, 2, and 5 relate to the membership, oaths of office, per diem, etc., of the abolished board of drugless examiners.

Subd. (6). 1909 c 215 §§ 3 through 7, and 9 relate to the membership, officers, per diem, bonds, etc., of the abolished state embalmers' examining board. 1909 c 215 § 2 is a definition of embalming which has been superseded by 1937 c 108 § 1 (RCW 18.39.010).

Subd. (7). 1909 c 235 relates to optometry licensing laws which have been superseded by 1919 c 144 and 1937 c 155.

Subd. (8). 1919 c 144 §§ 3, 4, 10, 14, and 16 relate to creation, membership, bonds, per diem, etc., of the abolished state optometry board.

Subd. (9). 1919 c 4 §§ 1, 2, 3, 7, 13, and 16 relate to the creation, membership, oaths, bonds, etc., of the abolished board of osteopathic examiners.

Subd. (10). 1923 c 180 § 8 relates to application fees for pharmacists and is superseded by 1949 c 153 § 1. 1923 c 180 § 11 is the rule making power of the director of licenses which was transferred to the new board of pharmacy by 1935 c 98 § 3.

Subd. (11). 1899 c 121 §§ 7, 8, 9, and 12 relate to the membership, officers, per diem, etc., of the old abolished board of pharmacy.

Subd. 12. 1909 c 213 §§ 4 and 6 relate to the membership, salaries, etc., of the old abolished board of pharmacy.

Subd. (13). 1909 c 192 §§ 1, 2, 5, 13, and 16 relate to the creation, membership, conduct, etc., of the abolished board of medical examiners.

CHAPTER 53.

[S. B. 246.]

MUNICIPAL AIRPORTS—FINANCES.

AN ACT relating to aeronautics; authorizing the issuance, funding and refunding of revenue bonds by municipalities authorized to own, control and operate airports, for the purpose of providing funds to accomplish the powers granted by chapter 14.08 RCW, and to construct, acquire, equip, add to, extend, enlarge, improve, replace and repair airports, facilities and structures thereon, and other properties incidental to the operation of airports and to pay all costs incidental thereto; and adding two new sections to chapter 14.08 RCW and declaring an emergency.

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

SECTION 1. There is added to chapter 14.08 RCW New section.
a new section to read as follows:

Municipalities, including any governmental subdivision which may be hereafter authorized by law to own, control and operate an airport or other air navigation facility, are hereby authorized to issue revenue bonds to provide part or all of the funds required to accomplish the powers granted them by chapter 14.08 RCW, and to construct, acquire by purchase or condemnation, equip, add to, extend, enlarge, improve, replace and repair airports, facilities and structures thereon including but not being limited to facilities for the servicing of aircraft and for the comfort and accommodation of air travelers, and other properties incidental to the operation of airports and to pay all costs incidental thereto.

Municipal
airports.
Revenue bonds
authorized—
Purpose.

The legislative body of the municipality shall Special fund.
create a special fund for the sole purpose of paying the principal of and interest on the bonds of each issue, into which fund the legislative body shall obligate the municipality to pay an amount of the gross revenue derived from its ownership, control, use and operation of the airport and all airport facilities and structures thereon and used and operated

Municipal
airports.
Special fund
for redemption
of revenue
bonds.

in connection therewith, including but not being limited to fees charged for all uses of the airport and facilities, rentals derived from leases of part or all of the airport, buildings and any or all air navigation facilities thereon, fees derived from concessions granted, and proceeds of sales of part or all of the airport and any or all buildings and structures thereon or equipment therefor, sufficient to pay the principal and interest as the same shall become due, and to maintain adequate reserves therefor if necessary. Revenue bonds and the interest thereon shall be payable only out of and shall be a valid claim of the holder thereof only as against the special fund and the revenue pledged to it, and shall not constitute a general indebtedness of the municipality.

Bond form.

Each revenue bond and interest coupon attached thereto shall name the fund from which it is payable and state upon its face that it is only payable therefrom; however, all revenue bonds and interest coupons issued under this act shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state. Each issue of revenue bonds may be bearer coupon bonds or may be registered either as to principal only or as to principal and interest; shall be in the denomination or denominations the legislative body of the municipality shall deem proper; shall be payable at the time or times and at the place or places as shall be determined by the legislative body; shall bear interest over the life of the issue at a net interest cost to the municipality of not to exceed six percent per annum and no semiannual interest on any bonds shall be greater than six percent: *Provided, however,* That the amount of premium, if any, to be paid on the redemption of bonds prior to their maturity shall not be considered in determining the net interest cost; shall be signed on behalf of the municipality by the chairman of the board of county commissioners, mayor of the city or town, president of

Negotiable
instruments.

Proviso.

the port commission, and similar officer of any other municipality, shall be attested by the county auditor, the clerk or comptroller of the city or town, the secretary of the port commission, and similar officer of any other municipality, one of which signatures may be a facsimile signature, and shall have the seal of the municipality impressed thereon; each of the interest coupons attached thereto shall be signed by the facsimile signatures of said officials. Revenue bonds shall be sold in the manner as the legislative body of the municipality shall deem best, either at public or private sale.

Sale of bonds.

The municipality at the time of the issuance of revenue bonds may provide covenants as it may deem necessary to secure and guarantee the payment of the principal thereof and interest thereon, including but not being limited to covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing or guaranteeing the payment of the principal and interest, to establish and maintain rates, charges, fees, rentals and sales prices sufficient to pay the principal and interest and to maintain an adequate coverage over annual debt service, to appoint a trustee for the bondholders and a trustee for the safeguarding and disbursing of the proceeds of sale of the bonds and to fix the powers and duties of the trustee or trustees, and to make any and all other covenants as the legislative body may deem necessary to its best interest and that of its inhabitants to accomplish the most advantageous sale possible of the bonds. The legislative body may also provide that revenue bonds payable out of the same source or sources may later be issued on a parity with revenue bonds being issued and sold.

Covenants to guarantee payment of bonds.

The legislative body of the municipality may include an amount for working capital and an amount necessary for interest during the period of construction of the airport or any facilities plus six months,

Municipal
airports.
Bonds.

in the principal amount of any revenue bond issue; if it deems it to the best interest of the municipality and its inhabitants, it may provide in any contract for the construction or acquisition of an airport or facilities that payment therefor shall be made only in revenue bonds at the par value thereof.

If the municipality or any of its officers shall fail to carry out any of its or their obligations, pledges or covenants made in the authorization, issuance and sale of bonds, the holder of any bond or the trustee may bring action against the municipality and/or said officers to compel the performance of any or all of the covenants.

New section.

SEC. 2. There is added to chapter 14.08 RCW a new section to read as follows:

Issuance of
funding or re-
funding bonds
authorized.

When any municipality has outstanding revenue bonds or warrants payable solely from revenues derived from the ownership, control, use and operation of the airport and all its facilities and structures thereon used and operated in connection therewith, the legislative body thereof may provide for the issuance of funding or refunding bonds to fund or refund outstanding warrants or bonds or any part thereof at or before maturity, and may combine various outstanding warrants and various series and issues of outstanding bonds in the amount thereof to be funded or refunded and may issue funding or refunding bonds to pay any redemption premium and interest payable on the outstanding revenue warrants or bonds being funded or refunded. The legislative body of the municipality shall create a special fund for the sole purpose of paying the principal of and interest on funding or refunding bonds, into which fund the legislative body shall obligate the municipality to pay an amount of the gross revenue derived from its ownership, control, use and operation of the airport and all airport facilities and structures thereon as provided in section 1 of this act, sufficient to pay the principal and interest as the

same shall become due, and to maintain adequate reserves therefor if necessary. Bonds and the interest thereon shall be payable only out of and shall be a valid claim of the holder thereof only as against the special fund and the revenue pledged to it, and shall not constitute a general indebtedness of the municipality.

The net interest cost to maturity on funding or refunding bonds shall not exceed six percent per annum: *Provided, however,* That the amount of premium, if any, to be paid on the redemption of funding or refunding bonds prior to their maturity shall not be considered in determining net interest cost. Proviso.

The municipality may exchange funding or refunding bonds at par for the warrants or bonds which are being funded or refunded, or it may sell the funding or refunding bonds in the manner as it shall deem for the best interest of the municipality and its inhabitants, either at public or private sale. Funding or refunding bonds shall be governed by and issued under and in accordance with the provisions of section 1 of this act with respect to revenue bonds unless there is a specific provision to the contrary in this section.

SEC. 3. Nothing in this act shall repeal or supersede revenue bond financing powers otherwise granted to port districts under the provisions of chapter 53.40 RCW. Port districts' bond financing powers exempt from act.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health, safety and welfare, the support of the state government and its existing public institutions and political subdivisions and shall take effect immediately. Emergency.

Passed the Senate February 19, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 54.

[H. B. 166.]

MENTAL ILLNESS—HOSPITALIZATION—PATIENT'S LETTERS.

AN ACT relating to state institutions, and amending section 48, chapter 139, Laws of 1951 and RCW 71.02.590.

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

RCW 71.02.590 amended.

SECTION 1. Section 48, chapter 139, Laws of 1951 and RCW 71.02.590 are each amended to read as follows:

Mentally ill. Letters to or from patients.

The superintendent shall furnish each patient the material for writing at least one letter per week, if he shall request the same, unless otherwise provided. Patients' letters shall be subject to the inspection of the superintendent, who shall mail to the proper address thereof such of them as in his judgment should be sent, and he shall retain such letters as he considers objectionable which he shall forward to the director for study. Letters forwarded to the director for study shall either be mailed within seven days to the addressee or, if deemed objectionable by the director, retained in a separate file for two years and then destroyed. All letters directed to the patients shall be delivered to them if, in the judgment of the superintendent, their contents are not prejudicial to the mental condition of the patient.

Passed the House February 4, 1957.

Passed the Senate February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 55.

[H. B. 231.]

POULTRY DISEASE DIAGNOSTIC LABORATORIES.

AN ACT relating to poultry disease diagnostic laboratories; amending sections 2 and 3, chapter 349, Laws of 1955 and RCW 16.46.020 and 16.46.030; and declaring an emergency.

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

SECTION 1. Section 2, chapter 349, Laws of 1955 and RCW 16.46.020 are each amended to read as follows:

RCW 16.46.020 amended.

For the biennium ending June 30, 1957, there is appropriated to the State College of Washington from the general fund the sum of sixty thousand dollars, or as much thereof as may be necessary, to carry out the purposes of this act.

Appropriation for construction and equipment, diagnostic laboratories.

(1) Forty-five thousand dollars of the amount appropriated shall be allocated for the construction of a poultry disease diagnostic laboratory at the Western Washington experiment station at Puyallup.

Puyallup station.

(2) Fifteen thousand dollars of the amount appropriated shall be allocated for major repairs and betterments and the equipping of poultry disease diagnostic laboratories at the Northwestern Washington experiment station at Mount Vernon and at the Southwestern Washington experiment station at Vancouver.

Mount Vernon station.

Vancouver station.

SEC. 2. Section 3, chapter 349, Laws of 1955 and RCW 16.46.030 are each amended to read as follows:

RCW 16.46.030 amended.

No portion of the sums allocated in subdivisions (1) and (2) of section 2 shall be expended, until the Washington state poultry industry pledged contribution of thirty-five thousand dollars has been deposited, in a joint depository selected by the State College of Washington and the Washington state poultry industry.

Poultry industry to contribute funds before appropriation utilized.

Joint depositary.

All payments from the joint depositary shall be made only:

(1) On vouchers signed by duly authorized representatives of the State College of Washington and the Washington state poultry industry; and

(2) For construction and betterments and for the equipping of the poultry disease diagnostic laboratory at Western Washington experiment station at Puyallup.

Emergency.

SEC. 3. This act is necessary for the immediate support of state government and its existing public institutions, and shall take effect immediately.

Passed the House February 13, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 56.

[H. B. 243.]

CITIES OF THIRD CLASS—RIGHTS, POWERS.

AN ACT relating to third class cities; and amending section 1, chapter 184, Laws of 1915 as amended by section 1, chapter 83, Laws of 1933, and RCW 35.24.010.

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

RCW 35.24.010 amended.

SECTION 1. Section 1, chapter 184, Laws of 1915 as amended by section 1, chapter 83, Laws of 1933 and RCW 35.24.010 are each amended to read as follows:

Third class cities. Rights, powers and privileges.

Every city of the third class shall be entitled "City of" (naming it), and by such name shall have perpetual succession; may sue and be sued in all courts and in all proceedings; shall have and use a common seal alterable at pleasure of the city authorities; may purchase, lease, receive, hold, and enjoy real and personal property and may control and dispose of it for the common benefit;

and with the consent of the dedicator or donor, his heirs, successors, or assigns, may exchange any property acquired for park purposes for other property or may lease, sell, or otherwise dispose of such property, and may make, execute, and deliver proper conveyances to effect the transaction: *Provided*, Proviso. That in any case where owing to death or lapse of time there is neither donor, heir, successor, nor assigns to give consent, then such consent shall be deemed waived. Title to property so conveyed by the city shall vest in the grantee free and clear of any trust in favor of the public arising out of any prior dedication for park purposes.

Passed the House February 9, 1957.

Passed the Senate February 28, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 57.

[H. B. 340.]

SWIMMING POOLS.

AN ACT relating to swimming pools in cities, towns and counties, and prescribing penalties.

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

SECTION 1. (1) The term "swimming pool" as used in this act shall mean an artificial pool of water used for swimming or recreational bathing, together with buildings and appurtenances in connection therewith, and shall be construed as including all pools of water used for swimming or recreational bathing in which it is necessary to employ such measures as the addition of clean water or disinfectant or both for the purpose of maintaining water quality standards. Definitions.
"Swimming pool."

(2) The term "wading pool" shall mean any artificial pool of water for wading purposes. "Wading pool."

Definitions.
"Spray pool."

(3) The term "spray pool" shall mean a pool or artificially constructed depression for use by children, into which water is sprayed but is not allowed to pond in the bottom of the pool.

"Health officer."

(4) The term "health officer" shall mean the city, county or district health officer.

"Director."

(5) The term "director" shall mean the director of health of the state of Washington.

"Public pool."

(6) The term "public pool" shall include any swimming pool owned or operated by the state of Washington or any of its political subdivisions or is a pool generally available to the general public upon the payment of a specific admission charge for the use of the same, and shall include pools maintained by hotels, motels or private clubs as an additional facility for members or guests where the same is fifteen hundred square feet or more in surface area.

"Semipublic pool."

(7) The term "semipublic pool" shall mean a pool provided by a hotel, motel or private club as an additional facility for members or guests where the same is less than fifteen hundred square feet in surface area.

"Private pool."

(8) The term "private pool" shall mean a swimming pool, wading pool or spray pool maintained by an individual for the use of his family and friends.

Director's approval required.

SEC. 2. No municipality, person, firm or corporation shall construct a public or semipublic swimming pool, nor make changes in any public or semipublic swimming pool already built, or in the appurtenances thereof, until the plans and specifications therefor shall first have been submitted to and received the approval of the director. The director may stipulate as a condition of such approval such modifications or conditions not inconsistent with this act as the public health or safety may require.

Rules and regulations.

SEC. 3. The director is authorized and empowered to make any rules and regulations not inconsistent herewith relative to water quality, disinfection, sani-

tation and sanitary control of public and semipublic swimming pools, wading pools and spray pools as are reasonably necessary to the protection of the public health and safety: *Provided*, That such regulation shall not require the installation of overflow troughs or scum gutters in semipublic pools provided other suitable devices of suitable number, type and location, as prescribed by the director, shall be provided therefor, nor shall said regulations require recirculation equipment producing a complete turnover of the contents of semipublic pools at a greater rate than once every twelve hours. Proviso.

SEC. 4. The health officer of every city, county or district is empowered to enforce the provisions of this act and the needful rules and regulations promulgated by the director pursuant hereto, and the violation of any such rules or regulations shall be a misdemeanor punishable by a fine of not more than three hundred dollars. Enforcement.
Penalty.

SEC. 5. The provisions of this act shall not apply to private pools. Private pools
exempt.

Passed the House February 13, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 8, 1957.

CHAPTER 58.

[H. B. 66.]

RECREATION DISTRICTS ACT FOR CLASS AA COUNTIES.

AN ACT relating to park and recreation districts in Class AA counties; providing for the establishment, operation, regulation and dissolution thereof; defining powers and duties in relation thereto; amending section 1, chapter 93, Laws of 1955 and RCW 84.52.052; and providing penalties.

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

Park and recreation districts authorized.

SECTION 1. Park and recreation districts are hereby authorized to be formed in Class AA counties as municipal corporations for the purpose of providing leisure time activities and facilities, including swimming pools, of a nonprofit nature as a public service to the residents of the geographical areas included within their boundaries.

Petition for formation of park district.

SEC. 2. The formation of a park and recreation district in Class AA counties shall be initiated by a petition designating the boundaries thereof by metes and bounds, or by describing the land to be included therein by townships, ranges and legal subdivisions. Such petition shall set forth the object of the district and state that it will be conducive to the public welfare and convenience, and that it will be a benefit to the area therein. Such petition shall be signed by not less than fifteen percent of the registered voters within the area so described. No person signing the petition may withdraw his name therefrom after filing.

Signatures required.

Petition filed.

The petition shall be filed with the auditor of the county within which the proposed district is located, accompanied by an obligation signed by two or more petitioners, agreeing to pay the cost of the publication of the notice provided for in section 4 of this act. The county auditor shall, within

thirty days from the date of filing the petition, examine the signatures and certify to the sufficiency or insufficiency thereof; and for that purpose shall have access to all registration books or records in the possession of the registration officers of the election precincts included, in whole or in part, within the proposed district. Such books and records shall be prima facie evidence of the truth of the certificate.

Auditor's
duties.

If the petition is found to contain a sufficient number of signatures of qualified persons, the auditor shall transmit it, together with his certificate of sufficiency attached thereto, to the county commissioners who shall by resolution entered upon their minutes, receive it and fix a day and hour when they will publicly hear the petition, as provided in section 4.

Auditor's
certificate of
sufficiency.

SEC. 3. A park and recreation district in Class AA counties may include any unincorporated area in the state and, when any part of the proposed district lies within the corporate limits of any city or town, said petition shall be accompanied by a certified copy of a resolution of the governing body of said city or town, approving inclusion of the area within the corporate limits of the city or town.

Areas included.

Resolution of
city or town
required.

SEC. 4. The board of county commissioners shall set a time for a hearing on the petition for the formation of a park and recreation district to be held not more than sixty days following the receipt of such petition. Notice of hearing shall be given by publication three times, at intervals of not less than one week, in a newspaper of general circulation within the county. Such notice shall state the time and place of hearing and describe particularly the area proposed to be included within the district.

Hearing on
petition.

Notice.

SEC. 5. The board of county commissioners shall designate a name for and fix the boundaries of the proposed district following such hearing. No land shall be included in the boundaries as fixed by the

District name
and
boundaries.

Park and recreation districts. Name and boundaries.

county commissioners which was not described in the petition, unless the owners of such land shall consent in writing thereto.

The board of county commissioners shall eliminate from the boundaries of the proposed district land which they find will not be benefited by inclusion therein.

District subdivisions— District commissioners.

SEC. 6. The board of county commissioners, in addition to setting the boundaries of the proposed district, shall also divide it into five subdivisions and shall name five resident electors, no two of whom shall reside within the same subdivisions of said district, as candidates for election as the first park and recreation district commissioners of the district. The proposition for the formation of the proposed park and recreation district shall be submitted to the voters of such district for their approval or rejection at the next general election.

Election procedure— Notice— Ballots.

SEC. 7. All elections pursuant to this act shall be conducted in accordance with the provisions of chapter 29.13 RCW. Notices of the election for the formation of the park and recreation district shall state generally and briefly the purpose thereof and shall give the boundaries of the proposed district, define the election precincts, designate the polling place of each, give the names of the five nominated park and recreation commissioner candidates of the proposed district, and name the day of the election and the hours during which the polls will be open. The proposition to be submitted to the voters shall be stated in such manner that the voters may indicate yes or no upon the proposition of forming the proposed park and recreation district. The ballot shall be so arranged that voters may vote for the five nominated candidates or may write in the names of other candidates.

SEC. 8. If a majority of all votes cast upon the proposition favors the formation of the district, the

board of county commissioners shall, by resolution, declare the territory organized as a park and recreation district under the name theretofore designated, and shall declare the candidate from each subdivision receiving the highest number of votes for park and recreation commissioner the duly elected first park and recreation commissioner of the subdivision of the district.

Declaration of election result by resolution.

SEC. 9. Elections for park and recreation district commissioners shall be held biennially in conjunction with the general election on the first Tuesday after the first Monday of November. Residence anywhere within the district shall qualify an elector for any position on the commission after the initial election. Following the initial election declarations of candidacy for the office of commissioner shall be filed with the county auditor not more than forty-five nor less than thirty days prior to said election. Any candidate may withdraw his declaration at any time within five days after the last day for filing a declaration of candidacy. All names of candidates to be voted upon shall be printed upon the ballot alphabetically in a group under the designation of the title of the offices for which they are candidates. There shall be no rotation of names. All commissioners shall serve until their successors are elected and qualified. The terms of office of all commissioners after the first commissioners shall begin on the first Monday in January following their respective elections. At the first election following the formation of the district, the candidate receiving the highest number of votes shall serve for a term of six years, the two candidates receiving the next highest number of votes shall serve for four years and the two candidates receiving the next highest number of votes shall serve for two years. Thereafter all commissioners shall be elected for six year terms.

Commissioners. Elections.

Residence qualification.

Declarations of candidacy.

Terms.

Vacancies filled.

SEC. 10. Vacancies on the board of park and recreation commissioners shall be filled by a majority vote of the remaining commissioners.

Commissioners to receive expenses.

SEC. 11. The park and recreation commissioners shall receive no compensation for their services but shall receive necessary expenses in attending meetings of the board or when otherwise engaged on district business.

Commissioners' duties.

SEC. 12. The park and recreation district board of commissioners shall:

(1) Elect its officers including a chairman, vice chairman, secretary, and such other officers as it may determine it requires;

(2) Hold regular public meetings at least monthly;

(3) Adopt policies governing transaction of board business, keeping of records, resolutions, transactions, findings and determinations, which shall be of public record;

(4) Initiate, direct and administer district park and recreation activities, and select and employ such properly qualified employees as it may deem necessary.

Powers of districts.

SEC. 13. Park and recreation districts in Class AA counties shall have such powers as are necessary to carry out the purpose for which they are created, including, but not being limited to, the power: (1) To acquire and hold real and personal property; (2) to dispose of real and personal property only by unanimous vote of the district commissioners; (3) to make contracts; (4) to sue and be sued; (5) to borrow money to the extent and in the manner authorized by this act; (6) to grant concessions; (7) to make charges for the use of facilities or for participation; (8) to make and enforce rules and regulations governing the use of property, facilities or equipment and the conduct of persons thereon; (9) to con-

tract with any municipal corporation, governmental or private agencies for the conduct of park and recreation programs; (10) to operate jointly with other governmental units any facilities or property including participation in the acquisition; (11) to hold in trust or manage public property useful to the accomplishment of their objectives; (12) to establish cumulative reserve funds in the manner and for the purposes prescribed by law for cities; and, (13) to make improvements or to acquire property by the local improvement method in the manner prescribed by this act: *Provided*, That such improvement or acquisition is within the scope of the purposes granted to such park and recreation district.

Powers of districts.

Proviso.

SEC. 14. A park and recreation district in Class AA counties shall not have power to levy an annual authorized levy, but it shall have the power to levy a tax upon the property included within the district, in the manner prescribed for cities for the purpose of exceeding the limitations established by Article VII, section 2, as amended by Amendment 17, of the Constitution and by RCW 84.52.052. Such special, voted levy may be either for operating funds or for capital outlay, or for a cumulative reserve fund. A park and recreation district may issue general obligation bonds for capital purposes only, not to exceed an amount, together with any outstanding general obligation indebtedness equal to one and one-half percent of the assessed valuation of the taxable property within such district, and may provide for the retirement thereof by levies in excess of millage limitations in accordance with the provisions of RCW 84.52.056.

Special levies authorized.

Bonds.

SEC. 15. Section 1, chapter 93, Laws of 1955 and RCW 84.52.052 are each amended to read as follows:

RCW 84.52.052 amended.

The limitations imposed by RCW 84.52.050 through 84.52.056, shall not prevent the levy of additional taxes, not in excess of five mills a year

Excess levies authorized—When—Procedure.

Excess levies
authorized—
When—
Procedure.

Public
agencies
authorized—
Elections.

and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, or the levy of additional taxes to pay interest on or toward the reduction, at the rates provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 6, 1932; but this millage limitation with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, school district, metropolitan park district, park and recreation district in Class AA counties, sewer district, water district, public hospital district, rural county library district, inter-county rural library district, fire protection district, city or town may levy taxes at a rate in excess of the rate specified in RCW 84.52.050 through 84.52-.056, when authorized so to do by the electors of such county, school district, metropolitan park district, park and recreation district in Class AA counties, sewer district, water district, public hospital district, rural county library district, inter-county rural library district, fire protection district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, and not oftener than twice in such year, in the manner provided by law for holding general elections, at such time as may be fixed by the body authorized to call the same, which special election may be called by the board of county commissioners, board of school directors, or council, board of commissioners, or other governing body of any metropolitan park district, park and recreation district in Class AA counties, sewer district, water district, public hospital district,

rural county library district, intercounty rural library district, fire protection district, city or town, by giving notice thereof by publication in the manner provided by law for giving notices of general elections, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes," and those opposed thereto to vote "No": *Provided*, That the total number of persons voting at such special election must constitute not less than forty percent of the voters in said taxing district who voted at the last preceding general state election: *Provided further*, That the total number of persons voting on an excess levy for current operating purposes at any such special election of any school district prior to November 3, 1954, must constitute not less than forty percent of the voters in said taxing district who voted at the last preceding general election in such district.

SEC. 16. The county treasurer of the county in which the district shall be located shall be the treasurer of the district, and expenditures shall be made upon warrants drawn by the county auditor pursuant to vouchers approved by the board of park and recreation commissioners.

SEC. 17. The board of park and recreation commissioners of each park and recreation district shall annually compile a budget, in form prescribed by the state division of municipal corporations, for the ensuing calendar year, and which shall, to the extent that anticipated income is actually realized, constitute the appropriations for the district. The budget may include an amount to accumulate a reserve for a stated capital purpose. In compiling the budget, all available funds and anticipated income shall be taken into consideration, including contributions or contractual payments from school districts, cities or towns, county, or any other governmental unit; gifts

and donations; special tax levy; assessments; fees and charges; proceeds of bond issues; cumulative reserve funds.

Expenditures, park districts.

SEC. 18. Expenditures shall be made solely in accordance with the budget, and should revenues accrue at a rate below the anticipated amounts, the board of park and recreation commissioners shall reduce expenditures accordingly: *Provided*, That the board may, by unanimous vote, authorize such expenditures, or authorize expenditures in excess of those budgeted, if sufficient revenue to pay such expenditures is derived by the levy of the district or if provided by other governmental agencies specifically for such purposes.

Proviso.

Violation of rules—Penalty.

SEC. 19. The violation of any of the rules or regulations of a park and recreation district adopted by its board for the preservation of order, control of traffic, protection of life or property or for the regulation of the use of park property shall constitute a misdemeanor.

Additional area may be added to district.

SEC. 20. After a park and recreation district in Class AA counties has been organized, an additional area may be added by the same procedure within the proposed additional area as is provided herein for the organization of a park and recreation district, except that no first commissioners shall be nominated by the board of county commissioners or elected, and all electors within both the organized park and recreation district and the proposed additional territory shall vote upon the proposition for enlargement.

Local improvement districts authorized.

SEC. 21. Whenever the board of park and recreation commissioners of any district shall determine that any proposed capital improvement would be of special benefit to all or to any portion of the district, it may establish local improvement districts within its territory; levy special assessments under the mode of annual installments extending over a period

Assessments.

not exceeding twenty years, on all property specially benefited by a local improvement, on the basis of special benefits to pay in whole or in part the damage or costs of any improvements ordered in the district; and issue local improvement bonds in the improvement district to be repaid by the collection of local improvement assessments. The method of establishment, levying, collection and enforcement of such assessments and issuance and redemption of local improvement warrants and bonds and the provisions regarding the conclusiveness of the assessment roll and the review by the superior court of any objections thereto shall be as provided for the levying, collection, and enforcement of local improvement assessments and the issuance of local improvement bonds by cities of the first class, including the restraints provided for in RCW 35.43.160 through 35.43.170, insofar as consistent herewith. The duties devolving upon the city treasurer are hereby imposed upon the county treasurer for the purposes hereof. The mode of assessment shall be determined by the board.

Bonds.

Procedure.

County treasurer's duties.

SEC. 22. Local improvement districts may be initiated either (1) by resolution of the board of park and recreation commissioners, or, (2) by petition signed by the owners (according to the county auditor's records) of at least fifty-one percent of the area of land within the limits of the local improvement district to be created.

Initiation of local improvement district.

SEC. 23. If the board of park and recreation commissioners desires to initiate the formation of a local improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed local improvement district and describing the boundaries thereof, stating the estimated cost and expense of the improvement

Procedure when initiation by resolution.

and the proportionate amount thereof which will be borne by the property within the proposed district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Procedure when initiation by petition.

SEC. 24. If such local improvement district is initiated by petition, such petition shall set forth the nature and territorial extent of the proposed improvement requested to be ordered and the fact that the signers thereof are the owners (according to the records of the county auditor) of at least fifty-one percent of the area of land within the limits of the local improvement district to be created. Upon the filing of such petition the board of park and recreation commissioners shall determine whether it is sufficient, and the board's determination thereof shall be conclusive upon all persons. No person shall withdraw his name from the petition after it has been filed with the board. If the board shall find the petition to be sufficient, it shall proceed to adopt a resolution declaring its intention to order the improvement petitioned for, setting forth the nature and territorial extent of said improvement, designating the number of the proposed local district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed local district, and fixing a date, time and place for a public hearing on the formation of the proposed local district.

Publication of resolution of intention, however improvement initiated.

The resolution of intention, whether adopted on the initiative of the board or pursuant to a petition of the property owners, shall be published in at least two consecutive issues of a newspaper of general circulation in the proposed local district, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board.

SEC. 25. Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract, parcel of land or other property within the proposed improvement district by mailing said notice at least fifteen days before the date fixed for the public hearing to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date, time and place of the hearing before the board of park and recreation commissioners; and in the case of improvements initiated by resolution, the notice shall also state that all persons desiring to object to the formation of the proposed district must file their written protests with the secretary of the board before the time fixed for said public hearing.

Notice of adoption of resolution of intention—Contents.

SEC. 26. Whether the improvement is initiated by petition or resolution, the board of park and recreation commissioners shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing the board shall hear objections from any person affected by the formation of the local district and may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: *Provided*, That the board may not change the boundaries of the district to include or exclude property not previously included or excluded without first passing a new resolution of intention and giving a new notice to

Public hearing, however improvement initiated.

Proviso.

property owners in the manner and form and within the time herein provided for the original notice.

Jurisdiction of board after hearing.

SEC. 27. After said hearing the board of park and recreation commissioners shall have jurisdiction to overrule protests and proceed with any such improvement initiated by petition or resolution: *Provided*, That the jurisdiction of the board to proceed with any improvement initiated by resolution shall be divested by a protest filed with the secretary of the board prior to said public hearing for the improvement signed by the owners of the property within the proposed local improvement district which is subject to sixty percent or more of the cost of the improvement as shown and determined by the preliminary estimates and assessment roll of the proposed improvement district.

Proviso.

Board procedure on finding for formation of district.

SEC. 28. If the board of park and recreation commissioners finds that the district should be formed, it shall by resolution order the improvement, adopt detailed plans of the local improvement district and declare the estimated cost thereof, acquire all necessary land therefor, pay all damages caused thereby, and commence in the name of the park and recreation district such eminent domain proceedings as may be necessary to entitle the district to proceed with the work. The board shall thereupon proceed with the work and file with the county treasurer its roll levying special assessments in the amount to be paid by special assessment against the property situated within the improvement district in proportion to the special benefits to be derived by the property therein from the improvement.

Assessment roll.

Notice of filing of assessment roll—Procedure for approval.

SEC. 29. Before approval of the roll a notice shall be published once a week for two consecutive weeks in a newspaper of general circulation in the local district, stating that the roll is on file and open to inspection in the office of the secretary, and fixing the time, not less than fifteen or more than thirty

days from the date of the first publication of the notice within which protests must be filed with the secretary against any assessments shown thereon, and fixing a time when a hearing will be held by the board of park recreation commissioners on the protests. Notice shall also be given by mailing, at least fifteen days before the hearing, a similar notice to the owners or reputed owners of the land in the local district as they appear on the books of the treasurer of the county in which the park and recreation district is located. At the hearing, or any adjournment thereof, the commissioners may correct, change or modify the roll, or any part thereof, or set aside the roll and order a new assessment, and may then by resolution approve it. If an assessment is raised a new notice similar to the first shall be given, after which final approval of the roll may be made. When property has been entered originally upon the roll and the assessment thereon is not raised, no objection thereto shall be considered by the commissioners or by any court on appeal unless the objection is made in writing at, or prior, to the date fixed for the original hearing upon the roll.

SEC. 30. Whenever any land against which there has been levied any special assessment by any park and recreation district shall have been sold in part or subdivided, the board of park and recreation commissioners of such district shall have the power to order a segregation of the assessment.

Segregation of assessments, board power.

SEC. 31. Any person desiring to have such a special assessment against a tract of land segregated to apply to smaller parts thereof shall apply to the board of park and recreation commissioners of the park and recreation district which levied the assessment. If the board determines that a segregation should be made, it shall by resolution order the county treasurer to make segregation on the original assessment roll as directed in the resolution. The

Procedure for segregation of assessment.

Procedure for segregation of assessment.

segregation shall be made as nearly as possible on the same basis as the original assessment was levied, and the total of the segregated parts of the assessment shall equal the assessment before segregation. The resolution shall describe the original tract, the amount and date of the original assessment, and shall define the boundaries of the divided parts and the amount of the assessment chargeable to each part. A certified copy of the resolution shall be delivered to the county treasurer who shall proceed to make the segregation ordered upon being tendered a fee of three dollars for each tract of land for which a segregation is to be made. In addition to such charge the board may require as a condition to the order of segregation that the person seeking it pay the district the reasonable engineering and clerical costs incident to making the segregation.

Dissolution.

SEC. 32. Any park and recreation district formed under the provisions of this act may be dissolved in the manner provided in chapter 53.48, relating to port districts.

Short title.

SEC. 33. This act may be cited as the "Recreation Districts Act for Class AA counties."

Passed the House March 1, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 9, 1957.

CHAPTER 59.

[H. B. 227.]

PORT DISTRICTS—BONDS AND WARRANTS.

AN ACT relating to port districts; amending section 1, chapter 122, Laws of 1949 and RCW 53.40.010; amending section 2, chapter 122, Laws of 1949 and RCW 53.40.020 and 53.40.030; amending section 4, chapter 122, Laws of 1949 and RCW 53.40.040; amending section 3, chapter 122, Laws of 1949 and RCW 53.40.050; amending section 7, chapter 122, Laws of 1949 and RCW 53.40.090, 53.40.100 and 53.40.120; and repealing sections 5 and 6, chapter 122, Laws of 1949 and RCW 53.40.060, 53.40.070 and 53.40.080.

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

SECTION 1. Section 1, chapter 122, Laws of 1949 and RCW 53.40.010 are each amended to read as follows:

RCW 53.40.010 amended.

Any port district is authorized in the exercise of the powers granted port districts under the laws of the state to contract indebtedness and issue revenue bonds and warrants evidencing such indebtedness in conformity with this chapter.

Revenue bonds and warrants authorized.

SEC. 2. Section 2, chapter 122, Laws of 1949 (heretofore divided and codified as RCW 53.40.020 and RCW 53.40.030) is amended to read as set forth in sections 3 and 4 of this act.

Division and amendment.

SEC. 3. (RCW 53.40.020) All such revenue bonds and warrants authorized under the terms of this chapter may be issued and sold by the port district from time to time and in such amounts as is deemed necessary by the port commission to provide sufficient funds for the carrying out of all port district powers, and without limiting the generality thereof, shall include the following: Acquisition, construction, reconstruction, maintenance, repair, additions and operation of port properties and facilities, including in the cost thereof engineering, inspection, accounting, fiscal and legal expenses; the cost of is-

RCW 53.40.020 amended.

Purposes for which issued

suance of bonds, including printing, engraving and advertising and other similar expenses; payment of interest on the outstanding bonds issued for any project during the period of actual construction and for six months after the completion thereof, and the proceeds of such bond issue are hereby made available for all such purposes.

RCW 53.40.030
amended.
Form and term
of bonds.

SEC. 4. (RCW 53.40.030) The port commission shall determine the form, conditions, and denominations of all such bonds, the maturity dates which the bonds so sold shall bear, and the interest rate thereon, which shall not exceed six percent per year. It shall not be necessary that all bonds of the same authorized issue bear the same interest rate. Principal and interest of the bonds shall be payable at such place or places as may be fixed and determined by the port commission. The bonds may contain provisions for registration thereof as to principal only and as to both principal and interest. The bonds shall be issued in coupon form with interest payable at such times as may be determined by the port commission and in such amounts as they may prescribe. The port commission may provide for retirement of bonds issued under this chapter at any time or times prior to their maturity, and in such manner and upon the payment of such premiums as may be fixed and determined by resolution of the port commission.

RCW 53.40.040
amended.

SEC. 5. Section 4, chapter 122, Laws of 1949 and RCW 53.40.040 are each amended to read as follows:

Bonds payable
only out of
revenues—
Special funds.

Bonds or warrants issued under the provisions of this chapter shall be payable solely out of revenues of the port district. Such bonds or warrants may be authorized by resolution adopted by the port commission, which resolution shall provide for the creation of a special fund or funds, in which event or events the port commission may obligate and bind the port district to set aside and pay a fixed proportion of the gross revenue of the port district. Such

fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds and warrants issued pursuant to this chapter.

The bonds and warrants shall be negotiable instruments under the law merchant, even though they shall be payable solely from such special fund or funds, but shall never be deemed a charge upon the tax revenue of the port district. The bonds shall state upon their face that they are payable solely from such special fund or funds. If the port commission fails to set aside and pay into such fund or funds the payments provided for in such resolution, the holder of any such bonds or warrants may bring suit to compel compliance with the provisions of the resolution.

SEC. 6. Section 3, chapter 122, Laws of 1949 and RCW 53.40.050 are each amended to read as follows:

RCW 53.40.050 amended.

Port districts may, but are not required by the terms of this chapter to do so, sell any or all such bonds issued pursuant to this chapter to the federal government, or any agency of the federal government, at private sale and without the necessity of public advertisement or calling for bids, but in no event shall the sale of the bonds be permitted for less than the principal and accrued interest thereon. Sales to others than the federal government, or its agencies, shall be made in the manner provided by law for the sale of other port district bonds.

Sale of bonds.

SEC. 7. Section 7, chapter 122, Laws of 1949 (heretofore divided and codified as RCW 53.40.090, RCW 53.40.100 and RCW 53.40.120) is amended to read as set forth in sections 8 through 10 of this act.

SEC. 8. (RCW 53.40.090)

RCW 53.40.090 deleted.

SEC. 9. (RCW 53.40.100)

RCW 53.40.100 deleted.

SEC. 10. (RCW 53.40.120) The Reconstruction Finance Corporation, or any other agency of the United States government making any such loan, or any

RCW 53.40.120 enacted without amendment.

Irregularity
in bonds or
use of funds
no defense.

other holder or owner of any bonds issued pursuant to this chapter, shall not be required to see to the application of the moneys derived from such bonds to the purposes for which the bonds are issued as specified in any resolution authorizing the issuance thereof. No defense of invalidity, or irregularity in any such bonds funded or refunded by the issuance of bonds hereunder, shall be a valid defense in any action at law or equity for a judgment upon or for the enforcement or collection of any bonds issued pursuant to this chapter, and no court shall have jurisdiction to entertain any such defense in any such action or proceeding.

Repeal.

SEC. 8. Sections 5 and 6, chapter 122, Laws of 1949 and RCW 53.40.060 through RCW 53.40.080 are each repealed.

Passed the House February 9, 1957.

Passed the Senate March 1, 1957.

Approved by the Governor March 9, 1957.

CHAPTER 60.

[H. B. 338.]

MEDICINE AND SURGERY.

AN ACT relating to the practice of medicine and surgery; amending section 6, chapter 192, Laws of 1909 as last amended by section 1, chapter 168, Laws of 1947, and RCW 18.71.010 and RCW 18.71.050; amending section 11, chapter 134, Laws of 1919 and RCW 18.71.090; and adding a new section to chapter 192, Laws of 1909 as last amended by chapter 168, Laws of 1947, and chapter 18.71 RCW.

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

Division and
amendment.

SECTION 1. Section 6, chapter 192, Laws of 1909 as last amended by section 1, chapter 168, Laws of 1947 (heretofore divided and codified as RCW 18.71.010 and RCW 18.71.050) is divided and amended as set forth in sections 2 and 3 of this act.

SEC. 2. (RCW 18.71.010) (1) The practice of medicine and surgery consists of the use of drugs or medicinal preparations in or upon human beings, severing or penetrating the tissues of human beings, and the use of any and all other methods in the treatment of diseases, injuries, deformities, or other physical or mental conditions.

RCW 18.71.010 amended.

Definitions.
Practice of
medicine and
surgery.

(2) "Director" means the director of licenses.

Director.

SEC. 3. (RCW 18.71.050) Every such applicant must file in the office of the director with his application satisfactory testimonials as to his moral character, and a diploma issued by a medical school accredited and approved by the director, as of the time the diploma was issued therefrom, or satisfactory evidence of having possessed a diploma from a medical school accredited and approved as provided by section 4 of this amendatory act. The application must be sworn to before some person authorized to administer oaths, and attested by the hand and seal of such officer, if he has a seal, stating that the applicant is the person named in the diploma, that he is the lawful holder thereof, and that it was procured in the regular course of instruction and examination, without fraud or misrepresentation.

RCW 18.71.050 amended.

Application
—Eligibility
requirements.

The applicant must also furnish evidence that:

(1) He has served for not less than one year as interne in a thoroughly equipped hospital, having at least twenty-five beds for each interne, devoted to the treatment of medical, surgical, gynecological and special diseases;

(2) He has had some experience in, and has a practical working knowledge of obstetrics and has attended or has participated in the attendance upon not less than six confinements;

(3) He has had some experience in, and a practical working knowledge of pathology;

(4) He can speak and write the English language.

New section.

SEC. 4. There is added to chapter 192, Laws of 1909 as last amended by chapter 168, Laws of 1947, and to chapter 18.71 RCW a new section to read as follows:

Medical schools—
Requirements for accreditation and approval.

The director shall not accredit and approve any medical school unless it:

(1) Requires three academic years of premedical collegiate instruction which training shall include theoretical and laboratory courses in physics, biology, inorganic and organic chemistry as a prerequisite to admission;

(2) Provides a curriculum extending over a period of at least four academic years and provides adequate instruction in the following subjects: Anatomy, biochemistry, microbiology and immunology, pathology, pharmacology, physiology, anaesthesiology, dermatology, gynecology, internal medicine, nuerology, obstetrics, ophthalmology, orthopedic surgery, otolaryngology, pediatrics, physical medicine and rehabilitation, preventive medicine and public health, psychiatry, radiology, surgery and urology;

(3) Provides clinical instruction in hospital wards and outpatient clinics under guidance for third and fourth year medical students.

Approval may be withdrawn by the director at any time a medical school ceases to comply with one or more of the requirements of this section of this amendatory act.

RCW 18.71.090 amended.

SEC. 5. Section 11, chapter 134, Laws of 1919 and RCW 18.71.090 are each amended to read as follows:

License—
Reciprocity with other states.

Any applicant who has been examined and licensed under the laws of another state, which through a reciprocity provision in its laws, similarly accredits the holders of certificates from the proper authorities of this state to the full privileges of practice within its borders may, in the discretion of the director, be granted a license without examination on the payment of a fee of twenty-five dollars to the

state treasurer: *Provided*, That he has not previously failed to pass an examination held in this state. He must file with the director a copy of his license certified by the proper authorities of the issuing state to be a full, true copy thereof, and must show that the standards, eligibility requirements and examinations of that state are at least equal in all respects to those of this state. Proviso.

SEC. 6. All acts and parts of acts to the extent that the same are in conflict herewith are hereby repealed. General repeal.

SEC. 7. If any section, sentence, clause, or phrase of this act should be held to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this act. Severability.

SEC. 8. This act is necessary for the immediate preservation of public peace, health and safety, and shall take effect immediately. Emergency.

Passed the House February 22, 1957.

Passed the Senate March 1, 1957.

Approved by the Governor March 9, 1957.

CHAPTER 61.

[H. B. 168.]

STATE PENITENTIARY AND STATE REFORMATORY—

INMATES' LETTERS.

AN ACT relating to state institutions.

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

SECTION 1. Whenever the superintendent of the state penitentiary or the superintendent of the state reformatory withhold from mailing letters written by inmates of such institutions, the superintendents of the respective institutions shall forward such letters to the director of institutions for study and the inmate shall be forthwith notified that such letter has been withheld from mailing and the reason for so doing. Letters forwarded to the director for study shall either be mailed within seven days to the addressee or, if deemed objectionable by the director, retained in a separate file for two years and then destroyed.

Letters of inmates may be withheld.

Passed the House March 4, 1957.

Passed the Senate March 1, 1957.

Approved by the Governor March 9, 1957.

CHAPTER 62.

[H. B. 50.]

STATE CAPITOL BUILDINGS AND LANDS—STATE
LIBRARY.

AN ACT relating to capitol land grant funds; providing for the construction and financing of a state library; removing authorization for certain expenditures; amending sections 1, 2, 3, 5, 7 and 8, chapter 279, Laws of 1955 and RCW 79.24.200, 79.24.210, 79.24.220, 79.24.240, 79.24.260 and 79.24.270; adding a new section to chapter 279, Laws of 1955 and to chapter 79.24 RCW; making an appropriation; and declaring an emergency.

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

SECTION 1. Section 1, chapter 279, Laws of 1955 and RCW 79.24.200 are each amended to read as follows: RCW 79.24.200 amended.

The state capitol committee may issue coupon or registered bonds of the state in an amount not to exceed four million five hundred thousand dollars. The bonds shall bear interest at a rate not to exceed five percent per annum, both principal and interest to be payable only from revenues hereafter received from leases and contracts of sale heretofore or hereafter made of lands, timber, and other products from the surface or beneath the surface of the lands granted to the state by the United States pursuant to the act of Congress approved February 22, 1889, for capitol building purposes. Capitol buildings. Bond issue authorized.

SEC. 2. Section 2, chapter 279, Laws of 1955 and RCW 79.24.210 are each amended to read as follows: RCW 79.24.210 amended.

Such bonds may be sold in such manner and in such amounts, in such denominations and at such times as the capitol committee shall determine, and at the best price obtainable. They shall be sold at such price and interest rate that the net interest cost shall not exceed five percent. Sale of bonds.

RCW 79.24.220
amended.

SEC. 3. Section 3, chapter 279, Laws of 1955 and RCW 79.24.220 are each amended to read as follows:

Form, term,
etc., of bonds—
Refunding
prior issues.

Bonds issued under this act shall mature at such time or times, and include such provisions for optional redemption, premiums, coverage, guarantees, and other covenants as in the opinion of the state capitol committee may be necessary. The principal and interest of said bonds shall be payable at the office of the state treasurer, or at the office of the fiscal agent of the state in New York City at the option of the holder of any such bond or bonds. Any bonds which may have been heretofore issued and are now outstanding by authority of chapter 22, Laws of 1951 as amended, may be refunded out of the proceeds of the bonds provided for in this amendatory act and the state capitol committee may repeal any resolution heretofore adopted authorizing issuance of such bonds and may negotiate a cancellation of any agreements to purchase such bonds.

RCW 79.24.240
amended.

SEC. 4. Section 5, chapter 279, Laws of 1955 and RCW 79.24.240 are each amended to read as follows:

Payment of
principal and
interest—
Capitol build-
ing bond re-
demption fund
—Disposition
of proceeds
from sale.

For the purpose of paying the principal and interest of said bonds as the same shall become due, or as said bonds become callable at the option of the capitol committee, there is hereby created a fund to be denominated the "capitol building bond redemption fund." While any of said bonds remain outstanding and unpaid, it shall be the duty of the capitol committee in December of each year to determine the amount that will be required for the redemption of bonds and the payment of interest during the twelve month period of the next calendar year, and certify said amount to the state treasurer in writing. The state treasurer shall forthwith and thereafter during said twelve month period deposit into the capitol building bond redemption fund all receipts that would otherwise be deposited in the general fund—capitol building construction account

until the amount certified to said treasurer by the said capitol committee has accrued to the capitol building bond redemption fund.

In addition to certifying and providing for the annual amounts required to pay the principal and interest of said bonds, the capitol committee may, under such terms and conditions and at such times and in such amounts as may be found necessary to insure the sale of said bonds, provide for additional payments into the capitol building bond redemption fund to be held as a reserve to secure the payment of the principal and interest of such bonds.

The owner and holder of any of said bonds or the trustee for any of said bonds may by mandamus or other appropriate proceeding require and compel the deposit and payment of funds as directed herein.

The proceeds from the sale of the bonds hereby authorized shall be paid into the general fund—capitol building construction account.

SEC. 5. Section 7, chapter 279, Laws of 1955 and RCW 79.24.260 are each amended to read as follows:
RCW 79.24.260 amended.

Proceeds of the bonds issued hereunder shall be expended by the state capitol committee for the purposes enumerated in this section.
Use of proceeds specified.

The state capitol committee may select and acquire, by purchase or condemnation, suitable grounds adjacent to the present capitol grounds and construct thereon a modern office-type building and furnish the same. Said building shall be reinforced concrete construction, but devoid of stone facing or decorative features. The building shall contain not less than one hundred ten thousand square feet of floor space and shall include an auditorium or hearing room of reasonable size. The plans for the building shall make provision for the later addition if necessary of another wing to the building. The public printer, and such other state agencies, departments, and offices, as may from time to time be assigned by the director

State capitol buildings. Use of proceeds specified.

of public institutions, shall be housed in said building. The building referred to in this subsection is that building which was commenced under authority of chapter 22, Laws of 1951, as amended by chapter 187, Laws of 1953, and which presently is under construction.

The state capitol committee shall construct and furnish a building upon the following approximate location: south and west of the Public Lands and Social Security Building; south and east of the Transportation Building; occupying the west portion of the state-owned land lying south of these two buildings, west of Water street, and north of the terminus of Sylvester street. This building shall be used for the purpose of housing the state library together with all books, materials, equipment, and offices thereof. This shall be a priority project and, except for current expenses of the capitol committee, expenses incurred for the planning of authorized projects or expenditures necessitated through catastrophe or dire emergency declared to be such by the capitol committee, no capitol building funds (other than payments authorized in section 4 of this act) shall be expended until the state library building is under construction.

RCW 79.24.270 amended.

SEC. 6. Section 8, chapter 279, Laws of 1955 and RCW 79.24.270 are each amended to read as follows:

Appropriation.

There is appropriated to the state capitol committee from the capitol building construction fund for the interim period, April 1 through June 30, 1955 (being the period following the fiscal biennium April 1, 1953 through March 31, 1955; and preceding the fiscal biennium July 1, 1955 through June 30, 1957) and for the fiscal biennium commencing July 1, 1955 and ending June 30, 1957, for the purposes of this act, the sum of four million four hundred seventeen thousand, seven hundred eighteen dollars and fifty-nine cents, or so much thereof as may be necessary,

which sum represents the total of the following amounts: (a) Unexpended balance of amount appropriated in chapter 22, Laws of 1951, and reappropriated in chapter 187, Laws of 1953, one million two hundred ninety-two thousand, seven hundred eighteen dollars and fifty-nine cents; (b) unexpended new appropriation in chapter 187, Laws of 1953, one million eight hundred fifty thousand dollars. Appropriation.

There is appropriated to the state capitol committee from the general fund—capitol building construction account the sum of one million seven hundred thousand dollars or so much thereof as may be necessary for the state library building, site, and furnishings.

SEC. 7. There is added to chapter 279, Laws of 1955 and to chapter 79.24 RCW a new section to read as follows: New section.

The capitol committee shall have the power to do all acts and things necessary or convenient to carry out the purposes of this act. Powers of capitol committee.

SEC. 8. If any provision of this act shall be declared unconstitutional or ineffective in whole or in part by a court of competent jurisdiction, then to the extent that it is unconstitutional or ineffective, such provision shall not be enforced, nor shall such determination be deemed to invalidate or to affect in any way the remaining provisions of this act. Severability.

SEC. 9. This act is necessary for the immediate preservation of the public peace, health and safety, and for the immediate support of the state government and its existing public institutions, and shall take effect immediately. Emergency.

Passed the House March 3, 1957.

Passed the Senate March 1, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 63.

[H. B. 200.]

PUBLIC ASSISTANCE.

AN ACT relating to public assistance; amending section 3, chapter 6, Laws of 1949 as last amended by section 17, chapter 174, Laws of 1953, and RCW 74.08.010; amending section 5, chapter 6, Laws of 1949 as last amended by section 18, chapter 174, Laws of 1953, and RCW 74.08.040; amending section 9, chapter 1, Laws of 1951 and RCW 74.08.270; amending section 35, chapter 174, Laws of 1953, and RCW 74.04.300; amending section 1, chapter 114, Laws of 1937 as last amended by section 24, chapter 174, Laws of 1953, and RCW 74.12.010; amending section 7, chapter 176, Laws of 1951 and RCW 74.10.070; repealing section 36, chapter 174, Laws of 1953 and RCW 74.08.111; repealing section 1, chapter 274, Laws of 1951 and RCW 74.08.274; repealing section 2, chapter 274, Laws of 1951 and RCW 74.08.275; repealing section 34, chapter 174, Laws of 1953 and RCW 74.08.300; adding new sections to Title 74 RCW; and declaring an emergency.

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

RCW 74.08.010
amended.

SECTION 1. Section 3, chapter 6, Laws of 1949 as last amended by section 17, chapter 174, Laws of 1953, and RCW 74.08.010 are each amended to read as follows:

Definitions.

For the purposes of chapters 74.04 through 74.16, unless the context indicates otherwise, the following definitions shall apply:

"Public
assistance."

(1) "Public assistance"—Public aid to persons in need thereof for any cause, including services, assistance grants, disbursing orders, work relief, general assistance and federal-aid assistance.

"Department."

(2) "Department"—The department of public assistance.

"County
office."

(3) "County office"—The administrative office for one or more counties.

"Director."

(4) "Director"—The director of the state department of public assistance.

"Federal-aid
assistance."

(5) "Federal-aid assistance"—The specific categories of assistance for which provision is made in

any federal law existing or hereafter passed by which payments are made from the federal government to the state in aid or in respect to payment by the state for public assistance rendered to any category of needy persons, including old age assistance, aid to dependent children, aid to the permanently and totally disabled persons, aid to the blind, child welfare services and any other programs of public assistance which are authorized by chapters 74.04 through 74.16 for which provision for federal aid may from time to time be made. Definitions.

(6) "General assistance"—Shall include aid to unemployable persons and unemployed employable persons who are not eligible to receive or are not receiving federal-aid assistance. "General assistance."

(a) Unemployable persons are those persons who by reason of bodily or mental infirmity or other cause are incapacitated from gainful employment. Unemployable persons.

(b) Unemployed employable persons are those persons who although capable of gainful employment are unemployed. Unemployed employable persons.

(7) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county office for assistance. "Applicant."

(8) "Recipient"—Any person receiving assistance or currently approved to receive assistance at any future date and in addition those dependents whose needs are included in the recipient's grant. "Recipient."

(9) "Income"—Net income in cash or kind available to an applicant or recipient, the receipt of which is regular and predictable enough that an applicant or recipient may rely upon it to contribute appreciably toward meeting his needs: *Provided*, That in determining the amount of assistance to which a recipient of aid to the blind is entitled or to which any dependent of such recipient may be entitled under any category of public assistance, the department is hereby authorized to disregard as a resource "Income."

Proviso.

Definitions
"Income."

Proviso.

the first fifty dollars per month of any earned income of such blind recipient who is otherwise eligible for an aid to the blind grant: *Provided further*, That if the federal laws permit, the department is directed to disregard as a resource the first fifty dollars per month of any earned income of any recipient of old age assistance, aid to dependent children, or disability assistance who is otherwise eligible. In formulating rules and regulations pursuant to this chapter the department shall define "earned income" in such a manner as to meet with the approval of the federal security agency.

"Need."

(10) "Need"—The amount by which the requirements of an individual for himself and the dependent members of his family, as measured by the standards of the department, exceed all income and resources available to such individual in meeting such requirements.

"Resource."

Proviso.

(11) "Resource"—Any asset, tangible or intangible, which can be applied toward meeting an applicant's or recipient's need, either directly or by conversion into money or its equivalent: *Provided*, That an applicant may retain the following described resources and not be ineligible for public assistance because of such resources:

A home.

(a) A home, which is defined as real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto. Whenever a recipient shall cease to use such property for residential purposes, either by himself or his dependents, the property shall be considered a resource which can be made available to meet need. If the person or his dependents absent themselves from the home for a consecutive period of ninety days such absence shall raise a presumption of abandonment: *Provided*, That hospitalization of a recipient or absence from the recipient's home for health

Proviso.

reasons for a period in excess of ninety days shall not raise such a presumption. Definitions.
"Resource."

(b) Household furnishings and personal clothing used and useful to the person.

(c) An automobile.

(d) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit, or marketable securities of such value.

(e) Life insurance having a cash surrender value not in excess of five hundred dollars for a single person or one thousand dollars for a family unit: *Provided*, That this maximum allowance shall be decreased by the amount of cash held by the person or the family unit under item (d) above. Proviso.

(f) Other personal property and belongings which are used and useful or which have great sentimental value to the applicant or recipient. Whenever such person ceases to make use of such personal property and belongings, the same shall be considered a resource available to meet need.

(g) If the federal laws permit, the first fifty dollars per month of earned income of any recipient of old age assistance, aid to dependent children, or disability assistance who is otherwise eligible.

The department shall by rule and regulation fix the ceiling value for the individual or family unit for all personal property and belongings as defined in items (c), (d) and (e) of this section. If an applicant for or recipient of public assistance possesses personal property and belongings of a value in excess value, such person shall be ineligible for public assistance: *Provided*, That in the determination of need of applicants for or recipients of general assistance no resources shall be considered as exempt per se, but the department may by rule and regulation adopt standards which will permit the exemption of the home and personal property and belongings from consideration as an available Proviso.

resource when such resources are determined to be necessary to the applicant's or recipient's restoration to independence.

RCW 74.08.040
amended.

SEC. 2. Section 5, chapter 6, Laws of 1949 as last amended by section 18, chapter 174, Laws of 1953, and RCW 74.08.040 are each amended to read as follows:

Amount of
grant—Stand-
ards of
assistance.

Grants shall be awarded on a uniform state-wide basis in accordance with standards of assistance established by the department. The department shall establish standards of assistance for old age assistance, aid to dependent children, aid to the blind, and general assistance to unemployable persons which shall be used to determine an applicant's or recipient's living requirements and which shall include reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance, and necessary incidentals. The total dollar value of the assistance budget shall, under average conditions, be not less than seventy-five dollars per month for an individual living alone; but a recipient shall not receive a grant of seventy-five dollars or more unless his actual requirements amount to seventy-five dollars. Grants shall be paid in the amount of requirements less all available income and resources which can be applied by the recipient toward meeting need, including shelter.

In order to determine such standards of assistance the department shall establish objective budgetary guides based upon actual living cost studies of the items of the budget. Such living cost studies shall be renewed or revised annually and new standards of assistance reflecting current living costs shall determine budgets of need. Any indicated adjustment in standards shall become effective not later than June 1st of 1953 and June 1st of each succeeding year.

The standards of assistance shall take into account the economy of joint living arrangements, and the department may, by rule and regulation, prescribe maximums for grants.

For general assistance to unemployed employable persons, the department shall establish standards of assistance based upon annual living cost studies and compatible with a minimum necessary for decent and healthful subsistence. Such standards shall permit the meeting of actual and emergent need on an individual basis.

SEC. 3. Section 35, chapter 174, Laws of 1953 and RCW 74.04.300 are each amended to read as follows: If a recipient receives public assistance for which he is not eligible, or receives public assistance in an amount greater than that for which he is eligible, the portion of the payment to which he is not entitled shall be a debt due the state: *Provided*, That if any part of any assistance payment is obtained by a person as a result of a wilfully false statement, or representation, or impersonation, or other fraudulent device, or wilful failure to reveal resources or income, the total assistance payment so obtained shall be a debt due the state and shall become a lien against the real and personal property of such person from the time of filing by the department with the county clerk and county auditor of the county in which the person resides or owns property, and such lien claim shall have preference to the claims of all unsecured creditors. It shall be the duty of recipients of public assistance to notify the department within thirty days of the receipt or possession of all income or resources not previously declared to the department, and any failure to so report shall be prima facie evidence of fraud.

RCW 74.04.300 amended.

Recovery of payments improperly received.

Proviso.

Debts due the state pursuant to the provisions of this section, may be recovered by the state by deduction from the subsequent assistance payments

Proviso. to such persons or may be recovered by a civil action instituted by the attorney general: *Provided*, That if the portion of any public assistance payment to which the recipient is not entitled is less than ten dollars and is erroneously paid to the recipient as a result of departmental error or oversight, such amount shall not be recovered by the state by deduction from subsequent assistance payments to such persons.

New section. SEC. 4. There is added to Title 74 RCW a new section to read as follows:

Old age assistance grants not recoverable as debt due state—
Exceptions.

Old age assistance grants awarded to an applicant under the laws of the state of Washington shall not be recoverable as a debt due the state, except where such funds have been received by the applicant contrary to law, or by fraud or deceit. Any and all claims accrued under the provisions of section 36, chapter 174, Laws of 1953 and RCW 74.08.111 are hereby renounced and declared to be null and void, except those claims which have accrued or which shall accrue on the basis of grants which have been received contrary to law, or by fraud or deceit.

RCW 74.08.270 amended.

SEC. 5. Section 9, chapter 1, Laws of 1951 and RCW 74.08.270 are each amended to read as follows:

Legislature to appropriate funds.

The legislature shall appropriate such funds as are necessary to carry out the purposes of this chapter: *Provided*, That any appropriation which the legislature may make for the payment of old age assistance grants shall be specifically earmarked for such purposes.

Proviso.

New section.

SEC. 6. There is added to chapter 74.08 RCW a new section to read as follows:

Services provided to obtain self-care.

The department is authorized to provide such social and related services as are reasonably necessary to the end that applicants for or recipients of old age assistance are helped to attain self-care.

SEC. 7. Section 7, chapter 176, Laws of 1951 and RCW 74.10.070 are each amended to read as follows:

RCW 74.10.070 amended.

The department is authorized to provide through employment of properly qualified personnel such social and related services as are found necessary for proper administration of this chapter and to the end that applicants for or recipients of disability assistance are helped to attain self-care and/or self-support by effective use of all resources for rehabilitation and restoration to health and independence. The department of public assistance shall refer recipients who can be benefited thereby to the appropriate public and private resources for rehabilitation through retraining, restorative services, treatment and therapy.

Restoration to health and independence—Services provided.

SEC. 8. There is added to chapter 74.12 RCW a new section to read as follows:

New section.

The department is authorized to provide such social and related services as are reasonably necessary to encourage the care of dependent children in their own homes or in the homes of relatives, to help maintain and strengthen family life and to help such parents or relatives to attain maximum self-support and personal independence consistent with the maintenance of continuing parental care and protection. In the provision of such services, maximum utilization of other agencies providing similar or related services shall be affected.

Services to encourage care of children in their own homes.

SEC. 9. There is added to chapter 74.16 RCW a new section to read as follows:

New section.

The department is authorized to provide social and related services as are reasonably necessary to the end that applicants for or recipients of aid to the blind assistance are helped to attain self-care.

Service provided to attain self-care.

SEC. 10. Section 1, chapter 114, Laws of 1937 as last amended by section 24, chapter 174, Laws of

RCW 74.12.010 amended.

1953, and RCW 74.12.010 are each amended to read as follows:

Definitions.
"Dependent
child."

For the purposes of the administration of aid to dependent children assistance, the term "dependent child" means a child in need under the age of eighteen years who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of the parent, and who is living with his father, mother, grandmother, grandfather, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, aunt, first cousin, nephew, or niece, in a place of residence maintained by one or more of such relatives as his or their homes.

"Aid to dependent children."

"Aid to dependent children" means money payments and services with respect to a dependent child or dependent children and the needy parents or relatives with whom the child lives.

Repeal.

SEC. 11. Section 36, chapter 174, Laws of 1953 and RCW 74.08.111; section 1, chapter 274, Laws of 1951 and RCW 74.08.274; section 2, chapter 274, Laws of 1951 and RCW 74.08.275; section 34, chapter 174, Laws of 1953 and RCW 74.08.300 are each repealed.

Emergency.

SEC. 12. 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 3, 1957.

Passed the Senate March 2, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 64.

[H. B. 151.]

PROBATE—GUARDIAN'S DUTIES.

AN ACT relating to probate law and procedure; and amending section 205, chapter 156, Laws of 1917 as last amended by section 15, chapter 205, Laws of 1955 and RCW 11.92.040.

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

SECTION 1. Section 205, chapter 156, Laws of 1917 as last amended by section 15, chapter 205, Laws of 1955 and RCW 11.92.040 are each amended to read as follows:

RCW 11.92.040 amended.

It shall be the duty of the guardian of any estate:

Duties of guardian in general.

(1) To make out and file within three months after his appointment, a full inventory, verified by oath, of the real and personal estate of his ward, with the value of the same, and failing so to do, the court shall remove him and appoint a successor;

(2) To manage the estate for the best interest of his ward;

(3) To render on oath to the proper court an account of his receipts and of his expenditures, with vouchers therefor, at least once in every two years, and whenever cited to do so;

(4) At the expiration of his trust fully to account for and pay over to the proper person all the estate of the ward remaining in his hands;

(5) To pay all just debts due from the ward out of the estate in his hands, and to collect all debts and demands due the ward, and in case of doubtful debts, to compound them, and to appear for and defend, all suits against the ward;

(6) When any ward has no father or mother, or such father or mother is unable or fails to educate

such ward, the guardian shall provide for him such education as the amount of his estate may justify.

Passed the House February 25, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 65.

[H. B. 248.]

TOWNSHIPS—DISORGANIZATION.

AN ACT relating to townships; and amending section 9, chapter 173, Laws of 1951 and RCW 45.76.100.

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

RCW 45.76.100 amended.

SECTION 1. Section 9, chapter 173, Laws of 1951 and RCW 45.76.100 are each amended to read as follows:

Townships, disorganization.

Final account—Order of dissolution.

Upon the payment of all lawful demands against the former township, the chairman of the board of county commissioners shall file a final account, together with all vouchers, with the clerk of the superior court and pay any funds remaining in his hands to the county treasurer to be placed to the credit of any school district or districts within whose boundaries the township is located, said money to be prorated to such school districts in proportion to their share of assessed value of the real estate located therein: *Provided*, That if within one hundred eighty days after the execution of the order of dissolution any city or town is incorporated within the boundaries of the dissolved township, such remaining funds shall be divided between the operating fund of such city or town and said school district or districts in the proportion that the assessed valuation of the territory included within the boundaries of the city or town bears to the assessed valu-

ation of the entire property lying within the boundaries of the dissolved township. Upon the approval by the court of said final account the court shall sign proper orders dissolving such township.

Passed the House February 16, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 66.

[H. B. 382.]

VEHICLE LIGHTING AND EQUIPMENT—EMERGENCY VEHICLES—SCHOOL BUSES.

AN ACT relating to vehicle lighting and equipment; amending section 19, chapter 269, Laws of 1955 and RCW 46.37.190, and adding two new sections to chapter 269, Laws of 1955 and chapter 46.37 RCW.

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

SECTION 1. Section 19, chapter 269, Laws of 1955 and RCW 46.37.190 are each amended as follows: RCW 46.37.190 amended.

(1) Every bus used for transportation of school children shall, in addition to any other equipment and distinctive markings required by this chapter, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall be capable of displaying to the front two alternately flashing red lights located at the same level and to the rear two alternately flashing red lights located at the same level and these lights shall have sufficient intensity to be visible at five hundred feet in normal sunlight. Red lights—
School buses—
Police vehicles.

(2) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with red lights specified herein.

(3) The use of the signal equipment described herein shall impose upon drivers of other vehicles

the obligation to yield right of way and stop as provided in RCW 46.60.210.

New section.

[Sec. 2.] There is added to chapter 269, Laws of 1955 and chapter 46.37 RCW, a new section to read as follows:

Red lights, sirens—Authorized emergency vehicle.

Every authorized emergency vehicle shall be equipped with at least one lamp capable of displaying a red light visible from at least five hundred feet in normal sunlight and a siren capable of giving an audible signal.

New section.

[Sec. 3.] There is added to chapter 269, Laws of 1955 and chapter 46.37 RCW a new section to read as follows:

Rules and regulations, tests by state commission.

The state commission on equipment may make rules and regulations relating to authorized emergency vehicles and shall test and approve sirens and emergency vehicle lamps to be used on such vehicles.

Passed the House February 14, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 67.

[H. B. 547.]

ELECTIONS—SCHOOL DIRECTORS.

AN ACT relating to elections; amending section 10, chapter 266, Laws of 1947 as last amended by section 11, chapter 55, Laws of 1955, and RCW 28.58.080.

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

RCW 28.58.080 amended.

SECTION 1. Section 10, chapter 266, Laws of 1947 as last amended by section 11, chapter 55, Laws of 1955, and RCW 28.58.080 are each amended to read as follows:

Board of directors.

The governing board of a school district shall be known as the board of directors of the district.

Unless otherwise specifically provided, as in RCW 29.13.060, members of a board of directors shall be elected by ballot by the qualified electors of the school district and shall hold office for a term of four years and until their successors are elected and qualified. In case a member or members of a board of directors are to be elected to fill an unexpired term or terms, the ballot shall specify the term for which each such member is to be elected. The board of directors of a school district of the first class or of a school district of the second class shall consist of five members. The board of directors of a school district of the third class shall consist of three members.

Board of directors.

Election.

Term.

Number of directors.

The terms of all school directors elected to office in March, 1956 shall be for four years. There shall be no general school district elections held in the year 1957 and the directors whose terms would have expired in 1957, but for the provisions of this act, shall continue in office until their successors are elected at the general election to be held on the second Tuesday of March, 1958. The directors whose terms expire in 1958 shall be elected for a four year term: *Provided*, That in any school district governed by a board of directors composed of five directors in which the term of office of more than three directors shall expire in 1958 or in 1960, there shall be elected at the regular school election, held in the year in which the term of office of more than three directors expires, a number of directors equal to the number of directors whose terms expire in that year. Said directors shall be elected for the following terms: Three directors for a term of four years and the remainder for a term of two years. Prior to the date set by law for filing a declaration of candidacy for the office of director, the board of directors of any school district affected by this proviso which is divided into director districts shall

Terms enumerated.

Proviso.

Board of
directors.
Terms
enumerated.

Declaration
of candidacy.

Proviso.

determine by lot the director districts from which directors shall be elected for a term of four years and the director district or districts from which a director or directors shall be elected for a term of two years. Any such candidate shall indicate on his declaration of candidacy the director's district and the term of years for which he seeks election and the director's district and the term of office shall also appear upon the ballot. Any candidate filing for the office of director in any district affected by the proviso which is not divided into director districts shall indicate on his declaration of candidacy the term of years for which he seeks to be elected. The ballot for such election shall indicate the term of years for which a candidate seeks to be elected: *Provided further*, That in any school district governed by a board of directors composed of three directors in which the term of office of all of the directors shall expire in 1958 or in 1960, there shall be elected, at the regular school election held in the year in which the term of office of all of the directors expires, three directors for the following terms: Two directors for a term of four years and one director for a term of two years. Any candidate filing for the office of director in any district affected by this proviso shall indicate on his declaration of candidacy the term of years for which he seeks to be elected. The ballot at such election shall indicate the term of years for which a candidate seeks to be elected.

Passed the House February 27, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 68.

[H. B. 8.]

IRRIGATION DISTRICTS—LOCAL IMPROVEMENT
DISTRICTS.

AN Act relating to local improvement districts in irrigation districts; and amending section 2, chapter 103, Laws of 1949 and RCW 87.36.050.

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

SECTION 1. Section 2, chapter 103, Laws of 1949 and RCW 87.36.050 are each amended to read as follows:

RCW 87.36.050 amended.

The cost of the improvement and of the operation and maintenance thereof, if any, shall be especially assessed against the lands within such local improvement district in proportion to the benefits accruing thereto, and shall be levied and collected in the manner provided by law for the levy and collection of land assessments or toll assessments or both such form of assessments.

Assessments, how made and collected—Disposal of bonds.

All provisions for the assessment, equalization, levy and collection of assessments for irrigation district purposes shall be applicable to assessments for local improvements except that no election shall be required to authorize said improvement or the expenditures therefor or the bonds issued to meet the cost thereof. Assessments when collected by the county treasurer for the payment for the improvement of any local improvement district shall constitute a special fund to be called "bond redemption fund of local improvement district No....."

Bonds issued under this chapter shall be eligible for disposal to and purchase by the director of the department of conservation and development under the provisions of the state reclamation act.

The cost or any unpaid portion thereof, of any such improvement, charged or to be charged or assessed against any tract of land may be paid in

Local improve-
ment districts
within irriga-
tion districts.
Disposal of
bonds.

one payment under and pursuant to such rules as the board of directors may adopt, and all such amounts shall be paid over to the county treasurer who shall place the same in the appropriate fund. No such payment shall thereby release such tract from liability to assessment for deficiencies or delinquencies of the levies in such improvement district until all of the bonds, both principal and interest, issued for such local improvement district have been paid in full. The receipt given for any such payment shall have the foregoing provision printed thereon. The amount so paid shall be included on the annual assessment roll for the current year, provided, such roll has not then been delivered to the treasurer, with an appropriate notation by the secretary that the amount has been paid. If the roll for that year has been delivered to the treasurer then the payment so made shall be added to the next annual assessment roll with appropriate notation that the amount has been paid.

Passed the House January 31, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 69.

[H. B. 143.]

PORT DISTRICTS—REVISION OF COMMISSIONER DISTRICTS.

AN ACT relating to port districts; and amending sections 1 and 2, chapter 145, Laws of 1933 and RCW 53.16.010.

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

SECTION 1. Sections 1 and 2, chapter 145, Laws of 1933 (heretofore combined and codified as RCW 53.16.010) are each amended to read as set forth in section 2 of this act.

Combination and amendment.

SEC. 2. (RCW 53.16.010) Within ninety days preceding July 1st of each even-numbered year, the port commissions may, and upon petition signed by not less than two hundred and fifty electors residing in the district shall, reestablish the boundaries of the commissioner districts in the port district, so that each commissioner district shall comprise as nearly as possible one-third of the population of the port district: *Provided*, That no voting precinct shall be divided by the boundary lines of a commissioner district.

RCW 53.16.010 amended.

Revision authorized.

Proviso.

Passed the House January 31, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 70.

[H. B. 267.]

INDUSTRIAL INSURANCE.

AN ACT relating to industrial insurance; amending section 5, chapter 74, Laws of 1911 as last amended by section 8, chapter 74, Laws of 1955, sections 2, 3, and 22, chapter 130, Laws of 1919, section 9, chapter 182, Laws of 1921, section 5, chapter 310, Laws of 1927, section 1, chapter 212, Laws of 1937 and section 1, chapter 169, Laws of 1941 as last amended by sections 1 and 7, chapter 236, Laws of 1951, section 2, chapter 211, Laws of 1937, section 2, chapter 41, Laws of 1939, section 3, chapter 209, Laws of 1941, section 1, chapter 56, Laws of 1947, section 1, chapter 247, Laws of 1947, sections 1 (a through l), chapter 219, Laws of 1949, section 5, chapter 115, Laws of 1951 and RCW 49.16.010, 51.04.020, 51.04.070, 51.04.080, 51.08.020, 51.08.030, 51.08.050, 51.08.070 through 51.08.190, 51.16.130, 51.24.010, 51.24.020, 51.28.060, 51.32.010 through 51.32.060, 51.32.080 through 51.32.100, 51.32.120, 51.32.140, 51.32.150, 51.32.160, 51.44.030, 51.44.050 through 51.44.090; amending section 2, chapter 209, Laws of 1941 and RCW 51.32.130; amending section 4c, chapter 247, Laws of 1947 as last amended by section 4, chapter 236, Laws of 1951 and RCW 51.16.060, 51.16.070, 51.16.090 and 51.16.110; amending section 4, chapter 74, Laws of 1911 as last amended by section 2, chapter 236, Laws of 1951, section 20, chapter 74, Laws of 1911 as last amended by sections 5, 7 through 9, 11, 14, 17 and 19, chapter 225, Laws of 1951, section 7, chapter 136, Laws of 1923, section 1, chapter 247, Laws of 1947, sections 6 and 15, chapter 225, Laws of 1951 and RCW 51.16.010, 51.16.020, 51.52.050 through 51.52.090, 51.52.100, 51.52.110, 51.52.115, 51.52.130 and 51.52.140; and adding a new section to chapter 51.28 RCW.

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

Combination,
division and
amendment.

SECTION 1. Section 5, chapter 74, Laws of 1911 as last amended by section 8, chapter 74, Laws of 1955, sections 2, 3 and 22, chapter 130, Laws of 1919, section 9, chapter 182, Laws of 1921, section 5, chapter 310, Laws of 1927, section 1, chapter 212, Laws of 1937 and section 1, chapter 169, Laws of 1941 as last amended by sections 1 and 7, chapter 236, Laws of 1951, section 2, chapter 211, Laws of 1937, section 2, chapter 41, Laws of 1939, section 3, chapter

209, Laws of 1941, sections 1, (a through l), chapter 56, Laws of 1947, section 1, chapter 247, Laws of 1947, and section 1, chapter 219, Laws of 1949, section 5, chapter 115, Laws of 1951 (heretofore divided, combined, and codified as RCW 49.16.010, 51.04.020, 51.04.070, 51.04.080, 51.08.020, 51.08.030, 51.08.050, 51.08.070 through 51.08.190, 51.16.130, 51.24.010, 51.24.020, 51.28.060, 51.32.010 through 51.32.060, 51.32.080 through 51.32.100, 51.32.120, 51.32.140, 51.32.150, 51.32.160, 51.44.030, 51.44.050 through 51.44.090) are amended to read as set forth in sections 2 through 44 of this act.

SEC. 2. (RCW 49.16.010) As used in this chapter:

RCW 49.16.010
enacted
without
amendment.

“Department” means the department of labor and industries;

“Director” means the director of labor and industries;

“Supervisor” means the supervisor of safety;

“Educational standard” means such standards as the supervisor shall make for the purpose of educating and training both employer and workman in the appreciation and avoidance of danger, and the maintenance and proper use of safe place and safety device standards;

“Place of work” means every place, whether used permanently or temporarily, where any process or operation is carried on relating either directly or indirectly to any industry, trade, work, or business, including all construction work;

“Safe” and “safety” as applied to an employment or place of work means such freedom from danger to the lives or persons of workmen, as the nature of the case will reasonably permit;

“Safeguard” and “safety device” shall be given a broad interpretation, so as to include any reasonably practical method of mitigating or preventing danger;

RCW 49.16.010
enacted
without
amendment.

“General standards of safety” are standards of safety having uniform application throughout a class or class subdivision;

“Special standards of safety” are those which are not of uniform application to any class or class subdivision.

RCW 51.04.020
enacted
without
amendment.

SEC. 3. (RCW 51.04.020) The director shall:

(1) Establish and promulgate rules governing the administration of this title;

(2) Ascertain and establish the amounts to be paid into and out of the accident fund;

(3) Regulate the proof of accident and extent thereof, the proof of death and the proof of relationship and the extent of dependency;

(4) Supervise the medical, surgical, and hospital treatment to the intent that it may be in all cases efficient and up to the recognized standard of modern surgery;

(5) Issue proper receipts for moneys received and certificates for benefits accrued or accruing;

(6) Investigate the cause of all serious injuries and report to the governor from time to time any violations or laxity in performance of protective statutes or regulations coming under the observation of the department;

(7) Create a division of statistics within which shall be compiled such statistics as will afford reliable information upon which to base operations of all divisions under the department;

(8) Make annual report to the governor (one of them not more than sixty nor less than thirty days prior to each regular session of the legislature) of the workings of the department, and showing the financial status and the outstanding obligations of the accident fund and the statistics aforesaid;

(9) Report to each regular session of the legislature the balance remaining in the catastrophe fund and make recommendations.

SEC. 4. (RCW 51.04.070) A minor working at an age legally permitted under the laws of this state shall be deemed *sui juris* for the purpose of this title, and no other person shall have any cause of action or right to compensation for an injury to such minor workman, except as expressly provided in this title, but in the event of a lump sum payment becoming due under this title to such minor workman, the management of the sum shall be within the probate jurisdiction of the courts the same as other property of minors and, in the event it is necessary to procure the appointment of a guardian to receive the money to which any minor workman is entitled under the provisions of this title, the director may allow from the accident fund toward the expenses of such guardianship, not to exceed the sum of twenty-five dollars in any one case: *Provided*, That in case any such minor is awarded a lump sum payment of not more than two hundred fifty dollars, the director may make payment direct to such minor without the necessity of the appointment of a guardian.

RCW 51.04.070
enacted
without
amendment.

Proviso.

SEC. 5. (RCW 51.04.080) On all claims under this title, the division of industrial insurance shall not forward claimants' written notices, orders, and warrants to, or in care of, any representative of the claimant, but shall forward such notices, orders and warrants directly to the claimant until such time as the supervisor of industrial insurance shall have entered an order on the claim appealable to the joint board.

RCW 51.04.080
enacted
without
amendment.

SEC. 6. (RCW 51.08.020) "Beneficiary" means a husband, wife, child, or dependent of a workman in whom shall vest a right to receive payment under this title: *Provided*, That a husband or wife of an injured workman, living in a state of abandonment for more than one year at the time of the injury or subsequently, shall not be a beneficiary. A wife who has lived separate and apart from her husband for

RCW 51.08.020
enacted
without
amendment.

Proviso.

the period of two years and who has not, during that time, received, or attempted by process of law to collect, funds for her maintenance, shall be deemed living in a state of abandonment.

RCW 51.08.030
enacted
without
amendment.

SEC. 7. (RCW 51.08.030) "Child" means every natural born child, posthumous child, stepchild, child legally adopted prior to the injury, and illegitimate child legitimated prior to the injury, all while under the age of eighteen years and over the age of eighteen years if the child is a dependent invalid child.

RCW 51.08.050
enacted
without
amendment.

SEC. 8. (RCW 51.08.050) "Dependent" means any of the following named relatives of a workman whose death results from any injury and who leaves surviving no widow, widower, or child, viz: father, mother, grandfather, grandmother, stepfather, stepmother, grandson, granddaughter, brother, sister, half-sister, half-brother, niece, nephew, who at the time of the accident are actually and necessarily dependent in whole or in part for their support upon the earnings of the workman: *Provided*, That unless otherwise provided by treaty, aliens other than father or mother, not residing within the United States at the time of the accident, are not included.

Proviso.

RCW 51.08.070
enacted
without
amendment.

SEC. 9. (RCW 51.08.070) "Employer" means any person, body of persons, corporate or otherwise, and the legal representatives of a deceased employer, all while engaged in this state in any extrahazardous work, by way of trade or business, or who contracts with one or more workmen, the essence of which is the personal labor of such workman or workmen, in extrahazardous work.

RCW 51.08.080
enacted
without
amendment.

SEC. 10. (RCW 51.08.080) "Engineering work" means any kind of construction, improvement or alteration or repair of buildings, structures, streets, highways, sewers, street railways, railroads, logging roads, interurban railroads, harbors, docks, canals, electric steam or water power plants, telegraph and

telephone plants and lines, electric light or power lines, and includes any other works for the construction, alteration, or repair in which machinery driven by mechanical power is used.

SEC. 11. (RCW 51.08.090) "Factories" means undertakings in which the business of working at commodities is carried on with power driven machinery, either in manufacture, repair, or change, and includes the premises, yard, and plant of the concern.

RCW 51.08.090
enacted
without
amendment.

SEC. 12. (RCW 51.08.100) "Injury" means a sudden and tangible happening, of a traumatic nature, producing an immediate or prompt result, and occurring from without; an occupational disease; and such physical condition as results from either.

RCW 51.08.100
enacted
without
amendment.

SEC. 13. (RCW 51.08.110) "Invalid" means one who is physically or mentally incapacitated from earning.

RCW 51.08.110
enacted
without
amendment.

SEC. 14. (RCW 51.08.120) "Mill" means any plant, premises, room or place wherein machinery is used, together with the yards and premises which are a part of the plant, including elevators, warehouses, and bunkers.

RCW 51.08.120
enacted
without
amendment.

SEC. 15. (RCW 51.08.130) "Mine" means any mine where coal, clay, ore, mineral, gypsum, or rock is dug or mined underground.

RCW 51.08.130
enacted
without
amendment.

SEC. 16. (RCW 51.08.140) "Occupational disease" means such disease or infection as arises naturally and proximately out of extrahazardous employment. Such claims to be valid and compensable must be filed within one year following the date claimant has notice from a physician of his occupational disease.

RCW 51.08.140
enacted
without
amendment.

SEC. 17. (RCW 51.08.150) "Permanent partial disability" means the loss of either one foot, one leg, one hand, one arm, one eye, one or more fingers, one or more toes, any dislocation where ligaments

RCW 51.08.150
enacted
without
amendment.

were severed where repair is not complete, or any other injury known in surgery to be permanent partial disability.

RCW 51.08.160
enacted
without
amendment.

SEC. 18. (RCW 51.08.160) "Permanent total disability" means loss of both legs, or arms, or one leg and one arm, total loss of eyesight, paralysis or other condition permanently incapacitating the workman from performing any work at any gainful occupation.

RCW 51.08.170
enacted
without
amendment.

SEC. 19. (RCW 51.08.170) "Quarry" means an open cut from which coal is mined, or clay, ore, mineral, gypsum, sand, gravel, or rock is cut or taken for manufacturing, building or construction purposes.

RCW 51.08.180
enacted
without
amendment.

SEC. 20. (RCW 51.08.180) "Workman" means every person in this state who is engaged in the employment of an employer under this title, whether by way of manual labor or otherwise in the course of his employment; also every person in this state who is engaged in the employment of or who is working under an independent contract, the essence of which is his personal labor for an employer under this title, whether by way of manual labor or otherwise, in the course of his employment.

RCW 51.08.190
enacted
without
amendment.

SEC. 21. (RCW 51.08.190) "Workshop" means any plant, yard, premises, room, or place wherein power driven machinery is employed and manual labor is exercised by way of trade for gain or otherwise, over which the employer of the person working therein has the right of access or control.

RCW 51.16.130
amended.
Distribution of
catastrophe
cost.

SEC. 22. (RCW 51.16.130) Whenever there shall occur an accident in which three or more employees are fatally injured or receive injuries consisting of loss of both eyes or sight thereof, or loss of both hands or use thereof, or loss of both feet or use thereof, or loss of one hand and one foot or use thereof, the amount of total costs other than medical

aid costs arising out of this accident that shall be charged to the proper class of the accident fund and to the account of the employer, shall be twice the average cost of pension claims chargeable under RCW 51.16.020, and the balance of costs arising out of the accident shall be charged against and defrayed by the catastrophe injury account.

SEC. 23. (RCW 51.24.010) If the injury to a workman is due to negligence or wrong of another not in the same employ, the injured workman or, if death results from the injury, his widow, children, or dependents, as the case may be, shall elect whether to take under this title or seek a remedy against such other, such election to be in advance of any suit under this section and, if he takes under this title, the cause of action against such other shall be assigned to the state for the benefit of the accident fund and the medical aid fund; if the other choice is made, the accident fund shall contribute only the deficiency, if any, between the amount of recovery against such third person actually collected and the compensation provided or estimated by this title for such case: *Provided*, That the injured workman or if death results from his injury, his widow, children or dependents as the case may be, electing to seek a remedy against such other person, shall receive benefits payable under this title as if such election had not been made, and the department for the benefit of the accident fund and the medical aid fund to the extent of such payments having been made by the department to the injured workman or if death results from his injury, his widow, children or dependents as the case may be shall be subrogated to the rights of such person or persons against the recovery had from such third party and shall have a lien thereupon. Any such cause of action assigned to the state may be prosecuted or compromised by the department in its discretion in the name of the

RCW 51.24.010
amended.
Right of action
against third
party.

Proviso.

workman, beneficiaries, or legal representative. Any compromise by the workman of any such suit, which would leave a deficiency to be made good out of the accident fund may be made only with the written approval of the department.

RCW 51.24.020
enacted
without
amendment.

SEC. 24. (RCW 51.24.020) If injury or death results to a workman from the deliberate intention of his employer to produce such injury or death, the workman, the widow, widower, child, or dependent of the workman shall have the privilege to take under this title and also have cause of action against the employer as if this title had not been enacted, for any excess of damages over the amount received or receivable under this title.

RCW 51.28.060
enacted
without
amendment.

SEC. 25. (RCW 51.28.060) A dependent shall at all times furnish the department with proof satisfactory to the director of the nature, amount and extent of the contribution made by the deceased workman.

Proof of dependency by any beneficiary residing without the United States shall be made before the nearest United States consul or consular agent, under the seal of such consul or consular agent, and the department may cause any warrant or warrants to which such beneficiary is entitled to be transmitted to the beneficiary through the nearest United States consul or consular agent.

RCW 51.32.010
enacted
without
amendment.

SEC. 26. (RCW 51.32.010) Each workman injured in the course of his employment, or his family or dependents in case of death of the workman, shall receive out of the accident fund compensation in accordance with this chapter, and, except as in this title otherwise provided, such payment shall be in lieu of any and all rights of action whatsoever against any person whomsoever: *Provided*, That if an injured workman, or the surviving spouse of an injured workman shall not have the custody of a

Proviso.

child for, or on account of whom payments are required to be made under this chapter, such payment or payments shall be made to the person having the lawful custody of such child.

SEC. 27. (RCW 51.32.020) If injury or death results to a workman from the deliberate intention of the workman himself to produce such injury or death, or while the workman is engaged in the attempt to commit, or the commission of, a crime, neither the workman nor the widow, widower, child, or dependent of the workman shall receive any payment whatsoever out of the accident fund.

RCW 51.32.020
enacted
without
amendment.

An invalid child, while being supported and cared for in a state institution, shall not receive compensation under this chapter.

No payment shall be made to or for a natural child of a deceased workman and, at the same time, as the stepchild of a deceased workman.

SEC. 28. (RCW 51.32.030) Any individual employer or any member or officer of any corporate employer who is carried upon the payroll at a salary or wage not less than the average salary or wage named in such payroll and who shall be injured, shall be entitled to the benefit of this title, as and under the same circumstances and subject to the same obligations as a workman: *Provided*, That no such employer or the beneficiaries of such employer shall be entitled to benefits under this title unless the director, prior to the date of the injury, has received notice in writing of the fact that such employer is being carried upon the payroll prior to the date of the injury as the result of which claims for a compensation are made.

RCW 51.32.030
enacted
without
amendment.

Proviso.

SEC. 29. (RCW 51.32.040) No money paid or payable under this title out of the accident fund or out of the medical aid fund shall, prior to the issuance and delivery of the warrant therefor, be

RCW 51.32.040
enacted
without
amendment.

RCW 51.32.040
enacted
without
amendment.

capable of being assigned, charged, or ever be taken in execution or attached or garnished, nor shall the same pass, or be paid, to any other person by operation of law, or by any form of voluntary assignment, or power of attorney. Any such assignment

Proviso.

or charge shall be void: *Provided*, That if any workman suffers a permanent partial injury, and dies from some other cause than the accident which produced such injury before he shall have received payment of his award for such permanent partial injury, or if any workman suffers any other injury and dies from some other cause than the accident which produced such injury before he shall have received payment of any monthly installment covering any period of time prior to his death, the amount of such permanent partial award, or of such monthly payment or both, shall be paid to his widow, if he leaves a widow, or to his child or children, if he leaves a child or children and does not leave a

Proviso.

widow: *Provided further*, That, if any workman suffers an injury and dies therefrom before he shall have received payment of any monthly installment covering time loss for any period of time prior to his death, the amount of such monthly payment shall be paid to his widow, if he leaves a widow, or to his child or children, if he leaves a child or

Proviso.

children and does not leave a widow: *Provided further*, That if the injured workman resided in the United States as long as three years prior to the date of the injury, such payment shall not be made to any widow or child who was at the time of the injury a nonresident of the United States.

RCW 51.32.050
amended.
Death
benefits.

SEC. 30. (RCW 51.32.050) (1) Where death results from the injury the expenses of burial not to exceed five hundred dollars shall be paid to the undertaker conducting the funeral.

(2) If the workman leaves a widow or invalid widower, a monthly payment of one hundred twenty-

five dollars shall be made throughout the life of the surviving spouse, to cease at the end of the month in which remarriage occurs, and the surviving spouse shall also receive per month for each child of the deceased at the time any monthly payment is due the following payments: For the youngest or only child, thirty dollars, for the next or second youngest child, twenty-five dollars, and for each additional child, twelve dollars, but the total monthly payments shall not exceed two hundred sixteen dollars and any deficit shall be deducted proportionately among the beneficiaries. In addition to the monthly payments above provided for, a surviving widow, or parent or parents, if there is no surviving widow of any such deceased workman shall be forthwith paid the sum of three hundred fifty dollars.

Death
benefits.

Upon remarriage of a widow she shall receive, once and for all, a lump sum of one thousand five hundred dollars, and the monthly payments to such widow shall cease at the end of the month in which remarriage occurs, but the monthly payments for the child or children shall continue as before.

(3) If the workman leaves no wife or husband, but an orphan child or children a monthly payment of fifty dollars shall be paid to each such child, but the total monthly payments shall not exceed two hundred dollars and any deficit shall be deducted proportionately among the beneficiaries.

(4) In the event a surviving spouse receiving monthly payments dies, leaving a child or children, each shall receive the sum of fifty dollars per month, but the total monthly payment shall not exceed two hundred dollars and any deficit shall be deducted proportionately among the beneficiaries.

(5) If the workman is under the age of twenty-one years and unmarried at the time of his death, the parents or parent of the workman shall receive forty dollars for each month after his death until

Death
benefits.

the time at which he would have arrived at the age of twenty-one years.

(6) If the workman leaves no widow, widower or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty percent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed seventy-five dollars per month. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

(7) If the injured workman dies during the period of permanent total disability, whatever the cause of death, leaving a widow, invalid widower, or child, or children, the surviving widow or invalid widower shall receive one hundred twenty-five dollars per month until death or remarriage, to be increased per month for each child of the deceased, as follows: For the youngest or only child, thirty dollars, for the next or second youngest child, twenty-five dollars, and for each additional child, twelve dollars: *Provided*, That the total monthly payments shall not exceed two hundred sixteen dollars and any deficit shall be deducted proportionately among the beneficiaries; but if such child is or shall be without father or mother, such child shall receive fifty dollars per month, but the total monthly payment to such children shall not exceed two hundred dollars, and any deficit shall be deducted proportionately among the children. Upon remarriage the

Proviso.

payments on account of the child or children shall continue as before to such child or children.

SEC. 31. (RCW 51.32.060) When the supervisor of industrial insurance shall determine that permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

RCW 51.32.060
amended.

Permanent
total disability
compensation
—Personal
attendant.

(1) If unmarried at the time of the injury, the sum of one hundred twenty-five dollars.

(2) If the workman has a wife or husband, but no child, the sum of one hundred fifty-five dollars.

(3) If the workman has a wife or husband and a child or children, or, being a widow or widower having any such child or children, the monthly payment in subdivision (2) shall be increased by thirty dollars for the youngest or only child, twenty-five dollars for the next or second youngest child, and twelve dollars for each additional child, but the total monthly payments shall not exceed two hundred forty-six dollars and any deficit shall be deducted proportionately among the beneficiaries.

(4) In case of permanent total disability, if the character of the injury is such as to render the workman so physically helpless as to require the services of an attendant, the monthly payment to such workman shall be increased seventy-five dollars per month as long as such requirement continues, but such increases shall not obtain or be operative while the workman is receiving care under or pursuant to any of the provisions of chapters 51.36 and 51.40.

(5) Should any further accident result in the permanent total disability of an injured workman, he shall receive the pension to which he would be entitled, notwithstanding the payment of a lump sum for his prior injury.

SEC. 32. (RCW 51.32.080) (1) For the permanent partial disabilities here specifically described, the

RCW 51.32.080
amended.

Permanent partial disability—Specified—Unspecified—Injury after permanent partial disability.

injured workman shall receive compensation as follows:

LOSS BY AMPUTATION

Of one leg so near the hip that an artificial limb cannot be worn.....	\$7500.00
Of one leg at or above the knee so that an artificial limb can be worn.....	6375.00
Of one leg below the knee.....	4000.00
Of great toe with metatarsal bone thereof..	1125.00
Of great toe at the proximal joint.....	750.00
Of great toe at the second joint.....	225.00
Of one other toe other than the great toe with the metatarsal bone thereof.....	750.00
Of second toe at proximal joint.....	225.00
Of third toe at proximal joint.....	225.00
Of fourth toe at proximal joint.....	225.00
Of fifth toe at proximal joint.....	150.00
Of one metatarsal bone on toe other than great toe	375.00
Of one arm so near the shoulder that an artificial arm cannot be worn.....	7500.00
Of the major arm at or above the elbow...	6375.00
Of forearm at upper third.....	5250.00
Of the major hand at wrist.....	4875.00
Of thumb with metacarpal bone thereof..	1875.00
Of thumb with proximal joint	1500.00
Of thumb at second joint	375.00
Of index or first finger at proximal joint.	1125.00
Of index or first finger at second joint ..	750.00
Of index or first finger at distal joint ...	375.00
Of middle or second finger at proximal joint	675.00
Of middle or second finger at second joint..	600.00
Of middle or second finger at distal joint...	300.00
Of ring or third finger at proximal joint....	600.00
Of ring or third finger at second joint.....	450.00
Of ring or third finger at distal joint.....	300.00
Of little or fourth finger at proximal joint..	375.00

Of little or fourth finger at second joint. . . .	225.00	Permanent partial disability—Specified—Unspecified—Injury after permanent partial disability.
Of little or fourth finger at distal joint. . . .	150.00	
Of metacarpal bone in finger except thumb. . . .	225.00	

MISCELLANEOUS

Loss of one eye by enucleation.	\$3750.00
Loss of sight of one eye.	3000.00
Complete loss of hearing in both ears.	5250.00
Complete loss of hearing in one ear.	1500.00
Complete broken arch in foot.	1500.00

(2) Compensation for any other permanent partial disability shall be in the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of seven thousand five hundred dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of seven thousand five hundred dollars. For disability to a member not involving amputation, not more than nine-tenths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five percent of the amounts hereinbefore numerated: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve of such injured workman and his monthly compensation payments shall be reduced accordingly.

Proviso.

Proviso.

Proviso.

Permanent partial disability—Specified—Unspecified—Injury after permanent partial disability.

(3) If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to ten percent of the amount awarded to the minor workman.

(4) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

RCW 51.32.090 amended.

Temporary total disability—Partial restoration of earning power—When employer continues wages.

SEC. 33. (RCW 51.32.090) (1) When the total disability is only temporary, the schedule of payments contained in subdivisions (1), (2), and (3) of RCW 51.32.060 shall apply, so long as the total disability continues.

(2) But if the injured workman has a wife or husband and has no child or has a wife or husband or, being a widow or widower, with one or more children, the compensation for the case during such period of time as the total temporary disability continues, shall be per month as follows, to wit: (a) Injured workman with wife or husband and no child, one hundred fifty-five dollars; injured workman with wife or husband and one child, or being a widow or widower and having one child, one hundred eighty-five dollars; (b) injured workman with wife or invalid husband and two children, or being a widow or widower and having two children, two hundred ten dollars and twelve dollars for each additional child, but the total monthly payments shall not exceed two hundred forty-six dollars and

any deficit shall be deducted proportionately among the beneficiaries.

Any compensation payable under this section for children not in the custody of the injured workman as of the date of injury shall be payable only to such person as actually is providing the support for such child or children pursuant to the order of a court of record providing for support of such child or children.

(3) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five percent.

(4) No workman shall receive compensation out of the accident fund for or during the day on which injury was received or the three days following the same, unless his disability shall continue for a period of thirty consecutive calendar days from date of injury.

(5) Should a workman suffer a temporary total disability and should his employer at the time of the injury continue to pay him the wages which he was earning at the time of such injury, such injured workman shall not receive any payment provided in subsection (1) of this section from the accident fund during the period his employer shall so pay such wages.

SEC. 34. (RCW 51.32.100) If it is determined by the department that an injured workman had, at the time of his injury, a pre-existing disease and that such disease delays or prevents complete recovery from such injury, the said department shall

Temporary total disability
—Partial restoration of earning power
—When employer continues wages.

RCW 51.32.100
enacted
without
amendment.

ascertain, as nearly as possible, the period over which the injury would have caused disability were it not for the diseased condition and the extent of permanent partial disability which the injury would have caused were it not for the disease, and award compensation only therefor.

RCW 51.32.120
enacted
without
amendment.

SEC. 35. (RCW 51.32.120) Should a further accident occur to a workman who has been previously the recipient of a lump sum payment under this title, his future compensation shall be adjusted according to the other provisions of this chapter and with regard to the combined effect of his injuries and his past receipt of money under this title.

RCW 51.32.140
enacted
without
amendment.

SEC. 36. (RCW 51.32.140) Except as otherwise provided by treaty, whenever compensation is payable to a beneficiary who is an alien not residing in the United States, the department shall pay fifty percent of the compensation herein otherwise provided to such beneficiary. But if a nonresident alien beneficiary is a citizen of a government having a compensation law which excludes citizens of the United States, either resident or nonresident, from partaking of the benefit of such law in as favorable a degree as herein extended to nonresident aliens, he shall receive no compensation. No payment shall be made to any beneficiary residing in any country with which the United States does not maintain diplomatic relations when such payment is due.

RCW 51.32.150
enacted
without
amendment.

SEC. 37. (RCW 51.32.150) If a beneficiary shall reside or remove out of the state, the department may, with the written consent of the beneficiary, convert any monthly payments provided for such cases into a lump sum payment (not in any case to exceed the value of the annuity then remaining, to be fixed and certified by the state insurance commissioner, but in no case to exceed the sum of five thousand dollars).

SEC. 38. (RCW 51.32.160) If aggravation, diminution, or termination of disability takes place or be discovered after the rate of compensation shall have been established or compensation terminated, in any case the director, through and by means of the division of industrial insurance, may, upon the application of the beneficiary, made within five years after the establishment or termination of such compensation, or upon his own motion, readjust for further application the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payment.

RCW 51.32.160
enacted
without
amendment.

No act done or ordered to be done by the director, or the department prior to the signing and filing in the matter of a written order for such readjustment shall be ground for such readjustment.

SEC. 39. (RCW 51.44.030) There shall be, in the office of the state treasurer, a fund to be known and designated as the "reserve fund."

RCW 51.44.030
enacted
without
amendment.

SEC. 40. (RCW 51.44.050) There shall be a special fund to be known as the "catastrophe fund," which shall be used only for the purpose of defraying charges against it as provided in RCW 51.16.130.

RCW 51.44.050
enacted
without
amendment.

SEC. 41. (RCW 51.44.060) The transfer of funds from the accident fund to the catastrophe fund shall be from each class of the accident fund in the proportion that each class balance is to the total of the accident fund on April 1st of each odd-numbered year, and the reversion of the unexpended balance to the accident fund shall be based upon the same proportion.

RCW 51.44.060
enacted
without
amendment.

SEC. 42. (RCW 51.44.070) For every case resulting in death or permanent total disability the department shall transfer on its books from the accident fund of the proper class to the "reserve fund" a sum of money for that case equal to the estimated present cash value of the monthly payments provided

RCW 51.44.070
enacted
without
amendment.

for it, to be calculated upon the basis of an annuity covering the payments in this title provided to be made for the case. Such annuities shall be based upon tables to be prepared for that purpose by the state insurance commissioner and by him furnished to the state treasurer, calculated upon standard mortality tables with an interest assumption of two per cent per annum.

RCW 51.44.080
enacted
without
amendment.

SEC. 43. (RCW 51.44.080) The department shall notify the state treasurer from time to time, of such transfers as a whole from the accident fund to the reserve fund and the interest or other earnings of the reserve fund shall become a part of the reserve fund itself. The department shall, on October 1st of each year, apportion the interest or other earnings of the reserve fund, as certified to it by the state treasurer, to the various class reserve funds according to the average class balance for the preceding year. As soon as possible after October 1st of each year the state insurance commissioner shall expert [examine] the reserve fund of each class to ascertain its standing as of October 1st of that year and the relation of its outstanding annuities at their then value to the cash on hand or at interest belonging to that fund. He shall promptly report the result of his examination to the department and to the state treasurer in writing not later than December 31st following. If the report shows that there was on said October 1st, in the reserve fund of any class in cash or at interest, a greater sum than the then annuity value of the outstanding pension obligations of that class, the surplus shall be forthwith turned over to the accident fund of that class but, if the report shows the contrary condition of any class reserve, the deficiency shall be forthwith made good out of the accident fund of that class.

RCW 51.44.090
enacted
without
amendment.

SEC. 44. (RCW 51.44.090) The state treasurer shall keep accurate accounts of the reserve fund and

the investment and earnings thereof, to the end that the total reserve fund shall at all times, as nearly as may be, be properly and fully invested and, to meet current demands for pension or lump sum payments, may, if necessary, make temporary loans to the reserve fund out of the accident fund for that class, repaying the same from the earnings of that reserve fund or from collections of its investments or, if necessary, sales of the same.

SEC. 45. Section 2, chapter 209, Laws of 1941 and RCW 51.32.130 are each amended to read as follows:

RCW 51.32.130 amended.

In case of death or permanent total disability, the monthly payment provided may be converted, in whole or in part, into a lump sum payment, not in any case to exceed eight thousand five hundred dollars, equal or proportionate, as the case may be, to the value of the annuity then remaining, to be fixed and certified by the state insurance commissioner, in which event the monthly payments shall cease in whole or in part accordingly or proportionately. Such conversion may be made only upon written application (in case of minor children the application may be by either parent) to the department and shall rest in the discretion of the department. Within the rule aforesaid the amount and value of the lump sum payment may be agreed upon between the department and applicant. In the event any payment shall be due to an alien residing in a foreign country, the department may settle the same by making a lump sum payment in such amount as may be agreed to by such alien, not to exceed fifty percent of the value of the annuity then remaining.

Lump sum for death or permanent total disability.

Nothing herein shall preclude the department from making, and authority is hereby given it to make, on its own motion, lump sum payments equal or proportionate, as the case may be, to the value

of the annuity then remaining, in full satisfaction of claims due to dependents.

Division and amendment.

SEC. 46. Section 1, chapter 247, Laws of 1947 as last amended by section 4, chapter 236, Laws of 1951 (heretofore codified as RCW 51.16.060, 51.16.070, 51.16.090 and 51.16.110) is divided and amended as set forth in sections 47 through 50 of this amendatory act.

RCW 51.16.060 enacted without amendment.

SEC. 47. (RCW 51.16.060) Every employer shall, on or before the twenty-fifth day of January, April, July and October of each year hereafter, furnish the department with a true and accurate payroll and the aggregate number of workmen hours, during which workmen were employed by him during the preceding calendar quarter, the total amount paid to such workmen during such preceding calendar quarter, and a segregation of employment in the different classes provided in this title, and shall pay his premium thereon to the accident fund and medical aid fund. The sufficiency of such statement shall be subject to the approval of the director.

RCW 51.16.070 amended.

Employer's office record of employment.

SEC. 48. (RCW 51.16.070) Every employer shall keep at his place of business a record of his employment from which the information needed by the department may be obtained and such record shall at all times be open to the inspection of the director, supervisor of industrial insurance, or the traveling auditors, agents, or assistants of the department, as provided in RCW 51.48.040.

Information obtained from employing unit records under the provisions of this title shall be deemed confidential and shall not be open to public inspection (other than to public employees in the performance of their official duties), but any interested party shall be supplied with information from such records to the extent necessary for the proper presentation of the case in question: *Provided*, That any

employing unit may authorize inspection of its records by written consent.

SEC. 49. (RCW 51.16.090) To the end that no employer shall evade the burdens imposed by an unfavorable or high cost experience, the director may determine whether or not an increase, decrease, or change (1) of operating property; (2) of interest in operating property; (3) of employer; (4) of personnel or interest in employer is sufficient to show a bona fide change which would make inoperative any high cost experience.

RCW 51.16.090
enacted
without
amendment.

SEC. 50. (RCW 51.16.110) Every employer who shall enter into any business, or who shall resume operations in any work or plant after the final adjustment of his payroll in connection therewith, shall, before so commencing or resuming operations, as the case may be, notify the director of such fact, accompanying such notification with an estimate of his payroll and workmen hours for the first calendar month of his proposed operations, and shall make payment of the premiums on such estimate. Every such employer shall be liable for a premium of at least such estimate. Every such employer shall pay the full basic rate until such time as an experience rating in excess of a one, two, three, or four year period may be computed as of a first succeeding July 1st date, and shall be liable for a premium of at least one dollar per month irrespective of the amount of his workmen hours reported during said month to the department.

RCW 51.16.110
enacted
without
amendment.

SEC. 51. There is added to chapter 51.28 RCW a new section to read as follows:

New section.

Information contained in the claim files and records of injured workmen, under the provisions of this title, shall be deemed confidential and shall not be open to public inspection (other than to public employees in the performance of their official

Claim files
and records
confidential.

duties), but representatives of a claimant, be it an individual or an organization, may review a claim file or receive specific information therefrom upon the presentation of the signed authorization of the claimant. Employers or their duly authorized representatives may review the files of their own injured workmen.

Combination,
division and
amendment.

SEC. 52. Section 4, chapter 74, Laws of 1911 as last amended by section 2, chapter 236, Laws of 1951, section 20, chapter 74, Laws of 1911 as last amended by sections 5, 7 through 9, 11, 14, 17 and 19, chapter 225, Laws of 1951, section 7, chapter 136, Laws of 1923, section 1, chapter 247, Laws of 1947, sections 6 and 15, chapter 225, Laws of 1951 (heretofore divided, combined, and codified as RCW 51.16.010, 51.16.020, 51.52.050 through 51.52.090, 51.52.100, 51.52.110, 51.52.115, 51.52.130 and 51.52.140) is amended to read as set forth in sections 53 through 64 of this amendatory act.

RCW 51.16.010
enacted
without
amendment.

SEC. 53. (RCW 51.16.010) Inasmuch as industry should bear the greater portion of the cost of its accidents and occupational diseases and furnish medical, surgical and hospital care and treatment to its injured workmen in the proportion in which it produces injury and creates expense, each employer shall, prior to the twenty-fifth day of January, April, July and October of each year, pay into the state treasury (1) for the accident fund and (2) for the medical aid fund, a certain number of cents for each man hour worked by the workmen in his employ, engaged in extrahazardous employment; if, however, there should be a deficit in any class or subclass, the director, through the supervisor of industrial insurance, shall assess the same against all the contributors to such class or subclass during the calendar year or fraction thereof in which said deficit was incurred or created. The director may promulgate, change, and revise such rates according to the

condition of the accident and medical aid funds, and establish rates for industries to be hereafter declared extrahazardous and which voluntarily seek coverage under the elective adoption provisions.

SEC. 54. (RCW 51.16.020) The amounts to be paid into the accident fund shall be determined as follows: The department shall, prior to the first day of January of each year, determine for each class and subclass, a basic premium rate for the ensuing calendar year and, in so doing, shall take into consideration: First, that no class shall be liable for the depletion of the accident fund for accidents happening in any other class; second, that each class shall meet and be liable for its own accidents; third, the cost experience of each class and subclass over the two year period immediately preceding July 1st of the year in which the basic rate is being fixed; fourth, the then condition of each class and subclass account.

RCW 51.16.020
enacted
without
amendment.

The department shall also, prior to the first day of January of each year, determine the premium rate to be paid into said accident fund during the ensuing year by each employer to be credited to each class and subclass account, applicable to the employer's operations or business and, in so doing, shall take into consideration the average cost experience of each employer for each workman hour reported by him during each fiscal year in each such class or subclass over the five year period immediately preceding July 1st of the year in which the rate is being determined and, in so computing the cost experience of any employer, seventy-five percent of the average cost of pension claims shall be charged against his experience for each injury resulting in death or total permanent disability of a workman instead of the actual cost to the accident fund of such injury. The actual premium rate which any employer shall be required to pay for the accident

fund shall be forty percent of the basic rate, plus sixty percent of the employer's cost rate for each workman hour reported by him during each fiscal year over the five year period next preceding the then last July 1st, but in no case shall the total rate exceed one hundred sixty percent of the basic rate.

RCW 51.52.050
enacted
without
amendment.

SEC. 55. (RCW 51.52.050) Whenever the department of labor and industries, hereinafter called the "department," has made any order, decision, or award, it shall promptly serve the workman, beneficiary, employer, or other person affected thereby, with a copy thereof by mail, which shall be addressed to such person at his last known address as shown by the records of the department. The copy, in case the same is a final order, decision, or award, shall bear on the same side of the same page on which is found the amount of the award, a statement, set in black faced type of at least ten point body or size, that such final order, decision, or award must be appealed to the board of industrial insurance appeals, Olympia, within sixty days, or the same shall become final.

Whenever the department has taken any action or made any decision relating to any phase of the administration of this title the workman, beneficiary, employer, or other person aggrieved thereby may appeal to the board and any such person aggrieved by the decision and order of the board may thereafter appeal to the superior court, as prescribed in this chapter.

RCW 51.52.060
amended.

Notice of
appeal—Time
—Withdrawal.

SEC. 56. (RCW 51.52.060) Any workman, beneficiary, employer, or other person aggrieved by an order, decision, or award of the department must, before he appeals to the courts, file with the board and the director of labor and industries, by mail or personally, within sixty days from the day on which such copy of such order, decision, or award was communicated to such person, a notice of appeal to the

board: *Provided*, That failure to file notice of appeal with both the board and the department shall not be ground for denying the appeal if the notice of appeal is filed with either the board or the department: *And provided*, That, if within the time limited for filing a notice of appeal to the board from an order, decision, or award of the department, the department shall direct the submission of further evidence or the investigation of any further fact, the time for filing such notice of appeal shall not commence to run until such person shall have been advised in writing of the final decision of the department in the matter: *Provided, further*, That the department, either before receiving a notice of appeal, or within thirty days thereafter, may modify, reverse or change any order, decision, or award, and the board shall thereupon deny the appeal.

SEC. 57. (RCW 51.52.070) The notice of appeal to the board shall set forth in full detail the grounds upon which the person appealing considers such order, decision, or award is unjust or unlawful, and shall include every issue to be considered by the board, and it must contain a detailed statement of facts upon which such workman, beneficiary, employer, or other person relies in support thereof. The workman, beneficiary, employer, or other person shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in such notice of appeal or appearing in the records of the department. The department shall promptly transmit its original record in such matter to the board.

SEC. 58. (RCW 51.52.080) If the board finds that the department properly and lawfully decided all matters raised by such appeal it may, without further hearing, deny the same and confirm the department's decision or award, or if the department's

record sustains the contention of the person appealing to the board, it may, without further hearing, allow the relief asked in such appeal; otherwise, it shall grant the appeal and order a hearing to decide the issues raised.

RCW 51.52.090
enacted
without
amendment.

SEC. 59. (RCW 51.52.090) If the appeal is not granted within thirty days after the notice is filed with the board, the appeal shall be deemed to have been denied: *Provided*, That the board may extend the time within which it may act upon such appeal, not exceeding thirty days.

Proviso.

RCW 51.52.100
enacted
without
amendment.

SEC. 60. (RCW 51.52.100) Hearings shall be held in the county of the residence of the workman or beneficiary, or in the county where the injury occurred, at a place designated by the board. Such hearing shall be *de novo* and summary, but no witness' testimony shall be received unless he shall first have been sworn to testify the truth, the whole truth and nothing but the truth in the matter being heard, or unless his testimony shall have been taken by deposition according to the statutes relating to superior courts of this state. The department shall be entitled to appear in all proceedings before the board and introduce testimony in support of its order. The board shall cause all oral testimony to be stenographically reported and thereafter transcribed, and when transcribed, the same, with all depositions, shall be filed in, and remain a part of, the record on the appeal. Such hearings on appeal to the board may be conducted by one or more of its members, or a duly authorized representative, and depositions may be taken by a person duly commissioned for the purpose by the board.

Members of the board, its duly authorized representatives, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for,

and to compel the attendance and testimony of, witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of his office.

RCW 51.52.100
enacted
without
amendment.

If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper, or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the oath refuses to be examined according to law, the board or any member or duly authorized representative thereof shall certify the facts to the superior court having jurisdiction in the place in which said board or member or duly authorized representative thereof is sitting; the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and, if the evidence so warrants, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the proceedings, or in the presence, of the court

SEC. 61. (RCW 51.52.110) Within thirty days after the final decision and order of the board upon such appeal has been communicated to such workman, beneficiary, employer or other person, or within thirty days after the appeal is deemed denied as herein provided, such workman, beneficiary, em-

RCW 51.52.110
amended.
Court appeal
—Taking the
appeal.

Court appeal
—Taking the
appeal.

ployer or other person aggrieved by the decision and order of the board may appeal to the superior court.

In cases involving injured workmen such appeal shall be to the superior court of the county of residence of the workman or beneficiary, as shown by the department's records, the superior court for Thurston county, or to the superior court of the county wherein the injury occurred. In all other cases the appeal shall be to the superior court of Thurston county. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director of labor and industries and on the board. The department shall, within twenty days after the receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The board shall serve upon the appealing party, the director of labor and industries and any other party appearing at the board's proceeding, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the board's decision and order, which shall become the record in such case. No bond shall be required on appeals to the superior court or on appeals to the supreme court, except that an appeal by the employer from a decision and order of the board under RCW 51.48.070, shall be ineffectual unless, within five days following the service of notice thereof, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named an appeal shall not be a stay: *Provided, however,* That whenever the board has made any decision and order reversing an order of the supervisor of industrial insurance on questions of law or mandatory administrative actions of the director, the department of labor and

Proviso.

industries shall have the right of appeal to the superior court.

SEC. 62. (RCW 51.52.115) Upon appeals to the superior court only such issues of law or fact may be raised as were properly included in the notice of appeal to the board, or in the complete record of the proceedings before the board. The hearing in the superior court shall be *de novo*, but the court shall not receive evidence or testimony other than, or in addition to, that offered before the board or included in the record filed by the board in the superior court as provided in RCW 51.52.110: *Provided*, That in cases of alleged irregularities in procedure before the board, not shown in said record, testimony thereon may be taken in the superior court. The proceedings in every such appeal shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. In all court proceedings under or pursuant to this title the findings and decision of the board shall be *prima facie* correct and the burden of proof shall be upon the party attacking the same. If the court shall determine that the board has acted within its power and has correctly construed the law and found the facts, the decision of the board shall be confirmed; otherwise, it shall be reversed or modified. In case of a modification or reversal the superior court shall refer the same to the department with an order directing it to proceed in accordance with the findings of the court: *Provided*, That any award shall be in accordance with the schedule of compensation set forth in this title. In appeals to the superior court hereunder, either party shall be entitled to a trial by jury upon demand, and the jury's verdict shall have the same force and effect as in actions at law. Where the court submits a case to the jury, the court shall by instruction advise the jury of the exact findings of the board on each material issue before the court.

RCW 51.52.115
enacted
without
amendment.

Proviso.

Proviso.

RCW 51.52.130
enacted
without
amendment.

SEC. 63. (RCW 51.52.130) If, on appeal to the court from the decision and order of the board, said decision and order is reversed or modified and additional relief is granted to a workman or beneficiary, or in cases where a party other than the workman or beneficiary is the appealing party and the workman's or beneficiary's right to relief is sustained by the court, a reasonable fee for the services of the workman's or beneficiary's attorney shall be fixed by the court. In fixing the fee the court shall take into consideration the fee or fees, if any, fixed by the director of labor and industries and the board for such attorney's services before the department and the board. If the court finds that the fee fixed by the director of labor and industries or by the board is inadequate for services performed before the department or board, or if the director of labor and industries or the board has fixed no fee for such services, then the court shall fix a fee for the attorney's services before the department, or the board, as the case may be, in addition to the fee fixed for the services in the court. If the decision and order of the board is reversed or modified and if the accident fund is affected by the litigation then the attorney's fee fixed by the court for services before the court only, and the fees of medical and other witnesses and the costs shall be payable out of the administrative fund of the department.

RCW 51.52.140
enacted
without
amendment.

SEC. 64. (RCW 51.52.140) Except as otherwise provided in this chapter, the practice in civil cases shall apply to appeals prescribed in this chapter. Appeal shall lie from the judgment of the superior court as in other civil cases. The attorney general shall be the legal advisor of the department and the board.

Passed the House February 13, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 71.

[H. B. 180.]

PUBLIC SERVICE COMMISSION—RAILROAD
EMPLOYEES.

AN ACT relating to transportation and directing the public service commission to adopt and enforce necessary sanitary rules and regulations for the protection of the health of railroad employees, and adding a new section to chapter 117, Laws of 1911 and chapter 81.04 RCW.

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

SECTION 1. There is added to chapter 117, Laws of 1911 and to chapter 81.04 RCW, a new section to read as follows: New section.

The public service commission shall adopt and enforce rules and regulations relating to sanitation and adequate shelter as it affects the health of all railroad employees, including but not limited to railroad trainmen, enginemen, yardmen, maintenance of way employees, highway crossing watchmen, clerical, platform, freight house and express employees. Railroad employees—Sanitation, shelter.

Passed the House February 22, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 72.

[H. B. 228.]

PORT DISTRICT COMMISSIONERS—COMPENSATION.

AN ACT relating to port districts and amending section 4, chapter 348, Laws of 1955 and RCW 53.12.250.

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

RCW 53.12.250
amended.

SECTION 1. Section 4, chapter 348, Laws of 1955 and RCW 53.12.250 are each amended to read as follows:

Port district
commissioners.
Compensation.

The compensation of port district commissioners shall be as follows:

Proviso.

Proviso.

(1) Commissioners of a port district having a population, according to the latest United States census, of less than one hundred thousand persons but at least one thousand persons may, by resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner be reimbursed for actual attendance at meetings of the port district at a rate not to exceed twenty-five dollars per diem: *Provided*, That the commissioners shall not receive per diem for meetings in excess of four each month: *Provided further*, That the question of per diem for the commissioners must be submitted for approval to the electors, at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such per diem. At any general election thereafter the commissioners may resubmit the proposition.

(2) Commissioners of a port district having a population, according to the latest United States

census, of less than three hundred and fifty thousand persons but at least one hundred thousand persons may, by resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner receive a salary not to exceed three thousand and six hundred dollars per year: *Provided*, That the question of salaries for the commissioners must be submitted for approval to the electors at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such salary. At any general election thereafter the commissioners may resubmit the proposition.

Port district
commissioners.
Compensation.

Proviso.

(3) The commissioners of a port district having a population, according to the latest United States census, of three hundred and fifty thousand persons or more may, by resolution, after a public hearing, notice of which shall be published no less than four times during a period of not less than ten nor more than twenty days next preceding the hearing in the newspaper of largest general circulation in the district, provide that each commissioner receive a salary not to exceed five thousand dollars per year: *Provided*, That the question of salaries for commissioners must be submitted for approval to the electors at the next succeeding general election. The proposition shall be clearly stated on the ballot and in such a manner as to permit a vote for or against it. If a majority of the votes cast on the proposition favor it, thereafter the commissioners shall receive such salary. At any general election thereafter the commissioners may resubmit the proposition.

Proviso.

Port district
commissioners.
Compensation.

Any resolution adopted under the provisions of this section relating to per diem or salaries of commissioners shall not increase or diminish the compensation of any commissioner for the remainder of his term of office.

Passed the House February 9, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 73.

[H. B. 252.]

TOWNSHIPS—DISORGANIZATION.

AN ACT relating to townships; and repealing section 10, chapter 173, Laws of 1951 and RCW 45.76.010.

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

Repeal.

SECTION 1. Section 10, chapter 173, Laws of 1951 and RCW 45.76.010 are each repealed.

Passed the House February 14, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 11, 1957.

CHAPTER 74.

[S. B. 23.]

APPROPRIATION—GRAIN AND TERMINAL
WAREHOUSES—COMMODITY INSPECTION.

AN ACT appropriating two hundred thousand dollars from the grain and hay inspection fund to carry out the provisions of chapter 22.08 RCW, and declaring an emergency.

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

SECTION 1. There is appropriated from the grain and hay inspection fund the sum of two hundred thousand dollars for salaries, wages and operations to carry out the provisions of chapter 22.08 RCW.

Appropriation to carry out chapter 22.08 RCW.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Emergency.

Passed the Senate February 8, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 75.

[S. B. 34.]

SERVICE OF PROCESS IN ACTIONS INVOLVING
MOTOR VEHICLE ACCIDENTS.

AN ACT relating to the service of summons and process in actions involving motor vehicle accidents; and amending section 129, chapter 189, Laws of 1937 and RCW 46.64.040.

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

RCW 46.64.040 amended.

SECTION 1. Section 129, chapter 189, Laws of 1937 and RCW 46.64.040 are each amended to read as follows:

Nonresident's use of highways as assent to summons and process.

The acceptance by a nonresident of the rights and privileges conferred by law in the use of the public highways of this state, as evidenced by his operation of a vehicle thereon, or the operation thereon of his vehicle with his consent, express or implied, shall be deemed equivalent to and construed to be an appointment by such nonresident of the the secretary of state of the state of Washington to be his true and lawful attorney upon whom may be served all lawful summons and processes against him growing out of any accident, collision, or liability in which such nonresident may be involved while operating a vehicle upon the public highways, or while his vehicle is being operated thereon with his consent, express or implied, and such operation and acceptance shall be a signification of his agreement that any summons or process against him which is so served shall be of the same legal force and validity as if served on him personally within the state of Washington. Likewise each resident of this state who, while operating a motor vehicle on the public highways of this state, is involved in any accident, collision or liability and thereafter within three years departs from this state appoints the secretary of state of the state of Washington as his lawful attorney for service of summons as provided in this

Secretary of state as attorney in fact.

section for nonresidents. Service of such summons or process shall be made by leaving two copies thereof with a fee of two dollars with the secretary of state of the state of Washington, or at his office, and such service shall be sufficient and valid personal service upon said resident or nonresident: *Provided*, That notice of such service and a copy of the summons or process is forthwith sent by registered mail, requiring personal delivery, by plaintiff to the defendant and the defendant's return receipt and the plaintiff's affidavit of compliance herewith are appended to the process and entered as a part of the return thereof: *Provided further*, That personal service outside of this state in accordance with the provisions of law relating to personal service of summons outside of this state shall relieve the plaintiff from mailing a copy of the summons or process by registered mail as hereinbefore provided. The secretary of state shall forthwith send one of such copies by mail, postage prepaid, addressed to the defendant at his address, if known to the secretary of state. The court in which the action is brought may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee of two dollars paid by the plaintiff to the secretary of state shall be taxed as part of his costs if he prevails in the action. The secretary of state shall keep a record of all such summons and processes, which shall show the day of service.

Service of process.

Proviso.

Proviso.

Passed the Senate February 25, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 76.

[S. B. 39.]

STATE COLLEGES OF EDUCATION—FACULTIES—
RETIREMENT BENEFITS.

AN ACT relating to the state colleges of education.

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

Annuities and retirement income plans for faculty members. Powers of trustees.

SECTION 1. The board of trustees of each of the state colleges of education are authorized and empowered:

(1) To assist the faculties of their respective institutions in the purchase of old age annuities or retirement income plans under such rules and regulations as the trustees of said institutions may prescribe.

Proviso.

(2) To provide, under such rules and regulations as any such board may prescribe for the institution under its supervision, for the retirement of any such faculty member on account of length of service, age, or condition of health: *Provided*, That retirement on account of age shall not be earlier than the sixty-fifth birthday.

Proviso.

(3) In connection with such old age annuity or retirement income plans, to provide for federal old age and survivors insurance and such coverage shall be provided in accordance with the provisions of chapter 41.48 RCW: *Provided*, That prior approval by the state legislature of the proposed plan, costs and necessary structural adjustment to an existing system to conform to the proposed plan shall not be necessary.

Contributions by faculty members.

SEC. 2. Members of the faculties of the respective state colleges of education providing for a retirement program under authority of this act shall be required to contribute not less than five percent of their salaries during each year of full time service after the first two years of such service toward the pur-

chase of such annuity, old age and survivors insurance and retirement income plans.

SEC. 3. In no case shall the trustees pay in any one year towards the purchase of such annuity, old age and survivors insurance and retirement income plans more than half of the annual premium of any faculty member, nor an amount exceeding seven and one-half percent of such person's salary, whichever is less.

Limitation on institution's contribution.

SEC. 4. A faculty member designated by the trustees of his respective state college of education as being subject to such annuity plan and who, at the time of such designation, is a member of the Washington state teachers' retirement system shall retain credit for such service in the Washington state teachers' retirement system and shall leave his accumulated contributions in the teachers' retirement fund, and upon his attaining eligibility for retirement under the Washington state teachers' retirement system, such faculty member shall receive from the Washington state teachers' retirement system a retirement allowance consisting of an annuity which shall be the actuarial equivalent of his accumulated contributions at his age when becoming eligible for such retirement and a pension of four dollars per month for each year of creditable service established and retained at the time of said designation not to exceed thirty-five years of creditable service: *Provided, however,* That such faculty member who, upon attainment of eligibility for retirement under the Washington state teachers' retirement system, is still engaged in public educational employment, shall not be eligible to receive benefits under the Washington state teachers' retirement system until he ceases such public educational employment. Any retired faculty member who enters service in any public educational institution shall cease to receive pension payments while engaged in

Rights and duties of members of state teachers' retirement system.

Proviso.

Proviso.

such service: *Provided*, That substitute service may be rendered up to forty-five days in a school year without reduction of pension.

Passed the Senate February 23, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 77.

[S. B. 42.]

PUBLIC FUNDS—CERTIFYING CLAIMS FOR SERVICES, ETC.

AN ACT relating to certification of claims for services and amending section 2, chapter 126, Laws of 1891 and section 1, chapter 77, Laws of 1945 as last amended by section 1, chapter 339, Laws of 1955 and RCW 42.24.030.

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

RCW 42.24.030 amended.

SECTION 1. Section 2, chapter 126, Laws of 1891 and section 1, chapter 77, Laws of 1945 as last amended by section 1, chapter 339, Laws of 1955 (heretofore combined and codified as RCW 42.24.030) are each amended to read as follows:

Requirements of certificate—Penalty for false certificate.

All persons furnishing materials, rendering service or performing labor, or receiving certificates of indebtedness from any disbursing officer of the state, or any county, city, district, or precinct, shall furnish a certificate, certifying on honor that he has furnished materials, rendered services, or performed labor, as described and that the claim is just, due and unpaid, which certificate shall be a part of the voucher: *Provided, however*, That the certificates as to the services of all legislators, officers and employees of the state, or any county, city, district or precinct, shall be set forth as part of the endorsement on the warrant or check issued in payment

Proviso.

of such services, in the form which shall be prescribed by the state auditor.

The certificate need not be sworn to but any person certifying a claim that is false or untrue shall be guilty of perjury in the second degree. Penalty.

Passed the Senate February 11, 1957.

Passed the House March 1, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 78.

[S. B. 65.]

DIVISION OF FORESTRY—COOPERATION WITH FEDERAL GOVERNMENT.

AN ACT authorizing the division of forestry to cooperate with the federal government under any act for cooperative work in management and protection of forests and forest and range lands, and to receive and disburse funds appropriated, or made available therefor, and declaring an emergency.

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

SECTION 1. The division of forestry of the department of conservation and development upon the approval of the director of the department of conservation and development, is hereby authorized to receive funds from the federal government for cooperative work in management and protection of forests and forest and range lands as may be authorized by any act of Congress which is now, or may hereafter be, adopted for such purposes. Federal funds for management and protection of forests and range lands. Receipt authorized.

SEC. 2. The division of forestry is hereby authorized to disburse such funds, together with any funds which may be appropriated or contributed from any source for such purposes, on management and protection of forests and forest and range lands. Disbursement of funds.

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety, Emergency.

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 6, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 79.

[S. B. 74.]

FOREST PRACTICES.

AN ACT relating to forest practices; amending section 1, chapter 44, Laws of 1953 and RCW 76.08.010; amending section 3, chapter 218, Laws of 1947 and RCW 76.08.040; and amending section 4, chapter 218, Laws of 1947 and RCW 76.08.050.

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

RCW 76.08.010 amended.

SECTION 1. Section 1, chapter 44, Laws of 1953 and RCW 76.08.010 are each amended to read as follows:

Definitions.

As used in this chapter:

"Supervisor."

The term "supervisor" means the supervisor of forestry;

"Department."

The term "department" means the department of conservation and development;

"Owner."

The term "owner" means the owner of any forest land;

"Adequate restocking or stocking."

The term "adequate restocking or stocking" means a stand of not less than three hundred thrifty established live seedlings per acre of commercial species predominant on the area cut of which at least one hundred shall be well distributed, or not less than three hundred surviving trees per acre which were established by artificial means;

The term "merchantable stand of timber" means any stand of timber consisting of not less than two

thousand board feet per acre of currently merchantable live timber as measured by the Scribner Decimal C log rule, or three hundred cubic feet as measured by the Sorenson log rule, or four standard cords;

"Merchantable stand of timber."

The term "seed trees" means trees of commercial species that are sixteen inches or more in diameter breast high having a moderately dense live crown making up at least one-third of the total tree height. Seed trees must be thrifty and must be undamaged;

"Seed trees."

The term "operator" means any person who engages in logging of timber for commercial purposes from any land within the state;

"Operator."

The term "certificate of clearance" means a certificate of slash clearance as defined by RCW 76.04-.230.

"Certificate of clearance."

SEC. 2. Section 3, chapter 218, Laws of 1947 and and RCW 76.08.040 are each amended to read as follows:

RCW 76.08.040 amended.

Every permittee shall, during the process of logging, take adequate precautions to leave reserve trees of commercial species deemed adequate under normal conditions to maintain continuous forest growth, or provide adequate stocking to insure future forest production. Every permittee, prior to cutting, shall plainly mark or otherwise designate required seed trees, or trees that are to be cut, or the boundaries of required seed blocks in a manner and at a time acceptable to the supervisor and shall during the process of logging provide protection for reproduction of commercial species. In the conduct of logging operations and prior to and during slash disposal, proper precautions shall be taken and every reasonable effort made by the operator to protect residual stands and trees left uncut as a source of seed supply, from destruction by fire or unnecessary damage resulting from logging operations.

Protection of seed supply or restocking required.

RCW 76.08.050
amended.

SEC. 3. Section 4, chapter 218, Laws of 1947 and RCW 76.08.050 are each amended to read as follows:

Minimum
requirements
for Eastern
Washington.

The provisions of this chapter shall be deemed to have been complied with in the area east of the summit of the Cascade mountains if at time of issuance of a certificate of clearance by the supervisor there shall have been reserved a sufficient number of thrifty undamaged seedlings and/or trees to adequately stock the areas cut over or there shall have been left uncut seed trees of commercial species predominant in the stand that are sixteen inches in diameter or larger breast high outside the bark in a quantity sufficient to aggregate four thrifty seed trees per acre well distributed over each forty acre subdivision or portion thereof cut over by the permittee, provided that the distance from seed trees to cut over areas that are not adequately stocked shall not be more than two hundred feet.

On areas which support stands other than Ponderosa pine the permittee may leave five percent of each forty-acre subdivision or portion thereof reserved and uncut and well stocked with thrifty commercial species predominant in the stand that are sixteen inches or more in diameter or are of a diameter representative of the stand harvested.

Passed the Senate February 15, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 80.

[Sub. S. B. 108.]

MUTUAL SAVINGS BANKS.

AN ACT relating to mutual savings banks; amending section 32.08.060, chapter 13, Laws of 1955 and RCW 32.08.060; amending section 32.08.140, chapter 13, Laws of 1955 and RCW 32.08.140; amending section 32.08.150, chapter 13, Laws of 1955 and RCW 32.08.150; amending section 32.12.010, chapter 13, Laws of 1955 and RCW 32.12.010; amending section 32.12.090, chapter 13, Laws of 1955 and RCW 32.12.090; amending section 32.16.050, chapter 13, Laws of 1955 and RCW 32.16.050; amending chapter 13, Laws of 1955 and chapter 32.04 RCW by adding thereto a new section; amending chapter 13, Laws of 1955 and chapter 32.08 RCW by adding thereto a new section; and amending chapter 13, Laws of 1955 and chapter 32.20 RCW by adding thereto two new sections.

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

SECTION 1. Section 32.08.060, chapter 13, Laws of 1955 and RCW 32.08.060 are each amended to read as follows:

RCW 32.08.060 amended.

In case of approval, the supervisor shall forthwith give notice thereof to the proposed incorporators, and file one of the triplicate certificates in his own office, shall transmit another triplicate to the county auditor of the county in which such bank is to be located and shall transmit the third triplicate to the secretary of state. Upon receipt from the proposed incorporators of the same fees as are required for filing and recording other incorporation certificates, the county auditor and the secretary of state shall file the certificate in their respective offices, and the secretary of state shall record the same. Upon the filing of said incorporation certificate in triplicate approved as aforesaid in the offices of the supervisor, the secretary of state and county auditor, the persons named therein and their successors shall thereupon become and be a corporation, which corporation shall have the powers and

Organization and powers. Procedure upon approval.

Procedure up-
on approval.

be subject to the duties and obligations prescribed in this title and its corporate existence shall be perpetual, unless sooner terminated pursuant to law, but such corporation shall not receive deposits or engage in business until authorized so to do by the supervisor as provided in RCW 32.08.070.

RCW 32.08.140
amended.

SEC. 2. Section 32.08.140, chapter 13, Laws of 1955 and RCW 32.08.140 are each amended to read as follows:

Powers of
bank.

Every mutual savings bank incorporated under this title shall have, subject to the restrictions and limitations contained in this title the following powers:

(1) To receive deposits of money, to invest the same in the property and securities prescribed in this title, to declare dividends in the manner prescribed in this title, and to exercise by its board of trustees or duly authorized officers or agents, subject to law, all such incidental powers as shall be necessary to carry on the business of a savings bank.

(2) To issue transferable certificates showing the amounts contributed by any incorporator or trustee to the guaranty fund of such bank, or for the purpose of paying its expenses. Every such certificate shall show that it does not constitute a liability of the savings bank, except as otherwise provided in this title.

(3) To purchase, hold and convey real property as prescribed in RCW 32.20.280.

(4) To pay depositors as hereinafter provided, and when requested, pay them by drafts upon deposits to the credit of the savings bank in any city in the United States, and to charge current rates of exchange for such drafts.

(5) To borrow money in pursuance of a resolution adopted by a vote of a majority of its board of trustees duly entered upon its minutes whereon shall be recorded by ayes and noes the vote of each

trustee, for the purpose of repaying depositors, and to pledge or hypothecate securities as collateral for loans so obtained. Immediate written notice shall be given to the supervisor of all amounts so borrowed, and of all assets so pledged or hypothecated.

Powers of
bank.

(6) Subject to such regulations and restrictions as the supervisor finds to be necessary and proper, to borrow money in pursuance of a resolution adopted by a vote of a majority of its board of trustees duly entered upon its minutes whereon shall be recorded by ayes and noes the vote of each trustee, for purposes other than that of repaying depositors and to pledge or hypothecate its assets as collateral for any such loans, provided that no amount shall at any time be borrowed by a savings bank pursuant to this subsection (6), if such amount, together with the amount then remaining unpaid upon prior borrowings by such savings bank pursuant to this subsection (6), exceeds five per centum of the assets of the savings bank. When it shall appear to the supervisor that any bank is habitually borrowing for the purpose of re-lending, he may require the bank to pay off such borrowed money.

(7) To collect or protest promissory notes or bills of exchange owned by such bank or held by it as collateral, and remit the proceeds of the collections by drafts upon deposits to the credit of the savings bank in any city in the United States, and to charge the usual rates or fees for such collection and remittance for such protest.

(8) To sell gold or silver received in payment of interest or principal of obligations owned by the savings bank or from depositors in the ordinary course of business.

(9) To act as insurance agent for the purpose of writing fire insurance on property in which the bank has an insurable interest, the property to be located in the city in which the bank is situated and in the

Powers of bank.

immediate contiguous suburbs, notwithstanding anything in any other statute to the contrary.

(10) To let vaults, safes, boxes or other receptacles for the safekeeping or storage of personal property, subject to laws and regulations applicable to, and with the powers possessed by, safe deposit companies.

(11) To elect or appoint in such manner as it may determine all necessary or proper officers, agents, boards, and committees, to fix their compensation, subject to the provisions of this title, and to define their powers and duties, and to remove them at will.

(12) To make and amend bylaws consistent with law for the management of its property and the conduct of its business.

(13) To wind up and liquidate its business in accordance with this title.

(14) To adopt and use a common seal and to alter the same at pleasure.

(15) To do all other acts authorized by this title.

RCW 32.08.150 amended.

SEC. 3. Section 32.08.150, chapter 13, Laws of 1955 and RCW 32.08.150 are each amended to read as follows:

Merchandising.

(1) A savings bank shall not purchase, deal or trade in any goods, wares, merchandise, or commodities whatsoever except such personal property as may be necessary for the transaction of its authorized business.

Exchange.

(2) Such banks shall not, nor shall any officer thereof in his attendance upon the business of such bank, in any manner buy or sell exchange on credit banks or bankers or buy or sell gold or silver except as in this title expressly authorized.

Certificate of deposit.

(3) Such bank shall not make or issue any certificate of deposit payable either on demand or at a fixed day.

SEC. 4. Section 32.12.010, chapter 13, Laws of 1955 and RCW 32.12.010 are each amended to read as follows:

RCW 32.12.010 amended.

When the aggregate amount of deposits and dividends to the credit of any depositor, including in such aggregate all deposits and dividends credited to the depositor as trustee or beneficiary of any voluntary and revocable trust and all deposits and dividends credited to the depositor and another, or others, in either joint or several form, is ten thousand dollars or more, such aggregate shall not be increased by the receipt from the depositor of any further deposit but may be increased by the crediting of dividends or by the consolidation of savings banks having common depositors. Additional accounts may, however, be maintained in the name of a parent as trustee for a dependent or minor child, or in the name of a child as trustee for a dependent parent; and additional accounts may be maintained by a person, society, or corporation as administrator, executor, guardian, or trustee under a will: *Provided*, That notwithstanding anything contained in this section, mutual savings banks may accept deposits to the fullest extent that such deposits are insured by the United States government, or any agency thereof, including the Federal Deposit Insurance Corporation.

Deposits—
Earnings—
Dividends.
Limitation of
deposits.

Every such bank may further limit the aggregate amount which an individual or any corporation or society may have to his or its credit to such sum as such bank may deem expedient to receive; and may in its discretion refuse to receive a deposit, or may at any time return all or any part of any deposits or require the withdrawal of any dividend.

SEC. 5. Section 32.12.090, chapter 13, Laws of 1955 and RCW 32.12.090 are each amended to read as follows:

RCW 32.12.090 amended.

(1) Every savings bank shall regulate the rate of dividends not to exceed six percent per annum upon

Dividends regulated.

Dividends regulated—
Declaration of rate.

the amounts to the credit of depositors therewith, in such manner that depositors shall receive as nearly as may be all the earnings of the bank after transferring the amount required by RCW 32.08.120 and such further amounts as its trustees may deem it expedient and for the security of the depositors to transfer to the guaranty fund, which to the amount of ten percent of the amount due its depositors the trustees shall gradually accumulate and hold. Such trustees may also deduct from its net earnings, and carry as reserves for losses, or other contingencies, or as undivided profits, such additional sums as they may deem wise.

Depositors classified to regulate dividends.

(2) Every savings bank may classify its depositors according to the character, amount or duration of their dealings with the savings bank, and may regulate the dividends in such manner that each depositor shall receive the same ratable portion of dividends as all others of his class.

(3) Unimpaired contributions to the initial guaranty fund and to the expense fund, made by the incorporators or trustees of a savings bank, shall be entitled to have dividends apportioned thereon, which may be credited and paid to such incorporators or trustees.

Whenever the guaranty fund of any savings bank is sufficiently large to permit the return of such contributions, the contributors may receive dividends thereon not theretofore credited or paid at the same rate paid to depositors.

Limitations on declaration of dividends.

(4) A savings bank shall not:

(a) Declare, credit or pay any dividend except as authorized by a vote of a majority of the board of trustees duly entered upon its minutes, whereon shall be recorded the ayes and noes upon each vote;

(b) Pay any dividend other than the regular quarterly or semiannual dividend, or the extra dividend prescribed in subsection (5) of this section;

(c) Declare, credit or pay dividends on any amount to the credit of a depositor for a longer period than the same has been credited: *Provided*,
Proviso. That deposits made not later than the tenth day of any month (unless the tenth day is not a business day, in which case it may be the next succeeding business day), or withdrawn upon one of the last three business days of the month ending any quarterly or semiannual dividend period, may have dividends declared upon them for the whole of the period or month when they were so deposited or withdrawn: *Provided further*,
Proviso. That if the bylaws so provide, accounts closed between dividend periods may be credited with dividends at the rate of the last dividend, computing from the first dividend period to the date when closed.

(5) The trustees of any savings banks whose undivided profits and guaranty fund, determined in the manner prescribed in RCW 32.12.070, amount to more than twenty-five percent of the amount due its depositors, shall at least once in three years divide equitably the accumulation beyond such twenty-five percent as an extra dividend to depositors in excess of the regular dividend authorized.

A notice posted conspicuously in a savings bank of a change in the rate of dividends shall be equivalent to a personal notice.
Notice of changed rate.

SEC. 6. Section 32.16.050, chapter 13, Laws of 1955 and RCW 32.16.050 are each amended to read as follows:
RCW 32.16.050 amended.

(1) A trustee of a savings bank shall not directly or indirectly receive any pay or emolument for services as trustee, except as provided in this section.
Compensation of trustees.

(2) A trustee may receive, by affirmative vote of a majority of all the trustees, reasonable compensation for (a) attendance at meetings of the board of trustees; (b) service as an officer of the savings bank, provided his duties as officer require and receive his

Compensation
of trustees,
attorney.

regular and faithful attendance at the savings bank; (c) service in appraising real property for the savings bank; and (d) service as a member of a committee of the board of trustees: *Provided*, That a trustee receiving compensation for service as an officer pursuant to (b) shall not receive any additional compensation for service under (a), (c) or (d).

Proviso.

(3) An attorney for a savings bank, although he is a trustee thereof, may receive a reasonable compensation for his professional services, including examinations and certificates of title to real property on which mortgage loans are made by the savings bank; or if the bank requires the borrowers to pay all expenses of searches, examinations, and certificates of title, including the drawing, perfecting, and recording of papers, such attorney may collect of the borrower and retain for his own use the usual fees for such services, excepting any commissions as broker or on account of placing or accepting such mortgage loans.

(4) If an officer or attorney of a savings bank receives, on any loan made by the bank, any commission which he is not authorized by this section to retain for his own use, he shall immediately pay the same over to the savings bank.

New section.
RCW 32.04.082.

SEC. 7. There is added to chapter 13, Laws of 1955 and to chapter 32.04 RCW a new section, to be known as section 32.04.082, to read as follows:

Pension pay-
ments—Waiver
of offsets
attributable
to social security.

With respect to pension payments or retirement benefits payable by a mutual savings bank to any employee heretofore or hereafter retired, such bank may waive all or any part of any offsets thereto attributable to social security benefits receivable by such employee.

New section.
RCW 32.08.061.

SEC. 8. There is added to chapter 13, Laws of 1955 and to chapter 32.08 RCW a new section, to be known as section 32.08.061, to read as follows:

A mutual savings bank may amend its incorporation certificate to extend the period of its corporate existence for a further definite time or perpetually by a resolution adopted by a majority vote of its board of trustees. Triplicate copies of the resolution, subscribed and acknowledged by the president and secretary of such bank, shall be filed in the office of the supervisor within thirty days after its adoption. If the supervisor finds that the resolution conforms to law he shall, within sixty days after the date of the filing thereof, endorse upon each of the triplicates thereof, over his official signature, his approval and forthwith give notice thereof to the bank and shall file one of the triplicate certificates in his own office, shall transmit another triplicate to the county auditor of the county in which the main office of such bank is located and shall transmit the third triplicate to the secretary of state. Upon receipt from the mutual savings bank of the same fees as are required of general corporations for filing corresponding instruments, the county auditor and the secretary of state shall file the resolution in their respective offices, and the secretary of state shall record the same. Upon the filing of said resolution in triplicate, approved as aforesaid in the offices of the supervisor, the secretary of state and county auditor, the corporate existence of said bank shall continue for the period set forth in said resolution unless sooner terminated pursuant to law.

Extension of
period of
existence—
Procedure.

SEC. 9. There is added to chapter 13, Laws of 1955 and to chapter 32.20 RCW a new section, to be known as section 32.20.265, to read as follows:

New section,
RCW 32.20.265.

When, under any provision of this title, a written report is required of members of the board of investment of a mutual savings bank certifying according to their best judgment the value of any property to be mortgaged such value may be determined upon

Valuation of
property to be
mortgaged—
Appraiser's
opinion.

the signed opinion in writing of an appraiser appointed by the board of trustees of such bank.

New section.

SEC. 10. There is added to chapter 13, Laws of 1955, and to chapter 32.20 RCW, a new section to read as follows:

Obligation of corporations created as federal agency or instrumentality.

A mutual savings bank may invest its funds in capital stock, notes, bonds, debentures, or other such obligations of any corporation which is or hereafter may be created by the United States as a governmental agency or instrumentality: *Provided*, That the amount a mutual savings bank may so invest in the obligations of any one such corporation, pursuant to this section shall not exceed five percent of the funds of such savings bank, and the total amount a mutual savings bank may invest pursuant to this section shall not exceed ten percent of the funds of such savings bank: *Provided further*, That the amounts heretofore or hereafter invested by a mutual savings bank pursuant to any law of this state other than this section, even if such investment might also be authorized under this section, shall not be limited by the provisions of this section and amounts so invested pursuant to any such other law of this state shall not be included in computing maximum amounts which may be invested pursuant to this section.

Proviso.

Proviso.

Passed the Senate February 15, 1957.

Passed the House March 5, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 81.

[S. B. 127.]

DEDICATION OF LANDS TO CITY OF SEATTLE.

AN ACT dedicating to the city of Seattle certain lands lying within Section 16, Township 25 N., Range 4 E.W.M. for street purposes.

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

SECTION 1. That the following described lands in King County, Washington, to wit: Dedication.

That portion of the northwest one-quarter of Section 16, Township 25 N., Range 4 E.W.M., described as follows: Beginning at a point on the south line of East 45th Street, as established by Ordinance No. 17947, said point being the intersection of said south line with the west line of Section 16, Township 25 N., Range 4 E.W.M.; thence south $89^{\circ}57'47''$ east along said south line 1428.33 feet to a point of curvature and the true point of beginning; thence following the arc of a curve to the right having a radius of 300 feet and a central angle of $7^{\circ}15'$, 37.96 feet to a point of tangency; thence along said tangent south $82^{\circ}42'47''$ east 142.21 feet; thence south $0^{\circ}02'13''$ west 3.99 feet; thence south $89^{\circ}57'47''$ east 119.18 feet to an angle point; thence north $85^{\circ}02'13''$ east 257.99 feet to a point of curvature; thence following the arc of a curve to the right having a radius of 485 feet and a central angle of 5° , 42.32 feet to a point on the south line of said East 45th Street; thence north $89^{\circ}57'47''$ west along said south line 150.74 feet to a point of curvature; thence following the arc of a curve to the left having a radius of 976 feet and a central angle of $2^{\circ}59'26''$, 50.94 feet to a point of reverse curvature; thence following the arc of a curve to the right having a radius of 1024 feet and a central angle of $6^{\circ}39'40''$, 119.05 feet to a point of tangency; thence along said tangent north $89^{\circ}57'47''$ west 68.34 feet; thence north $0^{\circ}11'48''$ east 11.50 Description.

Dedicated to Seattle.

Proviso.

feet; thence north 89°57'47" west 208.83 feet to the true point of beginning; be and the same are hereby dedicated to the city of Seattle, a municipal corporation, to be used for street purposes: *Provided, however,* That if the city of Seattle shall ever use or permit the use of said land for any purpose other than in this act provided, the same shall at once revert to the state of Washington without any suit or action in any court and without any action on the part of the state whatsoever.

Pass the Senate February 6, 1957.

Passed the House March 5, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 82.

[S. B. 146.]

FIREMEN'S RELIEF AND PENSIONS—1947 ACT
AMENDED.

AN ACT relating to firemen of cities and towns; establishing and creating a firemen's relief and pension system and a pension fund in certain cities and towns; providing for the maintenance of and contributions and payments thereto, and for distribution of and payments therefrom; amending section 8, chapter 91, Laws of 1947 and RCW 41.16.080 through 41.16.190.

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

Division and amendment.

SECTION 1. Section 8, chapter 91, Laws of 1947 (heretofore divided and codified as RCW 41.16.080 through 41.16.190) is divided and amended as set forth in sections 2 through 13 of this act.

RCW 41.16.080 amended. Retirement for service.

SEC. 2. (RCW 41.16.080) Any fireman employed in a fire department on and before the first day of January, 1947, hereinafter in this section and RCW 41.16.090 to 41.16.190 inclusive, referred to as "fireman," and who shall have served twenty-five or

more years and having attained the age of fifty-five years, as a member of the fire department, shall be eligible for retirement and shall be retired by the board upon his written request. Upon his retirement any fireman shall be paid a pension based upon the average monthly salary drawn for the five calendar years before retirement, the number of years of his service and a percentage factor based upon his age on entering service, as follows:

Entrance age at last birthday	Salary percentage factor
20 and under	1.50%
21	1.55%
22	1.60%
23	1.65%
24	1.70%
25	1.75%
26	1.80%
27	1.85%
28	1.90%
29	1.95%
30 and over	2.00%

Said monthly pension shall be in the amount of his average monthly salary for the five calendar years before retirement, times the number of years of service, times the applicable percentage factor.

SEC. 3. (RCW 41.16.090) No monthly pension or benefit shall be paid in excess of one hundred fifty dollars: *Provided*, That all pensioners receiving a pension under the provisions of this act as provided for in section 12, chapter 91, Laws of 1947 and RCW 41.16.230, shall have their pensions increased in the amount of twenty-five dollars per month, beginning at the time this law becomes effective; but no pensioners will be entitled to receive more than one hundred and fifty dollars per month, as his basic pension, except as the cost of living rises, so shall

RCW 41.16.090
amended.

Proviso.

Limit of
pension.

his pension rise and as the cost of living decreases, so shall such pension decrease, but such decrease shall not be below the basic pension being paid to such pensioner.

RCW 41.16.100
enacted
without
amendment.

SEC. 4. (RCW 41.16.100) The widow, child, children or beneficiary of any fireman retired under this chapter shall receive an amount equal to his accumulated contributions to the fund, plus earned interest thereon, compounded semiannually: *Provided*, That there shall be deducted from said sum the amount paid to decedent in pensions and the remainder shall be paid to his widow, child, children or beneficiary: *Provided further*, That the amount paid shall not be less than one thousand dollars.

Proviso.

Proviso.

RCW 41.16.110
enacted
without
amendment.

SEC. 5. (RCW 41.16.110) Whenever any fireman shall die while eligible to retirement on account of years of service, and shall not have been retired, benefits shall be paid in accordance with RCW 41.16.100.

RCW 41.16.120
amended.

SEC. 6. (RCW 41.16.120) Whenever any active fireman or fireman retired for disability shall die as the result of an accident or other fortuitous event occurring while in the performance of his duty, his widow may elect to accept a monthly pension equal to one-half the deceased fireman's salary but in no case in excess of one hundred fifty dollars per month, or the sum of five thousand dollars cash. The right of election must be exercised within sixty days of the fireman's death. If not so exercised, the pension benefits shall become fixed and shall be paid from the date of death. Such pension shall cease if, and when, she remarries. If there is no widow, then such pension benefits shall be paid to his child or children.

Payment on
death in line
of duty.

RCW 41.16.130
amended.

SEC. 7. (RCW 41.16.130) (1) Any fireman who shall become disabled as a result of the performance

of his duty or duties as defined in this chapter, may be retired at the expiration of six months from the date of his disability, upon his written request filed with his retirement board. The board may upon such request being filed, consult such medical advice as it sees fit, and may have the applicant examined by such physicians as it deems desirable. If from the reports of such physicians the board finds the applicant capable of performing his duties in the fire department, the board may refuse to recommend his retirement.

Payment upon
disablement in
line of duty.

(2) If the board deems it for the good of the fire department or the pension fund, it may recommend the applicant's retirement without any request therefor by him, after giving him a thirty days notice. Upon his retirement he shall be paid a monthly disability pension in amount equal to one-half of his monthly salary at date of retirement, but which shall not exceed one hundred fifty dollars a month. If he recovers from his disability he shall thereupon be restored to active service, with the same rank he held when he retired.

(3) If the fireman dies during disability and not as a result thereof, RCW 41.16.160 shall apply.

SEC. 8. (RCW 41.16.140) Any fireman who has served more than fifteen years and sustains a disability not in the performance of his duty which renders him unable to continue his service, shall within sixty days exercise his choice either to receive his contribution to the fund, plus earned interest compounded semiannually, or be retired and paid a monthly pension based on the factor of his age shown in RCW 41.16.080, times his average monthly salary as a member of the fire department of his municipality at the date of his retirement, times the number of years of service rendered at the time he sustained such disability. If such fireman shall

RCW 41.16.140
enacted
without
amendment.

die leaving surviving him a wife, or child or children, then such wife, or if he leaves no wife, then his child or children shall receive the sum of his contributions, plus accumulated compound interest, and such payment shall be reduced in the amount of the payments made to deceased.

RCW 14.16.150
enacted
without
amendment.

SEC. 9. (RCW 41.16.150) (1) Any fireman who has served twenty years or more and who shall resign or be dismissed, shall have the option of receiving all his contributions plus earned interest compounded semiannually, or a monthly pension in the amount of his average monthly salary times the number of years of service rendered, times one and one-half percent. Payment of such pension shall commence at the time of severance from the fire department, or at the age of fifty-five years, whichever shall be later. The fireman shall have sixty days from the severance date to elect which option he will take. In the event he fails to exercise his right of election then he shall receive the amount of his contributions plus accrued compounded interest. In the event he elects such pension, but dies before attaining the age of fifty-five, his widow, or if he leaves no widow, then his child or children shall receive only his contribution, plus accrued compounded interest. In the event he elects to take a pension and dies after attaining the age of fifty-five his widow, or if he leaves no widow, then child or children shall receive his contribution, plus accrued compounded interest, less the amount of pension payments made to such fireman during his lifetime.

(2) Any fireman who shall have served for a period of less than twenty years, and shall resign or be dismissed, shall be paid the amount of his contributions, plus accrued compounded interest.

SEC. 10. (RCW 41.16.160) Whenever any fireman, after four years of service, shall die from nat-

ural causes, or from an injury not sustained in the performance of his duty and for which no pension is provided in this chapter, and who has not been retired on account of disability, his widow, if she was his wife at the time he was stricken with his last illness, or at the time he received the injuries from which he died; or if there is no such widow, then his child or children shall be entitled to the amount of his contributions, plus accrued compounded interest, or the sum of one thousand dollars, whichever sum shall be the greater. In case of death as above stated, before the end of four years of service, an amount based on the proportion of the time of service to four years shall be paid such beneficiaries.

RCW 41.16.160
enacted
without
amendment.

SEC. 11. (RCW 41.16.170) Whenever a fireman dies leaving no widow or children, the amount of his accumulated contributions, plus accrued compounded interest only, shall be paid his beneficiary.

RCW 41.16.170
enacted
without
amendment.

SEC. 12. (RCW 41.16.180) Upon the death of any active, disabled or retired fireman the board shall pay from the fund the sum of two hundred dollars to assist in defraying the funeral expenses of such fireman.

RCW 41.16.180
enacted
without
amendment.

SEC. 13. (RCW 41.16.190) No fireman disabled in the performance of duty shall receive a pension until six months has elapsed after such disability was sustained. Therefore, whenever the retirement board, pursuant to examination by the board's physician and such other evidence as it may require, shall find a fireman has been disabled while in the performance of his duties, it shall declare him inactive. For a period of six months from the time he became disabled, he shall continue to draw full pay from his municipality and in addition thereto he shall, at the expense of the municipality, be provided with such medical, hospital and nursing care as the retirement board deems proper. If the board

RCW 41.16.190
enacted
without
amendment.

finds at the expiration of six months that the fireman is unable to return to and perform his duties, then he shall be retired as herein provided.

Passed the Senate February 26, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 83.

[Sub. S. B. 156.]

CITY AND TOWN STREETS AS PART OF STATE HIGHWAYS.

AN ACT relating to city and town streets that form a part of state highways, setting forth the authority of the state highway commission therefor; amending sections 2 and 3, chapter 179, Laws of 1955 and RCW 47.24.010 and 47.24.020 and declaring an emergency.

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

Division and amendment.

SECTION 1. Sections 2 and 3, chapter 179, Laws of 1955 (heretofore divided and codified as RCW 47.24.010 and 47.24.020) are divided and amended as set forth in sections 2 and 3 of this act.

RCW 47.24.010 amended.

City and town streets designated as part of state highway—Construction and maintenance by state.

SEC. 2. (RCW 47.24.010) The state highway commission shall determine what streets, together with bridges thereon and wharves necessary for use for ferriage of motor vehicle traffic in connection with such streets, if any, in any incorporated cities and towns shall form a part of the route of state highways and between the first and fifteenth days of July of each year the state highway commission shall certify to the state auditor and to the clerk of each city or town, by brief description, the streets, together with bridges thereon and wharves, if any, in such city or town which are designated as forming a part of the route of any state highway; and all such streets, including curbs and gutters and street in-

tersections and such bridges and wharves, shall be constructed and maintained by the state highway commission from any state funds available therefor.

SEC. 3. (RCW 47.24.020) The jurisdiction, control and duty of the state and city or town with respect to such streets shall be as follows:

RCW 47.24.020 amended.

City streets as highways. Jurisdiction, control of such streets.

(1) The state highway commission shall have no authority to change or establish any grade of any such street without approval of the governing body of such city or town, except with respect to limited access facilities established by the state highway commission;

(2) The city or town shall exercise full responsibility for the control over any such street beyond the curbs and if no curb is installed, beyond that portion of the highway used for highway purposes: *Provided*, That within incorporated cities and towns the title to a limited access facility, after purchase and construction by the state alone, shall vest in the state, and the Washington state highway commission shall exercise full jurisdiction, responsibility and control to, and over, such facility as provided in chapter 47.52 RCW, as amended;

Proviso.

(3) The state highway commission shall have authority to prohibit the suspension of signs, banners, or decorations above the portion of such street between the curbs or portion used for highway purposes up to a vertical height of twenty feet above the surface of the roadway;

(4) The city or town shall at its own expense maintain all underground facilities in such streets, and shall have the right to construct such additional underground facilities as may be necessary in such streets;

(5) The city or town shall have the right to grant the privilege to open the surface of any such street, but all damage occasioned thereby shall promptly

City streets
as highways.
Jurisdiction,
control of
such streets.

be repaired either by the city or town itself or at its direction;

(6) The city or town at its own expense shall provide street illumination and shall clean all such streets, including storm sewer inlets and catch basins, and remove all snow, except that the state shall when necessary plow the snow on the roadway: *Provided*, That in cities and towns having a population of fifteen thousand or less according to the latest federal census, the state, when necessary for public safety, shall assume, at its expense, responsibility, for the stability of the slopes of cuts and fills and the embankments within the right of way to protect the roadway itself: *Provided further*, That the state shall install, maintain and operate all illuminating facilities on any limited access facility, together with their interchanges, located within the corporate limits of any city or town, and shall assume and pay the costs of all such installation, maintenance and operation incurred after November 1, 1954;

Proviso.

Proviso.

(7) The state highway commission shall have the right to utilize all storm sewers on such highways without cost; and if new storm sewer facilities are necessary in construction of new streets by the state highway commission, the cost of such facilities shall be borne by the state and/or city as may be mutually agreed upon between the state highway commission and the governing body of the city or town;

(8) Cities and towns shall have exclusive right to grant franchises, not in conflict with state laws, over, beneath and upon such streets but the state highway commission shall be authorized to enforce in an action brought in the name of the state any condition of any franchise which a city or town shall have granted on such street: *Provided*, That no franchise for transportation of passengers in motor vehicles shall be granted on such streets without the

Proviso.

approval of the state highway commission but the state highway commission shall not refuse to approve such franchise unless another street conveniently located and of strength of construction to sustain travel of such vehicles is accessible;

City streets as highways. Jurisdiction, control of such streets.

(9) Every franchise or permit granted any person by a city or town for use of any portion of such street by a public utility shall require the grantee or permittee to restore, repair and replace to its original condition any portion of the street damaged or injured by it;

(10) The city or town shall have the right to issue overload or overwidth permits for vehicles to operate on such streets or roads subject to regulations printed and distributed to the cities and towns by the state highway commission;

(11) Cities and towns shall regulate and enforce all traffic and parking restrictions on such streets, but all regulations adopted shall be subject to the approval of the state highway commission before becoming effective. Traffic control and parking regulations heretofore adopted by a city or town not identical with state laws shall become null and void unless approved by the state highway commission within one year after March 21, 1949;

(12) The state highway commission shall erect, control and maintain at state expense all route markers, and directional signs, except street signs, on such streets;

(13) The state highway commission shall install, operate, maintain and control at state expense all traffic control signals, signs and traffic control devices for the purpose of regulating both pedestrian and motor vehicular traffic on, entering upon, or leaving state highways in cities and towns having a population of fifteen thousand or less according to the latest federal census: *Provided*, That such cities and towns may submit to the state highway commis-

Proviso.

City streets
as highways.
Jurisdiction,
control of such
streets.

sion a plan for traffic control signals, signs and traffic control devices desired by them, indicating the location, nature of installation, or type thereof, or a proposed amendment to such an existing plan or installation, and the state highway commission shall consult with the cities or towns concerning the same prior to installing such signals, signs, or devices. Cities and towns having a population in excess of fifteen thousand according to the latest federal census shall install, maintain, operate and control such signals, signs and devices at their own expense, subject to approval of the state highway commission for the installation and type only. For the purpose of this subdivision striping, lane marking and channelization are considered traffic control devices;

(14) All revenue from parking meters placed on such streets shall belong to the city or town;

(15) Rights of way for such streets shall be acquired by either the city or town or by the state as shall be mutually agreed upon. Costs of acquiring rights of way may be at the sole expense of the state or at the expense of the city or town or at the expense of the state and the city or town as may be mutually agreed upon. Title to all rights of way so acquired shall vest in the city or town: *Provided*, That no vacation, sale or rental of any unused portion of any such street shall be made by the city or town without the approval of the state highway commission; and all revenue derived from sale, vacation or rental of such rights of way shall be shared by the city or town and the state in the same proportion as the purchase costs were shared;

Proviso.

(16) If any city or town shall fail to perform any of its obligations as set forth in this section or in any cooperative agreement entered into with the state highway commission for the maintenance of a city or town street forming part of the route of a state highway, the state highway commission may notify

the mayor of such town to perform such necessary maintenance within thirty days. If the city or town within such thirty days shall fail to perform such maintenance or fail to authorize the state highway commission to perform such maintenance as provided by RCW 47.24.050, the state highway commission may perform such maintenance. The state auditor shall pay the cost of such maintenance on vouchers submitted by the state highway commission and deduct the cost from any sums in the motor vehicle fund credited or to be credited to such city or town.

City streets
as highways.
Jurisdiction,
control of
such streets.

SEC. 4. 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.

Emergency.

Passed the Senate February 19, 1957.

Passed the House March 5, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 84.

[S. B. 192]

POLICE RELIEF AND PENSIONS.

AN ACT relating to pensions for retired police officers and their widows, amending section 1, chapter 45, Laws of 1945, as last amended by section 3, chapter 69, Laws of 1955, and RCW 41.20.050; and amending section 2, chapter 24, Laws of 1937, as last amended by section 5, chapter 69, Laws of 1955, and RCW 41.20.060; and amending section 3, chapter 24, Laws of 1937, as last amended by section 6, chapter 69, Laws of 1955, and RCW 41.20.080.

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

SECTION 1. Section 1, chapter 45, Laws of 1945, as last amended by section 3, chapter 69, Laws of 1955, and RCW 41.20.050, are each amended to read as follows:

RCW 41.20.050
amended.

Police benefits.
Pension on
retirement
for years of
service.

Whenever a person has been duly appointed, and has served honorably for a period of twenty-five years or more, as a member, in any capacity, of the regularly constituted police department of a city subject to the provisions of this chapter, the board may order and direct that such person be retired, and the board shall retire any member so entitled, upon his written request therefor. The member so retired shall be paid from the fund during his lifetime a pension equal to forty-five percent of the amount of salary attached to the rank held by the retired member for the year preceding the date of his retirement: *Provided*, That no pension shall exceed an amount equivalent to one-half the basic salary of a member holding the rank of captain and all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957: *Provided further*, That for each additional year of honorable service in excess of twenty-five years, but not to exceed an additional five years of service, the retirement benefit percentage herein provided shall be increased one percent per year.

Proviso.

Proviso.

Any person affected by this chapter who at the time of entering the armed services was a member of such police department and has honorably served in the armed services of the United States in the time of war, shall have added to his period of employment as computed under this chapter, his period of war service in the armed forces, but such credited service shall not exceed five years and such period of service shall be automatically added to each member's service upon payment by him of his contribution for the period of his absence at the rate provided in RCW 41.20.130.

RCW 41.20.060
amended.

SEC. 2. Section 2, chapter 24, Laws of 1937, as last amended by section 5, chapter 69, Laws of 1955, and RCW 41.20.060, are each amended to read as follows:

Whenever any person, while serving as a policeman in any such city becomes physically disabled by reason of any bodily injury received in the immediate or direct performance or discharge of his duties as a policeman, or becomes incapacitated for service, such incapacity not having been caused or brought on by dissipation or abuse, of which the board shall be judge, the board may, upon his written request filed with the secretary, or without such written request, if it deems it to be for the benefit of the public, retire such person from the department, and order and direct that he be paid from the fund during his lifetime, a pension equal to one-half of the amount of salary attached to the rank which he held in the department at the date of his retirement, but not to exceed an amount equivalent to one-half the basic salary of a member holding the rank of captain, and all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957.

Police benefits.

Pension on retirement for disability.

Whenever such disability ceases, the pension shall cease, and such person shall be restored to active service at the same rank he held at the time of his retirement, and at the current salary attached to said rank at the time of his return to active service.

Disability benefits provided for by this chapter shall not be paid when the policeman is disabled while he is engaged for compensation in outside work not of a police or special police nature.

SEC. 3. Section 3, chapter 24, Laws of 1937, as last amended by section 6, chapter 69, Laws of 1955, and RCW 41.20.080, are each amended to read as follows:

RCW 41.20.080 amended.

Whenever any member of the police department of any such city loses his life through violence while actually engaged in the performance of duty as a police officer, leaving a widow or child or children under the age of sixteen years, upon satisfactory

Pension on death of policeman through violence.

Pension on death of policeman through violence.

proof of such facts made to it, the board shall order and direct that a pension, equal to one-half of the amount of the salary attached to the rank which such member held in the police department at the time of his death, shall be paid to the widow during her life, or if there is no widow, then to the child or children, until they are sixteen years of age: *Provided*, That if such widow or child or children marry, the person so marrying shall thereafter receive no further pension from the fund: *Provided further*, That all existing pensions shall be increased to not less than one hundred fifty dollars per month as of July 1, 1957.

Proviso.

Proviso.

If any member so losing his life, leaves no wife, or child or children under the age of sixteen years, the board shall pay the sum of two hundred dollars toward the funeral expenses of such member.

Passed the Senate March 6, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 85.

[S. B. 211.]

CONVEYANCE TO PORT OF ILWACO.

AN ACT relating to the authorizing the conveyance of certain lands in Pacific county to the port district of Ilwaco.

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

Conveyance to Port of Ilwaco.

SECTION 1. The governor is hereby authorized and directed to execute and the secretary of state to attest and deliver to the port of Ilwaco a deed conveying to the port of Ilwaco all interest of the state in and to the following described lands in Pacific county, Washington, to wit:

Description.

Block 13, Plate 3, Ilwaco Tide Lands as shown on the plat thereof filed in the office of the commissioner of public lands at Olympia on March 31, 1934:

Provided, however, That the port of Ilwaco shall first ^{Proviso.} pay to the commissioner of public lands the appraised value as determined by said commissioner.

Passed the Senate February 16, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 86.

[S. B. 268.]

CHRISTMAS TREES.

An Act relating to Christmas trees; and repealing sections 1 through 4, chapter 141, Laws of 1929; sections 1 through 3, chapter 26, Laws of 1931; sections 1 through 5, chapter 112, Laws of 1937, and RCW 19.12.010 through 19.12.060 and 19.12.080.

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

SECTION 1. Sections 1, 2, 3 and 4, chapter 141, ^{Repeal.} Laws of 1929; sections 1, 2 and 3, chapter 26, Laws of 1931; sections 1, 2, 3, 4 and 5, chapter 112, Laws of 1937 and RCW 19.12.010 through 19.12.060 and 19.12.080 are each repealed.

Passed the Senate February 15, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 87.

[S. B. 294.]

COMMERCIAL AUTOMOBILE DRIVERS' TRAINING SCHOOLS.

AN ACT providing for the licensing and regulation of commercial automobiles drivers' training schools and instructors, and prescribing penalties.

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

SECTION 1. For the purpose of this act:

Definitions.
"Driver's school."

"Drivers' school" means a commercial automobile training school engaged in the business of giving instruction for hire in the operation of automobiles.

"Director."

"Director" means the director of licenses of the state of Washington.

"Instructor."

"Instructor" means any natural person employed by a drivers' school to instruct persons in the operation of automobiles.

"Place of business."

"Place of business" means a designated location at which the business of a drivers' school is transacted and its records are kept.

"Person."

"Person" includes an individual, firm, corporation, partnership or association.

School license required.

SEC. 2. No person shall engage in the business of conducting a drivers' school without being the holder of a license for such purpose issued by the director. An application for license under this section shall be filed with the director and shall contain such information as he shall prescribe. Every such application shall be accompanied by an application fee of one hundred dollars, which shall in no event be refunded. If an application is approved by the director, the applicant upon the payment of an additional fee of twenty-five dollars shall be granted a license which shall be valid for a period of one year from the date of its issuance.

Fees.

Renewal.

The annual fee for renewal thereof shall be twenty-five dollars. The director shall issue a license

certificate to each licensee, which certificate shall be conspicuously displayed in the place of business of the licensee. In case of the loss, mutilation or destruction of a license certificate, the director shall issue a duplicate thereof upon proof of the facts and payment of a fee of one dollar.

Duplicate.

SEC. 3. Drivers' school licenses shall not be transferable. In the event of any transfer of ownership in the business, an application for a new license must be obtained by compliance with the terms and conditions and the payment of the fees as set forth in section 2 of this act: *Provided*, That the director shall permit continuance of the business by the person to whom the business was transferred pending approval of the new application for a drivers' school license.

School licenses nontransferable—New license when business ownership transferred.

Proviso.

SEC. 4. No license shall be issued nor shall any renewal of a license be made for conducting a drivers' school in a city having a population of fifteen thousand or more according to the latest federal census, if the place of business of such school or branch thereof, is located within one thousand feet of a state patrol office or of a building owned or leased by the state, the county, or a city, in which examinations for drivers' licenses are conducted. The said distance of one thousand feet shall be measured along the public streets by the nearest route from such place of business, or branch thereof, to such building.

When school license shall not be issued—Proximity to place where operator's license examination held.

SEC. 5. The director may deny the application of any person for a license if, in his discretion, he determines that:

Denial of application for school license.

(1) Such applicant has made a material false statement or concealed a material fact in connection with his application;

(2) Such applicant, or any officer, director, stockholder, or partner, or any other person directly or indirectly interested in the business was the former

Denial of
application for
school license.

holder, or was an officer, director, stockholder, or partner, in a corporation or partnership which was the former holder of a drivers' school license which was revoked or suspended by the director;

(3) Such applicant or any officer, director, stockholder, or partner, in a corporation or partnership or any employee, or any person directly or indirectly interested in the business has been convicted of a felony, or of any crime involving violence, dishonesty, deceit, indecency, degeneracy or moral turpitude;

(4) Such applicant does not have a place of business as required by this section;

(5) Such applicant has failed to require any and all persons with financial interest in such drivers' school to be signatories to the application.

(6) Such applicant fails to qualify under all of the other conditions stated in this act.

Suspension,
revocation of
school license.

SEC. 6. The director, or any employee of the department of licenses deputized by him for such purpose, may suspend or revoke a drivers' school license or refuse to issue a renewal thereof for any of the following causes:

(1) The conviction of the licensee or any partner, officer, agent, or employee of such licensee, of a felony, or of any crime involving violence, dishonesty, deceit, indecency, degeneracy, or moral turpitude;

(2) Where the licensee has made a material false statement or concealed a material fact in connection with his application for the license or a renewal thereof;

(3) Where the licensee has failed to comply with any of the provisions of this act or any of the rules and regulations of the director made pursuant thereto;

(4) Where the licensee or any partner, officer, agent, or employee of such licensee has been guilty

of fraud or fraudulent practices in relation to the business conducted under the license, or guilty of inducing another to resort to fraud or fraudulent practices in relation to securing for himself or another a license to drive an automobile. The term "fraudulent practices" as used in this section shall include, but not be limited to, any conduct or representation on the part of the licensee, or any partner, officer, agent, or employee of a licensee, tending to induce anyone to believe, or to give the impression that a license to operate an automobile, or any other license, registration or service granted by the director, may be obtained by any means other than the ones prescribed by law, or furnishing or obtaining the same by illegal or improper means, or requesting, accepting, exacting, or collecting money for such purpose.

"Fraudulent practices" defined.

Notwithstanding the renewal of a license, the director may revoke or suspend such license for causes and violations, as prescribed by this section, occurring during the two license periods immediately preceding the renewal of such license.

SEC. 7. Except where a refusal to issue a license or renewal, or revocation or suspension, is based solely on a court conviction or convictions, a licensee or applicant shall have an opportunity to be heard, such hearing to be held at such time and place as the director shall prescribe. A license may, however, be temporarily suspended without notice, pending any prosecution, investigation or hearing. A licensee or applicant entitled to a hearing shall be given due notice thereof. The sending of a notice of a hearing by registered mail to the last known address of a licensee or applicant ten days prior to the date of the hearing shall be deemed due notice. The director, or the person deputized by him to conduct a hearing, shall have power to subpoena witnesses, administer oaths to witnesses and take testimony of any

Hearing—
Procedure—
Exception.

Suspension,
revocation of
school license.
Hearing—
Procedure—
Exception.

person or cause depositions to be taken. A subpoena issued under the authority of this section shall be served in the same manner as a subpoena issued out of a court of record. Witnesses subpoenaed hereunder and persons, other than officers or employees in the department of licenses, making service of such subpoenas shall be entitled to the same fees and mileage as are allowed in civil actions in courts of law.

Procedure on
change of
officers or
location of
school.

SEC. 8. The owner of any drivers' school licensed under the provisions of this act must notify the director in writing within thirty days after any change is made in the officers or directors of such school. No owner of such school shall change the location of its place of business without notifying the director of such change prior thereto.

Certain pre-
requisites to be
met before
instruction
may be given
student.

SEC. 9. Instruction in the operation of an automobile shall not be given to a student in any drivers' school licensed under the provisions of this act unless:

- (1) The automobiles used for instruction purposes are equipped with dual controls for foot brake and clutch, or foot brake only in automatic cars.
- (2) The licensee has filed with the director evidence of liability insurance coverage with an insurance company authorized to do business in this state in an amount of not less than twenty thousand dollars because of bodily injury or death to two or more persons in any one accident, and not less than ten thousand dollars because of bodily injury or death to one person in one accident and not less than five thousand dollars because of property damage to others in one accident. Such insurance coverage shall be maintained in full force and effect and the director shall be notified at least ten days prior to cancellation or expiration of any such policy of insurance;

(3) The student to be instructed possesses a current and valid temporary instruction permit issued pursuant to RCW 46.20.110 or a motor vehicle operator's license.

SEC. 10. Advertising and solicitation of business by a drivers' school must conform to the following:

Advertising and solicitation of business.

(1) No drivers' school shall advertise or otherwise indicate that the issuance of a motor vehicle operator's license is guaranteed or assured as a result of the course of instruction offered;

(2) No drivers' school shall solicit business or cause business to be solicited within one thousand feet of any building owned or leased by the state, county, or city in which licenses to operate motor vehicles are issued to the public: *Provided*, That identification lettering or other normal identification on an instruction vehicle shall not be deemed in violation of this section.

Proviso.

SEC. 11. Every motor vehicle used by a licensed drivers' school for instruction purposes must have displayed on the back of the vehicle a sign not less than twenty inches in horizontal width or less than ten inches in vertical height mounted above the upper extremities of the rear bumper in a vertical position and having the words "STUDENT DRIVER" and/or "INSTRUCTION CAR", in legible printed English letters of at least two and one-half inches in height near the top and the name of the school in similarly legible characters not less than one inch in height placed somewhere below the aforementioned words, and the street number and name and telephone number, in similarly legible characters at least one inch in height, placed next below such name of school. Such lettering and background colors shall be of such contrasting shades as to be clearly readable at one hundred feet in clear daylight.

Lettering on instruction car required.

Instructor's
certificate.
Qualifica-
tions for
issuance.

SEC. 12. No person, including the owner, operator, partner, officer, or stockholder of a drivers' school shall give instruction for hire in the operation of a motor vehicle unless such person is the holder of an instructor's certificate issued by the director. No instructor's certificates shall be issued to any person unless such person:

(1) Is the possessor of a valid motor vehicle operator's license;

(2) Has had at least five years' licensed driving experience;

(3) Has completed an acceptable application and has taken the examination for an instructor's certificate as prescribed in section 15 [Sec. 14] of this act, and passed such examination with a qualifying grade.

Application,
contents—
Proof of study
—Temporary
employment.

SEC. 13. No person shall be granted an instructor's certificate unless they have made application to the director at least ten days prior to the examination date set by the examining committee. To qualify for an instructor's certificate applicant must also show proof of at least forty hours of study in the field of driving instruction, and including at least twenty hours of personal, individual, oral instruction; have taken such other training course offered to the public for instructing driver's instructors as may be acceptable to the director. Upon completion of such application and the presentation of such satisfactory proofs, the director may, if requested, allow employment of applicant not to exceed thirty days prior to examination date, and may so notify such applicant making such a request: *Provided*, That such person's teaching activity shall be under the control and supervision of a holder of an instructor's certificate.

Proviso.

Examining
committee.

SEC. 14. Examinations for a driving instructor's certificate shall be prepared and conducted by a driving instructor's examination committee to be composed of a representative from the Washington state department of education, a representative of the

Washington state patrol and a representative of the commercial driving schools. Members shall be appointed by the governor for a one year term and shall receive compensation not to exceed twenty-five dollars for each day spent on official business and necessary expenses: *Provided*, That any member who is receiving a salary from the state of Washington shall not receive compensation for such services but shall receive any travel and other expenses incurred in such service. The director shall arrange for the examination of each applicant for an instructor's certificate and furnish the necessary clerical help to the examining committee.

Proviso.

Director to arrange examination.

SEC. 15. All monies collected from drivers' school licenses and instructors' certificates is to be paid to the state treasurer who shall deposit it in an account which is established hereby and which shall be known as the Commercial Automobile Driver Training School Account of the General Fund. It is further provided that monies deposited in the said account shall in no event revert to the general fund, but that they shall be retained therein until expended in accord with proper appropriation therefrom or expenses incurred in the administration of this act.

Disposition of money collected—Account established.

SEC. 16. The committee shall prepare and hold the first written and driving examinations within 30 days after this act goes into effect.

First examination.

SEC. 17. Every original application for a driving instructor's certificate must be accompanied by a fee of twenty-five dollars which shall not be refunded. Such certificate is valid for a period of one year from date of issuance except as herein elsewhere specified, and the annual fee for renewal shall be five dollars.

Instructor's certificate. Fees—Duration.

No fee shall be required for an additional certificate or certificates if an instructor possessing a current certificate desires to be employed by an additional school or schools.

Instructor's
certificate.
Time and
place for
examination—
Notice.

SEC. 18. Examinations for an instructor's certificate shall be given by the committee semiannually in the spring between the dates of March 1st and April 30th, and in the fall between the dates of September 1st and October 31st, at such place as the director may direct. Applications for instructor's certificates shall be receivable by the director at any time and all persons applying shall be notified of the time and place of the next examining session.

Qualifications
to take
examination.

SEC. 19. To be qualified to take the examination for an instructor's certificate, the applicant must:

(1) Be a licensed motor vehicle operator for five years prior to the date of application. The examining committee shall have the right to examine the driving records of the applicant and from these records shall determine if the applicant is properly qualified, not having had any convictions involving drunkenness, recklessness, or negligence, or have been convicted of any crime involving moral turpitude;

(2) Be [a] high school graduate or the equivalent, and over twenty-five years of age.

Renewal of
instructor's
license—
Conditions—
Refusal.

SEC. 20. A licensed instructor may be granted a renewal of license after one year's time from date of issue of the original license, providing proof is presented to the director showing the satisfactory completion of an approved course in driving training instruction of at least forty hours of instruction including five hours instruction in a training vehicle. In lieu of such proof, applicant must present sworn documented evidence, acceptable to the director, showing reasonable diligence by the applicant in applying for and arranging to attend such a course, together with similarly documented proofs showing why such a course was not started or completed. Upon receipt of such evidence, the license may be renewed for an additional year. Any further renewal

beyond a second year may be refused by the director at his discretion.

SEC. 21. A drivers' school must terminate the services of any instructor upon:

When school must terminate instructor's services.

(1) Suspension or revocation of the motor vehicle operator's license of such instructor for any reason; or

(2) Conviction of such instructor of a crime involving moral turpitude, violence, dishonesty, deceit, indecency, or degeneracy.

SEC. 22. The director shall suspend the license of any drivers' school or the certificate of any instructor upon notice and proof that the school or instructor are conducting the course of instruction for students primarily to handle an automobile on the course that any state patrol office uses for testing applicants for motor vehicle licenses.

Instruction on state patrol testing course prohibited—Suspension of licenses.

SEC. 23. A holder of or applicant for an instructor's license shall be entitled to a hearing upon any decision of the director or the committee in refusing to issue or renew, or in revoking or suspending a certificate, in the manner as provided for in section 7 of this act.

Revocation, suspension of instructor's certificate—Hearing.

SEC. 24. Any action or decision of the examining committee or the director may, after a hearing is held as provided for by this act, be appealed by the party aggrieved to the superior court of the county in which the place of business is located or where the person aggrieved lives.

Appeal from action of examining committee or director.

SEC. 25. A violation of any of the provisions of this act shall be a misdemeanor.

Penalty.

SEC. 26. This shall not apply to or affect in any manner courses of instruction offered in any high schools, colleges or universities which are now or hereafter established, nor shall it be applicable to instructors in any such schools, colleges or universities: *Provided*, That such course or courses are

Act not to apply to educational institutions.

Proviso.

conducted by such school in a like manner to their other regular courses. If such course is conducted by any commercial school as hereinafter identified on a contractual basis, such school and instructors must qualify under this act.

Basic minimum curricula required—Effect of failure to teach such curricula.

SEC. 27. The committee shall compile and furnish to each qualifying applicant for an instructor's license, a curriculum consisting of a list of items of knowledge and processes of manual handling of a motor vehicle in such sufficient detail as to leave no doubt as to the minimum requirements adjudged necessary in teaching a proper and adequate course of driver education. Should the director be presented with acceptable proofs that any licensed instructor or school is not showing proper diligence in teaching such basic minimum curricula, he shall require the instructor or school to appear before the examining committee and show cause for such negligence. If the committee does not accept such reasons as may be offered, the director shall revoke the license of the instructor or school.

Passed the Senate February 23, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 88.

[S. B. 422.]

EXCISE TAXES—TAXPAYER QUITTING BUSINESS—
LIABILITY OF SUCCESSOR.

AN ACT relating to excise taxes; and amending section 197, chapter 180, Laws of 1935 and RCW 82.32.140.

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

RCW 82.32.140 amended.

SECTION 1. Section 197, chapter 180, Laws of 1935 and RCW 82.32.140 are each amended to read as follows:

Whenever any taxpayer quits business, or sells out, exchanges, or otherwise disposes of his business or his stock of goods, any tax payable hereunder shall become immediately due and payable, and such taxpayer shall, within ten days thereafter, make a return and pay the tax due; and any person who becomes a successor to such business shall become liable for the full amount of the tax and withhold from the purchase price a sum sufficient to pay any tax due from the taxpayer until such time as the taxpayer shall produce a receipt from the commission showing payment in full of any tax due or a certificate that no tax is due and, if such tax is not paid by the taxpayer within ten days from the date of such sale, exchange, or disposal, the purchaser or successor shall become liable for the payment of the full amount of tax, and the payment thereof by such purchaser or successor shall, to the extent thereof, be deemed a payment upon the purchase price, and if such payment is greater in amount than the purchase price the amount of the difference shall become a debt due such purchaser or successor from the taxpayer.

Excise taxes—
Administrative
provisions.
Taxpayer
quitting
business—
Liability of
successor.

No successor shall be liable for any tax due from the person from whom he has acquired a business or stock of goods if he gives written notice to the tax commission of such acquisition and no assessment is issued by the tax commission within six months of receipt of such notice against the former operator of the business and a copy thereof mailed to such successor.

Passed the Senate March 2, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 89.

[S. B. 10.]

CIVIL PROCEDURE IN JUSTICE COURTS.

AN ACT relating to civil procedure in justice courts; amending section 42, page 230, Laws of 1854, section 54, page 344, Laws of 1873, section 1755, Code 1881 and RCW 12.04.060; amending section 19, page 253, Laws of 1854, section 17, page 370, Laws of 1863, section 16, page 373, Laws of 1873, section 1885, Code 1881 and RCW 12.04.200; amending section 45, page 231, Laws of 1854, section 57, page 344, Laws of 1873, section 1758, Code 1881 and RCW 12.08.030; amending section 56, page 232, Laws of 1854, section 68, page 346, Laws of 1873, section 1769, Code 1881 and RCW 12.12-.010; amending section 83, page 237, Laws of 1854, section 82, page 350, Laws of 1873, section 1783, Code 1881 and RCW 12.20.030; amending section 91, page 238, Laws of 1854, section 90, page 352, Laws of 1873, section 1791, Code 1881 and RCW 12.24.040; amending section 89, page 238, Laws of 1854, section 88, page 351, Laws of 1873, section 1789, Code 1881 and RCW 12.24.050; amending section 90, page 238, Laws of 1854, section 89, page 351, Laws of 1873, section 1790, Code 1881 and RCW 12.24.060; and repealing sections 74 and 75, page 236, Laws of 1854, sections 74 and 75, page 254, Laws of 1860, sections 55 and 56, page 348, Laws of 1863, sections 73 and 74, page 348, Laws of 1873, and sections 1774 and 1775, Code 1881; repealing section 19, page 226, Laws of 1854, section 19, page 242, Laws of 1860, section 13, page 339, Laws of 1863, section 13, page 333, Laws of 1873 and section 1706, Code 1881; repealing sections 32-37, page 229, Laws of 1854, sections 32-37, page 246, Laws of 1860, sections 26-31, page 343, Laws of 1863, sections 45-50, page 342, Laws of 1873, and sections 1746-1751, Code 1881; repealing section 104, page 241, Laws of 1854, section 104, page 259, Laws of 1860, section 85, page 354, Laws of 1863, section 103, page 354, Laws of 1873, and section 1804, Code 1881; repealing section 105, page 241, Laws of 1854, section 105, page 259, Laws of 1860, section 86, page 354, Laws of 1863, section 104, page 354, Laws of 1873, and section 1805, Code 1881; repealing section 1887, Code 1881; and declaring an emergency.

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

RCW 12.04.160
amended.

SECTION 1. Section 42, page 230, Laws of 1854, section 54, page 344, Laws of 1873, section 1755, Code 1881 and RCW 12.04.160 are each amended to read as follows:

The parties shall be entitled to one hour in which to make their appearance after the time mentioned in the summons or notice for appearance, but shall not be required to remain longer than that time, unless both parties appear; and the justice being present, is actually engaged in the trial of another action or proceeding; in such case he may postpone the time of appearance until the close of such trial.

Commencement of actions. Time for appearance.

SEC. 2. Section 19, page 253, Laws of 1854, section 17, page 370, Laws of 1863, section 16, page 373, Laws of 1873, section 1885, Code 1881 (heretofore codified as RCW 12.04.200) are each divided and amended to read as set forth in sections 3 through 10 of this act.

Division and amendment.

SEC. 3. (RCW 12.04.200) The forms or equivalent forms as set forth in sections 4 through 10 may be used by justices of the peace, in civil actions and proceedings under this chapter.

RCW 12.04.200 amended. Forms or equivalents prescribed.

SEC. 4. (RCW 12.04.201)

RCW 12.04.201.

FORM OF SUBPOENA

State of Washington, }
County of....., } ss.
To.....:

In the name of the state of Washington, you are hereby required to appear before the undersigned, one of the justices of the peace in and for said county, on the.....day of, 19..... at o'clock in the.....noon, at his office in....., to give evidence in a certain cause, then and there to be tried, between A B, plaintiff and C D, defendant, on the part of (the plaintiff, or defendant as the case may be).

Given under my hand this.....day of....., 19.....

J.P., Justice of the Peace.

SEC. 5. (RCW 12.04.203)

FORM OF EXECUTION

State of Washington, }
County of....., } ss.

To the sheriff or any constable of said county:

Whereas, judgment against C D, for the sum of.....dollars, and.....dollars cost of suit, was recovered on the.....day of....., 19....., before the undersigned, one of the justices of the peace in and for said county, at the suit of A B. These are, therefore, in the name of the state of Washington, to command you to levy on the goods and chattels of the said C D (excepting such as the law exempts), and make sale thereof according to law, to the amount of said sum and costs upon this writ, and the same return to me within thirty days, to be rendered to the said A B, for his debt, interest and costs.

Given under my hand this.....day of....., 19.....

J.P., Justice of the Peace.

FORM OF EXECUTION AGAINST PRINCIPAL AND SURETY, AFTER EXPIRATION OF STAY OF EXECUTION

State of Washington, }
County of....., } ss.

To the sheriff or any constable of said county:

Whereas, judgment against C D for the sum of.....dollars, and for.....dollars, costs of suit, was recovered on the.....day of....., 19....., before the undersigned, one of the justices of the peace in and for said county, at the suit of A B; and whereas, on the.....day of....., 19....., E F became surety to pay said judgment and costs, in

.....month from the date of the judgment afore-
said, agreeably to law, in the payment of which
the said C D and E F have failed; these are, there-
fore, in the name, etc., [as in the common form].

SEC. 6. (RCW 12.04.204)

RCW 12.04.204.

FORM OF ORDER IN REPLEVIN

State of Washington, }
 } ss.
County of....., }

To the sheriff or any constable of said county:

In the name of the state of Washington, you are
hereby commanded to take the personal property
mentioned and described in the within affidavit,
and deliver the same to the plaintiff, upon receiv-
ing a proper undertaking, unless before such delivery,
the defendant enter into a sufficient undertaking for
the delivery thereof to the plaintiff, if delivery be
adjudged.

Given under my hand this.....day of.....,
19.....

J.P., Justice of the Peace.

SEC. 7. (RCW 12.04.205)

RCW 12.04.205.

FORM OF A WRIT OF ATTACHMENT

State of Washington, }
 } ss.
County of, }

To the sheriff or any constable of said county:

In the name of the state of Washington, you are
commanded to attach, and safely keep, the goods
and chattels, moneys, effects and credits of C D,
(excepting such as the law exempts), or so much
thereof as shall satisfy the sum of.....dollars,
with interest and cost of suit, in whosoever hands
or possession the same may be found in your county,
and to provide that the goods and chattels so
attached may be subject to further proceeding there-

on, as the law requires; and of this writ make legal service and due return.

Given under my hand this.....day of....., 19.....

J.P., Justice of the Peace.

RCW 12.04.206.

SEC. 8. (RCW 12.04.206)

FORM OF UNDERTAKING IN REPLEVIN

Whereas, A B, plaintiff, has commenced an action before J P, one of the justices of the peace in and for.....county, against C D, defendant, for the recovery of certain personal property, mentioned and described in the affidavit of the plaintiff, to wit: [here set forth the property claimed]. Now, therefore, we, A B, plaintiff, E F and G H, acknowledge ourselves bound unto C D in the sum of.....dollars for the prosecution of the action for the return of the property to the defendant, if return thereof be adjudged, and for the payment to him of such sum as may for any cause be recovered against the plaintiff.

Dated the.....day of....., 19.....

A B, E F, G H.

RCW 12.04.207.

SEC. 9. (RCW 12.04.207)

FORM OF UNDERTAKING IN ATTACHMENT

Whereas, an application has been made by A B, plaintiff, to J P, one of the justices of the peace in and for.....county, for a writ of attachment against the personal property of C D, defendant; Now, therefore, we, A B, plaintiff, and E F, acknowledge ourselves bound to C D in the sum of.....dollars, that if the defendant recover judgment in this action, the plaintiff will pay all costs that may be awarded to the defendant, and all damages which he may sustain by reason of the said attachment and not exceeding the sum ofdollars.

Dated the.....day of....., 19.....

AB, E F.

FORM OF UNDERTAKING TO DISCHARGE
ATTACHMENT

Whereas, a writ of attachment has been issued by J P, one of the justices of the peace in and forcounty, against the personal property of C D, defendant, in an action in which A B is plaintiff; Now, therefore, we C D, defendant, E F, and G H, acknowledge ourselves bound unto J K, constable, in the sum of dollars, [double the value of the property], engaging to deliver the property attached, to wit: [here set forth a list of articles attached], or pay the value thereof to the sheriff or constable, to whom the execution upon a judgment obtained by plaintiff in the aforesaid action may be issued.

Dated this day of19.....
C D, E F, G H.

SEC. 10. (RCW 12.04.208)

RCW 12.04.208.

FORM OF UNDERTAKING TO INDEMNIFY
CONSTABLE ON CLAIM OF PROPERTY
BY A THIRD PERSON

Whereas, L M, claims to be owner of, and have the right to possession of certain personal property, to wit: [here describe it] which has been taken by J K, constable in.....county, upon an execution by J P, justice of the peace in and for the county of, upon a judgment obtained by A B, plaintiff, against CD, defendant; Now, therefore, we, A B, plaintiff, E F, and G H, acknowledge ourselves bound unto the said J K, constable, in the sum ofdollars, to indemnify the said J K against such claim.

A B, E F, G H.

SEC. 11. Section 45, page 231, Laws of 1854, section 57, page 344, Laws of 1873, section 1758, Code 1881 and RCW 12.08.030 are each amended to read as follows:

RCW 12.08.030
enacted
without
amendment.

The pleadings in justices' courts may be oral or in writing.

RCW 12.12.010
amended.

SEC. 12. Section 56, page 232, Laws of 1854, section 68, page 346, Laws of 1873, section 1769, Code 1881 and RCW 12.12.010 are each amended to read as follows:

Trial. Continuances limited.

When the pleadings of the party shall have taken place, the justice shall, upon the application of either party, and sufficient cause be shown on oath, continue the case for any time not exceeding sixty days. If the continuance be on account of absence of testimony, it shall be for such reasonable time as will enable the party to procure such testimony, and shall be at the cost of the party applying therefor, unless otherwise ordered by the justice; and in all other respects shall be governed by the law applicable to continuance in the superior court.

RCW 12.20.030
amended.

SEC. 13. Section 83, page 237, Laws of 1854, section 82, page 350, Laws of 1873, section 1783, Code 1881 and RCW 12.20.030 are each amended to read as follows:

Judgments. Judgment on merits.

Upon the verdict of a jury, the justice shall immediately render judgment thereon. When the trial is by the justice, judgment shall be entered within three days after the close of the trial.

RCW 12.24.040
amended.

SEC. 14. Section 91, page 238, Laws of 1854, section 90, page 352, Laws of 1873, section 1791, Code 1881 and RCW 12.24.040 are each amended to read as follows:

Execution of judgments. Stay of judgment revokes execution.

If judgment be stayed in the manner above provided, after an execution has been issued thereon, the justice shall revoke such execution, in the same manner, and with like effect as he is hereinafter directed to revoke an execution, after an appeal has been allowed.

RCW 12.24.050
amended.

SEC. 15. Section 89, page 238, Laws of 1854, section 88, page 351, Laws of 1873, section 1789, Code

1881 and RCW 12.24.050 are each amended to read as follows:

If at the expiration of such stay, the judgment be not paid, the execution shall issue against both the principal and surety. If the principal do not satisfy the execution, and the officer cannot find sufficient property belonging to him upon which to levy, he shall levy upon the property of the surety, and in his return shall state what amount of money, collected by him on the execution, was collected from the surety, and the time when the same was received.

Levy of execution if judgment is not paid.

SEC. 16. Section 90, page 238, Laws of 1854, section 89, page 351, Laws of 1873, section 1790, Code 1881 and RCW 12.24.060 are each amended to read as follows:

RCW 12.24.060 amended.

After the return of such execution, the surety shall be entitled, on application to the justice, to have the judgment, or so much thereof as may have been collected from him in satisfaction of the execution, transferred to his use; and he may collect the same from the defendant by execution, together with the interest at the rate of twelve percent per annum.

Subrogation of surety.

SEC. 17. The following acts or parts of acts are each repealed:

Repeal.

(1) Section 1706, Code 1881, section 13, page 333, Laws of 1873, section 13, page 339, Laws of 1863, section 19, page 242, Laws of 1860, section 19, page 226, Laws of 1854;

(2) Sections 1746-1751, Code 1881, sections 45-50, page 342, Laws of 1873, sections 26-31, page 343, Laws of 1863, sections 32-37, page 246, Laws of 1860, sections 32-37, page 229, Laws of 1854;

(3) Sections 1774-1775, Code 1881, sections 73, 74, page 348, Laws of 1873, sections 55, 56, page 348, Laws of 1863, sections 74, 75, page 254, Laws of 1860, sections 74, 75, page 236, Laws of 1854;

Repeal.

(4) Section 1804, Code 1881, section 103, page 354, Laws of 1873, section 85, page 354, Laws of 1863, section 104, page 259, Laws of 1860, section 104, page 241, Laws of 1854;

(5) Section 1805, Code 1881, section 104, page 354, Laws of 1873, section 86, page 354, Laws of 1863, section 105, page 259, Laws of 1860, section 105, page 241, Laws of 1854;

(6) Section 1887, Code 1881.

Emergency.

SEC. 18. 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 January 24, 1957.

Passed the House February 28, 1957.

Approved by the Governor March 13, 1957.

Explanatory
note.

EXPLANATORY NOTE

Section 1. The bracketed words "[summons or]" were added by the reviser to make the law conform to existing practice. Justice court law presently provides such a procedure, i.e., RCW 12.04.020, 12.04.040, 12.04.070, 12.04.080, 12.04.100, etc. Throughout the justice court law summons is contemplated as a mode of commencing an action therein. The instant section (RCW 12.04.160) presumably is the only section which provides a time limitation for appearance in justice court; hence, such time limitation probably applies equally to an action commenced by summons or by complaint and notice. This section has been amended to add such words.

Sections 2 through 10: The session law from which this RCW section is derived (12.04.200) was enacted by the territorial legislature; since the section is of great length we have divided the forms into separate sections for ease of reference and ease of future amendment.

Section 5. The "Form of Venire for a Jury" has been omitted from all compilations since Ballinger's code. The form is apparently superseded by RCW 12.12.060 derived from 1888 p 119 which amended Code 1881 § 1773 which contained no such form. However, the form of a venire for a jury was expressed in 1881 § 1885, deleted by this bill. But Code 1881 § 1773 was amended in 1888 (referred to hereinabove), and included therein a summons for the juror. The 1888 law contained provisions for number and selection of jury, see for example RCW 12.12.030 through 12.12.060. Thus, the old form for a venire for a jury is obsolete. See also RCW 2.36.050 which draws a distinction between a petit jury and the J P jury in that "a petit jury is a body of men twelve in number in the superior court and six in number in courts of justices of the peace; drawn in the superior court by lot from the jurors in attendance upon the court at a particular session, and sworn to try and determine a question of fact; but in a justice's court the jury is drawn according to the mode specially provided for such court."

In addition to the deletion of the form for a venire of a jury, several other forms have been omitted as follows:

Explanatory
note.

(1) The Form of a Warrant, the Form of Execution Against the Body, and the Form of Undertaking for Arrest. These forms relate to civil arrests in civil actions and were enacted prior to the adoption of the state Constitution. Since the advent of the state Constitution, civil arrest, except in the case of an absconding debtor, has been abolished. The civil arrest statutes were repealed by 1927 c 162 § 4, introduced as 1927 Senate Bill 61 by the joint committee on the revision of laws. Thus these forms are obsolete. See state Constitution Art. 1. § 17; *Hamilton v. Pacific Drug Co.*, 78 Wash. 689; *Hayes v. Hutchinson and Shields*, 81 Wash. 394; *Bronson v. Syverson*, 88 Wash. 264.

Other forms which have been omitted are: Form of Summons in Forcible Entry and Detainer, and Form of Writ of Restitution in Forcible Entry and Detainer. These forms are obsolete since the advent of the state Constitution and have been omitted from all former compilations as well. The state Constitution, Art. 4 § 6 (Amendment 28) reads in part: "The superior court shall have original jurisdiction in . . . all cases at law which involve the title or possession of real property . . . ; of actions of forcible entry and detainer; . . ."

Art. 4 § 10 (Amendment 28) reads in part: "The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, . . .". See also RCW 2.08.010 and chapter 59.12.

Section 11. This section is set forth as it appears in RCW and as it appeared in all former compilations. In 1881, prior to the adoption of the state Constitution, this section required written pleadings when the action was for (1) a forcible or unlawful entry or detainer, or (2) the possession of a mining claim. Since the advent of the state Constitution, such actions are without the jurisdiction of justices' courts, see state Constitution Art. 4 §§ 6, 10 (Amendment 28). See also: Chapter 10, Laws of 1927, which repealed the provisions for the recovery of the occupancy of possession of mining claims; chapter 65, Laws of 1927, which repealed the territorial provisions relating to actions for forcible entry and detainer in justice courts; and chapters 59.12 and 59.16 relating to forcible and unlawful entry and detainer. See also that part of the note to sections 2 through 10, *supra*, relating to the omission of forms relating to forcible entry and detainer. Thus, the language relating to such subject matter is here omitted.

Section 12. The language "if the defendant be not under arrest" referred to arrests in civil action. The application of such language is obsolete in view of the state Constitution Art. 1 § 17 stating "There shall be no imprisonment, except in cases of absconding debtors" and in view of the repeal of the general statutes on civil arrest by chapter 162, Laws of 1927. See note to sections 2 through 10, *supra*.

Section 13. The language which requires the entry of judgment to be made immediately after the close of the trial if the defendant has been arrested and is still in custody has been omitted as obsolete. See notes to section 12, *supra*.

Section 14. The language which states "and if the defendant have been committed, shall order him to be discharged from custody" has been omitted as obsolete. See notes to section 12, *supra*.

Sections 15 and 16. The bracketed word "[bail]" and the new matter "*surety*" were added by the reviser to conform to existing practice. The word "bail" refers to bail on arrest in civil actions. Under present practice the qualification and justification of sureties appears to be governed generally by chapter 19.72 as to personal sureties and by chapter 48.28 as to corporate sureties. The statutes relating to

Explanatory
note.

bail upon arrest in civil actions were repealed by 1927 c 162 § 4 which was introduced by the joint committee on the revision of laws in Senate Bill 61 in 1927. Appended to the printed bill was an analysis stating that the law would simply be repealed were it not for the fact that other statutes referred to the bail upon arrest provisions in defining the qualifications and justification of sureties. As indicated in the analysis, it was necessary, as part of such act, to enact original provisions relating to personal securities, codified as RCW 19.72.020-19.72.050. See also corporate sureties, Insurance, chapter 48.28. This section has been amended to substitute "surety" for "bail".

Section 17.

Subdivision (1): Code 1881 § 1702 provides:

"The jurisdiction of all justices of the peace shall be co-extensive with the limits of the county in which they are elected, and no other or greater, unless otherwise expressly provided by statute."

Almost identical provisions are contained in RCW 3.20.050 and 3.20.090 which were last amended in 1941. The provisions of Code 1881 appear to be redundant and the section is accordingly recommended for repeal.

Subdivision (2): Code 1881 §§ 1746-1751 are repealed herein since they concern civil bail and arrest in justice court. As noted heretofore, since the advent of the Constitution there is no longer any civil arrest except in the case of absconding debtors. Also the general civil arrest statutes were repealed by 1927 c 162 § 4. See notes to sections 12, and 2 through 10, *supra*.

Subdivision (3): Code 1881 §§ 1774, 1775 have been omitted from all compilations for sixty years as obsolete and superseded by 1887 c 67 (page 118) particularly section 3 thereof. The 1887 law is codified as RCW 12.12.030 through 12.12.060. Reference is here made to 1891 c 48 § 4 codified as RCW 2.36.050 which distinguishes between superior court and justice court juries. Thus, these sections are repealed as the procedure for challenging jurors in the justice courts has been abandoned since the enactment of the 1887 law.

Subdivision (4): This section relates to civil arrest and is repealed, see notes to sections 15, 16, 12, and 2 through 10, *supra*.

Subdivision (5): Code 1881 § 1805 is repealed on the ground that it is superseded by 1909 c 160 codified as chapter 12.32. *State ex rel. Spokane, etc., Branch v. Justice Court* (1937), 189 Wash. 87, held: That the section proposed for repeal had always been a part of the chapter on executions and proceedings thereon in a justice court and not a section under garnishment provisions therein; that the provisions relating to garnishment by justices of the peace are contained in 1909 c 160 as amended; that while the garnishment act in justice courts cannot be said to cover the entire field of executions from such courts, it can be said that the garnishment act forms a complete code covering by inclusion "the subject involved in § 1886 [the section proposed for repeal]"; and that "Whatever may be accomplished under § 1886 is equally attainable under the garnishment act. The blanket spread by the later act completely envelops the earlier . . . We are impelled to conclude that § 1886 has been impliedly repealed by the garnishment act."

Subdivision (6): Code 1881 § 1887 relates to the crime of provoking an assault. Code 1881 § 1887 was actually superseded by 1886 p 79 § 1. In 1909 c 249 § 165, the 1886 law was repealed. Clearly the 1886 law is repealed by the 1909 law, and apparently it was an oversight that Code 1881 § 1887 was not repealed in that criminal code. Since it appears that the 1909 law is the effective one, Code 1881 § 1887 is recommended for repeal.

CHAPTER 90.

[S. B. 38.]

COMPACT—OREGON-WASHINGTON BOUNDARY ON COLUMBIA RIVER.

AN ACT relating to the Oregon-Washington boundary on the Columbia river, ratifying a compact between this state and the state of Oregon determining said boundary, abolishing the Washington-Oregon Boundary Commission, repealing chapter 27, Laws of 1937, as amended by chapter 6, Laws of 1955 extraordinary session, and RCW 43.58, and declaring an emergency.

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

SECTION 1. The interstate compact determining the Oregon-Washington boundary on the Columbia river which was executed on the 21st day of December, 1956 by the Oregon commission on interstate cooperation for the state of Oregon and the Washington-Oregon boundary commission for the state of Washington is hereby ratified and approved.

Oregon-Washington Columbia River boundary compact. Ratification.

SEC. 2. The terms and provisions of the compact referred to in section 1 are as follows:

Terms and provisions.

Interstate Compact Determining Oregon-Washington Boundary on the Columbia River

ARTICLE I. PURPOSE

Purpose.

The boundary between the states of Oregon and Washington along the course of the Columbia river has not been easy to ascertain because of changes in the main channel of the river with a result that a state of confusion and dispute exists and the enforcement and administration of the laws of the two states has been rendered difficult.

The purpose of this compact is to fix with precision by reference to stations of longitude and latitude the boundary between the states of Oregon and Washington from one marine league due west of the mouth of the Columbia river to the most easterly point at which the 46th parallel of North latitude

crosses said river, at which point the river ceases to form the boundary between the two states.

ARTICLE II. DESCRIPTION

Description.

The boundary between the states of Oregon and Washington from one marine league due west of the mouth of the Columbia river to the point at which the last described point number (#191) of the boundary as herein determined meets the 46th parallel of North latitude at 118°59'10".12 of West longitude shall be as follows:

Beginning one marine league at sea off the mouth of the Columbia river at north latitude 46°15'00".00; running thence due east to point number 1 of this description, which point is at north latitude 46°15'00".00, west longitude 124°05'00".00; thence from point number 1 continuing upstream in the channel of the Columbia river by a series of straight lines connecting the following numbered and described points in consecutive order.

<i>Point Number</i>	<i>North Latitude</i>	<i>West Longitude</i>	<i>Description of Location</i>
1	46°15'00".00	124°05'00".00	
2	46°15'51".00	124°02'02".75	
3	46°16'17".00	124°01'45".80	
4	46°16'59".50	124°02'14".40	
5	46°17'28".00	124°02'07".00	
6	46°17'33".25	124°01'12".25	
7	46°16'41".50	124°00'00".00	
8	46°16'03".00	123°58'11".80	
9	46°14'19".80	123°55'42".00	
10	46°14'06".00	123°52'14".50	
11	46°16'09".50	123°44'20".50	
12	46°15'01".00	123°41'12".70	
13	46°15'33".30	123°38'52".80	
14	46°15'23".90	123°35'05".00	
15	46°15'38".00	123°32'23".00	
16	46°16'14".60	123°30'00".00	
17	46°15'46".70	123°27'51".40	
18	46°14'23".50	123°25'51".60	
19	46°13'10".50	123°25'20".50	
20	46°11'29".00	123°25'43".60	
21	46°10'47".80	123°25'38".00	
22	46°09'01".00	123°23'21".50	

<i>Point Number</i>	<i>North Latitude</i>	<i>West Longitude</i>	<i>Description of Location</i>	<i>Description.</i>
23	46°08'33".00	123°18'45".60		
24	46°09'04".50	123°15'47".20		
25	46°10'00".00	123°13'51".20		
26	46°11'20".80	123°09'55".50		
27	46°11'11".30	123°07'10".90		
28	46°09'40".00	123°04'23".50		
29	46°09'24".00	123°03'22".40		
30	46°08'38".40	123°02'00".00		
31	46°08'06".00	123°00'16".00		
32	46°06'20".02	122°57'44".28		
33	46°06'17".36	122°57'38".295	a point on the center line of the Longview Bridge at center of main span	
34	46°06'14".71	122°57'32".31		
35	46°05'02".70	122°54'11".00		
36	46°03'37".50	122°52'59".50		
37	46°01'53".50	122°52'35".50		
38	46°00'52".25	122°51'17".20		
39	45°58'52".00	122°50'11".80		
40	45°57'40".00	122°48'46".80		
41	45°55'57".00	122°48'18".00		
42	45°54'47".00	122°48'36".75		
43	45°53'05".00	122°47'48".30		
44	45°52'06".00	122°47'01".50		
45	45°50'40".00	122°47'04".50		
46	45°49'31".20	122°47'41".00		
47	45°48'37".00	122°47'40".00		
48	45°46'51".00	122°46'06".30		
49	45°45'34".20	122°45'37".00		
50	45°44'04".70	122°45'32".00		
51	45°42'05".00	122°46'16".00		
52	45°40'50".80	122°46'24".00		
53	45°39'26".75	122°45'46".00		
54	45°38'40".00	122°44'13".00		
55	45°38'17".00	122°42'47".50		
56	45°37'35".37	122°41'35".14		
57	45°37'29".47	122°41'23".855	a point on the center line of Northern Pa- cific Railroad Bridge across C o l u m b i a River, which point is at center of 3rd pier south of the draw span	
58	45°37'26".52	122°41'18".215		
59	45°37'07".85	122°40'33".42		

Description.	Point Number	North Latitude	West Longitude	Description of Location
	60	45°37'05".938	122°40'26".939	a point on the center line of the west highway bridge crossing the Columbia River between Portland, Ore. and Vancouver, Wash., said point being 12.0 ft. south from the center of pier No. 6 of said bridge
	61	45°37'05".62	122°40'25".86	a point on the center line of the east highway bridge crossing the Columbia River between Portland, Ore. and Vancouver, Wash., said point being 12.0 ft. south from the center of pier No. 6 of said bridge
	62	45°37'03".71	122°40'19".38	
	63	45°36'34".00	122°38'27".00	
	64	45°36'29".80	122°36'21".30	
	65	45°36'20".00	122°35'20".00	
	66	45°35'47".90	122°32'48".00	
	67	45°35'23".50	122°31'24".20	
	68	45°35'01".00	122°29'30".00	
	69	45°34'42".80	122°28'20".50	
	70	45°34'03".00	122°27'09".30	
	71	45°33'49".00	122°26'15".80	
	72	45°34'03".30	122°24'36".50	
	73	45°34'29".50	122°23'25".80	
	74	45°34'33".40	122°22'44".00	
	75	45°34'10".00	122°21'04".00	
	76	45°32'55".20	122°19'49".00	
	77	45°32'38".00	122°17'43".70	
	78	45°32'38".80	122°15'56".70	
	79	45°33'03".25	122°14'24".50	
	80	45°33'55".00	122°11'58".50	
	81	45°34'37".00	122°10'54".00	
	82	45°35'03".00	122°08'25".50	
	83	45°34'53".40	122°06'40".00	
	84	45°35'00".00	122°06'02".00	
	85	45°36'35".00	122°02'35".00	
	86	45°36'53".80	122°01'11".50	
	87	45°36'58".00	122°00'08".50	
	88	45°37'23".00	121°58'54".50	
	89	45°37'59".00	121°57'42".80	

<i>Point Number</i>	<i>North Latitude</i>	<i>West Longitude</i>	<i>Description of Location</i>	<i>Description.</i>
90	45°38'37".50	121°57'16".50		
91	45°38'42".00	121°57'01".80		
92	45°38'40".35	121°56'37".34		
93	45°38'40".13	121°56'22".57	a point at the inter- section of the axis of Bonneville Dam and the center line of cen- ter pier of the spill- way of said dam	
94	45°38'39".82	121°56'01".46		
95	45°39'17".00	121°54'25".00		
96	45°39'43".85	121°53'58".48	a point on center line of bridge at Cascade Locks, known as "The Bridge of the Gods" and in the center of the main span of said bridge	
97	45°39'44".81	121°53'58".16		
98	45°39'45".77	121°53'57".84		
99	45°40'15".00	121°54'02".00		
100	45°41'36".80	121°51'57".00		
101	45°42'24".75	121°48'36".00		
102	45°41'39".00	121°44'02".00		
103	45°41'42".00	121°42'22".00		
104	45°42'19".00	121°40'02".00		
105	45°42'17".50	121°37'48".50		
106	45°43'36".00	121°31'54".30		
107	45°43'15".275	121°29'52".445		
108	45°43'07".02	121°29'36".615	a point on the center line of the Hood River Bridge at the center of the draw span of said bridge	
109	45°43'04".075	121°29'30".96		
110	45°42'05".20	121°27'41".80		
111	45°41'39".25	121°25'22".00		
112	45°41'35".00	121°24'02".00		
113	45°42'11".50	121°22'17".00		
114	45°42'18".00	121°20'11".50		
115	45°42'00".00	121°18'40".00		
116	45°41'13".30	121°17'10".00		
117	45°40'40".50	121°14'52".00		
118	45°40'17".00	121°12'52".50		
119	45°39'00".00	121°11'57".00		
120	45°37'47".00	121°11'38".40		
121	45°37'00".25	121°11'43".00		
122	45°36'23".80	121°10'57".00		

<i>Description.</i>	<i>Point Number</i>	<i>North Latitude</i>	<i>West Longitude</i>	<i>Description of Location</i>
	123	45°36'22".50	121°10'00".00	
	124	45°36'29".175	121°08'39".84	
	125	45°36'40".89	121°08'22".135	a point on the center line of the Dalles Bridge across the Columbia River at the center of the main span of said bridge
	126	45°36'43".94	121°08'17".53	
	127	45°36'35".69	121°07'50".34	
	128	45°36'58".44	121°07'16".41	
	129	45°37'06".095	121°06'57".58	
	130	45°37'14".85	121°07'02".75	a point on the axis of the Dalles Dam at Station 48-79 of the center line survey of said dam
	131	45°37'23".97	121°07'08".14	
	132	45°38'53".13	121°05'01".25	
	133	45°39'09".54	121°03'47".80	
	134	45°39'04".04	121°01'57".51	
	135	45°39'12".08	121°00'22".28	
	136	45°38'54".66	120°58'56".33	
	137	45°38'55".91	120°58'49".52	a point on the center line of the Oregon Trunk Railroad Bridge and in the center of the 4th pier from the north end of said bridge
	138	45°38'58".405	120°58'35".90	
	139	45°39'24".84	120°57'06".97	
	140	45°39'23".58	120°56'34".22	
	141	45°38'24".54	120°54'44".75	
	142	45°38'35".09	120°53'40".72	
	143	45°40'18".79	120°51'15".26	
	144	45°41'11".69	120°47'14".64	
	145	45°42'19".71	120°43'38".83	
	146	45°42'42".58	120°42'10".70	
	147	45°42'57".18	120°41'18".11	
	148	45°43'48".14	120°40'05".19	
	149	45°44'45".12	120°38'01".97	
	150	45°44'47".00	120°37'17".91	
	151	45°44'47".99	120°35'23".91	
	152	45°44'18".49	120°33'29".23	
	153	45°42'37".59	120°31'17".65	
	154	45°42'00".37	120°30'16".48	
	155	45°41'40".42	120°28'53".22	

<i>Point Number</i>	<i>North Latitude</i>	<i>West Longitude</i>	<i>Description of Location</i>	<i>Description.</i>
156	45°41'58".55	120°24'08".96		
157	45°42'41".66	120°19'30".62		
158	45°43'16".74	120°16'56".18		
159	45°43'33".84	120°12'34".62		
160	45°45'43".67	120°10'10".01		
161	45°46'24".09	120°08'25".17		
162	45°47'07".10	120°04'08".70		
163	45°48'26".17	120°00'49".27		
164	45°49'28".29	119°57'52".64		
165	45°49'41".97	119°54'21".95		
166	45°50'25".18	119°50'53".51		
167	45°50'52".00	119°48'05".62		
168	45°50'45".15	119°46'18".16		
169	45°51'25".40	119°40'07".80		
170	45°54'20".70	119°37'20".96		
171	45°55'10".82	119°35'58".28		
172	45°55'32".25	119°34'13".67		
173	45°54'31".37	119°31'24".18		
174	45°54'23".43	119°29'13".01		
175	45°55'03".10	119°26'57".35		
176	45°55'18".10	119°21'48".12		
177	45°55'51".37	119°19'52".71		
178	45°55'54".48	119°19'39".28	a point on the center line of the Umatilla Bridge at the center of the north main span of said bridge	
179	45°55'59".59	119°19'17".20		
180	45°56'10".26	119°17'47".60	a point on the axis of McNary Dam at the north face of the south non overflow section	
181	45°56'15".24	119°17'05".76		
182	45°56'24".05	119°15'21".40		
183	45°55'58".60	119°13'28".22		
184	45°55'40".97	119°11'39".82		
185	45°55'40".26	119°10'05".04		
186	45°55'58".55	119°07'30".72		
187	45°56'34".25	119°05'32".00		
188	45°57'31".28	119°03'37".36		
189	45°58'09".33	119°01'33".95		
190	45°58'45".73	119°00'27".12		
191	46°00'00".00	118°59'10".12		

ARTICLE III. RATIFICATION AND EFFECTIVE DATE

Ratification,
effective date.

This compact shall become operative when it has been ratified by the legislatures of the states of Ore-

gon and Washington and approved by the Congress of the United States and the Constitutions of the states of Oregon and Washington have been amended to authorize the establishment of the boundary as herein provided.

Transfer of records, etc., to division of archives.

SEC. 3. Upon ratification by the state of Oregon and approval by the Congress of the United States of the compact set forth in section 2, the secretary of the Washington-Oregon boundary commission is hereby directed to transmit all records, work sheets, maps, minutes and other papers of said commission to the division of archives of the department of general administration.

Commission abolished when Oregon and United States ratify.

SEC. 4. Upon ratification by the state of Oregon and approval by the Congress of the United States of the compact set forth in section 2, the Washington-Oregon boundary commission shall be abolished and its authority and duties terminated.

Repeal of RCW 43.58.010 through 43.58.040, when.

SEC. 5. Chapter 27, Laws of 1937, as amended by chapter 6, Laws of 1955 extraordinary session and chapter 43.58 RCW each shall be repealed when the compact set forth in section 2 has been ratified by the state of Oregon and approved by the Congress of the United States.

Emergency.

SEC. 6. 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 February 8, 1957.

Passed the House March 5, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 91.

[H. B. 207.]

HIGHWAY COMMISSION CONTRACTS—PAYMENT OF
RESERVED FUNDS TO CONTRACTOR.

AN ACT relating to public highways and permitting the payment of funds retained by the state highway commission to a contractor prior to final completion of his contract, and adding a section to chapter 60.28 RCW.

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

SECTION 1. There is added to chapter 60.28 RCW New section.
a new section to read as follows:

Where final completion of a contract executed by the Washington state highway commission for the construction of any road, bridge, street, or any part of a public highway is delayed by any unforeseen condition beyond the control of the contractor and the reservation of moneys earned as required herein shall work undue hardship on the contractor, then the highway commission thirty days after completion of all work required under the contract other than that delayed by such unforeseen condition and no taxes having been certified as due or to become due by the tax commission and no claims filed by any materialman or laborer, may at its discretion order funds reserved for the work actually completed paid to the contractor upon the contractor's delivering good and sufficient bond, with two or more sureties, or with a surety company, in the amount of the reserved funds then paid to the contractor, to the effect that no taxes shall be certified or claims filed for work done other than that delayed by the unforeseen condition within a period of thirty days following final acceptance of said improvement or work as completed; and if such taxes are certified or claims filed, recovery may be had on such bond by

Payment of reserved funds by highway commission prior to completion of contract—Unforeseen conditions.

the tax commission and the materialmen and laborers filing claims.

Passed the House January 31, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 92.

[H. B. 3.]

NUCLEAR ENERGY.

AN ACT relating to nuclear energy.

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

Declaration
of policy.

SECTION 1. (1) The state of Washington endorses the action of the Congress of the United States in enacting the Atomic Energy Act of 1954 to institute a program to encourage the widespread participation in the development and utilization of atomic energy for peaceful purposes to the maximum extent consistent with the common defense and security and with the health and safety of the public; and therefore declares the policy of the state to be:

(a) To cooperate actively in the program thus instituted; and

(b) To the extent that the regulation of special nuclear, byproduct, and radioactive materials, of production facilities and utilization facilities, and of other forms of radiation, and of persons operating such facilities may be within the jurisdiction of the state, to provide for the exercise of the state's regulatory authority so as to conform, as nearly as may be, to the Atomic Energy Act of 1954 and regulations issued thereunder, to the end that there may, in effect, be a single harmonious system of regulation within the state.

(2) The state of Washington recognizes that the production or utilization of atomic energy and other forms of radiation may result in new conditions calling for changes in the laws of the state and in regulations issued thereunder with respect to health and safety, working conditions, workmen's compensation, transportation, public utilities, life, health, accident, fire, and casualty insurance, the conservation of natural resources, including wildlife, and the protection of streams, rivers, and airspace from pollution, and therefore declares the policy of the state to be—

Declaration
of policy.

(1) To adapt its laws and regulations to meet the new conditions in ways that will encourage the healthy development of industries producing or utilizing atomic energy while at the same time protecting the public interest; and

(2) To initiate continuing studies of the need for changes in the relevant laws and regulations of the state by the respective departments and agencies of the state which are responsible for their administration; and

(3) To assure the coordination of the studies thus undertaken, particularly with other atomic industrial development activities of the state and with the development and regulatory activities of other states and of the government of the United States.

SEC. 2. As used in this act:

(1) "Atomic energy" means all forms of energy released in the course of nuclear fission or nuclear transformation.

Definitions.
"Atomic
energy."

(2) "Byproduct material" means any radioactive materials (except special nuclear materials) yielded in or made radioactive by exposure to the radiation incident to the process of producing or utilizing special nuclear materials.

"Byproduct
material."

"Production facility."

(3) "Production facility" means (a) any equipment or device capable of the production of special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (b) any important component part especially designed for such equipment or device.

"Special nuclear material."

(4) "Special nuclear material" means (a) plutonium and uranium enriched in the isotope 233 or in the isotope 235, and any other material which the governor declares by order to be special nuclear material after the United States Atomic Energy Commission has determined the material to be such; or (b) any material artificially enriched by any of the foregoing.

"Utilization facility."

(5) "Utilization facility" means (a) any equipment or device, except an atomic weapon, capable of making use of special nuclear materials in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public, or peculiarly adapted for making use of atomic energy in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public; or (b) any important component part especially designed for such equipment or device.

"Radiation."

(6) "Radiation" means gamma rays and x-rays, alpha and beta particles, highspeed electrons, neutrons, protons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.

United States licenses or permits required.

SEC. 3. No person shall manufacture, construct, produce, transfer, acquire or possess any special nuclear material, byproduct material, production facility, or utilization facility, or act as an operator of a production or utilization facility wholly within this state unless he shall have first obtained a license

or permit for the activity in which he proposes to engage from the United States Atomic Energy Commission if, pursuant to the Atomic Energy Act of 1954, the commission requires a license or permit to be obtained by persons proposing to engage in such activities.

SEC. 4. Each of the following departments and agencies of the state is directed to initiate and to pursue continuing studies as to the need, if any, for changes in the laws and regulations administered by it that would arise from the presence within the state of special nuclear, byproduct, and radioactive materials, from the operation herein of production or utilization facilities, and from the generation of radiation, and, on the basis of such studies, to make such recommendations for the enactment of laws or amendments to law administered by it, and such proposals for amendments to the regulations issued by it, as may appear necessary and appropriate.

Studies by
state agencies
to revise laws
and rules.

(1) The department of health, particularly as to hazards, if any, to the public health and safety.

(2) The department of labor and industries, particularly as to hazardous working conditions, if any, and particularly as to the time and character of proof of claims of injuries and the extent of the compensation allowable therefor.

(3) The department of highways, particularly as to the transportation of special nuclear, byproduct, and radioactive materials on highways of the state.

(4) The public service commission, particularly as to the transportation of special nuclear, byproduct, and radioactive materials by common carriers not in interstate commerce and as to the participation by public utilities subject to its jurisdiction in projects looking to the development of production or utilization facilities for industrial or commercial use.

Studies by
state agencies
to revise laws
and rules.

(5) The insurance commission, particularly as to the insurance of persons and property from hazards to life and property resulting from atomic development.

(6) The department of conservation and development, the department of game, the department of fisheries, and the pollution control commission, particularly as to the hazards, if any, to the natural resources of the state, including wildlife, and as to the protection, if necessary, of rivers, streams, and airspace from pollution.

(7) Such other departments and agencies, as the governor may direct and for the purposes specified by him, and such other departments and agencies as may be provided by law.

Coordinator
of atomic
development
activities.

SEC. 5. The governor may appoint a person to serve as advisor to the governor with respect to atomic industrial development within the state; as coordinator of the development and regulatory activities of the state relating to atomic energy and other forms of radiation, including cooperation with other states and with the government of the United States. The person so appointed shall have the title of coordinator of atomic development activities.

Advisory
council on
atomic energy.

SEC. 6. The governor may also appoint an advisory council on atomic energy, consisting of five persons, who shall serve without compensation but who shall be reimbursed for their expenses incurred while attending sessions of the council or while engaged in other council business authorized by the council to the extent of fifteen dollars per day plus travel expense. The coordinator of atomic development activities shall serve as executive secretary to the advisory council.

Duties of
coordinator.

SEC. 7. The coordinator of atomic development activities shall have the duty of coordinating the studies, recommendations, and proposals of the sev-

eral departments and agencies of the state required by section 4 of this act with each other and also with the programs and activities of the department of industrial development. So far as may be practicable, he shall coordinate the studies conducted, and the recommendations and proposals made, in this state with like activities in other states and with the policies and regulations of the United States Atomic Energy Commission. In carrying out his duties, he shall proceed in close cooperation with the department of industrial development.

Duties of coordinator.

SEC. 8. The several departments and agencies of the state which are directed by section 4 of this act to initiate and pursue continuing studies are further directed to keep the coordinator of atomic development activities fully and currently informed as to their activities relating to atomic energy and other forms of radiation.

State agencies concerned to inform coordinator of their activities.

SEC. 9. The coordinator of atomic development activities shall keep the governor and the several interested departments and agencies informed as to private and public activities affecting atomic industrial development and shall enlist their cooperation in taking action to further such development as is consistent with the health, safety and general welfare of this state.

Coordinator to keep governor and agencies informed—Enlisting cooperation.

SEC. 10. The coordinator of atomic development activities shall be paid such salary as the governor may direct, not to exceed twenty thousand dollars.

Coordinator's salary.

SEC. 11. Whenever, in the opinion of the attorney general, any person is violating or is about to violate section 3 of this act, the attorney general may apply to the appropriate court for an order enjoining the person from engaging or continuing to engage in the activity violative of this act and upon a showing that such person has engaged, or is about to engage in any such activity, a permanent or

Violation of section 3 of act may be enjoined.

temporary injunction, restraining order, or other order may be granted.

Cooperation with federal government.

SEC. 12. The heads of the appropriate agencies may cooperate with the federal government in the administration of this act or any matter pertaining thereto.

Passed the House March 7, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 93.

[H. B. 4.]

DANGEROUS WEAPONS.

AN ACT relating to crimes and punishments and amending section 265, chapter 249, Laws of 1909 and RCW 9.41.250.

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

RCW 9.41.250 amended.

SECTION 1. Section 265, chapter 249, Laws of 1909 and RCW 9.41.250 are each amended to read as follows:

Dangerous weapons—Evidence.

Every person who shall manufacture, sell or dispose of or have in his possession any instrument or weapon of the kind usually known as slung shot, sand club, or metal knuckles, or spring blade knife, or any knife the blade of which is automatically released by a spring mechanism or other mechanical device; who shall furtively carry with intent to conceal any dagger, dirk, pistol, or other dangerous weapon; or who shall use any contrivance or device for suppressing the noise of any firearm, shall be guilty of a gross misdemeanor.

Passed the House February 8, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 94.

[H. B. 43.]

DRAINAGE IMPROVEMENT DISTRICT—MERGER WITH IRRIGATION DISTRICT.

AN ACT authorizing drainage improvement districts, joint drainage improvement districts, and consolidated drainage improvement districts to merge with irrigation districts and providing a procedure therefor and transferring powers; adding seven new sections to chapter 176, Laws of 1913 and to chapter 85.08 RCW; and adding six new sections to the Laws of 1890 commencing on page 671 and to chapter 87.01 RCW.

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

SECTION 1. There are added to chapter 176, Laws of 1913 and to chapter 85.08 RCW seven new sections to read as set forth in sections 2 through 8 of this act.

New sections.

SEC. 2. Whenever a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within an irrigation district or irrigation districts desires to merge with an irrigation district or irrigation districts in which lands of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district are located, it may petition the board or boards of county commissioners, as the case may be, to do so: *Provided*, That only that portion of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within a particular irrigation district may merge with the irrigation district within which it is situated.

Merger of improvement district with irrigation district. Authorization.

SEC. 3. The boards of county commissioners of the counties in which a joint drainage improvement district is situated shall have jurisdiction in joint session to hear, supervise and conduct the merger proceedings relating to such a district. The auditor of the county in which the greater length of the system of

Jurisdiction to hear, supervise and conduct proceedings—Clerk, notice, records.

Merger of
improvement
district with
irrigation
district. Clerk,
notice, records.

improvements lies shall act as clerk of the joint sessions of the boards of county commissioners, and shall give the notice provided for in section 6 hereof. He shall furnish to the auditor of the other county duplicate copies of the records of proceedings of the joint sessions. Duplicate records of all proceedings had and papers filed in connection with the merger of a joint drainage improvement district shall be kept with the auditor of each county. The board of county commissioners of the county in which a drainage improvement district or consolidated drainage improvement district is situated shall have exclusive jurisdiction to hear, supervise and conduct merger proceedings relating to such districts.

Petition—
Signing—
Presentation.

SEC. 4. The petition requesting the merger shall be signed by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district and presented to the clerk or clerks of the appropriate board or boards of county commissioners, at a regular or special meeting of the board or boards.

Assent by irri-
gation district
—Election,
order, notice.

SEC. 5. If it appears to the board or boards of county commissioners that all portions of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district will, as a result of the proceedings, be merged with the irrigation district or irrigation districts and that the board or boards of directors of the irrigation district or irrigation districts into which the drainage improvement, joint drainage improvement district, or consolidated drainage improvement district will be merged, which irrigation district or irrigation districts shall be named in the petition, are agreeable to the merger, and that the assent or assents thereto, in writing, by said irrigation district board or boards have been filed with the board or boards of county commissioners, the

board or boards of county commissioners shall order an election to be held in the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district to approve or disapprove the merger and shall fix the time thereof and cause notice to be published.

SEC. 6. The notice shall be given and the election conducted in the manner, so far as is applicable, as for the election of members of the board of supervisors of a drainage improvement district. The notice shall advise of the election so ordered and the date, time and place thereof, state the filing of the petition, the names of those signing the petition and prayer thereof, and shall require the voters to cast ballots with the words "Merger, Yes" or "Merger, No."

Notice, contents—Election, ballots.

SEC. 7. If a majority of the votes cast favor merger, the board or boards of county commissioners shall enter an order approving the petition and ordering the merger and file a certified copy thereof with the county auditor or auditors of the county or counties in which the district is situated, and the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district shall thereupon be dissolved and its system of improvements vested in the irrigation district or irrigation districts without further proceedings. If a majority of the votes cast are against merger, the board of commissioners shall enter an order dismissing the proceedings. If the merger is approved, the expenses of the county or counties in connection with the election will be paid by the irrigation district or irrigation districts, with each irrigation district, if there is more than one, paying the same portion of the expenses as that portion of the drainage improvement district, joint drainage improvement district, or consolidated drainage district which is merged into the irrigation district. If the merger is not approved, the expenses of the

Proceedings and costs on approval or disapproval.

county or counties in connection with the election will be paid by the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district.

Merger of im-
provement
district with
irrigation dis-
trict.
Prior
indebtedness.

SEC. 8. None of the indebtedness of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district, or of the drainage improvement districts taken into the consolidated drainage improvement district, shall be affected by the merger and dissolution, and all lands liable to be assessed to pay such indebtedness shall remain liable to the same extent as if the merger and dissolution had not taken place, and all assessments theretofore levied shall remain unimpaired and shall be collected in the same manner as if no merger had taken place. The board or boards of directors of the irrigation district or irrigation districts with which the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district was merged shall have all the powers possessed at the time of the merger by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district and the board or boards of county commissioners may levy and cause to be collected any and all assessments against any of the lands formerly within the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district necessary for the payment of all indebtedness thereof, and of the drainage improvement districts taken into the consolidated drainage improvement district. Until the assessments are collected and all indebtedness of each drainage improvement district or joint drainage improvement district included in the merger, either as such or, in the case of the former, as a part of a consolidated drainage

improvement district, is paid, separate funds shall be maintained for each such drainage improvement district or joint drainage improvement district as were maintained before the merger.

SEC. 9. There are added to the Laws of 1890 commencing on page 671 and to chapter 87.01 RCW six new sections to read as set forth in sections 10 through 15 of this act.

New sections.

SEC. 10. The board of directors of an irrigation district shall, after being notified by the board or boards of county commissioners of the filing of the petition therefor, have the power to assent to the proposed merger with the irrigation district of that portion of a drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district within its boundaries at a hearing duly called by the board to consider the proposed merger if sufficient objections thereto have not been presented, as hereinafter provided.

Merger of improvement district with certain drainage districts. Power to assent.

SEC. 11. The secretary of the board of directors shall cause a notice of the proposed merger to be posted and published in the same manner and for the same time as notice of a special election for the issue of bonds. The notice shall state that a petition has been filed with the board or boards of county commissioners by the board of supervisors of the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district requesting that the drainage improvement district, joint drainage improvement district, or consolidated drainage improvement district be merged with the irrigation district or irrigation districts, the names of the petitioners and the prayer thereof, and it shall notify all persons interested in the irrigation district to appear at the office of the board at the time named in the notice, and show cause in writing why the proposed merger should not take place. The time to show cause shall

Notice—Contents—Publication—Show cause against merger.

be the regular meeting of the board of directors of the irrigation district next after the expiration of the time for the publication of the notice.

Hearing—Failure to show cause deemed assent.

SEC. 12. At the time of hearing, or at such other time to which the hearing may be adjourned, the board of directors of the irrigation district shall hear the proposal of merger and any objections thereto. Failure to show cause shall be deemed as assent to the proposed merger.

Assent, refusal to assent—Effect of show cause against merger.

SEC. 13. The board of directors of the irrigation district, if it deems it not for the best interest of the irrigation district that the proposed merger take place, shall enter an order refusing to assent to the merger. But, if it deems it to be to the best interest of the irrigation district that the merger take place and, if twenty-five or more persons interested in the irrigation district have not shown cause in writing why the proposed merger should not take place, or, if having shown cause, withdraw the same, the board of directors of the irrigation district may enter an order assenting to the proposed merger.

If twenty-five or more persons interested in the irrigation district shall show cause, as aforesaid, why the proposed merger should not take place and shall not withdraw the same, and if the irrigation district board nevertheless deems it for the best interest of the irrigation district that the proposed merger take place, the board shall adopt a resolution to that effect.

Election.

SEC. 14. Upon the adoption of the resolution, the board shall order an election held within the irrigation district on the question of the proposed merger and shall fix the time thereof and cause notice to be published. The notice shall be given and the election conducted in the manner as for special elections on a bond issue of the district. The ballots shall contain the words "Merger, Yes" and "Merger, No" or words equivalent thereto.

SEC. 15. If a majority of the votes cast at the election are against the merger, the irrigation district board shall enter an order refusing to assent to the merger. If a majority of the votes cast favor the merger, the board shall enter an order assenting to the proposed merger. A copy of the order certified by the president and secretary of the board shall be filed with the board of county commissioners or, in case the merger involves a joint drainage improvement district, with the boards of county commissioners of the counties in which the joint drainage improvement district is situated.

Order of
assent or
refusal.

Passed the House February 8, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 95.

[H. B. 115.]

TRAFFIC CONTROL AT WORK SITES.

AN ACT relating to traffic control at work sites; and providing penalties.

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

SECTION 1. When construction, repair or maintenance work is conducted on or adjacent to a public highway, county road, street, bridge or other thoroughfare commonly traveled and when such work interferes with the normal and established mode of travel on such highway, county road, street, bridge or thoroughfare, such location shall be properly posted by prominently displayed signs or flagmen or both. Signs used for posting in such an area shall be consistent with the provisions found in the state of Washington "Manual on Uniform Traffic Control Devices for Streets and Highways" obtainable from the Washington state department of highways.

Signs or
flagmen at
thoroughfare
work sites.

Signs, flagmen,
at work sites.
Compliance
enjoined.

SEC. 2. Any contractor, firm, corporation, political subdivision, or other agency performing such work shall comply with this act.

Drivers of
vehicles en-
gaged in work
must obey
signs or flag-
men.

SEC. 3. Each driver of a motor vehicle used in connection with such construction, repair, or maintenance work shall obey traffic signs posted for, and flagman stationed at such location in the same manner and under the same restrictions as is required for the driver of any other vehicle.

Penalty.

SEC. 4. A violation of or a failure to comply with any provision of this act shall be a misdemeanor. Each day upon which there is a violation, or there is a failure to comply, shall constitute a separate violation.

Passed the House March 7, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 96.

[H. B. 375.]

MOTOR VEHICLES—RULES OF THE ROAD—PASSING
ON RIGHT—CROSSING RAILROAD.

AN ACT relating to motor vehicles; and amending sections 78 and 104, chapter 189, Laws of 1937 and RCW 46.60.050 and 46.60.320.

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

RCW 46.60.050
amended.

SECTION 1. Section 78, chapter 189, Laws of 1937 and RCW 46.60.050 are each amended to read as follows:

When overtak-
ing vehicle
may pass to
the right.

The operator of a vehicle may overtake and pass another vehicle proceeding in the same direction, on the right hand side of such overtaken vehicle, when the overtaken vehicle is making or the operator thereof has signaled intention to make a left hand turn, or when said overtaken vehicle has just

completed making a left hand turn: *Provided*, That such passing to the right may be done safely in the exercise of due caution and upon the proper driving portion of the roadway. Proviso.

SEC. 2. Section 104, chapter 189, Laws of 1937 and RCW 46.60.320 are each amended to read as follows: RCW 46.60.320 amended.

Any person operating a vehicle carrying passengers for hire or a school bus or a vehicle in which are being transported explosive substances or flammable liquids or any other substance listed as a dangerous article under the regulations of the Interstate Commerce Commission shall bring such vehicle to a full stop within fifty feet, but not less than twenty feet, of any railroad or interurban grade crossing before proceeding across it. Any person operating a vehicle, other than those specifically mentioned above, shall, upon approaching the intersection of any public highway with a railroad or interurban grade crossing, reduce the speed of his vehicle to a rate of speed not to exceed that at which, considering the view along the track in both directions, the vehicle can be brought to a complete stop not less than ten feet from the nearest track in the event of an approaching train. The actual maximum speed permitted on the approach to any highway-railroad grade crossing on a public highway may be controlled by signs posted on the approach thereto, and the director of highways shall place, as soon as is practicable, approach signs upon state highways, setting the maximum speed allowed at crossings and within one hundred feet on the approach thereto. No stop need be made at any such highway-railroad grade crossing where a peace officer directs traffic to proceed. Stopping or reducing speed at certain grade crossings.

Passed the House March 7, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 97.

[H. B. 388.]

CITY OR TOWN ORDINANCES—REVISION,
CODIFICATION—EVIDENCE.

AN ACT relating to the compilation, codification and/or revision of city and town ordinances; adding eight new sections to chapter 7, Laws of 1890 and to chapter 35.21 RCW; and amending section 34, chapter 184, Laws of 1915 and RCW 35.24.240.

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

New section.

SECTION 1. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows:

Compilation, codification, revision of city or town ordinances. Scope of codification.

“Codification” means the editing, rearrangement and/or grouping of ordinances under appropriate titles, parts, chapters and sections and includes but is not limited to the following:

(1) Editing ordinances to the extent deemed necessary or desirable, for the purpose of modernizing and clarifying the language of such ordinances, but without changing the meaning of any such ordinance.

(2) Substituting for the term “this ordinance,” where necessary the term “section,” “part,” “code,” “chapter,” “title,” or reference to specific section or chapter numbers, as the case may require.

(3) Correcting manifest errors in references to other ordinances, laws and statutes, and manifest spelling, clerical or typographical errors, additions, or omissions.

(4) Dividing long sections into two or more sections and rearranging the order of sections to insure a logical arrangement of subject matter.

(5) Changing the wording of section captions, if any, and providing captions to new chapters and sections.

(6) Striking provisions manifestly obsolete and eliminating conflicts and inconsistencies so as to give effect to the legislative intent.

SEC. 2. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows: New section.

Any city or town may prepare or cause to be prepared a codification of its ordinances. Authorized.

SEC. 3. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows: New section.

Any city or town having heretofore prepared or caused to be prepared, or now preparing or causing to be prepared, or that hereafter prepares or causes to be prepared, a codification of its ordinances may adopt such codification by enacting an ordinance adopting such codification as the official code of the city, provided the procedures and requirements of this act are complied with. Adoption as official code of city.

SEC. 4. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows: New section.

When a city or town codifies its ordinances, it shall file a typewritten or printed copy of such codification in the office of the city or town clerk. After the first reading of the title of the adopting ordinance and of the title of the code to be adopted thereby, the legislative body of the city or town shall schedule a public hearing thereon. Notice of the hearing shall be published once not more than fifteen nor less than ten days prior to the hearing in the official newspaper of the city published in such city or town, indicating that its ordinances have been compiled, or codified and that a copy of such compilation or codification is on file in the city or town clerk's office for inspection. If there is no official newspaper, then the notice shall be published in some other news- Filing—Notice of filing.

paper published in the city or town, and if there is no newspaper published in the city or town, then it shall be published or posted in at least three public places in such city or town as the city or town legislative body may direct. The notice shall state the time and place of the hearing.

New section. SEC. 5. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows:

Adopting ordinance. After the hearing, the legislative body may amend, adopt, or reject the adopting ordinance in the same manner in which it is empowered to act in the case of other ordinances. Upon the enactment of such adopting ordinance, the codification shall be the official code of ordinances of the city or town.

New section. SEC. 6. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows:

Copies as proof of ordinance. Copies of such codes in published form shall be received without further proof as the ordinances of permanent and general effect of the city or town in all courts and administrative tribunals of this state.

New section. SEC. 7. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows:

Adoption of new material. New material shall be adopted by the city or town legislative body as separate ordinances prior to the inclusion thereof in such codification: *Provided*, That any ordinance amending the codification shall set forth in full, the section or sections of the codification being amended, and this shall constitute a sufficient compliance with any statutory or charter requirement that no ordinance or any section thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or amended section in full.

Proviso.

SEC. 8. There is added to chapter 7, Laws of 1890 and to chapter 35.21 RCW a new section to read as follows:

When a city or town shall make a codification of its ordinances in accordance with this act, that shall constitute a sufficient compliance with any statutory or charter requirements that no ordinance shall contain more than one subject which shall be clearly expressed in its title and that no ordinance or any section thereof shall be revised or amended unless the new ordinance sets forth the revised ordinance or amended section in full.

SEC. 9. Section 34, chapter 184, Laws of 1915 and RCW 35.24.240 are each amended to read as follows:

Any ordinances now in effect in cities of the third class, not inconsistent with the provisions of chapter 184, Laws of 1915, are hereby continued in effect.

SEC. 10. 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 House February 22, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 98.

[H. B. 399.]

DENTISTRY.

AN ACT relating to the practice of dentistry and amending section 20, chapter [52], Laws of 1957 and RCW 18.32.020.

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

RCW 18.32.020 amended.

SECTION 1. Section 20, chapter [52], Laws of 1957 and RCW 18.32.020 are each amended to read as follows:

Practice of dentistry defined.

A person practices dentistry, within the meaning of this chapter, who (1) represents himself as being able to diagnose, treat, remove stains and concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the human teeth, alveolar process, gums, or jaw, or (2) offers or undertakes by any means or methods to diagnose, treat, remove stains or concretions from teeth, operate or prescribe for any disease, pain, injury, deficiency, deformity, or physical condition of the same, or take impressions of the teeth or jaw, or (3) owns, maintains or operates an office for the practice of dentistry, or (4) engages in any of the practices included in the curricula of recognized and approved dental schools or colleges, or (5) professes to the public by any method to furnish, supply, construct, reproduce, or repair any prosthetic denture, bridge, appliance, or other structure to be worn in the human mouth.

The fact that a person uses any dental degree, or designation, or any card, device, directory, poster, sign, or other media whereby he represents himself to be a dentist, shall be prima facie evidence that such person is engaged in the practice of dentistry.

X-ray diagnosis as to the method of dental practice in which the diagnosis and examination is made of the normal and abnormal structures, parts or

functions of the human teeth, the alveolar process, maxilla, mandible or soft tissues adjacent thereto, is hereby declared to be the practice of dentistry. Any person other than a regularly licensed physician or surgeon who makes any diagnosis or interpretation or explanation, or attempts to diagnose or to make any interpretation or explanation of the registered shadow or shadows of any part of the human teeth, alveolar process, maxilla, mandible or soft tissues adjacent thereto by the use of x-ray is declared to be engaged in the practice of dentistry, medicine or surgery.

Passed the House February 15, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 99.

[H. B. 409.]

CEMETERY DISTRICTS.

AN ACT relating to cemetery districts; and amending section 1, chapter 290 [chapter 41], Laws of 1953 and RCW 68.16.010.

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

SECTION 1. Section 1, chapter 290 [chapter 41], Laws of 1953 and RCW 68.16.010 are each amended to read as follows:

Cemetery districts may be established in counties of the second, third, fourth, fifth, sixth, seventh, eighth and ninth classes, and on any island in any county, as in this chapter provided.

RCW 68.16.010 amended.

Cemetery districts. Establishment authorized.

Passed the House February 15, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 100.

[H. B. 429.]

HEALTH DISTRICTS.

AN ACT relating to health districts; amending section 5, chapter 183, Laws of 1945 and RCW 70.46.050; and adding a new section to chapter 183, Laws of 1945 and to chapter 70.46 RCW.

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

RCW 70.46.050
amended.

SECTION 1. Section 5, chapter 183, Laws of 1945 and RCW 70.46.050 are each amended to read as follows:

Health dis-
tricts. Repre-
sentation on
the health
board.

Whenever a primary city is included in a health district it shall have equal representation with the board of county commissioners of the county in which said primary city is located, the city's representatives to be selected by the legislative body of the city from among its membership. If only one second, third, or fourth class city makes a financial contribution to the district health fund satisfactory to the board and is included in the district, each of such cities is entitled to one member on the board; but when more than one city of any of such classes makes such contribution and is included in the district, all cities of the same class shall by joint action of their legislative bodies appoint one member of the district board from among their legislative bodies who shall be the representative of all cities of the same class. If the health board is composed only of members selected by a primary city, together with the county commissioners, said board shall select another person to serve thereon whose term shall be from January 1st to December 31st of each year, said other person to be a resident of the health district. All appointments shall be made within thirty days after the formation of the district. Vacancies on the district board of health shall be filled by appointment within thirty days and made in the

same manner as was the original appointment. Representatives on the district board of the various units of the district shall continue at the pleasure of the legislative body of the unit.

SEC. 2. There is added to chapter 183, Laws of 1945 and to chapter 70.46 RCW a new section to read as follows:

New section.

In addition to all other powers and duties, a health district shall have the power to own, construct, purchase, lease, add to, and maintain any real and personal property or property rights necessary for the conduct of the affairs of the district. A health district may sell, lease, convey or otherwise dispose of any district real or personal property no longer necessary for the conduct of the affairs of the district. A health district may enter into contracts to carry out the provisions of this section.

Power to acquire, maintain, or dispose of property—
Contracts.

Passed the House February 19, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 101.

[Sub. S. B. 111.]

BARBERING.

AN ACT relating to barbering; amending section 3, chapter 75, Laws of 1923 as last amended by section 2, chapter 16, Laws of 1951 and RCW 18.15.040, and section 5, chapter 75, Laws of 1923 as last amended by section 3, chapter 51, Laws of 1949 and RCW 18.15.100, and section 14, chapter 172, Laws of 1901 as amended by section 16, chapter 75, Laws of 1923 heretofore combined, divided and codified as RCW 18.15.130, 18.15.140 and 18.15.150, and section 7, chapter 75, Laws of 1923 as amended by section 4, chapter 209, Laws of 1929 and RCW 18.15.060; and adding eight sections to chapter 18.15 RCW.

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

RCW 18.15.040 amended.

SECTION 1. Section 3, chapter 75, Laws of 1923 as last amended by section 2, chapter 16, Laws of 1951 and RCW 18.15.040 are each amended to read as follows:

Barbers. Qualifications —Application —Fee.

Any person of good moral character, free from contagious or infectious disease, at least sixteen years of age, having a diploma showing graduation from an eighth grade grammar school or capable of proving an equivalent education, and holding a license authorizing him to practice barbering in any one of the other states of the United States, or who can duly certify in an affidavit that he has been continuously engaged in the professional practice of barbering for not less than three years, within the last preceding five years, in: (1) Any state of the United States having no statutory requirements for a license to practice barbering, (2) the District of Columbia, (3) any territory of the United States, or (4) any foreign country (if such person is lawfully entitled to reside in the United States) shall be deemed qualified to make application for a license to practice barbering in this state. Every applicant for such license, qualified under either of the fore-

going provisions, shall file his application in the manner provided by law, on forms prescribed by the director of licenses. Each such application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens of this state that he is of good moral character. Each application shall be accompanied by two signed photographs of the applicant and a photostatic copy of his license authorizing him to practice barbering in one of the other states of the United States, or a duly signed and acknowledged affidavit made in full compliance with the applicable provision (1), (2), (3), or (4) hereinbefore provided. Every applicant for such license shall pay a fee of ten dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall notify the applicant of the particular date, city and place where he is to appear for his examination for a license to practice barbering in this state.

SEC. 2. Section 5, chapter 75, Laws of 1923 as last amended by section 3, chapter 51, Laws of 1949 and RCW 18.15.100 are each amended to read as follows:

RCW 18.15.100
amended.

It shall be unlawful for any person to study the practice of barbering in any barber school or barber college authorized under this chapter unless he shall first have obtained and holds a valid student barber certificate issued pursuant to this chapter. Any person of good moral character, free from contagious or infectious disease, at least sixteen years of age, and holding a diploma showing graduation from an eighth grade grammar school, or capable of proving an equivalent education, shall be deemed qualified to make application for and be entitled to obtain a student barber certificate authorizing him to study the practice of barbering in any barber school or

Student bar-
bers—Student
certificate—
Fee—Applica-
tion for bar-
ber's license.

Barbers. Student barbers—
Student certificate—Fee—
Application for barber's
license.

barber college. Every such qualified applicant shall file his application in the manner provided by law, on forms prescribed by the director of licenses. Each application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens of this state that he is of good moral character. Each application shall be accompanied by two signed photographs of the applicant. Every such applicant shall pay a fee of one dollar, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall issue to such qualified applicant a student barber certificate which shall be valid for one year from the date of its issue, and which shall be subject to renewal annually thereafter upon the payment of a fee of one dollar: *Provided*, That any student barber holding (1) a valid student barber certificate, and (2) a graduation certificate from any barber school or barber college authorized under this chapter shall be deemed qualified to make application for a license to practice barbering in this state. Each such qualified applicant shall file his application in the manner provided by law, on forms prescribed by the director of licenses. Each such applicant shall pay a fee of ten dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall notify the applicant of the particular date, city, and place where he is to appear for his examination for a license to practice barbering in this state.

Proviso.

Combination,
division and
amendment.

SEC. 3. Section 14, chapter 172, Laws of 1901 as amended by section 16, chapter 75, Laws of 1923 heretofore combined, divided and codified as RCW 18.15.130, 18.15.140 and 18.15.150 are each amended as set forth in sections 4, 5 and 6 of this act.

SEC. 4. (RCW 18.15.130) The license of any barber may be revoked for:

RCW 18.15.130 amended.
Revocation of licenses—
Grounds for.

(1) Conviction of any felony, or of any crime involving moral turpitude;

(2) Habitual drunkenness, or the use of habit forming drugs;

(3) Having or imparting any infectious or contagious disease;

(4) Having epilepsy, fits or other disease endangering the life, health or safety of persons whom he may serve;

(5) Performing his work in an unsanitary or filthy manner;

(6) Gross incompetency.

SEC. 5. (RCW 18.15.140) Before any license is revoked, the holder thereof must be given notice in writing of the charge or charges against him. At a day specified in said notice, at least five days after the service thereof, he must be afforded a fair hearing, and full opportunity to produce testimony in his behalf and to confront the witnesses against him.

RCW 18.15.140 enacted without amendment.

SEC. 6. (RCW 18.15.150) Any person whose license has been so revoked may, after the expiration of ninety days, on application, have the same re-issued to him upon a satisfactory showing.

RCW 18.15.150 enacted without amendment.

SEC. 7. There is added to chapter 18.15 RCW a new section to read as follows:

New section.

Barber examinations shall be conducted by the barber examining committee. The barber examining committee shall consist of five members appointed by the governor, who shall designate one of the committee members to serve both as chairman and secretary.

Barber examining committee. Created—Appointment—Terms.

The first terms for members of the examining committee shall be as follows: One member for five, four, three, two and one years respectively. Thereafter the terms shall be for five years and until their successors are appointed and qualified.

Barber exam-
ining commit-
tee. Removal—
Vacancies.

The examining committee shall be under the direct supervision of the director of licenses.

Members may be removed by the governor for cause.

Any vacancy shall be filled by the governor within ninety days after it occurs by an appointment for the remainder of the unexpired term.

New section.

SEC. 8. There is added to chapter 18.15 RCW a new section to read as follows:

Qualifications
of members.

Any person appointed to the examining committee shall: (1) Hold a valid barber's license; (2) have been a resident of this state for at least three years immediately preceding his appointment; (3) have been engaged in the actual practice of barbering for at least five years; (4) not be connected directly or indirectly with the manufacture, renting, or selling of barber appliances and supplies at wholesale; and (5) not have been connected directly or indirectly with any barber school or barber college for one year immediately preceding his appointment.

New section.

SEC. 9. There is added to chapter 18.15 RCW a new section to read as follows:

Meetings—
Quorum.

The examining committee shall set a schedule for meetings for the ensuing year in advance of the first meeting. The committee shall meet to hold examinations and to conduct its business. Special meetings may be called upon notice from the secretary and signed by three members at which special meeting only such business as specified in the notice shall be transacted. A majority of the committee shall constitute a quorum.

New section.

SEC. 10. There is added to chapter 18.15 RCW a new section to read as follows:

Secretary—
Duties.

The secretary of the examining committee shall: (1) Keep a record of all the proceedings of the committee; (2) arrange for and conduct examination; (3) deliver all records and findings of the examining

committee as a result of the examinations and hearings to the director; and (4) perform any other duties required by law.

SEC. 11. There is added to chapter 18.15 RCW a new section to read as follows:

The secretary shall have a full time position with a salary to conform with standards set by the department of licenses for similar positions.

Compensation
—Per diem—
Expenses.

Each member of the examining committee shall receive as compensation twenty dollars for each day's attendance at meetings of the committee. Members including the secretary shall be reimbursed for necessary traveling expenses incurred in the actual performance of their duties.

SEC. 12. There is added to chapter 18.15 RCW a new section to read as follows:

The examining committee may, subject to the director's approval, promulgate such rules and regulations as it deems necessary not inconsistent with this act and it shall perform all acts necessary to effectuate the purposes of this act.

Rules and
regulations.

SEC. 13. There is added to chapter 18.15 RCW a new section to read as follows:

The examining committee shall arrange with the director for the employment of one or more inspectors who shall have the same qualifications as a committee member. The secretary of the committee shall have the right to inspect any barber shop or barber school. Any member, agent, or assistant of the committee, when authorized by the committee, may enter any such shop or school during business hours for the purpose of inspection. Every such shop shall be inspected at least twice a year. Every such school shall be inspected at least six times a year.

Inspections
by examining
committee.

SEC. 14. Section 7, chapter 75, Laws of 1923, as amended by section 4, chapter 209, Laws of 1929 and RCW 18.15.060 are each amended to read as follows:

RCW 18.15.060
amended.

Barbers.
License.
Annual
renewal.

Every person licensed as a barber shall pay an annual license fee of five dollars for a license renewal certificate on or before the thirtieth day of June each year. Failure to pay the annual license renewal fees before delinquency shall work a forfeiture of the license, but the license may be renewed at any time thereafter upon application therefor by the licentiate, and payment of a fee of ten dollars.

New section.

SEC. 15. A new section is added to chapter 18.15 RCW, to read as follows:

Disposition
of fees.

Eighty percent of all payments received from barber license fees shall be set aside for the purpose of carrying out the provisions of this act, including the necessary investigations and legal expenses for the enforcement thereof.

Passed the Senate March 5, 1957.

Passed the House March 2, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 102.

[S. B. 122.]

MENTALLY AND/OR PHYSICALLY DEFICIENT PERSONS
—LAKELAND VILLAGE—RAINIER SCHOOL.

AN ACT relating to the care, treatment, education and training of mentally and/or physically deficient persons; providing for the establishment and administration of residential state schools therefor; procedures for admission, withdrawal, commitment and transfer; defining terms; and repealing chapter 70, Laws of 1905; sections 1, 2, 3, 4, 5, 6, 7, and 8, subchapter 6, chapter 97, page 260, Laws of 1909; chapter 173, Laws of 1913; chapter 64, Laws of 1917; chapter 10, Laws of 1937; chapter 157, Laws of 1947; RCW sections 72.28.010 through 72.28.160 and RCW sections 72.32.010 through 72.32.180.

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

SECTION 1. The purposes of this act are: To provide for those children and adults who are exceptional in their needs for care, treatment and education by reason of mental and/or physical deficiency, residential care designed to develop their individual capacities to their optimum; to provide for admittance, withdrawal and discharge from state residential schools upon parental application; and to insure a comprehensive program for the education, guidance, care, treatment and rehabilitation of all persons admitted to Lakeland Village and Rainier school and such other like schools as may be hereafter established.

Schools for mentally and/or physically deficient persons. Purpose of act.

SEC. 2. Unless the context requires otherwise:

Definitions. "Mental deficiency."

(1) "Mental deficiency" is a state of subnormal development of the human organism in consequence of which the individual affected is mentally incapable of assuming those responsibilities expected of the socially adequate person such as self-direction, self-support and social participation.

(2) "Physical deficiency" is a state of physical impairment of the human organism in consequence

"Physical deficiency."

Definitions.

of which the individual affected is physically incapable of assuming those responsibilities expected of the socially adequate person such as self-direction, self-support and social participation.

"Parent."

(3) "Parent" is the person or persons having the legal right to custody of a child by reason of kinship by birth or adoption.

"State school."

(4) "State school" shall mean any residential school of the department established, operated and maintained by the state of Washington for the education, guidance, care, treatment and rehabilitation of mentally and/or physically deficient persons as defined herein.

"Resident of a state school."

(5) "Resident of a state school" shall mean a person, whose mental and/or physical involvement requires the specialized care, treatment and educational instruction therein provided, and who has been admitted upon parental or guardian's application, or found in need of residential care by proper court and duly received.

"Court."

(6) "Court" shall mean the superior court of the state of Washington.

"Department."

(7) "Department" shall mean the department of institutions or its successor.

"Division."

(8) "Division" shall mean the division of children and youth services of the department of institutions or its successor.

"Resident of the state of Washington."

(9) "Resident of the state of Washington" shall mean a person who has acquired his domicile in this state by continuously residing within the state for a period of not less than one year before application for admission is made: *Provided*, That the residence of an unemancipated minor shall be imputed from the residence of the father, if such minor is a legitimate child, otherwise from the residence of the mother, and if the parental rights and responsibilities regarding a minor have been transferred by the court, then the residence of such minor shall

Proviso.

be imputed from the person to whom such have been awarded.

Definitions.

(10) "Superintendent" shall mean the superintendent of Lakeland Village, Rainier school and other like residential schools that may be hereafter established.

"Superintendent."

(11) "Custody" shall mean the right of immediate physical attendance, retention and supervision.

"Custody."

(12) "Placement" shall mean an extramural status for the resident's best interests granted by the superintendent after reasonable notice and consultation with the parents or guardian of such resident.

"Placement."

(13) "Discharge" shall mean the relinquishment by a state school of all rights and responsibilities it may have acquired by reason of the acceptance for admission of any resident.

"Discharge."

SEC. 3. There are hereby permanently established the following state schools for the care of the persons herein provided to be served: Lakeland Village, located at Medical Lake, Spokane county, Washington, and Rainier school, located at Buckley, Pierce county, Washington.

Lakeland Village and Rainier school, permanent state schools.

SEC. 4. The superintendent of a state school appointed after the effective date of this act shall be a person of good character, over the age of thirty years, in good physical health, and either a physician licensed to practice in the state of Washington or has attained a minimum of a master's degree from an accredited college or university in psychology, social science, or education, and in addition shall have had suitable experience in an administrative or professional capacity in the residential care, treatment and training of mentally deficient persons.

Superintendent of state school. Qualifications.

The superintendent shall have custody of all residents and control of the medical, educational, therapeutic and dietetic treatment of all persons resident in such state school: *Provided*, That the superintendent shall cause surgery to be performed on any resi-

Powers and duties.

Proviso.

Superintendent of state school. Powers and duties.

dent only upon gaining the consent of a parent or guardian, except, if after reasonable effort to locate the parents or guardian and the health of such resident is certified by the attending physician to be jeopardized unless such surgery is performed, the required consent shall not be necessary.

Proviso.

The superintendent shall have control of the internal government and economy of the state school, shall appoint and direct all subordinate officers and employees and shall designate those officers and employees whose residence at the state school is deemed essential for its efficient operation: *Provided*, That the powers and duties conferred upon the superintendent shall be subject to the rules and regulations of the department of institutions and the state personnel board.

The superintendent shall have authority to engage the residents of the state school in beneficial work programs but shall not abuse such therapy by excessive hours or for purposes of discipline or punishment.

Educational department. Department of public instruction to assist—Aid to local school districts.

SEC. 5. There shall be an educational department created and maintained within each state school which shall provide a comprehensive program of academic, vocational, recreational and other educational services best adapted to meet the needs and capabilities of each resident therein whether such resident must always live within the protected community of the school or can be prepared and assisted to live without.

The department of public instruction shall assist the state schools in all feasible ways including financial aid so that the educational programs maintained therein shall be comparable to such programs advocated by the department of instruction for children with similar aptitudes in local school districts.

Within its available resources, each state school shall, upon request from a local school district, pro-

vide such clinical, counseling and evaluating services as may assist the local district lacking such professional resources in determining the needs of its exceptional children.

SEC. 6. The division of vocational rehabilitation shall make available its services to the state school in order to assist such schools in the vocational rehabilitation of its residents who are eligible and feasible for that division's services to the end that such persons may become engaged in remunerative occupations.

Division of vocational rehabilitation to assist schools.

SEC. 7. The department of health shall determine by the application of proper criteria the maximum number of children to reside in the residential quarters of the state schools and the superintendent shall adhere to such standards unless written permission is granted by the department to exceed such rated capacities.

Number of school residents determined by department of health.

SEC. 8. The department of public assistance shall aid the superintendents of the state schools in the placement of residents in suitable foster homes, those to be assisted and the method thereof to be defined in a mutually approved interdepartmental agreement.

Department of public assistance aid in foster home placement.

SEC. 9. The department shall provide the superintendent with an official and appropriate seal upon which shall be inscribed the statutory name of the state school and the words "State of Washington" shall appear thereon. The superintendent shall affix the seal of the state school to any notice, order, or other instrument required to be issued by him.

Superintendent of state school. Seal.

SEC. 10. The superintendent shall not be required to attend any court as a witness in a civil or juvenile court proceeding but parties desiring his testimony may take and use his deposition; nor shall he be required to attend as a witness in any criminal case unless the court before which his testimony shall be desired shall, upon being satisfied of the materi-

Deposition—As witness.

Superintendent of state school.

ality of his testimony, require his attendance; and he shall be exempted from jury service.

Gifts, acceptance of and use of.

SEC. 11. The superintendent is authorized to receive and accept from any person, organization or estate, gifts of money or personal property on behalf of the state school under his charge, or the residents therein, and to use such gifts for the purposes specified by the donor where such use is consistent with law. In the absence of a specified purpose the superintendent shall use such money or personal property for the benefit of the state school or for the general benefit of the residents therein. The superintendent shall keep an accurate record of the amount or kind of gift, the date received, manner expended, and the name and address of the donor. Any increase resulting from such gift may be used for the same purpose as the original gift.

Schools for mentally and/or physically deficient persons. Who may be admitted—Application form.

SEC. 12. Pursuant to reasonable rules and regulations of the department, acting through the division, the superintendent of a state school, subject to the provisions of section 7, shall receive a person as a resident who is suitable for care, training, treatment, or education appropriate to mental deficiency and/or physical deficiency, or for observation as to the existence of mental deficiency as defined in section 2 of this act, upon the receipt of a written application submitted in accordance with the following requirements:

(1) In the case of a minor person, the application shall be made by his parents, or by the parent, guardian or agency entitled to custody, which application shall be in the form and manner required by the department and which shall be supported by the affidavit of at least two physicians or clinical psychologists, or one of each profession, certifying that such minor is mentally and/or physically deficient person as herein defined and in need of the residential care, treatment, training, or education. In the event

the minor is entitled to school services, the application shall be accompanied by a report from the county school superintendent and/or the superintendent of the school district in which such minor resides setting forth the educational services rendered or in need of being rendered to the minor.

(2) In the case of an adult person, the application shall be made by the duly appointed, qualified and acting guardian of such person, which application shall be in the form and manner required by the department and which shall be supported by the affidavit of at least two physicians or clinical psychologists, or one of each profession, certifying that such adult is a mentally and/or physically deficient person as herein defined and in need of residential care, treatment, training, or education.

(3) Persons admitted by voluntary application to state schools as in this section provided shall have equal status and the same priority in admission as minors committed under the following section.

SEC. 13. In the event a minor person under the age of eighteen years shall be found under the juvenile court law to be "dependent" or "delinquent" and mentally and/or physically deficient as herein defined, and that placement for care, custody, treatment, or education in a state school is to the minor's welfare, the superintendent shall receive such minor upon commitment from the superior court pursuant to such terms and conditions as may therein be set forth subject to the provisions of section 7.

Admitting
"dependent"
or "delin-
quent"
—Procedure.

SEC. 14. Subject to the provisions of section 15, no person accepted at a state school upon voluntary application as herein provided, and no person over eighteen years regardless of the manner of his admittance to the school, shall be retained therein for more than thirty days after the parent entitled to custody or the guardian has given written notice of

Retention
dependent up-
on guardian's
consent.

their desire to remove such person from said state school.

Notice of withdrawal.

Such notice shall indicate to the superintendent the proposed plan of future residence of such person and whether placement or discharge from the state school is desired. In the event withdrawal is upon a placement basis, it shall be understood that readmission will be available to the former resident if it is found necessary to return such person to the school. In the event withdrawal is upon a discharge basis it shall be understood that if the parent or guardian desires to apply for readmission for such former resident, such person shall wait his turn for admission as if it were a first application.

Effect of withdrawal.

Petition by superintendent to retain custody—Court hearing and order.

SEC. 15. Whenever it is deemed not to the best interests of a resident that he should be removed from a state school, the superintendent shall promptly file a petition in the probate department of the superior court of the county of residence of such person setting forth his reasons why continued residence is indicated.

Upon due notice and hearing, the court shall resolve the matter and in the event the person is found in need of further residential care in a state school the court shall so order and in such proceeding shall name a fit and proper person to serve as guardian if none has been previously named.

Superintendent of state school. Release of school resident—Placement.

SEC. 16. Whenever in the judgment of the superintendent of any state school the treatment and training of any resident has progressed to the point that it is deemed advisable to return such resident to the community, the superintendent may grant placement on such terms and conditions as he may deem advisable after reasonable notice to and consultation with the parent entitled to custody or the acting guardian of such person.

Whenever any person who has been a resident of a state school leaves said school on placement, re-

sponsibility of the school to provide care, support or medical attention shall cease unless such person shall be returned to such state school or unless arrangements have been made to assume special expenses of such person while on placement.

SEC. 17. Whenever in the judgment of a superintendent of a state school a person no longer needs the services of such school, he may be discharged after reasonable notice and consultation with the parent or guardian and if neither exists then approval for such discharge shall first be obtained from the supervisor of the division.

Discharge of resident—
Procedure.

SEC. 18. The superintendent of a state school shall serve as custodian without compensation of such personal property of a resident as may be located at the school, including moneys deposited with the superintendent for the benefit of such resident. As such custodian, the superintendent shall have authority to disburse moneys from the resident's fund for the following purposes and subject to the following limitations:

Superintendent custodian of personal property of resident—
Authority to disburse resident's moneys, limitations on.

(1) Subject to specific instructions by a donor or payor of money to the superintendent for the benefit of a resident, the superintendent may disburse any of the funds belonging to a resident for such personal needs of such resident as the superintendent may deem proper and necessary.

(2) When a resident is granted placement, the superintendent shall deliver to said resident, or the parent, guardian or agency legally responsible for the resident, all or such portion of the funds of which the superintendent is custodian as above defined, or other property belonging to the resident, as the superintendent may deem necessary to the resident's welfare, and the superintendent may during such placement deliver to the former resident such additional property or funds belonging to the resident as the superintendent may from time to time

Superintendent of state school. Authority to disburse resident's moneys, limitations on.

deem proper. When the conditions of placement have been fully satisfied and the resident is discharged, the superintendent shall deliver to such resident, or the parent, person or agency legally responsible for the resident, all funds or other property belonging to the resident remaining in his possession as custodian.

(3) All funds held by the superintendent as custodian may be deposited in a single fund, the receipts and expenditures therefrom to be accurately accounted for by him.

(4) The appointment of a guardian for the estate of such resident shall terminate the superintendent's authority as custodian of the resident's funds upon receipt by the superintendent of a certified copy of letters of guardianship. Upon the guardian's request, the superintendent shall immediately forward to such guardian any funds or other property of the resident remaining in the superintendent's possession together with a full and final accounting of all receipts and expenditures made therefrom.

(5) Upon receipt of a written request from the superintendent stating that a designated individual is a resident of the state school for which he has administrative responsibility and that such resident has no legally appointed guardian of his estate, any person, bank, corporation, or agency having possession of any money, bank accounts, or choses in action owned by such resident, shall, if the amount does not exceed one thousand dollars, deliver the same to the superintendent as custodian and mail written notice thereof to such resident at the state school. The receipt of the superintendent shall constitute full and complete acquittance for such payment and the person, bank, corporation, or agency making such payment shall not be liable to the resident or his legal representatives. All funds so received by the superintendent shall be duly depos-

ited by him as custodian in the resident's fund to the personal account of such resident.

If any proceeding is brought in any court to recover property so delivered, the attorney general shall defend the same without cost to the person, bank, corporation, or agency effecting such delivery to the superintendent, and the state shall indemnify such person, bank, corporation, or agency against any judgment rendered as a result of such proceeding.

SEC. 19. The department shall have the power in the name of the state, to enter into contracts with any duly authorized representative of the United States of America, or its territories, for the admission to state schools for the care, treatment, training or education of persons requiring the same, at the expense of the United States of America, and contracts may provide for the separate or joint maintenance, care, treatment, training or education of such persons so admitted, which contracts shall provide that all payments due the state of Washington from the United States of America for services rendered thereunder shall be paid to the department and transmitted to the state treasurer for deposit in the general fund.

Contracts with federal government authorized.

SEC. 20. The department shall not be responsible for the support, welfare or actions of any person until such person attains the status of a resident at a state school.

Department responsible only for resident.

SEC. 21. When not otherwise provided, the state school shall provide each resident with suitable clothing, the actual cost of which shall be a charge against the parents, guardian or estate of such resident; and in the event that such parent, guardian or estate is unable or is insufficient to provide or pay for such clothing, the same shall be provided by the state.

School to provide clothing—Reimbursement.

State schools.
Transfer be-
tween schools
authorized.

SEC. 22. Whenever it appears to serve the best interests of the resident concerned, the department, acting through the division, shall have authority to transfer such resident between state schools conducting the type of program contemplated by this act.

Parental
rights
preserved.

SEC. 23. This act shall not be constructed to deprive the parent or parents of any parental rights with relation to a child residing in a state school, except as provided herein for the orderly operation of such schools, nor any rights granted a co-custodian pursuant to the provisions of chapter 272, Laws of 1955.

Appeals from
decision of
superintendent
of state school
—Procedure.

SEC. 24. Any parent or guardian feeling aggrieved by an adverse decision of a superintendent of a state school pertaining to admission, placement or discharge of his ward may apply to the supervisor of the division for a review and reconsideration of the decision. The supervisor shall rule within ten days from the date of receipt of the request for review. In the event of an unfavorable ruling by the supervisor, such parent or guardian may institute proceedings in the superior court of the state of Washington in the county of residence of such parent or guardian, otherwise in Thurston County, and have such decision reviewed and its correctness, reasonableness, and lawfulness decided in an appeal heard as in initial proceeding on an original application. Said parent or guardian shall have the right to appeal from the decision of the superior court to the supreme court of the state of Washington, as in civil cases.

Construction.

SEC. 25. The provisions of this chapter shall be liberally construed so that persons who are in need of care, treatment, training or education in a state school by reason of their exceptional mental and/or physical qualities shall receive the benefit of such

residential facilities while still preserving all rights and privileges guaranteed the person by the Constitution of the United States of America and the state of Washington.

SEC. 26. Chapter 70, Laws of 1905; sections 1, 2, 3, 4, 5, 6, 7, and 8, subchapter 6, chapter 97, page 260, Laws of 1909; chapter 173, Laws of 1913; chapter 64, Laws of 1917; chapter 10, Laws of 1937; chapter 157, Laws of 1947; RCW sections 72.28.010 through 72.28.160 and RCW sections 72.32.010 through 72.32.180, are each repealed. Repeal.

Passed the Senate February 12, 1957.

Passed the House March 5, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 103.

[S. B. 380.]

HONEY.

AN ACT relating to the sale of honey; and amending section 39, chapter 199, Laws of 1939, as amended by section 6, chapter 105, Laws of 1949 and RCW 69.28.080.

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

SECTION 1. Section 39, chapter 199, Laws of 1939, as amended by section 6, chapter 105, Laws of 1949 and RCW 69.28.080 are each amended to read as follows:

RCW 69.28.080 amended.

It shall be unlawful for any person to deliver, sell, offer, or expose for sale any honey for human consumption within the state without notifying the person or persons purchasing or intending to purchase the same, of the exact grade or quality of such honey, according to the standards prescribed by the director, by stamping or printing on the container of any such honey such grade or quality, and

Purchaser to be advised of standards—Exceptions.

without placing a Washington state honey seal upon each container in which honey is sold, delivered, offered, or exposed for sale: *Provided*, This section shall not apply to honey while it is in transit in intra-state commerce from one establishment to the other, to be processed, labeled, or repacked: *And provided further*, That a Washington state honey seal shall not be required to be affixed to processed packaged honey which is produced outside the state of Washington, and sold or offered for sale within this state in its original container.

Proviso.

Proviso.

Passed the Senate February 28, 1957.

Passed the House March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 104.

[H. B. 305.]

HIGHWAY SAFETY FUND.

AN ACT relating to the highway safety fund; providing that such fund be for the use of the Washington state patrol; and amending section 81, chapter 188, Laws of 1937 and RCW 46.68.060.

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

RCW 46.68.060 amended.

SECTION 1. Section 81, chapter 188, Laws of 1937 and RCW 46.68.060 are each amended to read as follows:

Highway safety fund created.

There is hereby created in the state treasury a fund to be known as the highway safety fund, which fund shall be for the use of the Washington state patrol in the performance of any duties imposed upon it by law. All funds coming into the hands of the state treasurer under the provisions of this title or other law of this state and directed to be deposited therein shall be by the state treasurer deposited to

the credit of the highway safety fund and expended therefrom as by appropriation provided.

Passed the House February 21, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 105.

[H. B. 308.]

MOTOR VEHICLE LICENSE FEES—MOTOR VEHICLE FUND—STATE PATROL HIGHWAY ACCOUNT.

AN ACT relating to motor vehicle license fees and establishing a state patrol highway account in the motor vehicle fund; amending section 11, chapter 384, Laws of 1955 and RCW 46.16.060; amending section 4, chapter 259, Laws of 1955 and RCW 46.68.030; and amending section 1, chapter 246, Laws of 1941 and RCW 46.68.130.

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

SECTION 1. Section 11, chapter 384, Laws of 1955 and RCW 46.16.060 are each amended to read as follows:

Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof and upon each vehicle a license fee in the sum of six dollars and fifty cents: *Provided, however,* That the fee for licensing each house moving dollie which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44, shall be twenty-five dollars.

NOTE: See also section 6, chapter 261, Laws of 1957.

SEC. 2. Section 4, chapter 259, Laws of 1955 and RCW 46.68.030 are each amended to read as follows:

All fees received by the director for vehicle licenses under the provisions of chapter 46.16 shall be forwarded to the state treasurer, accompanied by a

Disposition of revenue. Disposition of vehicle license fee.

proper identifying detailed report, and be by him deposited to the credit of the motor vehicle fund, and out of each vehicle license fee of six dollars and fifty cents as provided for in RCW 46.16.060, the state treasurer shall deposit three dollars and fifty cents to the credit of the state patrol highway account of the motor vehicle fund. A minimum of ten percent of the funds deposited in such account shall be appropriated and expended for the enforcement of RCW 46.44.100 relating to weight control.

RCW 46.68.130 amended.

SEC. 3. Section 1, chapter 246, Laws of 1941 and RCW 46.68.130 are each amended to read as follows:

Expenditure of balance of motor vehicle fund.

The net tax amount not deducted or distributed in the manner provided by RCW 46.68.090, 46.68.100, 46.68.110 and 46.68.120, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are credited to the state patrol highway account and such sums expended pursuant to proper appropriation for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and re-appropriation, for state highways and other proper department of highways purposes. Any moneys which shall be deposited in the state patrol highway account which are not appropriated for use by the Washington state patrol or if appropriated shall remain unexpended after the end of the ensuing fiscal biennium shall accrue to the motor vehicle fund for expenditure by the department of highways for highway purposes.

NOTE: See also section 4, chapter 271, Laws of 1957.

New section.

SEC. 4. There is added to chapter 46.68 RCW a new section to read as follows:

"State patrol highway account" created.

There is hereby created in the motor vehicle fund a permanent account to be known as the "state patrol highway account" to the credit of which shall be deposited all moneys directed by law to be deposited therein. This account shall be for the use of the

Washington state patrol for the policing of public highways.

Passed the House February 21, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 13, 1957.

CHAPTER 106.

[H. B. 130.]

COUNTIES—HEALTH CARE SERVICES AND GROUP INSURANCE.

AN ACT relating to counties; authorizing any county or combination of counties to enter into health care service and group insurance for the benefit of their employees; amending section 1, chapter 51, Laws of 1955 and RCW 36.32.400; and declaring an emergency.

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

SECTION 1. Section 1, chapter 51, Laws of 1955 and RCW 36.32.400 are each amended to read as follows:

RCW 36.32.400
amended.

Any county by a majority vote of its board of county commissioners may enter into contracts to provide health care services and/or group insurance for the benefit of its employees, and may pay all or any part of the cost thereof. Any two or more counties, by a majority vote of their respective boards of county commissioners may, if deemed expedient, join in the procuring of such health care services and/or group insurance, and the board of county commissioners of each participating county may, by appropriate resolution, authorize their respective counties to pay all or any portion of the cost thereof.

Health care
and group
insurance.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety,

Emergency.

support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 6, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 18, 1957.

CHAPTER 107.

[Sub. H. B. 235.]

MOTOR VEHICLE TRANSPORTERS.

AN ACT relating to motor vehicle transporters; amending section 1, chapter 97, Laws of 1947 as amended by section 1, chapter 155, Laws of 1953, and RCW 46.76.010; amending section 4, chapter 97, Laws of 1947 and RCW 46.76.040; amending section 6, chapter 97, Laws of 1947 and RCW 46.76.060; and repealing section 15, chapter 384, Laws of 1955 and RCW 46.76.075.

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

RCW 46.76.010 amended.

SECTION 1. Section 1, chapter 97, Laws of 1947 as amended by section 1, chapter 155, Laws of 1953, and RCW 46.76.010 are each amended to read as follows:

Motor vehicle transporters. License required.

It shall be unlawful for any person, firm, partnership, association, or corporation to engage in the business of delivering by the driveaway or towaway methods vehicles not his own and of a type required to be registered under the laws of this state, without procuring a transporter's license in accordance with the provisions of this chapter.

This shall not apply to motor freight carriers or operations regularly licensed under the provisions of chapter 81.80 to haul such vehicles on trailers or semi-trailers.

Driveaway or towaway methods means the delivery service rendered by a motor vehicle transporter wherein motor vehicles are driven singly or in combinations by the towbar, saddlemount or full-

mount methods or any lawful combinations thereof, or where a truck or truck-tractor draws or tows a semi-trailer or trailer.

SEC. 2. Section 4, chapter 97, Laws of 1947 and RCW 46.76.040 are each amended to read as follows:

The fee for an original transporter's license shall be twenty-five dollars. Transporter license number plates bearing an appropriate symbol and serial number shall be attached to all vehicles being delivered in the conduct of the business licensed under the provisions hereof. Such plates may be obtained for a fee of two dollars for each set. New plates must be procured with each annual renewal.

RCW 46.76.040 amended.

License and plate fees.

SEC. 3. Section 6, chapter 97, Laws of 1947 and RCW 46.76.060 are each amended to read as follows:

Transporter's license plates shall be conspicuously displayed on all vehicles being delivered by the driveway or towaway methods. These plates shall not be loaned to or used by any person other than the holder of the license or his employees.

RCW 46.76.060 amended.

Display of plates—Non-transferability.

SEC. 4. Section 15, chapter 384, Laws of 1955 and RCW 46.76.075 are each repealed.

Repeal.

Passed the House February 12, 1957.

Passed the Senate March 7, 1957.

Approved by the Governor March 18, 1957.

CHAPTER 108.

[H. B. 327.]

SALMON CONSERVATION.

AN ACT relating to salmon conservation; adding eight new sections to chapter 12, Laws of 1955 and to chapter 75.12 RCW; providing penalties; and declaring an emergency.

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

New sections.

SECTION 1. There is added to chapter 12, Laws of 1955 and to chapter 75.12 RCW eight new sections to read as set forth in sections 2 through 9 of this act.

Declaration of purpose.

SEC. 2. The state has a vital interest in the salmon resources of the Pacific Ocean both within and beyond the territorial limits of the state, in that a large number of such salmon spawn in its fresh water streams, migrate to the waters of the Pacific Ocean and, in response to their anadromous cycle, return to the fresh water streams to spawn.

Expansion of fishing for salmon by the use of nets in waters of the eastern Pacific Ocean, which has occurred in the past year, will result in a substantial depletion of salmon originating within the state because the salmon runs are intercepted before they separate to move in toward the rivers of their origin. Oregon, California and Canada, through their respective fisheries agencies, have likewise expressed a deep concern over this problem since portions of such salmon originate within their respective jurisdictions. Short of absolute prohibition, it appears to be presently impracticable to regulate salmon net fishing in such waters of the Pacific Ocean by any known scientific fisheries management techniques in order to insure adequate salmon escapement to the three Pacific Coast states and Canada, the reason being that salmon stocks and races are so commingled in such Pacific Ocean waters that they are indistinguishable as to origin until they enter the harbors,

bays, straits and estuaries of the respective jurisdictions.

Declaration
of purpose.

Canada, through its authorized officials, has proposed to prohibit its nationals from net fishing for salmon in Pacific Ocean waters provided the United States or the three Pacific Coast states apply such appropriate conservation measures to their respective citizens. Inasmuch as there is presently no congressional legislation prohibiting such fishing, and inasmuch as authorized officials of the state department of the United States have expressed a desire to have the states act in this area, the Pacific Marine Fisheries Commission has proposed and recommended appropriate legislation to the three Pacific Coast states to insure the survival of their valuable salmon resources.

SEC. 3. It shall be unlawful for any person to fish for or take, by the use of any type of net, any salmon within the waters of the Pacific Ocean, over which the state has jurisdiction, lying westerly of the following described line: Commencing at the point of intersection of the international boundary line in the Strait of Juan de Fuca and a line drawn between the lighthouse on Tatoosh Island in Clallam County, Washington, and Bonilla Point on Vancouver Island; thence southerly along a line projected therefrom to the lighthouse on Tatoosh Island; thence southerly along a line projected therefrom to the most westerly point of Cape Flattery; thence southerly along the state shoreline of the Pacific Ocean, crossing any river mouths at their most westerly points of land, to Point Brown at the entrance to Grays Harbor; thence southerly along a line projected therefrom to Point Chehalis Light on Point Chehalis; thence southerly from Point Chehalis along the state shoreline of the Pacific Ocean to Cape Shoalwater Light at the entrance to Willapa Bay; thence southerly along a line projected therefrom to Leadbetter Point;

Taking salmon
by net, unlaw-
ful. Pacific
ocean, terri-
torial waters.

thence southerly along the state shoreline of the Pacific Ocean to the inshore end of the North jetty at the entrance to the Columbia River; thence southerly along a line projected therefrom to the knuckle of the South jetty at the entrance to said river.

Taking salmon by net, unlawful. Pacific ocean, international waters.

SEC. 4. It shall be unlawful for any citizen of this state to fish for or take, by the use of any type of net, any salmon within the international waters of the Pacific Ocean.

Transport or possession of certain salmon, unlawful.

SEC. 5. It shall be unlawful for any person to transport through the waters of the state wherein salmon net fishing is prohibited, or to have in his possession anywhere within the state, any salmon which were taken by any type of net within the international waters of the Pacific Ocean or within the territorial waters of this state or of another state, territory or country where such fishing is unlawful: It shall further be unlawful for any person, within the territorial waters of the Pacific Ocean where salmon net fishing is prohibited, to possess any salmon on board any vessel carrying a net of a type named in chapter 75.28 RCW, unless accompanied by a certificate issued under the authority of this state or of another state, territory, or country showing that such salmon have been lawfully taken therein.

Certain acts in territorial waters, unlawful.

"International waters" defined.

SEC. 6. "International waters" means waters outside the territorial boundaries of any state, territory, or country.

"Citizen of this state" defined.

SEC. 7. A "citizen of this state" means a person who maintains his usual place of abode within the state or who otherwise qualifies as a citizen of the state under the applicable laws of the state.

Operation of act conditional.

SEC. 8. This act shall become inoperative one year from its effective date unless laws or regulations are in effect in Canada, Oregon and California which, in substance or effect are similar either to sections 3 or 4 herein or to one of the two provisions

of section 5 herein, exclusive of boundary line descriptions, or which otherwise effectuate the purposes of this act. Such laws or regulations shall be considered to be in effect upon receipt by the secretary of state of this state of a certificate from each of the respective secretaries of state of Oregon and California, and, on behalf of Canada, from the Department of State of the United States setting forth copies of such laws or regulations and the date of their enactment. In any prosecution under this act, proof of the existence of such laws or regulations may be made by filing copies of such certificates, certified by the director to be true copies, with the court. In any such prosecution, if written demand for proof of the existence of such laws or regulations is not made by the defendant prior to commencement of trial, he shall be deemed to have waived his right to make such demand, and thereafter such laws or regulations shall be presumed to exist.

Prosecutions
under act—
Proof of laws.

SEC. 9. Nothing in this act shall be construed to restrict or impair the authority of the director, consistent with and pursuant to the provisions of this title, to promulgate such regulations as he may deem necessary to administer this act and to effectuate its purposes, to administer and effectuate all other acts relating to food fish or shell fish, or to regulate or prohibit salmon net fishing in waters not covered under this act; nor shall anything herein be construed to restrict or impair the authority of the director to authorize the use of nets for the taking of salmon in waters of the Pacific Ocean for purposes of scientific investigation, or to promulgate regulations he may deem necessary under the provisions of the Pacific Marine Fisheries Compact.

Director's
powers as
affected by act.

SEC. 10. This act is necessary for the immediate preservation of the public peace, health and safety,

Emergency.

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 8, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 18, 1957.

CHAPTER 109.

[H. B. 389.]

MOTOR VEHICLE FUND—DISTRIBUTION OF COUNTY ALLOCATION.

AN ACT relating to the motor vehicle fund; providing for payments and allocations to counties therefrom; prescribing duties of the highway commission, joint fact-finding committee on highways, streets and bridges, superintendent of public instruction, director of licenses, state treasurer and state tax commission; and amending section 5, chapter 181, Laws of 1939 as last amended by section 1, chapter 243, Laws of 1955, and RCW 46.68.120.

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

RCW 46.68.120 amended.

SECTION 1. Section 5, chapter 181, Laws of 1939 as last amended by section 1, chapter 243, Laws of 1955, and RCW 46.68.120 are each amended to read as follows:

Disposition of revenue. Distribution of amount allocated to counties.

Funds to be paid to the counties of the state shall be subject to deduction and distribution as follows:

Proviso.

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums accrue and set aside for the use of the director of highways for the supervision of work and expenditures of such counties on the county roads thereof: *Provided*, That any moneys so retained and not expended shall be credited in the succeeding biennium to the counties in proportion to deductions herein made;

(2) All sums required to be repaid to counties composed entirely of islands shall be deducted;

(3) The balance remaining to the credit of coun-

ties after such deductions shall be paid to the several counties monthly, as such funds accrue, upon the basis of the following formula:

Distribution of amount allocated to counties.

(a) Ten percent of such sums shall be divided equally among the several counties.

(b) Thirty percent shall be paid to each county in direct proportion that the sum of the total number of private automobiles and trucks licensed by registered owners residing in unincorporated areas and seven percent of the number of private automobiles and trucks licensed by registered owners residing in incorporated areas within each county bears to the total of such sums for all counties. The number of registered vehicles so used shall be as certified by the director of the department of licenses for the year next preceding the date of calculation of the allocation amounts. The director of the department shall first supply such information not later than the fifteenth day of February, 1956, and on the fifteenth day of February each two years thereafter.

(c) Thirty percent shall be paid to each county in direct proportion that the product of the county's trunk highway mileage and its prorated estimated annual cost per truck mile as provided in subsection (e) is to the sum of such products for all counties. County trunk highways are defined as county roads regularly used by school buses and/or rural free delivery mail carriers of the United States post office department, but not foot carriers. Determination of the number of miles of county roads used in each county by school buses shall be based solely upon information supplied by the superintendent of public instruction who shall on October 1, 1955 and on October 1st of each odd-numbered year thereafter furnish the director of highways with a map of each county upon which is indicated the county roads used by school buses at the close of the preceding school year, together with a detailed statement show-

Disposition of revenue. Distribution of amount allocated to counties.

ing the total number of miles of county highway over which school buses operated in each county during such year. Determination of the number of miles of county roads used in each county by rural mail carriers on routes serviced by vehicles during the year shall be based solely upon information supplied by the United States postal department as of January 1st of the even-numbered years.

(d) Thirty percent of such sum shall be paid to each of the several counties in the direct proportion that the product of the trunk highway mileage of the county and its "money need factor" as defined in subsection (f) is to the total of such products for all counties.

(e) Every four years, beginning with the 1958 allocation, the highway commission and the joint fact-finding committee on highways, streets and bridges shall reexamine or cause to be reexamined all the factors on which the estimated annual costs per trunk mile for the several counties have been based and shall make such adjustments as may be necessary. The following formula shall be used: One twenty-fifth of the estimated total county road replacement cost, plus the total annual maintenance cost, divided by the total miles of county road in such county, and multiplied by the result obtained from dividing the total miles of county road in said county by the total trunk road mileage in said county. For the purpose of allocating funds from the motor vehicle fund, a county road shall be defined as one established as such by resolution or order of establishment of the board of county commissioners. The first allocation of funds shall be based on the following prorated estimated annual costs per trunk mile for the several counties as follows:

Adams	\$1,227.00
Asotin	1,629.00
Benton	1,644.00

Chelan	2,224.00
Clallam	2,059.00
Clark	1,710.00
Columbia	1,391.00
Cowlitz	1,696.00
Douglas	1,603.00
Ferry	1,333.00
Franklin	1,612.00
Garfield	1,223.00
Grant	1,714.00
Grays Harbor	2,430.00
Island	1,153.00
Jefferson	2,453.00
King	2,843.00
Kitsap	1,938.00
Kittitas	1,565.00
Klickitat	1,376.00
Lewis	1,758.00
Lincoln	1,038.00
Mason	1,748.00
Okanogan	1,260.00
Pacific	2,607.00
Pend Oreille	1,753.00
Pierce	2,276.00
San Juan	1,295.00
Skagit	1,966.00
Skamania	2,023.00
Snohomish	2,269.00
Spokane	1,482.00
Stevens	1,068.00
Thurston	1,870.00
Wahkiakum	2,123.00
Walla Walla	1,729.00
Whatcom	1,738.00
Whitman	1,454.00
Yakima	1,584.00

Distribution of amount allocated to counties.

Provide, however, That the prorated estimated annual costs per trunk mile in this subsection shall be adjusted every four years, beginning with the 1958 Proviso.

Disposition of
revenue. Dis-
tribution of
amount allo-
cated to
counties.

allocation by the highway commission on the basis of changes in the trunk and total county road mileage based on information supplied by the superintendent of public instruction, the United States postal department and the annual reports of the county road departments.

(f) The "money need factor" for each of the several counties shall be the difference between the prorated estimated annual costs as listed above and the sum of the following three amounts divided by the county trunk highway mileage:

(1) The equivalent of a ten mill tax levy on the valuation, as equalized by the state tax commission for state purposes, of all taxable property in the county road districts;

(2) One-fourth the sum of all funds received by the county from the federal forest reserve fund during the two calendar years next preceding the date of the adjustment of the allocation amounts as certified by the state treasurer; and

(3) One-half the sum of motor vehicle license fees and motor vehicle fuel tax refunded to the county during the two calendar years next preceding the date of the adjustment of the allocation amounts as provided in paragraph 9, chapter 181, Laws of 1939; RCW 46.68.080. These shall be as supplied to the highway commission by the state treasurer for that purpose. The tax commission and the state treasurer shall supply the information herein requested on or before January 1, 1956 and on said date each two years thereafter.

The following formula shall be used for the purpose of obtaining the "money need factor" of the several counties: The prorated estimated annual cost per trunk mile multiplied by the trunk miles will equal the total need of the individual county. The total need minus the sum of the three resources set forth in subsection (f) shall equal the net need. The

net need of the individual county divided by the total of net needs for all counties shall equal the “money need factor” for that county.

Distribution of amount allocated to counties.

(g) The director of highways shall adjust the allocations of the several counties on March 1st of every even-numbered year based solely upon the sources of information hereinbefore required.

(h) The highway commission and the joint fact-finding committee on highways, streets and bridges shall relog or cause to be relogged the total road mileages upon which the prorated estimated annual costs per trunk mile are based and shall recalculate such costs on the basis of such relogging and shall report their findings and recommendations to the legislature at its next regular session.

(i) The highway commission and the joint fact-finding committee on highways, streets and bridges shall study and report their findings and recommendations to the legislature concerning the following problems as they affect the allocation of “motor vehicle fund” funds to counties:

(1) Comparative costs per trunk mile based on federal aid contracts versus those herein advocated.

(2) Average costs per trunk mile.

(3) The advisability of using either “trunk mileage” or “county road” mileage exclusively as the criterion instead of both as in this plan adopted.

(4) Reassessment of bridge costs based on current information and relogging of bridges.

(5) The items in the list of resources used in determining the “need factor.”

(6) The development of a uniform accounting system for counties with regard to road and bridge construction and maintenance costs.

(7) A redefinition of rural and urban vehicles

which better reflects the use of said vehicles on county roads.

Passed the House February 16, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 18, 1957.

CHAPTER 110.

[H. B. 188.]

STATE FOREST BOARD—ACQUISITION OF LANDS
IN CLALLAM COUNTY.

AN ACT providing for the acquisition by purchase by the state forest board of certain lands in Clallam county from the federal government and making an appropriation therefor.

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

Purchase from federal government authorized.

SECTION 1. The state forest board is authorized to acquire by purchase from the federal government the following described real property situated in the county of Clallam, state of Washington, to wit:

Description.

Government lots one, two and three, including the second class tidelands, and the adjacent tideland in front of government lot four, the southeast quarter of the southwest quarter and the southwest quarter of the southeast quarter of section twenty-two; the northwest quarter of the northwest quarter of section twenty-six; the north half of the northeast quarter, the west half of the southeast quarter of the northeast quarter, the northwest quarter of the northeast quarter of the southeast quarter of the northeast quarter, the southwest quarter of the northeast quarter, and the north half of the northwest quarter of section twenty-seven, all in township thirty-one north, range eight west, Willamette meridian, containing four hundred thirty and nine-tenths acres, more or less.

Government lot five, section twenty-two, town-

ship thirty-one north, range eight west, Willamette meridian. Description.

All that portion of the following described land north and easterly of the east bank of Salt creek: The south half of the northwest quarter and the north half of the northeast quarter of the southwest quarter of section twenty-seven, township thirty-one north, range eight west, Willamette meridian, including all right, title and interest of the United States in and to any alleys, ways, streets, strips, or gores, abutting or adjoining said land.

Those portions of the north half of the northeast quarter of the northwest quarter of the southwest quarter of section twenty-seven, township thirty-one north, range eight west, Willamette meridian, lying north and northeasterly of Salt creek.

SEC. 2. There is appropriated from the forest development fund the sum of five thousand dollars, or so much thereof as may be required, for the purpose of acquiring said real property described in section 1 of this act. } Vetoed.

Passed the House February 6, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 6, 1957, with the exception of section 2 which is vetoed.

NOTE: EXCERPT OF GOVERNOR'S VETO MESSAGE READS AS FOLLOWS:

Veto message, excerpt.

"This bill authorizes the state forest board to acquire from the federal government certain real property situated in Clallam County, State of Washington. Section 2 of the bill appropriates from the forest development fund \$5,000 to acquire the real property described in section 1 of this bill.

"Chapter 370, Laws of 1955, abolishes the forest development fund and establishes a forest development account in the state general fund.

"I feel that the appropriation made by section 2 is null and void and in order to accomplish the purpose of this bill I suggest that there be appropriated the \$5,000 from the forest development account in the general fund and that this appropriation be included in the supplemental appropriation bill.

"For the reasons indicated section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 111.

[H. B. 185.]

FOREST PROTECTION.

AN ACT relating to forest protection; amending sections 1 and 2, chapter 164, Laws of 1905, section 1, chapter 125, Laws of 1911, section 4, chapter 125, Laws of 1911, section 6, chapter 105, Laws of 1917 as last amended by section 1, chapter 58, Laws of 1951 (heretofore combined, divided and codified as RCW 76.04.010 and 76.04.050); amending section 1, chapter 24, Laws of 1953 and RCW 76.04.140; amending section 1, chapter 18, Laws of 1951 second extraordinary session and RCW 76.04.190; amending section 5, chapter 142, Laws of 1955 and RCW 76.04.225; amending section 10, chapter 142, Laws of 1955 and RCW 76.04.250; amending section 6, chapter 24, Laws of 1953 and RCW 76.04.300; and providing penalties.

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

SECTION 1. Sections 1 and 2, chapter 164, Laws of 1905, section 1, chapter 125, Laws of 1911, section 4, chapter 125, Laws of 1911, section 6, chapter 105, Laws of 1917 as last amended by section 1, chapter 58, Laws of 1951 (heretofore combined, divided and codified as RCW 76.04.010 and 76.04.050) are divided and amended to read as set forth in sections 2 and 3 of of this act.

SEC. 2. (RCW 76.04.010)

As used in this chapter:

“Director” means the director of conservation and development;

“Supervisor” means the supervisor of forestry;

“Forest fire service” includes all wardens, rangers, and other help employed especially for preventing or fighting forest fires;

“Forest lands” means any land which has enough timber, standing or down, or inflammable material, to constitute in the judgment of the director a fire menace to life or property: *Provided*, That sagebrush and grass areas east of the summit of the Cascade mountains are not included unless such areas

Vetoed.

are adjacent to or intermingled with areas supporting tree growth;

“Forest material” means forest slashing, chopping, woodland, or brushland.

SEC. 3. (RCW 76.04.050)

The supervisor, subject to the approval of the director, may appoint trained forest assistants, possessing technical qualifications, and may employ necessary clerical assistants, and fix the amount of their salaries, which shall be payable monthly.

He shall, under the supervision of the director, whenever he deems it necessary to the best interests of the state, cooperate in forest surveys, forest studies, forest products studies, forest fire fighting and patrol, and the preparation of plans for the protection, management, replacement of trees, wood lots, and timber tracts, with other states, the United States, the Dominion of Canada, or any province thereof, and with counties, cities, corporations, and individuals within this state.

Vetoed.

He shall have direct charge and supervision of all matters pertaining to forestry, including the forest fire service of the state.

In times of emergency or unusual danger, he may mass the forest fire service of the state where its presence might be required by reason of forest fires, and take charge of, and direct the work of suppressing fires.

He shall enforce all laws for the preservation of forests; investigate the origin of all forest fires; vigorously prosecute all violators; and prepare and print for public distribution an abstract of the forest and the forest fire laws, together with such rules and regulations as may be formulated by the director.

He may, with the approval of the director, publish for free distribution, information pertaining to forestry, and to forest products, which he may consider of benefit to the people of the state.

He shall prepare all necessary printed forms for use of wardens and rangers, in connection with the granting of applications for permits to burn; for the appointment of wardens and rangers; and all forms of blanks required or desirable, and shall supply each warden and ranger therewith.

He shall familiarize himself with the location and extent of all state timbered and cut-over lands, and shall prepare maps of each of the timbered counties showing the state land therein, and supply such maps to each warden and in all practical and feasible ways protect such lands from the dangers of fire, trespass, and illegal cutting of timber, reporting from time to time to the director such information as may be of benefit to the state in the care and protection of its timber.

Vetoed.

He shall institute inquiry into the extent, kind, value, and condition of all timber lands within the state; the acreage and value of the timber cut and removed each year, to determine what lands are chiefly valuable for growing timber; the extent to which timber lands are being destroyed by fire; and the production, quality, and quantity of second-growth timber, with a view of ascertaining conditions for reforestation.

He shall not later than the first day of December of each year, submit a written report of his official activities, giving detailed information as to the work of his division and of the forest fire service of the state.

RCW 76.04.140 amended.

SEC. 4. Section 1, chapter 24, Laws of 1953 and RCW 76.04.140 are each amended to read as follows:

Forest protection. Designation of hazardous fire areas.

When, in the opinion of the director, any forest region is particularly exposed to fire danger, he may designate such region, defining the boundaries thereof by legal subdivisions or watercourses, watersheds, mountain ranges, or other natural monuments, as a region of extra fire hazard, and he shall pro-

mulgate rules and regulations for the protection thereof. All such rules and regulations shall be promulgated by publication in such newspapers of general circulation in the counties wherein such region is situated and for such length of time as the director may determine. When in the opinion of the director it becomes necessary to close the area to entry, posters carrying the wording "Region of extra fire hazard—CLOSED TO ENTRY—except as provided by RCW 76.04.140" and indicating the beginning and ending dates of such closures shall be posted on the public highways entering such regions. The rules and regulations shall be in force from the time specified therein: *Provided*, That when in the opinion of the director such forest region continues to be exposed to fire danger, or ceases to be so exposed, the director may extend, suspend, or terminate the closure as previously promulgated by proclamation so declaring.

Proviso.

This chapter shall not, however, authorize the director to prohibit the conduct of industrial operations, public work, or access of permanent residents to their own property within the closed area: *Provided*, That no one legally entering the region of extra fire hazard will be permitted to use the area for recreational purposes which are prohibited to the general public under the terms of this section.

Proviso.

Anyone violating any such rules and regulations or order closing any forest region shall be guilty of a misdemeanor.

SEC. 5. Section 1, chapter 18, Laws of 1951 second extraordinary session and RCW 76.04.190 are each amended to read as follows:

RCW 76.04.190 amended.

When in the opinion of the supervisor, weather conditions arise which present an extreme fire hazard, whereby life and property may be endangered by spreading forest fires, he may issue an order shutting down all logging, land clearing, or other

Closure of forest operation

Forest protection. Closure of forest operation.

industrial operations which may cause a forest fire to start, and such shutdown shall be for the periods and regions, designated in the order. During all such shutdowns, all persons are excluded from logging operating areas and areas of logging slashings, except those persons present in the interest of fire protection for the period of the shutdown ordered by the state supervisor of forestry, or his authorized deputies.

Penalty.

Any one violating any such order shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars for each violation, or by imprisonment for not less than thirty days in the county jail. Each day's violation shall constitute a separate offense.

RCW 76.04.225 amended.

SEC. 6. Section 5, chapter 142, Laws of 1955 and RCW 76.04.225 are each amended to read as follows:

Snag removal pattern.

In stands wherever the operator, timber owner and/or landowner is not required to fall all the snags on the area, as provided in RCW 76.04.222 to 76.04.227, the supervisor may designate which snags shall be felled in an effort to remove the snags in patterns to establish snag-free fire breaks.

RCW 76.04.250 amended.

SEC. 7. Section 10, chapter 142, Laws of 1955 and RCW 76.04.250 are each amended to read as follows:

Spark emitting engines regulated.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land during the period April fifteenth to October fifteenth inclusive, which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions:

(1) Any woods operation or mill using spark emitting or electric engines unless provided with the following fire tools, or the serviceable equivalent thereof, at each landing and/or yarding tree or mill:

(a) For operations employing more than five men:

To be kept in a sealed tool box: Three double bitted axes having heads weighing not less than three pounds and not less than thirty-two inch handles, six long handle round point shovels or "D" handle round point shovels and six adze eye forestry fire fighting hoes;

Spark emitting engines regulated.

To be kept adjacent to the tool box: Two bucking saws with handles unless power chain saw in working condition is kept on landing during the period of actual operation and until the end of the watchman service as required by RCW 76.04.320, and one five-gallon back pack pump can filled with water and one hundred gallons of water;

(b) For operations employing five men or less:

To be kept in a sealed tool box: Two double bitted axes having heads weighing not less than three pounds and not less than thirty-two inch handles, three long handled round point shovels or "D" handle round point shovels, and three adze eye forestry fire fighting hoes;

To be kept adjacent to the tool box: One bucking saw with handles unless power chain saw in working condition is kept on landing during actual operation and until the end of the watchman service as required in RCW 76.04.320, and one five-gallon back pack pump can filled with water and fifty gallons of water, or one hundred gallons of water and two buckets.

(2) Any gasoline, diesel, or electric yarding, skidding, or loading engine unless:

(a) Equipped with two chemical fire extinguishers of not less than one and one-half quart capacity each;

(b) Exhaust is turned up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrester.

(3) Any tractor unless:

Forest protection. Spark emitting engines regulated.

(a) Equipped with one chemical fire extinguisher of not less than one quart capacity;

(b) It has exhaust turned up perpendicular or is equipped with an adequate spark arrester.

(4) Any truck hauling forest products from any forest area unless:

(a) Equipped with a chemical fire extinguisher of at least one quart capacity;

(b) Equipped with one double bitted axe having a head weighing not less than three pounds and not less than a thirty-two inch handle;

(c) Equipped with one long handle round point shovel or a "D" handle round point shovel;

(d) Exhaust is turned up perpendicular or equipped with adequate spark arrester or muffler.

(5) Any portable power saw unless the power saw operators keep in their immediate possession a suitable chemical fire extinguisher of at least eight ounce capacity, and a suitable shovel and the power saw is equipped with a muffler or other device adequate to prevent the emission of sparks.

(6) Any gasoline or diesel engine used in a mill or for uses not specifically mentioned above unless:

(a) Equipped with chemical fire extinguisher of at least one quart capacity;

(b) Exhaust is pointed up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrester;

(c) One hundred gallons of water and two buckets.

All equipment required in this chapter must be kept in serviceable condition at all times. Tool boxes must have waterproof lids, must be of sound construction and provided with hinges and hasp so arranged that the box can be properly sealed.

The supervisor of forestry may reduce the requirements set forth herein by written permission whenever in his judgment the operation is of such

type or location and/or the weather is such that all of the requirements herein are not required for the protection of life and property.

SEC. 8. Section 6, chapter 24, Laws of 1953 and RCW 76.04.300 are each amended to read as follows:

It shall be unlawful during the closed season, from April 15th to October 15th inclusive, for any person to throw away any lighted tobacco, cigars, cigarettes, matches, fireworks, or other lighted material in any forest, brush, range, or grain areas. It shall also be unlawful during the closed season for any individual to smoke when in forest or brush areas except on roads, cleared landings, gravel pits, or any similar area free of inflammable material.

Every conveyance operated through or above forest, brush, range, or grain areas, shall be equipped in each compartment with a suitable receptacle, for the disposition of lighted tobacco, cigars, cigarettes, matches, or other inflammable material. Every person operating a public conveyance through or above forest, range, or grain areas, shall post a copy of this section in a conspicuous place within the smoking compartment of the conveyance; and every person operating a saw mill, or a logging camp in any such areas, shall post a copy of this section in a conspicuous place upon the ground or buildings of such milling or logging operation. Any person violating the provisions of this section shall be guilty of a misdemeanor.

Passed the House February 1, 1957.

Passed the Senate February 27, 1957.

Approved by the Governor March 8, 1957, with the exception of Sections 1, 2 and 3, which are vetoed.

NOTE: EXCERPT OF GOVERNOR'S VETO MESSAGE READS AS FOLLOWS:

"This bill corrects legislation pertaining to the administration and maintenance of forests.

"Sections 1, 2 and 3 attempt to recodify certain sections pertaining to forests. These sections are in conflict with Substitute House Bill No. 68 which was signed a few days ago. Substitute House Bill No. 68 turns

RCW 76.04.300 amended.

Lighted cigars, etc.—Receptacles in conveyances.

Veto message, excerpt.

Veto message, excerpt.

over to the new department of natural resources forestry functions previously administered by the department of conservation and development. If I permitted sections 1, 2 and 3 of House Bill No. 185 to stand, the director of conservation and development would have to exercise the functions granted specifically by Substitute House Bill No. 68 to the commissioner of public lands.

"The sponsors of this bill did not intend to reach this result.

"Sections 4, 5, 6, 7 and 8 of House Bill No. 185 are entirely meritorious and should be enacted.

"For the reasons indicated, sections 1, 2 and 3 are vetoed and the remainder of the bill is approved."

CHAPTER 112.

[S. B. 91.]

PRISONERS—HOSTAGE—INTERFERENCE WITH OFFICERS.

AN ACT relating to the crime of holding hostages by prisoners in state penal institutions and to the powers of officers of state penal institutions in the transportation of and the apprehension of escaped prisoners; amending section 3, chapter 241, Laws of 1955 and RCW 9.94.030, and section 5, chapter 241, Laws of 1955 and RCW 9.94.050; and providing penalties.

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

RCW 9.94.030 amended.

SECTION 1. Section 3, chapter 241, Laws of 1955 and RCW 9.94.030 are each amended to read as follows:

Holding officer hostage—Interference with officer's duties.

Whenever any inmate of a state penal institution shall hold, or participate in holding, any person as a hostage, by force or violence, or the threat thereof, or shall prevent, or participate in preventing an officer of such institution from carrying out his duties, by force or violence, or the threat thereof, he shall be guilty of a felony and upon conviction shall be punished by imprisonment in the state penitentiary for not less than one year nor more than ten years.

Vetoed.

SEC. 2. Section 5, chapter 241, Laws of 1955 and RCW 9.94.050 are each amended to read as follows:

All officers of state penal institutions, while acting in the supervision and transportation of prison-

ers, and in the apprehension of prisoners who have escaped, shall have the powers and duties of a peace officer. } Vetoed.

Passed the Senate February 5, 1957.

Passed the House February 21, 1957.

Approved by the Governor March 1, 1957, with the exception of Section 2, which is vetoed.

NOTE: EXCERPT OF GOVERNOR'S VETO MESSAGE READS AS FOLLOWS: Veto message, excerpt.

"The real purpose of this bill is to make it a crime for an inmate of a penal institution to hold any person a hostage. This objective is accomplished by section 1 of the bill.

"Section 2 of the bill strikes from the existing law the words 'and guards'. In the case of *State v. Davis*, 48 Wash. (2d) 513, 518, the Supreme Court of the State of Washington points out that the legislature, in enacting chapter 241, Laws of 1955, apparently attempted to make a distinction between officers and guards of a penal institution. The omission in section 2 of this bill of the words 'and guards' does not remedy the defect pointed out by the Supreme Court but, on the contrary, would render it likely that a court would place an interpretation upon this section which would deprive guards of the powers and duties of peace officers. The sponsors of this bill and the Legislative Council attempted to obtain the opposite result. For this reason section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 113.

[S. B. 5.]

FIRST CLASS CITIES—ELECTED OFFICIALS— COMPENSATION, TIME.

AN ACT relating to cities of the first class.

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

SECTION 1. Section 1, chapter 354, Laws of 1955 and RCW 35.22.205 are each amended to read as follows: RCW 35.22.205 amended.

The compensation and the time to be devoted to the performance of the duties of the mayor and elected officials of all cities of the first class shall be as fixed by ordinance of said city irrespective of any city charter provisions. Compensation and hours, mayor, legislative body.

Passed the Senate January 30, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 114.

[S. B. 59.]

MUNICIPAL TRANSPORTATION SYSTEMS.

AN ACT relating to passenger transportation systems owned by municipal corporations.

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

Municipal transportation system—Certain powers granted.

SECTION 1. Every passenger transportation system owned by a municipal corporation may:

(1) Engage in planning, studies and surveys with respect to areas within and beyond the corporate boundaries of such municipal corporation, in order to develop a sound factual basis for any possible future adjustment or expansion of such municipally owned passenger transportation system;

Proviso.

(2) Purchase or lease privately owned passenger transportation systems: *Provided*, That such purchases shall not, per se, extend the area of service of such municipally owned passenger transportation system;

(3) Contract with privately owned passenger transportation systems in order to provide adequate service in the service area of the municipal transportation system.

Passed the Senate February 28, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 115.

[S. B. 205.]

PENITENTIARY REVOLVING ACCOUNT—STATE
INSTITUTIONAL REVOLVING ACCOUNT.

AN ACT relating to state government; abolishing the penitentiary revolving account and transferring the moneys therein to the state institutional revolving account; amending section 15, chapter 147, Laws of 1891 and RCW 72.08.070; and amending section 1, chapter 370, Laws of 1955 and RCW 43.79.330.

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

Section 1. All moneys in the state treasury to the credit of the penitentiary revolving account of the general fund on the first day of August, 1957, and all moneys thereafter paid into the state treasury for or to the credit of the penitentiary revolving account of the general fund, are hereby transferred to the state institutional revolving account in the state general fund.

Moneys transferred to state institutional revolving account.

SEC. 2. From and after the first day of August, 1957, the penitentiary revolving account is abolished.

Penitentiary revolving account abolished.

SEC. 3. From and after the first day of July, 1957, all appropriations made by the thirty-fifth legislature from the penitentiary revolving account shall be paid out of moneys in the state institutional revolving account.

Appropriations made.

SEC. 4. From and after the first day of August, 1957, all warrants drawn on the penitentiary revolving account and not presented for payment, shall be paid from the general fund from the state institutional revolving account.

Warrants drawn and not presented for payment.

SEC. 5. Section 15, chapter 147, Laws of 1891 and RCW 72.08.070 are each amended to read as follows:

RCW 72.08.070 amended.

All moneys received or collected by the superintendent, unless otherwise provided, from sales of

Disposition of moneys.

industrial or agricultural products of the state penitentiary or for services in relation to the industrial and agricultural operations of the penitentiary shall be paid by him into the state treasury to the credit of the state institutional revolving account.

RCW 43.79.330
amended.

SEC. 6. Section 1, chapter 370, Laws of 1955 and RCW 43.79.330 are each amended to read as follows:

State funds.
Miscellaneous
state funds—
Moneys trans-
ferred to
general fund.

All moneys to the credit of the following state funds on the first day of August, 1955, and all moneys thereafter paid to the state treasurer for or to the credit of such funds, are hereby transferred to the following accounts in the state general fund, the creation of which is hereby authorized:

- (1) State institutional revolving fund moneys and reformatory revolving fund moneys, to the state institutional revolving account;
- (2) Capitol building construction fund moneys, to the capitol building construction account;
- (3) Cemetery fund moneys, to the cemetery account;
- (4) Commercial feed fund moneys, to the commercial feed account;
- (5) Commission merchants fund moneys, to the commission merchants account;
- (6) Electrical licenses fund moneys, to the electrical licenses account;
- (7) Feed and fertilizer fund moneys, to the feed and fertilizer account;
- (8) Fertilizer, agricultural mineral and limes fund moneys to the fertilizer, agricultural mineral and limes account;
- (9) Forest development fund moneys, to the forest development account;
- (10) Harbor improvement fund moneys, to the harbor improvement account;
- (11) Institutional building construction fund moneys, to the institutional building construction account;

- (12) Investment reserve fund moneys, to the investment reserve account;
- (13) Lewis river hatchery fund moneys, to the Lewis river hatchery account;
- (14) Millersylvania Park current fund moneys, to the Millersylvania Park current account;
- (15) Nursery inspection fund moneys, to the nursery inspection account;
- (16) State parks and parkways fund moneys, to the state parks and parkways account;
- (17) Public school building construction fund moneys, to the public school building construction account;
- (18) Puget Sound pilotage fund moneys, to the Puget Sound pilotage account;
- (19) Real estate commission fund moneys, to the real estate commission account;
- (20) Reclamation revolving fund moneys, to the reclamation revolving account;
- (21) Seed fund moneys, to the seed account;
- (22) United States vocational education fund moneys, to the United States vocational education account;
- (23) University of Washington building fund moneys, to the University of Washington building account;
- (24) University of Washington medical and dental building and equipment fund moneys, to the University of Washington medical and dental building and equipment account;
- (25) State College of Washington building fund moneys, to the State College of Washington building account;
- (26) Veterans rehabilitation council fund moneys, to the veterans rehabilitation council account; and

Moneys transferred to general fund.

(27) School emergency construction fund moneys, to the public school building construction account.

Passed the Senate February 27, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 116.

[S. B. 250.]

VOLUNTEER FIREMEN'S RELIEF AND PENSION FUND.

AN ACT relating to the volunteer firemen's relief and pension fund, and amending section 1, chapter 223, Laws of 1955 and RCW 41.24.030.

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

RCW 41.24.030 amended.

SECTION 1. Section 1, chapter 223, Laws of 1955 and RCW 41.24.030 are each amended to read as follows:

State trust fund created—Composition—Investment.

There is created in the state treasury a trust fund for the benefit of the firemen of the state covered by this chapter, which shall be designated the volunteer firemen's relief and pension fund and shall consist of:

(1) All bequests, fees, gifts, emoluments, or donations given or paid to the fund.

(2) An annual fee for each member of its fire department to be paid by each municipal corporation for the purpose of affording the members of its fire department with protection from death or disability as herein provided as follows:

(a) three dollars for each volunteer or part-paid member of its fire department;

(b) a sum equal to one-half of one percent of the annual salary attached to the rank of each full-paid member of its fire department.

(3) Where a municipal corporation has elected to make available to the members of its fire depart-

ment the retirement provisions as herein provided, an annual fee of twenty-two dollars for each of its firemen electing to enroll therein, ten dollars of which shall be paid by the municipality and twelve dollars of which shall be paid by the fireman.

State trust
fund created—
Composition—
—Investment.

(4) Ten percent of all moneys received by the state from its tax on fire insurance premiums shall be paid into the state treasury and credited to the fund.

(5) The state finance committee, upon request of the state treasurer shall invest such portion of the amounts credited to the fund as is not, in the judgment of the treasurer, required to meet current withdrawals. Such investment may be made only in such bonds or other obligations as are authorized for the investment of funds of the state employees' retirement system.

(6) All bonds or other obligations purchased according to subdivision (5) shall be forthwith placed in the custody of the state treasurer, and he shall collect the principal thereof and interest thereon when due.

The state finance committee may sell any of the bonds or obligations so acquired and the proceeds thereof shall be paid to the state treasurer.

The interest and proceeds from the sale and redemption of any bonds or other obligations held by the fund shall be credited to and form a part of the fund.

All amounts credited to the fund shall be available for making the payments required by this chapter.

The state treasurer shall make an annual report showing the condition of the fund.

Annual report.

Passed the Senate February 28, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 117.

[S. B. 284.]

MUNICIPAL REVENUE BOND ACT.

AN ACT relating to cities and towns to be known as "the municipal revenue bond act."

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

Municipality may by ordinance authorize creation of special funds respecting municipally owned lands, etc.

SECTION 1. The legislative body of any city or town, for the purpose of providing funds for defraying all or a portion of the costs of planning, purchase, leasing, condemnation, or other acquisition, construction, reconstruction, development, improvement, extension, repair, maintenance, or operation of any municipally owned public land, building, facility, or utility, for which the municipality now has or hereafter is granted authority to acquire, condemn, develop, repair, maintain, or operate, for which the city receives revenue or for which such municipality charges a fee, may authorize, by ordinance, the creation of a special fund or funds into which the city or town shall be obligated to set aside and pay:

- (1) A fixed proportion of the gross revenues of the facility or utility, or
- (2) A fixed amount out of, and not to exceed, a fixed proportion of the gross revenues thereof, or
- (3) A fixed amount without regard to any fixed proportion of such revenues, or
- (4) An amount sufficient to meet principal and interest requirements and to accumulate any reserves and additional funds that may be required.

Considerations in creating fund.

SEC. 2. In creating the special fund, the legislative body of any city or town shall have due regard to the cost of operation and maintenance of the facility or utility and to any proportion or part of the revenue previously pledged as a fund for the payment of bonds, warrants, or other indebtedness. It

shall not set aside into the special fund a greater amount or proportion of the revenue than in its judgment will be available over and above the cost of maintenance and operation and the amount of proportion of the revenue so previously pledged.

SEC. 3. If the legislative body of a city or town deems it advisable to purchase, lease, condemn, or otherwise acquire, construct, develop, improve, extend, or operate any land, building, facility, or utility, and adopts an ordinance authorizing such purchase, lease, condemnation, acquisition, construction, development, improvement and to provide funds for defraying all or a portion of the cost thereof from the proceeds of the sale of revenue bonds, and such ordinance has been ratified by the voters of the city or town in those instances where the original acquisition, construction, or development of such facility or utility is required to be ratified by the voters, such city or town may issue revenue bonds against the special fund or funds created solely from revenues. The revenue bonds so issued shall:

Revenue bonds
may be issued
—Necessary
prerequisite—
Form of bonds.

- (1) Be registered or coupon bonds;
- (2) Be issued in denominations of not less than one hundred dollars nor more than one thousand dollars;
- (3) Be numbered from one upwards consecutively;
- (4) Bear the date of their issue;
- (5) Be serial or term bonds and the final maturity thereof shall not extend beyond the reasonable life expectancy of the facility or utility;
- (6) Bear interest not exceeding the rate of six percent per annum, payable annually or semiannually with interest coupons attached unless such bonds are registered as to interest, in which case no interest coupons need be attached;
- (7) Be payable as to principal and interest at such place as may be designated therein;

Municipal .
revenue bond
act.
Form of bonds.

(8) State upon their face that they are payable from a special fund, naming it, and the ordinance creating it, and that they do not constitute a general indebtedness of the city or town;

Proviso.

(9) Be signed by the mayor and bear the seal of the city or town and be attested by the clerk: *Provided*, That the facsimile signatures of the mayor and clerk may be used when the ordinance authorizing the issuance of such bonds provides for the signatures thereof by an authenticating officer; and

(10) Be printed upon good bond paper.

Bonds—Sig-
natures—Seal.

SEC. 4. The signatures of the mayor and clerk may be printed upon the coupons or may be lithographic facsimiles of their signatures. The coupons need not bear the seal of the city or town.

Revenue
warrants
authorized.

SEC. 5. Revenue warrants may be issued and such warrants and interest thereon may be payable out of the special fund or refunded through the proceeds of the sale of revenue bonds. Every revenue warrant and the interest thereon issued against the special fund shall be a valid claim of the holder thereof only as against that fund and the amount of revenue pledged to the fund, and shall not constitute an indebtedness of the city or town. Every revenue warrant shall state on its face that it is payable from a special fund, naming it and the ordinance creating it.

Sale of revenue
bonds and
warrants.

SEC. 6. Revenue bonds and warrants may be sold by negotiation or by public or private sale in any manner and for any price the legislative body of any city or town deems to be for the best interest of the city or town. Such legislative body may provide in any contract, for the construction or acquisition of the proposed facility or utility or the maintenance and operation thereof, and that payment therefor shall be made only in revenue bonds and/or warrants at their par value.

SEC. 7. If a city or town fails to set aside and pay into the special fund created for the payment of

revenue bonds and warrants the amount which it has obligated itself in the ordinance creating the fund to set aside and pay therein, the holder of any bond or warrant issued against the bond may bring suit against the city or town to compel it to do so.

Remedy of bond or warrant holder.

SEC. 8. The legislative body of any city or town may provide by ordinance for revenues by fixing rates and charges for the furnishing of service, use, or benefits to those to whom service, use, or benefits from such facility or utility is available, which rates and charges shall be uniform for the same class of service. And, if revenue bonds or warrants are issued against the revenues thereof, the legislative body of the city or town shall fix charges at rates which will be sufficient to provide for the costs of maintenance and operation, payment of bond and warrants, principal and interest, sinking fund requirements and all other expenses incidental thereto.

Rates and charges on services and use authorized.

SEC. 9. In setting the rates to be charged for the service, use, or benefits derived from such facility or utility, or in determining the cost of the planning, acquisition, construction, reconstruction, development, improvement, extension, repair, maintenance, or operation thereof the legislative body of the city or town may include all costs and estimated costs of the issuance of said bonds, all engineering, inspection, fiscal and legal expense and interest which it is estimated will accrue during the construction period and for six months thereafter on money borrowed, or which it is estimated will be borrowed in connection therewith.

Allowable items when determining rates and charges.

SEC. 10. The authority granted by this act shall be considered an alternative and additional method of issuing revenue bonds or warrants by cities and towns and no restriction, limitation, or regulation relative to the issuance of such bonds contained in any other law shall apply to the bonds issued hereunder.

Act supplements existing law.

Short title.

SEC. 11. This act shall be known as "the municipal revenue bond act."

Passed the Senate March 2, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 118.

[S. B. 328.]

CONVEYANCE OF LANDS TO HAROLD A. SLININGER
AND CAROL J. SLININGER.

AN ACT authorizing the conveyance of certain lands in Grant county to Harold A. Slininger and Carol J. Slininger, husband and wife.

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

Conveyance of land authorized.

SECTION 1. Upon the payment to the state of Washington of the sum of one thousand dollars, which sum shall be deposited to the account of the motor vehicle fund when received by the treasurer of the state of Washington, the Washington state highway commission is authorized and directed to certify to the governor and secretary of state that such payment has been made on the following described real property located in Grant county, Washington; The north 105 feet of the west 207 feet of lot 63, Battery Orchard Tracts, according to the plat thereof, records of Grant county, Washington; and the governor is hereby authorized and directed forthwith to execute and the secretary of state is authorized and directed forthwith to attest a deed conveying said lands to Harold A. Slininger and Carol J. Slininger, his wife.

Description.

Passed the Senate February 25, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 119.

[S. B. 57.]

CITIES AND TOWNS—ANNEXATION OF WATER,
SEWER, OR FIRE DISTRICT.

AN ACT relating to annexation to cities and towns of territory which includes all of a water, sewer, or fire protection district; providing for adjusting existing property rights, assets and liabilities between the city and town and such districts; and amending section 1, chapter 248, Laws of 1951 and RCW 35.13.220.

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

SECTION 1. Section 1, chapter 248, Laws of 1951 and RCW 35.13.220 are each amended to read as follows:

RCW 35.13.220 amended.

Whenever any territory which includes all the territory of a water, sewer or fire protection district, hereinafter referred to as "the district," has been heretofore or is hereafter annexed to a city or town, all real and personal property, franchises, rights, assets, taxes levied but not collected for the district for other than indebtedness, water or sewer lines, facilities, or equipment of the district shall become the property of a city or town to which annexation is made, with full power to manage, control, maintain and operate such facilities and to fix and collect charges to customers, subject, however, to any outstanding indebtedness, bonded or otherwise, of the district, which indebtedness a city or town may by resolution of its governing body elect to assume and pay at the times and in the manner said indebtedness is due and payable. Such election to assume said indebtedness may be made either upon the effective date of such annexation or at any time thereafter during the period such indebtedness remains outstanding. Until such election is made, the property annexed and the owners and occupants thereof shall continue liable for its and their propor-

Unincorporated areas—Annexation. Annexation of water, sewer, and fire districts—Disposition of properties—Outstanding indebtedness.

Cities and towns. Unincorporated areas—Annexation. Annexation of water, sewer, and fire districts—Disposition of properties—Outstanding indebtedness.

tion of the unpaid indebtedness and the district and its officers shall continue to function for the sole purpose of certifying the amount of property tax to be collected and paid on such indebtedness in the same manner and by the same means as if the annexation had not been made.

If a city or town elects to assume outstanding indebtedness, and property taxes have been levied for such purpose but not collected for the district prior to the date of such election by the city or town, the same shall when collected belong and be paid to the annexing city and be used by such city or town so far as necessary for payment as and when due of the indebtedness of the district existing and unpaid on the date such city or town elects to assume such indebtedness. If a city or town takes over any funds which have been collected for paying any bonded or other indebtedness of the district the same shall be used for the purpose for which collected and for no other purpose.

Passed the Senate March 5, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 120.

[S. B. 58.]

REFUNDING OF AD VALOREM TAXES.

AN ACT relating to the refunding of ad valorem taxes.

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

SECTION 1. As used in this act, unless the context indicates otherwise:

(1) "Taxing district" means any county, city, town, township, port district, school district, road district, metropolitan park district, water district, or other municipal corporation now or hereafter authorized by law to impose burdens upon property within the district in proportion to the value thereof, for the purpose of obtaining revenue for public purposes, as distinguished from municipal corporations authorized to impose burdens, or for which burdens may be imposed, for such purposes, upon property in proportion to the benefits accruing thereto.

Definitions.
"Taxing
district."

(2) "Tax" includes penalties and interest.

"Tax."

SEC. 2. On order of the board of county commissioners ad valorem taxes paid before or after delinquency shall be refunded if they were:

Certain ad
valorem taxes
to be refunded.

(1) Paid more than once; or

(2) Paid as a result of manifest error in description; or

(3) Paid as a result of a clerical error in extending the tax rolls; or

(4) Paid as a result of other clerical errors in listing property; or

(5) Paid with respect to improvements which did not exist on assessment date; or

(6) Paid under levies or statutes adjudicated to be illegal or unconstitutional.

No refunds under the provisions of this section

shall be made because of any error in determining the valuation of property.

Claim. Verifi-
cation, time for
filing and stat-
utory grounds.

SEC. 3. Except in cases wherein the board of county commissioners acts upon its own motion, no orders for a refund under this act shall be made except on a claim:

- (1) Verified by the person who paid the tax, his guardian, executor or administrator; and
- (2) Filed within three years after making of the payment sought to be refunded; and
- (3) Stating the statutory ground upon which the refund is claimed.

Refunds—
Includable
items.

SEC. 4. Refunds ordered by the board of county commissioners may include:

- (1) A portion of amounts paid to the state treasurer by the county treasurer as money belonging to the state; and also
- (2) County taxes and taxes collected by county officers for taxing districts.

Refunds when
amount paid to
state—Proced-
ure.

SEC. 5. The part of the refund representing amounts paid to the state shall be paid from the county general fund and the state auditor shall, upon the next succeeding settlement with the county, certify this amount refunded to the county.

Refunds, state
and county
taxes, paid by
check.

SEC. 6. Refunds ordered under this act with respect to county and state taxes shall be paid by checks drawn upon the appropriate fund by the county treasurer.

Refunds, tax-
ing districts—
Procedure.

SEC. 7. Refunds ordered with respect to taxing districts shall be paid by checks drawn by the county treasurer upon such available funds, if any, as the taxing districts may have on deposit in the county treasury, or in the event such funds are insufficient, then out of funds subsequently accruing to such taxing district and on deposit in the county treasury:

SEC. 8. Neither any county nor its officers shall refund amounts on behalf of a taxing district from county funds. County not to refund for taxing district.

SEC. 9. The payment of refunds shall be made payable, at the election of the appropriate treasurer, to the taxpayer, his guardian, executor, or administrator or the owner of record of the property taxed, his guardian, executor, or administrator. Payees designated.

SEC. 10. Refunds of taxes made pursuant to sections 1 through 9 of this act shall include interest at the rate of five percent per annum from the date of collection of the portion refundable or from the date of claim for refund, whichever is later. Five percent interest in refund.

SEC. 11. Every order for refund of ad valorem taxes promulgated by the board of county commissioners under authority of this act as hereafter amended shall expire and be void three years from the date of the order and all unpaid checks shall become void. Order for refund, unpaid checks, void after three years.

SEC. 12. If the board of county commissioners rejects a claim or fails to act within six months from the date of filing of a claim for refund in whole or in part, the person who paid the taxes, his guardian, executor, or administrator may within one year after the date of payment of the claimed refund amount commence an action in the superior court against the county to recover the taxes which the board of county commissioners have refused to refund. Rejected claim — Procedure.

SEC. 13. No action shall be commenced or maintained under this act unless a claim for refund shall have been filed in compliance with the provisions of this act, and no recovery of taxes shall be allowed in any such action upon a ground not asserted in the claim for refund. Claim for refund necessary for court action.

SEC. 14. In any action in which recovery of taxes is allowed by the court, the plaintiff is entitled to interest on the taxes for which recovery is allowed Interest allowed when court recovery.

at a rate of five percent per annum from the date of collection of the tax to the date of entry of judgment, and such accrued interest shall be included in the judgment. This section shall not apply to taxes paid before the effective date of this act.

No interest when refund within sixty days of payment.

SEC. 15. Notwithstanding any other laws to the contrary, any taxes paid before or after delinquency may be refunded, without interest, by the county treasurer within sixty days after the date of payment if:

- (1) Paid more than once; or
- (2) The amount paid exceeds the amount due on the property as shown on the roll.

Construction of act.

SEC. 16. This act is enacted as a concurrent refund procedure and shall not be construed to displace or supersede any portion of the existing laws relating to refunding procedures.

Protest unnecessary.

SEC. 17. The remedies herein provided shall be available regardless of whether the taxes in question were paid under protest.

Passed the Senate March 7, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 121.

[S. B. 126.]

SECOND, THIRD CLASS CITIES—TOWNS—BID
REQUIREMENTS.

AN ACT relating to cities and towns; providing for construction of public improvements and works, purchase of supplies, material, equipment and services and for contracts for printing notices in second, third and fourth class municipalities; and amending section 1, chapter 211, Laws of 1951 and RCW 35.23.352.

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

SECTION 1. Section 1, chapter 211, Laws of 1951 and RCW 35.23.352 are each amended to read as follows:

RCW 35.23.352
amended.

Any city or town of the second, third or fourth class may construct any public work or improvement by contract or day labor without calling for bids therefor whenever the estimated cost of such work or improvement, including cost of materials, supplies and equipment will not exceed the sum of five thousand dollars. Whenever the cost of such public work or improvement, including materials, supplies and equipment, will exceed five thousand dollars, the same shall be done by contract after a call for bids which shall be awarded to the lowest responsible bidder. Notice of the call for bids shall be given by posting notice thereof in a public place in the city or town and by publication in the official newspaper once each week for two consecutive weeks before the date fixed for opening the bids. If there is no official newspaper the notice shall be published in a newspaper published or of general circulation in the city or town. The city council or commission of the city or town shall have power by resolution to reject any or all bids and to make further calls for bids in the same manner as the original call, or if in its judgment the improve-

Contracts pur-
chases, adver-
tising—Call
for bids.

Second class
cities. Con-
tracts, pur-
chases,
advertising—
Call for bids—
Exception.

ment or work, including the purchase of supplies, material and equipment, can be done by the city at less cost than the lowest bid submitted it may do so without making a further call for bids or awarding any contract therefor. If no bid is received on the first call the city council or commission may re-advertise and make a second call, or may enter into a contract without any further call or may purchase the supplies, material or equipment and perform such work or improvement by day labor.

Any purchase of supplies, material, equipment or services, except for public work or improvement, where the cost thereof exceeds two thousand dollars shall be made upon call for bids in the same method and under the same conditions as required herein on a call for bids for public work or improvement.

Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper published or of general circulation in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.

Passed the Senate February 14, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 122.

[S. B. 241.]

NURSERY STOCK—UNLAWFUL PRACTICES.

AN ACT relating to nursery stock business and adding a new section to chapter 15.12 RCW.

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

SECTION 1. There is added to chapter 15.12 RCW, New section. a new section to read as follows:

It shall be unlawful to sell, solicit orders for, offer for sale, or distribute nursery stock by any method which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to quantity, size, grade, kind, species, age, maturity, condition, vigor, hardiness, number of times transplanted, growth ability, growth characteristics, rate of growth or time required before flowering or fruiting, price, origin or place where grown, or in any other material respect. Certain practices unlawful in the sale or offering for sale of stock.

This section shall apply to every type of advertisement or method of representation, whether in newspaper, periodical, sales catalogue, by radio or television, by sales representatives, or otherwise.

Without limiting the effect of this section, the making of any of the following representations, directly or indirectly, is expressly prohibited: Prohibited representations.

(1) That the nursery stock has been propagated by grafting or bud selections methods, when such is not the fact.

(2) That the nursery stock is healthy, will grow anywhere without the use of fertilizer, or will survive and produce without special care, when such is not the fact.

(3) That the nursery stock blooms the year round, or will bear an extraordinary number of blooms of unusual size or quality, when such is not a fact.

Nursery stock.
Prohibited representations.

(4) That the nursery stock is a new variety, when in fact it is a standard variety to which the seller has given a new name.

(5) That the nursery stock cannot be purchased through usual retail outlets, or that there are limited stocks available, when such is not the fact.

(6) That the nursery stock offered for sale will be delivered in time for the next (or any specified) seasonal planting when the seller is aware of factors which make such delivery improbable.

(7) That the appearance of the nursery stock is normal or usual when the appearance so represented is in fact abnormal or unusual.

(8) That the root system of the nursery stock is appreciably larger than that which actually exists, whether accomplished by means of packaging, balling, or otherwise.

(9) That bulblets are bulbs.

(10) That any nursery stock is a rare or unusual item when such is not the fact.

Passed the Senate February 18, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 123.

[S. B. 259.]

FIRST CLASS CITIES—INVESTMENT OF FUNDS.

AN ACT relating to the investment of funds of cities of the first class; and amending section 4, chapter 192, Laws of 1929 and RCW 35.22.270.

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

RCW 35.22.270
amended.

SECTION 1. Section 4, chapter 192, Laws of 1929, and RCW 35.22.270 are each amended to read as follows:

First class
cities. Invest-
ments author-
ized.

Section 4. The investment board is authorized, upon the majority vote of its members and with the

consent by resolution of the city council, from time to time to invest cash then on hand in the treasury of such city in United States government bonds, or United States certificates of indebtedness: *Provided*, That the city council may at any time by resolution authorize the conversion of such securities, or any part thereof, into cash. Proviso.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 124.

[S. B. 304.]

FAIRS—POWERS OF COUNTY COMMISSIONERS.

AN ACT relating to counties; amending section 1, chapter 297, Laws of 1955 and RCW 36.37.040, repealing sections 2, 3 and 4, chapter 266, Laws of 1927 and RCW 36.37.060, 36.37.070 and 36.37.080, and section 3, chapter 32, Laws of 1917 and RCW 36.37.030 and declaring an emergency.

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

SECTION 1. Section 1, chapter 297, Laws of 1955 and RCW 36.37.040 are each amended to read as follows:

RCW 36.37.040 amended.

The board of county commissioners of any county may appropriate and expend each year such sums of money as they deem advisable and necessary for (1) acquisition of necessary grounds for fairs and and world fairs, (2) construction, improvement and maintenance of buildings thereon, (3) payment of fair premiums, and (4) the general maintenance of such fair. The board of county commissioners of any county may also authorize the county auditor to provide a revolving fund to be used by the fair officials for the conduct of the fair. The board of county commissioners may employ persons to assist in the man-

Fairs. Expenditure of funds
—Revolving fund.

agement of fairs or by resolution designate a non-profit corporation as the exclusive agency to operate and manage such fairs.

Repeal. SEC. 2. Sections 2, 3 and 4, chapter 266, Laws of 1927 and RCW 36.37.060, 36.37.070 and 36.37.080, and section 3, chapter 32, Laws of 1917 and RCW 36.37.030 are hereby repealed.

Emergency. SEC. 3. This act is necessary for the immediate preservation and support of state government and its existing institutions and shall take effect immediately.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 125.

[S. B. 322.]

ESCHEAT OF REAL PROPERTY.

AN ACT relating to the escheat of real property to the state; amending section 10, chapter 254, Laws of 1955 and RCW 11.08.220.

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

RCW 11.08.220 amended.

SECTION 1. Section 10, chapter 254, Laws of 1955 and RCW 11.08.220 are each amended to read as follows:

Escheats. Certified copies of decree—Duties of commissioner of public lands.

The tax commission shall be furnished two certified copies of the decree of the court distributing any real property to the state, one of which shall be forwarded to the state land commissioner who shall thereupon assume supervision of and jurisdiction over such real property and thereafter handle it the same as state common school lands. The administrator shall also file a certified copy of the decree with

the auditor of any county in which the escheated real property is situated.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 126.

[S. B. 327.]

ADMISSION TAXES.

AN ACT relating to elementary and secondary schools and their activities; relieving such schools and their activities from city and county admission taxes; and amending section 1, chapter 80, Laws of 1943, as amended by section 1, chapter 35, Laws of 1951 and RCW 35.21.280, and section 1, chapter 269, Laws of 1943, as amended by section 1, chapter 34, Laws of 1951 and RCW 36.38.010.

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

SECTION 1. Section 1, chapter 80, Laws of 1943, as amended by section 1, chapter 35, Laws of 1951 and RCW 35.21.280, are each amended to read as follows:

RCW 35.21.280
amended.

Every city and town may levy and fix a tax of not more than one cent on twenty cents or fraction thereof to be paid by the person who pays an admission charge to any place: *Provided*, No city or town shall impose such tax on persons paying an admission to any activity of any elementary or secondary school. This includes a tax on persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same privileges or accommodations. The city or town may require anyone who receives payment for an admission charge to collect and remit the tax to the city or town.

Cities and towns. Tax on admissions.

Proviso.

The term "admission charge" includes:

Cities and towns. Tax on admissions. "Admission charge."

(1) A charge made for season tickets or subscriptions;

(2) A cover charge, or a charge made for use of seats and tables reserved or otherwise, and other similar accommodations;

(3) A charge made for food and refreshment in any place where free entertainment, recreation or amusement is provided;

(4) A charge made for rental or use of equipment or facilities for purposes of recreation or amusement; if the rental of the equipment or facilities is necessary to the enjoyment of a privilege for which a general admission is charged, the combined charges shall be considered as the admission charge;

(5) Automobile parking charges if the amount of the charge is determined according to the number of passengers in the automobile.

RCW 36.38.010 amended.

SEC. 2. Section 1, chapter 269, Laws of 1943, as amended by section 1, chapter 34, Laws of 1951 and RCW 36.38.010 are each amended to read as follows:

Counties. Admission charge.

Any county may by ordinance enacted by its board of county commissioners, levy and fix a tax of not more than one cent on twenty cents or fraction thereof to be paid for county purposes by persons who pay an admission charge to any place, including a tax on persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same or similar privileges or accommodations; and require that one who receives any admission charge to any place shall collect and remit the tax to the county treasurer of the county: *Provided*, No county shall impose such tax on persons paying an admission to any activity of any elementary or secondary school.

Proviso.

"Admission charge."

As used in this chapter, the term "admission charge" includes a charge made for season tickets or subscriptions, a cover charge, or a charge made

for use of seats and tables, reserved or otherwise, and other similar accommodations; a charge made for food and refreshments in any place where any free entertainment, recreation, or amusement is provided; a charge made for rental or use of equipment or facilities for purpose of recreation or amusement, and where the rental of the equipment or facilities is necessary to the enjoyment of a privilege for which a general admission is charged, the combined charges shall be considered as the admission charge. It shall also include any automobile parking charge where the amount of such charge is determined according to the number of passengers in any automobile.

The tax herein authorized shall not be exclusive and shall not prevent any city or town within the taxing county, when authorized by law, from imposing within its corporate limits a tax of the same or similar kind: *Provided*, That whenever the same Proviso. or similar kind of tax is imposed by any such city or town, no such tax shall be levied within the corporate limits of such city or town by the board of county commissioners.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 127.

[S. B. 331.]

STATE TAX COMMISSION.

AN ACT relating to the tax commission, amending section 1, chapter 18, Laws of 1925, and section 1, chapter 280, Laws of 1947 and RCW 43.55.010.

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

RCW 43.55.010 amended.

SECTION 1. Section 1, chapter 18, Laws of 1925, and section 1, chapter 280, Laws of 1927 (heretofore combined and codified as RCW 43.55.010) are each amended to read as follows:

Commission created—
Terms of office—
Vacancies—
Office.

There shall be a commission known as the “tax commission of the state of Washington.” It shall be composed of three members possessing special knowledge of the subject of taxation, to be appointed by the governor, with the consent of the senate and be subject to removal in the manner provided in RCW 43.06.070, 43.06.080, and 43.06.090: *Provided*, That the chairman shall serve at the pleasure of the governor.

Proviso.

Two commissioners shall hold office for a term of six years, and until his successor is appointed and qualified. The terms shall be staggered so that the term of one commissioner will expire on January 31st of different odd-numbered years. The term of the commissioner which commenced February 1, 1953 shall expire June 30, 1957. His successor to be appointed by the governor shall be the chairman of the commission.

In case of a vacancy, it shall be filled by appointment by the governor for the unexpired portion of the term in which the vacancy occurs.

The office of the commission shall be at the state capital.

Passed the Senate February 25, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 128.

[S. B. 346.]

MOTOR VEHICLE EXCISE TAX—DISPOSITION OF REVENUE.

AN ACT relating to motor vehicle excise taxes; providing for disposition of revenue; and amending section 6, chapter 259, Laws of 1955 and RCW 82.44.110.

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

SECTION 1. Section 6, chapter 259, Laws of 1955 and RCW 82.44.110 are each amended to read as follows:

RCW 82.44.110 amended.

The county auditor shall regularly, when remitting license fee receipts, pay over and account to the director of licenses for the excise taxes collected under the provisions of this chapter. The director shall forthwith transmit the excise taxes to the state treasurer, ninety-eight percent of which excise tax revenue shall upon receipt thereof be credited by the state treasurer to a fund which is hereby created to be known as the motor vehicle excise fund, and two percent of which excise tax revenue shall be credited by the state treasurer to the motor vehicle fund to defray administrative and other expenses incurred by the state department of licenses in the collection of the excise tax.

Disposition of revenue—Motor vehicle excise fund created.

Passed the Senate March 6, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 129.

[S. B. 397.]

CHANGES IN SCHOOL DISTRICT ORGANIZATION.

AN ACT relating to education, prescribing procedure in connection with changes in school district organization and amending section 19, chapter 266, Laws of 1947 as last amended by section 4, chapter 395, Laws of 1955 and RCW 28.57.070; and declaring an emergency.

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

RCW 28.57.070 amended.

SECTION 1. Section 19, chapter 266, Laws of 1947 as last amended by section 4, chapter 395, Laws of 1955 and RCW 28.57.070 are each amended to read as follows:

Action upon board's report —Special election in certain cases.

Upon receipt by the county committee of such notice from the state board as is required in RCW 28.57.060 (2), the county superintendent shall make an order establishing all approved changes involving the alteration of the boundaries of an established school district or districts and all approved terms of adjustment of assets and liabilities involving an established district or districts the boundaries of which have been or are hereafter altered in the manner provided by law, and shall certify his action to the county auditor for the board of county commissioners, and to the county treasurer, the county assessor and the clerks of all school districts affected by such action. Upon receipt of such certification the clerk of each school district which is annexed to another district by the action shall deliver to the proper school district officer of the district all books, papers, documents, records, and other materials pertaining to his office.

Whenever adjustments of bonded indebtedness are made between or among school districts in connection with the alteration of the boundaries thereof, pursuant to the provisions of this chapter, the order of the county superintendent establishing the terms

of adjustment of bonded indebtedness shall provide and specify:

(1) In every case where bonded indebtedness is transferred from one school district to another school district (a) that such bonded indebtedness is assumed by the school district to which it is transferred; (b) that thereafter such bonded indebtedness shall be the obligation of the school district to which it is transferred; (c) that, if the terms of adjustment so provide, any bonded indebtedness thereafter incurred by such transferee school district through the sale of bonds authorized prior to the date its boundaries were altered shall be the obligation of such school district including the territory added thereto; and (d) that taxes shall be levied thereafter against the taxable property located within such school district as it is constituted after its boundaries were altered, said taxes to be levied at the times and in the amounts required to pay the principal of and the interest on the bonded indebtedness assumed or incurred as aforesaid, as the same become due and payable.

In computing the debt limitation of any school district from which or to which bonded indebtedness has been transferred as aforesaid, the amount of such transferred bonded indebtedness at any time outstanding (a) shall be an offset against and deducted from the total bonded indebtedness, if any, of the school district from which such bonded indebtedness was transferred and (b) shall be deemed to be bonded indebtedness solely of the transferee school district that assumed such indebtedness.

(2) In every case where adjustments of bonded indebtedness do not provide for transfer of bonded indebtedness from one school district to another school district (a) that the existing bonded indebtedness of each school district the boundaries of which are altered and any bonded indebtedness incurred by each such school district through the sale of

Order of county superintendent when adjustment of bonded indebtedness between districts.

Changes.
school district
organization.
Order of
county super-
intendent
when adjust-
ment of bonded
indebtedness
between
districts.

bonds authorized prior to the date its boundaries were altered shall be the obligation of the school district in its reduced or enlarged form, as the case may be; and (b) that taxes shall be levied thereafter against the taxable property located within each such school district in its reduced or enlarged form, as the case may be, at the times and in the amounts required to pay the principal of and the interest on such bonded indebtedness as the same become due and payable.

Action upon
board's report
—Special elec-
tion in certain
cases.

In case the aforesaid approval by the state board concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them.

In a case involving both the question of the formation of a new district and the question of adjustment of bonded indebtedness, the questions may be submitted to the voters either in the form of a single proposition or as separate propositions, whichever to the county superintendent seems expedient. The county superintendent shall perform in connection with the calling and conducting of the special elections provided for in this chapter all duties that are required by law to be performed by a board of directors and the clerk or secretary of a school district in connection with the calling and conducting of school district elections.

Emergency.

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 Senate March 4, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 130.

[H. B. 76.]

REGIONAL PLANNING COMMISSIONS—APPOINTMENT— POWERS.

AN ACT relating to regional planning commissions; and amending section 11, chapter 44, Laws of 1935 and RCW 35.63.070.

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

SECTION 1. Section 11, chapter 44, Laws of 1935 and RCW 35.63.070 are each amended to read as follows:

RCW 35.63.070
amended.

The commissions of two or more adjoining counties, of two or more adjacent cities and towns, of one or more cities and towns and/or one or more counties, together with the boards of such counties and the councils of such cities and towns may cooperate to form, organize and administer a regional planning commission for the making of a regional plan for the region defined as may be agreed upon by the commissions, boards and councils. The regional commission when requested by the commissions of its region, may further perform any of the other duties for its region that are specified in RCW 35.63-.060 for city and county commissions. The number of members of a regional commission, their method of appointment and the proportion of the cost of regional planning, surveys and studies to be borne respectively by the various counties and cities in the

Regional com-
missions—
Appointment
—Powers.

Cities and towns. Regional planning commissions—Appointment—Powers.

region; shall be such as may be agreed upon by commissions, boards and councils.

Any regional planning commission, or the councils or boards respectively of any city, town, or county, are authorized to receive grants-in-aid from the government of the United States or of any of its agencies, and are authorized to enter into any reasonable agreement with any department or agency of the government of the United States to arrange for the receipt of federal funds for planning in the interest of furthering the planning program.

Passed the House January 31, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 131.

[H. B. 199.]

HARBOR LINES—RELOCATION AT STEILACOOM—DEED.

AN ACT relating to harbor lines; relocating the inner harbor line in the town of Steilacoom; and providing for the deeding of land to the town of Steilacoom.

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

Relocation of inner harbor line at Steilacoom directed.

SECTION 1. The commissioner of public lands is directed to make, and the board of state land commissioners, acting as the state harbor line commission, is directed to make, a relocation of the inner harbor line in front of the town of Steilacoom to make the inner harbor line conform to the following description:

Description, new harbor line.

Beginning at a point which is the northeast corner of Balch's D.L.C. and the northwest corner of Bill's D.L.C. and the southwest corner of the Van Buskirk D.L.C. in township 20 north, range 2 east, W.M., which point is on the existing inner harbor line; thence in a northeasterly direction North 53 degrees

57 minutes East a distance of 770.37 feet; thence in a northwesterly direction North 22 degrees 54 minutes West a distance of 165 feet; thence in a northeasterly direction North 15 degrees 6 minutes East a distance of 680 feet; thence in a northeasterly direction North 39 degrees 36 minutes East a distance of 630.66 feet to intersect the existing inner harbor line; and thence in a northeasterly direction North 15 degrees 55 minutes East a distance of 393.52 feet to a stone monument common to the southwest corner of the Chamber's D.L.C. and the northwest corner of the Van Buskirk D.L.C. in township 20 north, range 2 east, W.M.

SEC. 2. The commissioner of public lands is directed to certify to the governor, in the manner now provided by law, for deed to the town of Steilacoom, the following described tidelands:

Tidelands to be deeded to Steilacoom.

Beginning at a point which is the northeast corner of Balch's D.L.C., the northwest corner of Bill's D.L.C. and the southwest corner of the Van Buskirk D.L.C. in township 20 north, range 2 east, W. M., which point is on the inner harbor line; thence in a northeasterly direction North 53 degrees 57 minutes East a distance of 770.37 feet to the true point of beginning; thence in a northwesterly direction North 22 degrees 54 minutes West a distance of 165 feet; thence in a northeasterly direction North 15 degrees 6 minutes East a distance of 680 feet; thence in a northeasterly direction North 39 degrees 36 minutes East a distance of 630.66 feet; thence in a southwesterly direction South 15 degrees 55 minutes West a distance of 534.52 feet; thence in a southwesterly direction South 25 degrees 16 minutes West a distance of 862.98 feet to the true point of beginning, and less that portion included in the Northern Pacific Railroad right of way. Said certification shall be made upon the expiration of the existing leases and upon the payment by the town of Steilacoom of

Description, tidelands.

Payment by Steilacoom.

not to exceed five thousand dollars payable either in cash or on contract as shall be agreed upon between the town of Steilacoom and the state land commissioner.

State officials to act on deed.

SEC. 3. The governor is authorized and directed to execute, and the secretary of state to attest, a deed to the town of Steilacoom conveying the lands described in section 2 of this act, in accordance with the terms of section 2.

Passed the House February 9, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 132.

[H. B. 38.]

MOTOR VEHICLES—INVITED GUESTS AND LICENSEES.

AN ACT relating to liability of owners and operators of motor vehicles with respect to their invited guests or licensees, and amending section 121, chapter 189, Laws of 1937 and RCW 46.08.080.

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

RCW 46.08.080 amended.

SECTION 1. Section 121, chapter 189, Laws of 1937 and RCW 46.08.080 are each amended to read as follows:

Motor vehicles. Invited guests and licensees.

No person transported by the owner or operator of a motor vehicle as an invited guest or licensee, without payment for such transportation, shall have cause of action for damages against such owner or operator for injuries, death or loss, in case of accident, unless the accident was intentional on the part of the owner or operator, or the result of said owner's or operator's gross negligence or intoxication, and unless the proof of the cause of action is corroborated by competent evidence or testimony independent of, or in addition to, the testimony of the parties to the

action: *Provided*, That this section shall not relieve any owner or operator of a motor vehicle from liability while it is being demonstrated to a prospective purchaser. Proviso.

Passed the House February 22, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 133.

[H. B. 221.]

WASHINGTON AGRICULTURAL ENABLING ACT— ASSESSMENTS.

AN ACT relating to agriculture and agricultural production; and amending section 14, chapter 191, Laws of 1955 and RCW 15.66.150.

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

SECTION 1. Section 14, chapter 191, Laws of 1955 and RCW 15.66.150 are each amended to read as follows: RCW 15.66.150 amended.

There is hereby levied, and there shall be collected by each commission, upon each and every unit of any agricultural commodity specified in any marketing order an annual assessment which shall be paid by the producer thereof upon each and every such unit sold, processed, stored or delivered for sale, processing or storage by him. Such assessments shall be expressed as a stated amount of money per unit. The total amount of such annual assessment to be paid by all affected producers of such commodity shall not exceed: Annual assessments—Rate—Collection.

(1) In the case of wheat, one-half cent per bushel;

(2) In the case of all other commodities, three percent of the total market value of all affected units sold, processed, stored or delivered for sale, process-

Agricultural
enabling act.
Annual assess-
ments—Rate—
Collection.

ing or storage by all affected producers of such units during the year to which the assessment applies.

Every marketing order shall prescribe the per unit rate of such assessment. Such rate may be at the full amount of, or at any lesser amount than the amount hereinabove limited and may be altered from time to time by amendment of such order. In every such marketing order and amendment the determination of such rate shall be based upon the volume and price of sales of affected units during a period which the director determines to be a representative period. The per unit rate of assessment prescribed in any such order or amendment shall for all purposes and time be deemed to be within the limits of assessment above provided until such time as such order is amended as to such rate. However, at the end of any year, any affected producer may obtain a refund from the commission of any assessment payments made which exceed three percent of the total market value of all of the affected commodity sold, processed, stored or delivered for sale, processing or storage by such producer during the year. Such refund shall be made only upon satisfactory proof given by such producer in accordance with reasonable rules and regulations prescribed by the director. Such market value shall be based upon the average sales price received by such producer during the year from all his bona fide sales or, if such producer did not sell twenty-five percent or more of all of the affected commodity produced by him during the year, such market value shall be determined by the director upon other sales of the affected commodity determined by the director to be representative and comparable. No assessment or rate or amendment thereof shall apply in any order unless and until confirmed by a majority of affected producers participating in a vote taken

in the manner by this chapter providing for the election of commission members.

Agricultural
enabling act.

To collect such assessment each order may require:

Annual assess-
ments—Rate—
Collection.

(1) Stamps to be purchased from the affected commodity commission or other authority stated in such order and attached to the containers, invoices, shipping documents, inspection certificates, releases, or receiving receipts or tickets (said stamps to be canceled immediately upon being attached and the date of cancellation placed thereon).

(2) Payment of producer assessments before the affected units are shipped off the farm or payment of assessments at different or later times, and in such event the order may require any person subject to the assessment to give adequate assurance or security for its payment.

(3) Every affected producer subject to assessment under such order to deposit with the commission in advance an amount based on the estimated number of affected units upon which such person will be subject to such assessment in any one year during which such marketing order is in force, or upon any other basis which the director determines to be reasonable and equitable and specifies in such order, but in no event shall such deposit exceed twenty-five percent of the estimated total annual assessment payable by such person. At the close of such marketing year the sums so deposited shall be adjusted to the total of such assessments payable by such person.

(4) Handlers receiving the affected commodity from the producer, including warehousemen and processors, to collect producer assessments from producers whose production they handle and remit the same to the affected commission. The lending agency for a commodity credit corporation loan to producers shall be deemed a handler for the purpose of this

Agricultural
enabling act—
Annual assess-
ments—Rate—
Collection.

subsection. No affected units shall be transported, carried, shipped, sold, stored or otherwise handled or disposed of until every due and payable assessment herein provided for has been paid and the receipt issued, but no liability hereunder shall attach to common carriers in the regular course of their business.

Passed the House February 21, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 134.

[H. B. 376.]

COUNTY PROPERTY—LEASING FOR AGRICULTURAL FAIRS.

AN ACT relating to the leasing of county property; and adding a new section to chapter 36.34 RCW.

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

New section.

SECTION 1. A new section is added to chapter 36.34 RCW, to read as follows:

Agricultural
fair leases of
class A coun-
ties to non-
profit organiz-
ations.

The board of county commissioners of any class A county owning property in or outside the limits of any city or town, or anywhere within the county, which is suitable for agricultural fair purposes may by negotiation lease such property for such purposes for a term not to exceed seventy-five years to any nonprofit organization that has demonstrated its qualification to conduct agricultural fairs. Such agricultural fair leases shall not be subject to any requirement of periodic rental adjustments, as provided in RCW 36.34.180, but shall provide for such fixed annual rental as shall appear reasonable, considering the benefit to be derived by the county in the promotion of the fair and in the improvement of the property. The lessee may utilize or rent out such

property at times other than during the fair season for nonfair purposes in order to obtain income for fair purposes, and during the fair season may sublease portions of the property for purposes and activities associated with such fair. No sublease shall be valid unless the same shall be approved in writing by the board of county commissioners: *Provided*, That failure of such lessee, except by act of God, war or other emergency beyond its control, to conduct an annual agricultural fair or exhibition, shall cause said lease to be subject to cancellation by the board of county commissioners.

Passed the House March 5, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 135.

[H. B. 494.]

LEGISLATIVE VACANCIES.

AN ACT relating to filling vacancies in the legislature and repealing section 1, chapter 122, Laws of 1933 and RCW 44.04.030.

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

SECTION 1. Section 1, chapter 122, Laws of 1933 and RCW 44.04.030 are each repealed. Repeal.

Passed the House February 23, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 19, 1957.

CHAPTER 136.

[Sub. H. B. 85.]

ALCOHOLISM—STUDY, TREATMENT, REHABILITATION.

AN ACT relating to intoxicating liquors and alcoholism; repealing sections 21, 22, 23 and 24, chapter 198, Laws of 1949 RCW 71.12.170 through 71.12.200; and making an appropriation.

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

Purpose of act—
Division of alcoholism created.

SECTION 1. The purpose of this act is to establish a statewide program for the study, treatment and rehabilitation of persons suffering from alcoholism and those addicted to the use of alcoholic beverages, research into the causes and prevention of alcoholism and associated health problems, and public education relating thereto, by creating a division on alcoholism within the state department of institutions. The division shall coordinate the efforts of all affected state, county and local agencies; develop educational and preventive programs, and promote the establishment of constructive agencies for treatment and reclamation, rehabilitation and reestablishment in society of persons suffering from alcoholism or addicted to the use of alcoholic beverages.

SEC. 2. As used in this act:

Definitions.
"Division."

(1) "Division" means the division on alcoholism of the state department of institutions.

"Alcoholism."

(2) "Alcoholism" includes the symptoms and problems of problem drinkers and alcoholics as herein defined.

"Problem drinkers."

(3) "Problem drinkers" are any drinkers of intoxicating liquors who indulge in drinking which in its extent habitually goes beyond the traditional and customary dietary use, or the ordinary compliance with social drinking customs.

"Alcoholics."

(4) "Alcoholics" are those persons addicted to the excessive use of alcohol, and those problem drinkers whose dependence upon or addiction to

alcohol has attained such a degree that it causes a noticeable mental disturbance or an interference with their bodily and mental health, their interpersonal relations, and their social and economic functioning.

Definitions.

(5) "Patients" is a general term meaning persons who are accepted for treatment under the provisions of this act.

"Patients."

SEC. 3. The state department of institutions through a division on alcoholism, shall establish a research, educational and treatment program for the rehabilitation of alcoholics and, for the purposes of this chapter, a treatment program includes both residential and outpatient facilities and services.

Division on alcoholism. Establish research, educational and treatment program.

SEC. 4. The division is hereby authorized and empowered:

Certain powers and duties.

(1) To study alcoholism and its problems, including private and public methods and facilities available for care, custody, detention, treatment, employment and rehabilitation of persons who are alcoholics.

(2) To promote meetings and programs for the discussion of alcoholism or any of its aspects, disseminate information on the subject of alcoholism for the guidance and assistance of individuals, courts, and public and private agencies in the state, and for the prevention of alcoholism.

(3) To conduct, promote and finance, in full or in part, studies, investigations and research on the use and effect of alcohol, independently or in cooperation with universities and colleges, scientific organizations, and other public or private agencies.

(4) To accept for examination, evaluation, diagnosis, guidance, referral and rehabilitation, insofar as funds permit, any resident of the state, coming to the division of his own volition or applying through his legal guardian if the applicant has been adjudicated incompetent. Resident, as used in this

Division on alcoholism. Certain powers and duties.

subdivision, means a person who has resided within the state for at least five years during the nine years immediately preceding the application and has resided herein continuously for one year immediately preceding the application.

(5) To contract for services not under its control for the emergency care, custody, treatment and rehabilitation of alcoholic patients.

(6) To study the advisability of using or establishing a farm or farms for alcoholics.

SEC. 5. The division shall utilize all available and suitable personnel and facilities under the jurisdiction of the department of institutions and endeavor to obtain the services and facilities of personnel skilled in the treatment of alcoholism throughout the state.

Additional facilities authorized.

Proviso.

SEC. 6. The division may acquire additional facilities for the purposes of this chapter by gift, loan, lease, or purchase: *Provided*, That prior to the acquisition of new or additional facilities the division shall conduct a survey of and search for potentially suitable facilities within the state and such survey and search shall include the investigation of federal, state, county, municipal and private facilities that are now or may in the future become available for state acquisition or use in connection with the division's alcoholism program.

Gifts and grants authorized—Moneys deposited in alcoholism account.

SEC. 7. The division may accept or refuse gifts or grants of property of every nature which are given by any federal, state, local or private agency or other source to promote the division's program on alcoholism, and any moneys donated or granted for this purpose shall be deposited into the alcoholism account in the general fund of the state treasury.

Cooperation with other agencies—Scope.

SEC. 8. The division shall cooperate with public and private agencies in its establishment of an alcoholism program and such cooperation may include the acceptance or grant of funds, acceptance or sup-

plying of facilities and personnel and participation in every reasonable manner in promoting public and private programs for the treatment of alcoholism.

SEC. 9. For the purpose of carrying into effect the provisions of this act, the division shall make such regulations not inconsistent with the spirit of this act as it deems necessary or advisable. All regulations so made shall be public records and filed in the office of the secretary of state.

Regulations—
Public records.

SEC. 10. Applications for voluntary admittance to the program on alcoholism shall be made to the division on forms to be provided by the division under such rules and regulations as the division shall prescribe. Such application shall provide for consent to be given by the applicant, or by his guardian if the applicant has been adjudicated incompetent, to detention for the purposes of evaluation, diagnosis or treatment of alcoholism for a period of not less than one hundred and twenty days, if required by the division.

Applications
for voluntary
admittance to
program.

SEC. 11. If the division is satisfied, after examination of the applicant, that he is in need of treatment for alcoholism and will be benefited thereby, the division may admit the applicant to the treatment program for such period of time as the division shall deem necessary for the treatment and rehabilitation of such applicant: *Provided*, That any voluntary patient who personally, or through his legal guardian if the patient has been adjudicated incompetent, makes written demand for release from the program shall be discharged no later than one hundred and twenty days after the date of making such demand.

Approval
necessary for
admittance.

Proviso.

SEC. 12. No officer or employee of the department of institutions shall be liable for the detention of any person voluntarily admitted to the program on alcoholism until the lapse of one hundred and

Liability upon
demand for
release—
When.

twenty days following written demand for release made by the patient or by his legal guardian if the patient has been adjudicated incompetent, and then liability shall be incurred only if it be established that such detention was unreasonable and arbitrary.

Division on
alcoholism.
Reimburse-
ment for
services.

SEC. 13. In respect to any or all items of expense incurred by the division in connection with the referral, examination, evaluation, guidance, or custody of any of its patients, the division, insofar as possible, shall seek to be reimbursed by the patient or persons liable for the support of the patient. The amount charged is to be in accordance with the schedule of charges made by other private or public institutions. The division may accept part payment in cases where there is satisfactory evidence that full payment cannot be paid; the division may accept any portion that can be paid and the balance arranged in payments when the patient is rehabilitated. The division is to pay such charges incurred and authorized by the division for the care of the patient: *Provided*, That this act shall not interfere with the right of licensed private physicians, hospitals and sanatoria to enter into contracts with patients for the treatment of alcoholism respecting conditions, terms and compensation for such services.

Proviso.

Unpaid charges
enforceable in
action at law.

SEC. 14. Collection of unpaid charges shall be enforceable by the state, through the department of institutions, by an action at law to be tried in the superior court of the county wherein the patient maintains his residence. All such charges and all collections by the division under this act shall be deposited into the alcoholism account in the general fund of the state treasury.

Admission not
determined by
financial
ability.

SEC. 15. The division shall not refuse admission for diagnosis, evaluation, guidance or treatment to any applicant because it is determined that the applicant is financially unable to contribute fully or in

part to the cost of any services or facilities available under the program on alcoholism.

SEC. 16. There is established in the general fund of the state treasury an alcoholism account. Alcoholism account established.

SEC. 17. There is appropriated from the state liquor revolving fund to the division the sum of two hundred fifty thousand dollars for the biennium July 1, 1957 to June 30, 1959, or so much thereof as may be necessary to carry out the provisions of this act. Appropriation.

SEC. 18. No disbursements shall be made from the alcoholism account in the general fund of the state treasury in excess of the balance of such account. Disbursements contingent on account balance.

SEC. 19. The division, through the department of institutions, shall submit a concise, mimeographed report of its activities and recommendations to the governor and the legislature on or before January 1, 1959. Reports of division.

SEC. 20. If any provision of this act or the application thereof is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end any section, sentence, or word is declared to be severable. Severability.

SEC. 21. Sections 21, 22, 23 and 24, chapter 198, Laws of 1949 and RCW 71.12.170 through 71.12.200 are each repealed. Repeal.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 137.

[H. B. 22.]

PUBLIC UTILITY DISTRICT CONSTRUCTION—PAYMENT TO SCHOOL DISTRICT.

AN ACT relating to public utility districts and public utility district joint operating agencies; providing for certain compensating payments; and declaring an emergency.

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

Definitions.

SECTION 1. As used in this act:

“Public utility district.”

“Public utility district” means public utility district or districts or a joint operating agency or agencies.

“Construction project.”

“Construction project” means the construction of hydroelectric generating facilities by a public utility district. It includes the relocation of highways and railroads, by whomever done, to the extent that it is occasioned by the overflowing of their former locations, or by destruction or burying incident to the construction.

“Base-year enrollment.”

“Base-year enrollment” means the number of pupils enrolled in a school district on the first of May next preceding the date construction was commenced.

“Subsequent-year enrollment.”

“Subsequent-year enrollment” means the number of pupils enrolled in a school district on any first of May after construction was commenced.

“Construction pupils.”

“Construction pupils” means pupils whose fathers are full time employees on the construction project and who moved into the school district subsequent to the first day of May next preceding the day the construction was commenced.

“Nonconstruction pupils.”

“Nonconstruction pupils” means others pupils.

Determination of construction pupils—When.

SEC. 2. When as the result of a public utility district construction project a school district considers it is suffering an increased financial burden in any year during the construction project, it shall determine

the number of construction pupils enrolled in the school district on the first of May of such year.

SEC. 3. If the subsequent-year enrollment exceeds 103 percent of the base-year enrollment, the public utility district shall compensate the school district for a number of construction pupils computed as follows:

Public utility district to compensate school district—When—Computation.

(1) If the subsequent-year enrollment of non-construction pupils is less than the base-year enrollment, compensation shall be paid for the total number of all pupils minus 103 percent of the base-year enrollment.

(2) If the subsequent-year enrollment of nonconstruction pupils is not less than the base-year enrollment, compensation shall be paid for the total number of construction pupils minus 3 percent of the base-year enrollment.

SEC. 4. The compensation to be paid per construction pupils as computed in section 3 of this act shall be one-third of the average per-pupil cost of the local school district, for the school year then current.

Compensation.

SEC. 5. If more than one public utility district or joint operating agency is carrying on a construction project in the same school district, the number of construction pupils for whom the school district is to receive compensation shall be computed as if the projects were constructed by a single agency. The public utility districts or joint operating agencies involved shall divide the cost of such compensation between themselves in proportion to the number of construction pupils occasioned by the operations of each.

When more than one agency—Computation.

SEC. 6. Public utility districts are hereby authorized to make voluntary payments to a school district for capital construction if their construction

Voluntary payments authorized.

projects cause an increased financial burden for such purpose on the school district.

Payments authorized prior to construction—Limitation on.

SEC. 7. Public utilities are hereby authorized to make payments to a county or other taxing district in existence before the commencement of construction on the construction project which suffers an increased financial burden because of their construction projects, but such amount shall not be more than the amount by which the property taxes levied against the contractors engaged in the work on the construction project failed to meet said increased financial burden.

Funds not district receipts under RCW 28.41.080.

SEC. 8. The funds paid by a public utility district to a school district under the provisions of this act shall not be considered a school district receipt by the superintendent of public instruction in determining equalization apportionments under RCW 28.41-.080.

Emergency.

SEC. 9. This act is necessary for the immediate preservation of the public peace, health, and safety and support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 138.

[H. B. 58.]

STATE BAR ASSOCIATION MEMBERSHIP FEES.

AN ACT relating to the membership and fees of the Washington state bar association; and amending section 1, chapter 256, Laws of 1953 and RCW 2.48.130.

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

SECTION 1. The annual membership fees for active members shall be payable on or before February 1st of each year. The board of governors may establish the amount of such annual membership fee to be effective each year: *Provided*, That written notice of any proposed increase in membership fee shall be sent to active members not less than sixty days prior to the effective date of such increase: *Provided further*, That the board of governors may establish the fee at a reduced rate for those who have been active members for less than five years in this state or elsewhere.

Membership
fee—Active.

Proviso.

Proviso.

Passed the House February 15, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 139.

[S. B. 220.]

FOREIGN CORPORATIONS, ORGANIZATIONS—
MORTGAGES—RIGHT OF ACTION.

AN ACT relating to the acquisition of notes secured by real estate mortgages by corporations and organizations not admitted to transact business in the state of Washington, and providing for the right to foreclose such mortgages and to hold and dispose of any property acquired through such foreclosure, without requiring such corporations or organizations to be admitted to transact business in this state and establishing a procedure for service of process on such nonadmitted organizations.

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

Powers of
foreign cor-
porations with
respect to
notes secured
by real estate
mortgages.

SECTION 1. Any corporation, bank, trust company, mutual savings bank, savings and loan association, national banking association, or other corporation or association organized and existing under the laws of the United States or under the laws of any state or territory of the United States other than the state of Washington (including, without restriction of the generality of the foregoing description, employee pension fund organizations, charitable foundations, trust funds, or other funds, foundations or trusts engaged in the investment of moneys, and trustees of such organizations, foundations, funds or trusts), and which are not admitted to conduct business in the state of Washington under the provisions of chapter 23.52 RCW as derived from chapter 70, Laws of 1937, and which are not otherwise specifically authorized to transact business in this state (herein collectively referred to as "nonadmitted organizations") may purchase, acquire, hold, sell, assign, transfer and enforce notes secured by real estate mortgages covering real property situated in this state and the security interests thereby provided, and may make commitments to purchase or acquire such notes so secured.

SEC. 2. Such nonadmitted organizations shall have the right to foreclose such mortgages under the laws of this state or to receive voluntary conveyance in lieu of foreclosure, and in the course of such foreclosure or of such receipt of conveyance in lieu of foreclosure, to acquire the mortgaged property, and to hold and own such property and to dispose thereof. Such nonadmitted organizations however, shall not be allowed to hold, own and operate said property for a period exceeding five years. In the event said nonadmitted organizations do hold, own and operate said property for a period in excess of five years, it shall be forthwith required to comply with the provisions of RCW 23.52.051.

Foreclosure of mortgage—Voluntary conveyance in lieu of—Limitation on holding of property.

SEC. 3. The activities authorized by sections 1 and 2 of this act by such nonadmitted organizations shall not constitute “conducting business,” “carrying on business,” “transacting business,” or “doing business” within the meaning of chapter 23.52 RCW and section 23.28.060 RCW as derived from chapter 70, Laws of 1937.

Activities not “doing business” in state.

SEC. 4. In any action in law or equity commenced by the obliger or obligers, it, his, her or their assignee or assignees against the said nonadmitted organizations on the said notes secured by said real estate mortgages purchased by said nonadmitted organizations, service of all legal process may be had by serving the secretary of state of the state of Washington.

Actions against nonadmitted organization—Service of process.

SEC. 5. Duplicate copies of legal process against said nonadmitted organizations shall be served upon the secretary of state by registered mail. At the time of service the plaintiff shall pay to the secretary of state two dollars taxable as costs in the action and shall also furnish the secretary of state the home office address of said nonadmitted organization. The secretary of state shall forthwith send one of the copies of process by registered mail with return re-

Procedure, service of process—Costs—Time to appear, plead or answer.

ceipt requested to the said nonadmitted organization to its home office. The secretary of state shall keep a record of the day and the hour of service upon him of all legal process. No proceedings shall be had against the nonadmitted organization nor shall it be required to appear, plead or answer until the expiration of forty days after the date of service upon the secretary of state.

Time to appear, plead or answer.

Actions against nonadmitted organization—Venue.

SEC. 6. Suit upon causes of action arising against the said nonadmitted organizations shall be brought in the county where the property is situated which is the subject of the mortgage purchased by the said nonadmitted organizations. If the property covered by the said mortgage is situated in more than one county, venue may be had in any of said counties where the property lies.

Passed the Senate February 19, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 140.

[S. B. 277.]

PUBLIC UTILITY DISTRICTS—FINANCES—
COMMISSIONERS.

AN ACT relating to public utility districts; amending sections 5 and 7, chapter 124, Laws of 1955 and RCW 54.24.010 and 54.12.080.

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

SECTION 1. Section 7, chapter 124, Laws of 1955 and RCW 54.24.010 are each amended to read as follows:

RCW 54.24.010 amended.

The treasurer of the county in which a utility district is located shall be ex officio treasurer of the district: *Provided*, That the commission by resolution may designate some other person having experience in financial or fiscal matters as treasurer of the utility district. The commission may, and if the treasurer is not the county treasurer it shall, require a bond, with a surety company authorized to do business in the state of Washington, in an amount which the commission by resolution finds will protect the district against loss, conditioned that all funds which the treasurer receives will be faithfully kept and accounted for, and for the faithful discharge of his duties. The amount of such bond may be changed from time to time as the commission by resolution may direct. The premium on any such bond shall be paid by the district.

Treasurer—
Bond—Duties
—Funds—De-
positaries.

Proviso.

All district funds shall be paid to the treasurer and shall be disbursed by him only on warrants issued by an auditor appointed by the commission, upon orders or vouchers approved by it. The treasurer shall establish a public utility district fund, into which shall be paid all district funds, and he shall maintain such special funds as may be created by the commission, into which he shall place all money as the commission may, by resolution, direct.

Public utility district—
Treasurer—
Bond—Duties—
Funds—
Depositaries.

If the treasurer of the district is the treasurer of the county all district funds shall be deposited with the county depositaries under the same restrictions, contracts, and security as provided for county depositaries; if the treasurer of the district is some other person, all funds shall be deposited in such bank or banks authorized to do business in this state as the commission by resolution shall designate, and with surety bond to the district or securities in lieu thereof of the kind, no less in amount, as provided in RCW 36.48.020 for deposit of county funds.

Such surety bond or collateral shall be filed or deposited with the secretary of the district, and approved by resolution of the commission.

All interest collected on district funds shall belong to the district and be deposited to its credit in the proper district funds.

Proviso.

A district may provide and require a reasonable bond of the treasurer or any other person handling moneys or securities of the district: *Provided*, That the district pays the premium thereon.

RCW 54.12.080 amended.

SEC. 2. Section 5, chapter 124, Laws of 1955 and RCW 54.12.080 are each amended to read as follows:

Commissioners. Compensation and expenses.

District commissioners shall serve without compensation, except that a district may provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding twenty-five dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his own district or meetings attended by one or more commissioners of two or more districts called to consider business common to them: *Provided*, That the total compensation paid to such commissioner during any one year shall not exceed three thousand five hundred dollars. Also, any district providing group insurance for its employees, covering them, their immediate family and dependents, may provide

Proviso.

insurance for its commissioners with the same coverage: *Provided*, That commissioners may not be compensated for services performed of ministerial or professional nature. Each commissioner shall be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging and travel while away from his place of residence. Proviso.

Passed the Senate February 23, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 141.

[S. B. 235.]

TOLL BRIDGE AUTHORITY—LOPEZ ISLAND— SAN JUAN ISLAND.

AN ACT relating to the Washington toll bridge authority; making an appropriation for feasibility studies, design, and construction if feasible, of a toll bridge between Lopez Island and San Juan Island; providing for the financing of such bridge by bond issue.

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

SECTION 1. There is appropriated to the Washington toll bridge authority from the motor vehicle fund the sum of one hundred seventy-five thousand dollars or so much thereof as thereafter may be necessary for the following purposes:

(1) Twenty-five thousand dollars of the appropriation shall be available to study and make surveys, including traffic studies acceptable to prospective bond purchasers or investment firms, of the feasibility of the construction of a toll bridge between Lopez Island and San Juan Island in San Juan county so as to permit ferry runs from the mainland to Upright Head, overland travel from Upright Head to Roche Harbor, and ferry runs from Roche Har-

Appropriation to toll bridge authority.

Purposes.

Lopez Island
—San Juan
Island bridge.

Appropriation
to toll bridge
authority.
Lopez Island
—San Juan
Island bridge.

bor to Sidney, British Columbia. It shall be understood in such feasibility studies that San Juan county shall construct and maintain all road connections between the proposed bridge and the ferry landings at Upright Head and Roche Harbor.

(2) If as a result of the studies referred to above the toll bridge authority determines the project is feasible, and if San Juan county shall agree to sponsor such project and to conduct and maintain the road connections referred to above, one hundred fifty thousand dollars shall be available for the location, foundation exploration, and design of such bridge.

Procedure up-
on authority
approved—
Revenue bonds
authorized.

SEC. 2. If the project is deemed feasible by the authority, the authority shall enter into final design plans, and construction thereof, issue revenue bonds to pay all costs of the project and let contracts in connection with the proposed project. Such revenue bonds shall be issued in accordance with the applicable provisions of RCW 47.56.080 through 47.56-.250, and in addition to the purposes above stated may be issued to provide funds for paying all costs of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months thereafter.

Priority on
revenue ob-
tained from
tolls—Reim-
bursement to
motor vehicle
fund.

SEC. 3. All operation and maintenance on any project while tolls are collected thereon shall be paid as they are incurred as a prior charge upon the revenue and tolls collected upon such project. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds for this project.

SEC. 4. Nothing authorized by this act shall be undertaken or done in any manner not in accord with any of the covenants and conditions contained in resolution No. 295 passed by the toll bridge au-

thority on February 9, 1955, providing for the sale of Washington state ferry system refunding revenue bonds; and all things authorized by this act, including but not limited to feasibility, studies, location, design, construction and financing, shall be performed in accordance with the covenants and conditions of said resolution. If the terms of such resolution shall require that tolls on the bridge authorized by this act be used to redeem outstanding bonds issued pursuant to said resolution, such tolls shall be so used.

Resolution No. 295 of authority limitation on act.

Passed the Senate February 28, 1957.

Passed the House March 8, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 142.

[S. B. 302.]

TOLL BRIDGES—COLUMBIA RIVER, BIGGS RAPIDS.

AN ACT relating to a toll bridge across the Columbia river in the vicinity of Biggs Rapids; making an appropriation for the design of such bridge; providing for the financing of such bridge by bond issue; providing for and authorizing an agreement between the Washington toll bridge authority and other governmental agencies for the design, construction, maintenance, repair, operation and financing of such bridge.

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

SECTION 1. If the Washington toll bridge authority should conclude that the construction of a toll bridge across the Columbia river in the vicinity of Biggs Rapids is feasible as a result of studies presently being conducted, the authority is hereby authorized, in conjunction with Klickitat county, the Washington state highway commission, the Oregon state highway commission, and Sherman county, Oregon, to design and construct a toll bridge at such

Biggs Rapids bridge authorized. Cooperation with other agencies.

Biggs Rapids
bridge author-
ized. Coopera-
tion with other
agencies.

location. All acts necessary to the design and construction of such bridge and approaches thereto may be done by the Washington toll bridge authority, Klickitat county, the Washington state highway commission, the Oregon state highway commission, Sherman county, Oregon, or any of such governmental agencies pursuant to agreement with the Washington toll bridge authority.

Appropriation
—Reimburse-
ment.

SEC. 2. There is appropriated from the motor vehicle fund the sum of one hundred fifty thousand dollars, or as much thereof as may be necessary for the purpose of location, design, preparation of cost estimates, and all other things preliminary to the construction of such bridge. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds for this project as provided in section 3 of this act.

Revenue bonds
authorized—
Form—Effect.

SEC. 3. The Washington toll bridge authority is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all the costs of construction of such bridge and approaches thereto, including but not limited to all costs of survey, acquisition of rights of way, design, engineering, all expenses of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months after tolls are first imposed.

Except as may be otherwise specifically provided in this act, the provisions of chapter 47.56 RCW shall govern the issuance and sale of said revenue bonds, the execution thereof, the disbursement of the proceeds of sale thereof, the interest rate or rates thereon, their form, terms, conditions, covenants, negotiability, denomination, maturity date or dates, the creation of special funds or accounts safeguarding and providing for the payment of the principal

therefor and interest thereon, and their manner of redemption and retirement.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

SEC. 4. The provisions of chapter 47.56 RCW shall govern and be controlling in all matters and things necessary to carry out the purposes of this act. Nothing in this act is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of this act for the uses and purposes herein

Chapter 47.56
RCW applies—
Construction
of act.

set forth, and this act shall be additional to such existing statutes and concurrent therewith.

Biggs Rapids
bridge—
Powers of toll
bridge author-
ity—Tolls.

SEC. 5. The Washington toll bridge authority is hereby authorized to operate and to assume the full control of said toll facility and each portion thereof, whether within or without the borders of the state of Washington, with full power to impose and collect tolls from the users of such bridge for the purpose of providing revenue at least sufficient to pay the cost and incidental expenses of construction, maintenance, repair, and operation of such bridge and approaches in both states, and for the payment of the principal of and interest on its revenue bonds as authorized by section 3 of this act.

Agreements
between
agencies
authorized.

SEC. 6. The Washington toll bridge authority, the Washington state highway commission and Klickitat county are each authorized to enter into such agreement with each other, the Oregon state highway commission and Sherman county, Oregon, as they shall find necessary and convenient to carry out the purposes of this act; and the Washington toll bridge authority, the Washington state highway commission and Klickitat county are each authorized to do any and all acts contained in such agreement and necessary and convenient to carry out the purposes of this act.

Certain
provisions.

Such agreement shall include, but shall not be restricted to the following provisions:

(1) A provision that the Washington toll bridge authority shall assume and have complete responsibility for the operation of such bridge and approaches thereto, and with full power in the Washington toll bridge authority to impose and collect all toll charges from the users of such bridge and to disburse the revenue derived therefrom for the expenses of maintenance and operation and repair thereof, all costs of construction, and the payment

of principal and interest on any revenue bonds herein provided for. Certain provisions.

(2) A provision that the Washington toll bridge authority shall provide for the issuance, sale and payment of revenue bonds payable solely from the revenue derived from the imposition and collection of tolls upon such toll bridge.

(3) A provision that the Washington toll bridge authority, after consultation with the other governmental agencies who are parties to such agreement, shall fix and revise the classifications and amounts of tolls to be charged and collected from the users of the toll bridge, with the further provision that such toll charges shall be removed after all costs of planning, designing, and construction of such toll bridge and approaches thereto and all incidental costs shall have been paid, and all of said revenue bonds, and interest thereon, issued and sold pursuant to this act shall have been fully paid and redeemed.

(4) A provision that all acts pertaining to the design and construction of such toll bridge may be done and performed by the Oregon state highway commission, the Washington state highway commission or the Washington toll bridge authority, or any of them, and that any and all contracts for the construction of such toll bridge shall be awarded in the name of the state of Oregon by and through its state highway commission or the state of Washington by and through its state highway commission or its toll bridge authority, or all of them.

(5) A provision that the state of Washington, the state of Oregon, and all governmental agencies party to such agreement shall be reimbursed out of the proceeds of the sale of such bonds for any advances they may have made or expenses they may have incurred for any of the purposes for which said revenue bonds may be issued, after duly verified itemized statements of such advances and ex-

Biggs Rapids bridge. Agreements between agencies authorized. Certain provisions.

penses have been submitted to and been approved by all parties to such agreement.

(6) A provision that during the period of operation of such bridge and approaches thereto as a toll facility all maintenance and repair may be performed by either the Oregon state highway commission or the Washington state highway commission with a provision for reimbursement of the costs of such maintenance and repair from revenue derived from the collection of tolls on such bridge.

Passed the Senate February 28, 1957.

Passed the House March 8, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 143.

[S. B. 46.]

CITIES AND TOWNS—LOCAL IMPROVEMENT ASSESSMENTS—APPEALS.

AN ACT relating to local improvements in cities and towns; and amending section 22, chapter 98, Laws of 1911 and RCW 35.44.200 through 35.44.270.

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

Division and amendment.

SECTION 1. Section 22, chapter 98, Laws of 1911 (heretofore divided and codified as RCW 35.44.200 through 35.44.270), is divided and amended as set forth in sections 2 through 9 of this amendatory act.

RCW 35.44.200 amended. Procedure upon appeal—Perfecting appeal.

SEC. 2. (RCW 35.44.200) The decision of the council or other legislative body, upon any objections made in the manner and within the time herein prescribed, shall be final and conclusive, subject however to review by the superior court upon appeal. The appeal shall be made by filing written notice of appeal with the city or town clerk and with the clerk of the superior court of the county in which the city or town is situated.

SEC. 3. (RCW 35.44.210) The notice of appeal must be filed within ten days after the ordinance confirming the assessment roll becomes effective and shall describe the property and set forth the objections of the appellant to the assessment.

RCW 35.44.210
enacted
without
amendment.

SEC. 4. (RCW 35.44.220) At the time of filing the notice of appeal with the clerk of the superior court, the appellant shall execute and file with him a sufficient bond in the penal sum of two hundred dollars, with at least two sureties to be approved by the judge of the court, conditioned to prosecute the appeal without delay and, if unsuccessful, to pay all costs to which the city or town is put by reason of the appeal. Upon application therefor, the court may order the appellant to execute and file such additional bonds as the necessity of the case may require.

RCW 35.44.220
enacted
without
amendment.

SEC. 5. (RCW 35.44.230) Within ten days from the filing of the notice of appeal, the appellant shall file with the clerk of the superior court a transcript consisting of the assessment roll and his objections thereto, together with the ordinance confirming the assessment roll and the record of the council with reference to the assessment. This transcript, upon payment of the necessary fees therefor, shall be furnished by the city or town clerk and shall be certified by him to contain full, true and correct copies of all matters and proceedings required to be included in the transcript. The fees payable therefor shall be the same as those payable to the clerk of the superior court for the preparation and certification of transcripts on appeal to the supreme court in civil actions.

RCW 35.44.230
enacted
without
amendment.

SEC. 6. (RCW 35.44.240) Within three days after the filing of the transcript with the clerk of the superior court, the appellant shall give notice to the head of the legal department of the city or town and to its clerk that the transcript has been filed. The notice shall also state a time (not less than three days

RCW 35.44.240
enacted
without
amendment.

from the date of service thereof) when the appellant will call up the cause for hearing.

RCW 35.44.250
amended.
Procedure on
appeal—Hear-
ing by superior
court.

SEC. 7. (RCW 35.44.250) At the time fixed for hearing in the notice thereof or at such further time as may be fixed by the court, the superior court shall hear and determine the appeal without a jury and the cause shall have preference over all other civil causes except proceedings relating to eminent domain in cities and towns and actions of forcible entry and detainer. The judgment of the court shall confirm, unless the court shall find from the evidence that such assessment is founded upon a fundamentally wrong basis and/or the decision of the council or other legislative body thereon was arbitrary or capricious; in which event the judgment of the court shall correct, change, modify, or annul the assessment insofar as it affects the property of the appellant.

RCW 35.44.260
amended.
Procedure on
appeal—
Appeal to
supreme court.

SEC. 8. (RCW 35.44.260) An appeal shall lie to the supreme court from the judgment of the superior court as in other cases if taken within fifteen days after the date of the entry of the judgment in the superior court. The record and the opening brief of the appellant must be filed in the supreme court within sixty days after the filing of the notice of appeal: *Provided*, That the time for filing the record and the serving and filing of briefs may be extended by order of the superior court or by stipulation of the parties concerned.

RCW 35.44.270
enacted
without
amendment.

SEC. 9. (RCW 35.44.270) A certified copy of the decision of the superior court pertaining to assessments for local improvements shall be filed with the officer having custody of the assessment roll and he shall modify and correct the assessment roll in accordance with the decision. In case of appeal to the supreme court, a certified copy of its order shall be filed with the officer having custody of the assess-

ment roll and he shall thereupon modify and correct the assessment roll in accordance with the order.

Passed the Senate March 5, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 144.

[S. B. 49.]

CITIES AND TOWNS—LOCAL IMPROVEMENTS— AUTHORITY, ASSESSMENTS.

AN ACT relating to local improvements in cities and towns; and amending sections 1, 15 and 58, chapter 98, Laws of 1911 and section 1, chapter 190, Laws of 1945 and RCW 35.43.040 and 35.43.110 and sections 9, 16, 17 and 18, chapter 98, Laws of 1911 and section 4, chapter 209, Laws of 1927 and section 1, chapter 97, Laws of 1929 and section 1, chapter 28, Laws of 1949 as last amended by sections 1 and 2, chapter 26, Laws of 1953 and section 1, chapter 177, Laws of 1953 and RCW 35.43.090 and RCW 35.43.120 through 35.43.180, and section 1, chapter 155, Laws of 1947 and section 2, chapter 97, Laws of 1929 and RCW 35.43.050, 35.43.080, 35.44.010 and RCW 35.44.030 through 35.44.050.

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

SECTION 1. Sections 1, 15 and 58, chapter 98, Laws of 1911 and section 1, chapter 190, Laws of 1945 (heretofore divided, combined, and codified as RCW 35.43.040 and 35.43.110) are amended to read as set forth in sections 2 and 3 of this amendatory act.

Combination,
division and
amendment.

SEC. 2. (RCW 35.43.040) Whenever the public interest or convenience may require, the legislative authority of any city or town may order the whole or any part of any local improvement including but not restricted to those listed below to be constructed, reconstructed, repaired, or renewed and the planting, setting out, cultivating, maintaining, and renewing of shade or ornamental trees and shrubbery thereon; may order any and all work to be done necessary

RCW 35.43.040
amended.
Authority
generally.

Cities and towns. Local improvements. Authority generally.

for completion thereof; and may levy and collect special assessments on property specially benefited thereby to pay the whole or any part of the expense thereof, viz:

(1) Alleys, avenues, boulevards, lanes, park drives, parkways, public places, public squares, public streets, their grading, regrading, planking, replanking, paving, repaving, macadamizing, remacadamizing, graveling, regravelling, piling, repiling, capping, recapping, or other improvement; if the management and control of park drives, parkways, and boulevards is vested in a board of park commissioners, the plans and specifications for their improvement must be approved by the board of park commissioners before their adoption;

(2) Auxiliary water systems;

(3) Auditoriums, field houses, gymnasiums, swimming pools, or other recreational or playground facilities or structures;

(4) Bridges, culverts, and trestles and approaches thereto;

(5) Bulkheads and retaining walls;

(6) Dikes and embankments;

(7) Drains, sewers and sewer appurtenances which as to trunk sewers shall include as nearly as possible all the territory which can be drained through the trunk sewer and subsewers connected thereto. In distributing assessments in the case of trunk sewers there shall be levied against the property lying between the termini of the improvement and back to the middle of the blocks along the marginal lines of the area improved such amounts as would represent the reasonable cost of a local sewer and its appurtenances suited to the requirements of the property, and the remainder of the cost and expense of the improvement shall be distributed over and assessed against all of the property within the boundaries of the district: *Provided*, That if it is

Proviso.

necessary to construct any such sewer in an easement across private property as a part of a sewer system improvement the authority to assess for special benefits conferred by the improvement shall be the same as if such sewer were constructed in a public street;

Cities and towns. Local improvements. Authority generally.

(8) Escalators or moving sidewalks together with the expense of operation and maintenance;

(9) Parks and playgrounds;

(10) Sidewalks, curbing, and crosswalks;

(11) Street lighting systems together with the expense of furnishing electrical energy, maintenance, and operation;

(12) Underground utilities transmission lines;

(13) Water mains, hydrants and appurtenances which as to trunk water mains shall include as nearly as possible all the territory in the zone or district to which water may be distributed from the trunk water mains through lateral service and distribution mains and services. In distributing assessments in the case of trunk water mains there shall be levied against the property lying between the termini of the improvement and back to the middle of the block along the marginal lines of the area improved, such amounts as would represent the reasonable cost of a local water main and appurtenances suited to the requirements of the property, and the remainder of the cost and expense of the improvement shall be distributed over and assessed against all of the property within the boundaries of the district: *Provided*, That if it is necessary to construct any such water main in an easement across private property as a part of a water main system improvement the authority to assess for special benefits conferred by the improvement shall be the same as if such water main were constructed in a public street.

Proviso.

RCW 35.43.110
enacted
without
amendment.

SEC. 3. (RCW 35.43.110) Proceedings to establish local improvement districts must be initiated by petition in the following cases:

(1) Any local improvement payable in whole or in part by special assessments which includes a charge for the cost and expense of furnishing electrical energy to any system of street lighting or for the cost and expense of operation and maintenance of escalators or moving sidewalks shall be initiated only upon a petition signed by the owners of two-thirds of the lineal frontage upon the improvement to be made and two-thirds of the area within the limits of the proposed improvement district;

Proviso.

(2) If the management of park drives, parkways, and boulevards of a city has been vested in a board of park commissioners or similar authority: *Provided*, That the proceedings may be initiated by a resolution, if the ordinance is passed at the request of the park board or similar authority therefor specifying the particular drives, parkways, or boulevards or portions thereof to be improved and the nature of the improvement.

Combination,
division and
amendment.

SEC. 4. Sections 9, 16, 17 and 18, chapter 98, Laws of 1911 and section 4, chapter 209, Laws of 1927 and section 1, chapter 97, Laws of 1929 and section 1, chapter 28, Laws of 1949 as last amended by sections 1 and 2, chapter 26, Laws of 1953 and section 1, chapter 177, Laws of 1953 (heretofore divided, combined, and codified as RCW 35.43.090 and 35.43.120 through 35.43.180) are amended to read as set forth in sections 5 through 12 of this amendatory act.

RCW 35.43.090
enacted
without
amendment.

SEC. 5. (RCW 35.43.090) Any ordinance ordering the construction of trunk sewers, of trunk water mains, of dikes or other structures to protect the city or any part thereof from overflow, or to open, deepen, straighten, or enlarge watercourse, waterways, and other channels, and of auxiliary water systems or extensions thereof or additions thereto

for the protection of the city or any part thereof from fire, shall describe the place of commencement and ending of the improvement, the route along which the improvement is to be constructed, specify the structures or works necessary thereto or forming a part thereof, and adopt maps, plans and specifications for the improvement.

SEC. 6. (RCW 35.43.120) Any local improvement, the assessment district for which does not extend beyond the termini of the improvement may be initiated upon a petition signed by the owners of property aggregating a majority (1) of the lineal frontage upon the improvement and (2) of the area within the proposed district. The petition must set forth the nature and territorial extent of the proposed improvement, the mode of payment, and what proportion of the lineal frontage upon the improvement and of the area within the proposed district is owned by the petitioners as shown by the records in the office of the county auditor.

RCW 35.43.120
enacted
without
amendment.

If any of the property within the area of the proposed district stands in the name of a deceased person, or of any person for whom a guardian has been appointed and not discharged, the signature of the executor, administrator, or guardian, as the case may be, shall be equivalent to the signature of the owner of the property on the petition. The petition must be filed with the clerk or with such other officer as the city or town by charter or ordinance may require.

SEC. 7. (RCW 35.43.130) Upon the filing of a petition or upon the adoption of a resolution, as the case may be, initiating a proceeding for the formation of a local improvement district, the proper board, officer, or authority designated by charter or ordinance to make the preliminary estimates and assessment roll shall cause an estimate to be made of the cost and expense of the proposed improve-

RCW 35.43.130
amended.
Preliminary
estimates and
assessment
roll.

Cities and towns. Local improvements—Authority, initiation. Preliminary estimates and assessment roll.

ment and certify it to the legislative authority of the city or town together with all papers and information in its possession touching the proposed improvement, a description of the boundaries of the district, a statement of what portion of the cost and expense of the improvement should be borne by the property within the proposed district, a statement in detail of the local improvement assessments outstanding and unpaid against the property in the proposed district, and a statement of the aggregate actual valuation of the real estate including twenty-five percent of the actual valuation of the improvements in the proposed district according to the valuation last placed upon it for the purposes of general taxation.

If the proceedings were initiated by petition the designated board, officer or authority shall also determine the sufficiency of the petition and whether the facts set forth therein are true. If the petition is found to be sufficient and in all proceedings initiated by resolution of the legislative authority of the city or town, the estimates must be accompanied by a diagram showing thereon the lots, tracts, and parcels of land and other property which will be specially benefited by the proposed improvement and the estimated amount of the cost and expense thereof to be borne by each lot, tract, or parcel of land or other property: *Provided*, That no such diagram shall be required where such estimates are on file in the office of the city engineer, or other designated city office, together with a detailed copy of the preliminary assessment roll and the plans and assessment maps of the proposed improvement.

Proviso.

For the purpose of estimating and levying local improvement assessments, the value of property of the United States, of the state, or of any county, city, town, school district, or other public corporation whose property is not assessed for general taxes

shall be computed according to the standards afforded by similarly situated property which is assessed for general taxes.

SEC. 8. (RCW 35.43.140) Any local improvement to be paid for in whole or in part by the levy and collection of assessments upon the property within the proposed improvement district may be initiated by a resolution of the city council or other legislative authority of the city, declaring its intention to order the improvement, setting forth the nature and territorial extent of the improvement and notifying all persons who may desire to object thereto to appear and present their objections at a time to be fixed therein.

RCW 35.43.140
enacted
without
amendment.

In the case of trunk sewers and trunk water mains the resolution must describe the routes along which the trunk sewer, subsewer and branches of trunk water main and laterals are to be constructed.

In case of dikes or other structures to protect the city or town or any part thereof from overflow or to open, deepen, straighten, or enlarge watercourse, waterways and other channels the resolution must set forth the place of commencement and ending thereof and the route to be used.

In the case of auxiliary water systems, or extensions thereof or additions thereto for protection of the city or town or any part thereof from fire, the resolution must set forth the routes along which the auxiliary water system or extensions thereof or additions thereto are to be constructed and specifications of the structures or works necessary thereto or forming a part thereof.

The resolution shall be published in at least two consecutive issues of the official newspaper of the city or town, or if there is no official newspaper, in any legal newspaper of general circulation therein; the first publication to be at least fifteen days before the day fixed for the hearing.

The hearing herein required may be held before the city council, or other legislative authority, or before a committee thereof. If the hearing is before a committee, the committee shall following the hearing report its recommendation on the resolution to the city council or other legislative authority for final action.

RCW 35.43.150
enacted
without
amendment.

SEC. 9. (RCW 35.43.150) Notice of the hearing upon a resolution declaring the intention of the legislative authority of a city or town to order an improvement shall be given by mail at least fifteen days before the day fixed for hearing to the owners or reputed owners of all lots, tracts, and parcels of land or other property to be specially benefited by the proposed improvement, as shown on the rolls of the county treasurer, directed to the address thereon shown.

The notice shall set forth the nature of the proposed improvement, the estimated cost, and the estimated benefits to the particular lot, tract, or parcel.

RCW 35.43.160
amended.
Cities and
towns. Local
improvements
—Authority,
initiation. Re-
straints on
authority—
When initiated
by petition.

SEC. 10. (RCW 35.43.160) No city or town shall proceed with a local improvement initiated by petition, if it appears from the preliminary estimates and assessment roll that the amount of the estimated cost and expense thereon, which is to be assessed against the property in the proposed district, when added to all other outstanding local improvement assessments against the property in the proposed district (excluding penalties and interest and excluding assessments for diking, drainage, sanitary fill or for filling any street to the established grade over any tideflats or tidelands or for storm or for sanitary sewers or water mains) exceeds the aggregate actual valuation of the real estate (including twenty-five percent of the actual valuation of the improvements thereon), within the district according to the valuation last placed upon it for the pur-

poses of general taxation, unless the property owners or someone in their behalf, deposits with the city or town, a sum of money equal to the amount by which the estimated cost of the improvement exceeds the limit herein fixed: *Provided*, That the limitation of assessment herein fixed shall not apply to the improvement of a particular disconnected unit included in a local improvement district as permitted by RCW 35.43.050, but shall pertain only to the local improvement district as a whole.

SEC. 11. (RCW 35.43.170) No city or town shall proceed with a local improvement initiated by resolution of the city's legislative authority if it appears from the preliminary estimates and assessment roll that the city or town would have been prohibited from proceeding had the proceeding been initiated by petition, except when the legislative authority of the city or town, deeming it necessary for public health, by unanimous vote, orders the construction of sanitary sewers and necessary accessories for the disposal of sewage, or the construction of any sanitary fill, or the filling of any street to the established grade over tideflats or tidelands, in which event it may assess all or any part of the cost to property benefited irrespective of the limitations of RCW 35.43.160.

RCW 35.43.170
enacted
without
amendment.

SEC. 12. (RCW 35.43.180) The jurisdiction of the legislative authority of a city or town to proceed with any local improvement initiated by resolution shall be divested by a protest filed with the city or town council within thirty days from the date of passage of the ordinance ordering the improvement, signed by the owners of the property within the proposed local improvement district subject to sixty percent or more of the total cost of the improvement including federally-owned or other nonassessable property as shown and determined by the preliminary estimates and assessment roll of the proposed

RCW 35.43.180
enacted
without
amendment.
Restraint by
protest.

Proviso.

improvement district: *Provided*, That such restraint by protest shall not apply to any local improvement by sanitary sewers where the health officer of any city or town shall file with the legislative authority thereof a report showing the necessity for such improvement and such legislative body finds and recites in the ordinance or resolution authorizing the improvement that such improvement is necessary for the protection of the public health and safety and such ordinance or resolution is passed by unanimous vote of all members present.

Combination,
division and
amendment.

SEC. 13. Section 1, chapter 155, Laws of 1947 and section 2, chapter 97, Laws of 1929 (heretofore divided, combined, and codified as RCW 35.43.050, 35.43.080, 35.44.010 and RCW 35.44.030 through 35.44.050) are amended to read as set forth in sections 14 through 19 of this amendatory act.

RCW 35.43.050
enacted
without
amendment.

SEC. 14. (RCW 35.43.050) A local improvement district may include adjoining, vicinal or neighboring streets, avenues and alleys even though the improvement thus made is not connected or continuous: *Provided*, That the cost and expense of each continuous unit of the improvement shall be ascertained separately, as near as may be, and the assessment rates shall be computed on the basis of the cost and expense of each unit. In the event of the initiation of a local improvement district authorized by this section, the legislative body may, in its discretion, eliminate from said district any unit of the improvement which is not connected or continuous and may proceed with the balance of the improvement within said local improvement district, as fully and completely as though said eliminated unit had not been included within the improvement district, without the giving of any notices to the property owners remaining within the district, other than such notices as are required by the provisions of

Proviso.

this chapter to be given subsequent to such elimination.

SEC. 15. (RCW 35.43.080) Every ordinance ordering a local improvement to be paid in whole or in part by assessments against the property specially benefited shall establish a local improvement district to be known as "local improvement district No.," which shall embrace as nearly as practicable all the property specially benefited by the improvement.

RCW 35.43.080
enacted
without
amendment.

Unless otherwise provided in the ordinance ordering the improvement, the improvement district shall include all the property between the termini of the improvement abutting upon, adjacent, vicinal, or proximate to the street, avenue, lane, alley, boulevard, park drive, parkway, public place or square proposed to be improved to a distance of ninety feet back from the marginal lines thereof or to the center line of the blocks facing or abutting thereon, whichever is greater (in the case of unplatted property, the distance back shall be the same as in the platted property immediately adjacent thereto): *Provided*, That if the local improvement is such that the special benefits resulting therefrom extend beyond the boundaries as above set forth, the council may create an enlarged district to include as nearly as practicable all the property to be specially benefited by the improvement; the petition or resolution for an enlarged district and all proceedings pursuant thereto shall conform as nearly as practicable to the provisions relating to local improvement districts generally except that the petition or resolution must describe it as an enlarged district and state what proportion of the amount to be charged to the property specially benefited shall be charged to the property lying between the termini of the proposed improvement and extending back from the marginal lines thereof to the middle of the block (or ninety

Proviso.

Proviso.

feet back) on each side thereof, and what proportion thereof to the remainder of the enlarged district: *Provided further*, That whenever the nature of the improvement is such that the special benefits conferred on the property are not fairly reflected by the use of the aforesaid termini and zone method, the ordinance ordering the improvement may provide that the assessment shall be made against the property of the district in accordance with the special benefits it will derive from the improvement without regard to the zone and termini method.

RCW 35.44.010
enacted
without
amendment.

SEC. 16. (RCW 35.44.010) All property included within the limits of a local improvement district shall be considered to be the property specially benefited by the local improvement and shall be the property to be assessed to pay the cost and expense thereof or such part thereof as may be chargeable against the property specially benefited. The cost and expense shall be assessed upon all of the property in accordance with the special benefits conferred thereon in proportion to area and distance back from the marginal line of the public way or area improved.

RCW 35.44.030
enacted
without
amendment.

SEC. 17. (RCW 35.44.030) For the purpose of ascertaining the amount to be assessed against each separate lot, tract, parcel of land or other property therein, the local improvement district shall be divided into subdivisions or zones paralleling the margin of the street, avenue, lane, alley, boulevard, park drive, parkway, public place or public square to be improved, numbered respectively first, second, third, fourth, and fifth.

The first subdivision shall include all lands within the district lying between the street margins and lines drawn parallel therewith and thirty feet therefrom.

The second subdivision shall include all lands within the district lying between lines drawn paral-

lel with and thirty and sixty feet respectively from the street margins.

The third subdivision shall include all lands within the district lying between lines drawn parallel with and sixty and ninety feet respectively from the street margins.

The fourth subdivision shall include all lands, if any, within the district lying between lines drawn parallel with and ninety and one hundred twenty feet respectively from the street margins.

The fifth subdivision shall include all lands, if any, within the district lying between a line drawn parallel with and one hundred twenty feet from the street margin and the outer limit of the improvement district.

SEC. 18. (RCW 35.44.040) The rate of assessment per square foot in each subdivision of an improvement district shall be fixed on the basis that the special benefits conferred on a square foot of land in subdivisions first, second, third, fourth and fifth, respectively, are related to each other as are the numbers, forty-five, twenty-five, twenty, ten, and five, respectively, and shall be ascertained in the following manner:

RCW 35.44.040 amended. Cities and towns. Local improvements—Assessments. Assessment rate per square foot.

(1) The products of the number of square feet in subdivisions first, second, third, fourth, and fifth, respectively, and the numbers forty-five, twenty-five, twenty, ten, and five, respectively, shall be ascertained;

(2) The aggregate sum thereof shall be divided into the total cost and expense of the improvement;

(3) The resultant quotient multiplied by forty-five, twenty-five, twenty, ten, and five, respectively, shall be the respective rate of assessment per square foot for subdivisions first, second, third, fourth and fifth: *Provided*, That in lieu of the above formula the rate of assessment per square foot in each subdivision of an improvement district may be fixed

Proviso.

Cities and towns. Local improvements — Assessments. Assessment rate per square foot.

on the basis that the special benefits conferred on a square foot of land in subdivisions first, second, third, fourth and fifth, respectively, are related to each other as are the numbers 0.015000, 0.008333, 0.006666, 0.003333, and 0.001666, respectively; and the method of determining the assessment on each lot, tract, or parcel of land in the improvement district may be ascertained in the following manner:

(1) The products of the number of square feet in subdivisions first, second, third, fourth and fifth, respectively, for each lot, tract or parcel of land in the improvement district and the numbers 0.015000, 0.008333, 0.006666, 0.003333 and 0.001666, respectively, shall be ascertained. The sum of all such products for each such lot, tract or parcel of land shall be the number of "assessable units of frontage" therein;

(2) The rate for each assessable unit of frontage shall be determined by dividing that portion of the total cost of the improvement representing special benefits by the aggregate sum of all assessable units of frontage;

(3) The assessment for each lot, tract or parcel of land in the improvement district shall be the product of the assessable units of frontage therefor, multiplied by the rate per assessable unit of frontage.

RCW 35.44.050 enacted without amendment.

SEC. 19. (RCW 35.44.050) The total assessment thus ascertained against each separate lot, tract, parcel of land, or other property in the district shall be entered upon the assessment roll as the amount to be levied and assessed against each separate lot, tract, parcel of land, or other property.

Passed the Senate February 27, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 145.

[S. B. 150.]

MOTOR VEHICLE LICENSE PLATES FOR AMATEUR
RADIO OPERATORS.

AN ACT relating to motor vehicles; providing for special automobile license plates for amateur radio operators; providing penalties; and making an appropriation.

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

SECTION 1. Every person having a valid official amateur radio operator's license issued for a term of five years by the federal communications commission, is entitled to apply to the state director of licenses for, and upon satisfactory showing, to receive, in lieu of the regular motor vehicle license plates similar plates bearing the official amateur radio call letters of the applicant assigned by the federal communications commission instead of numbers. In addition to the annual license fee collected under chapter 46.16 RCW and chapter 82.44 RCW, there shall be collected from each applicant for such special license plates an additional license fee of five dollars upon the issue of a state plate but shall not apply on those years that a yearly tab is issued. Application for renewal of the amateur radio operator's call license plate must be made by January 10th of each renewal year and all such applications shall be accompanied by a notarized statement of facts included on the amateur's valid FCC license.

License plates
for amateur
radio operators
—Fees—
Renewal.

SEC. 2. Whenever the owner of a registered vehicle transfers or assigns his title or interest thereto, the license plates issued under this act shall be removed from the motor vehicle and, if another vehicle is acquired, attached thereto and the director of licenses shall be immediately notified of such transfer of plates; otherwise the removed plates shall be immediately forwarded to the director of

Disposition of
plates upon
transfer of
interest in
vehicle.

licenses to be reissued later upon payment of the regular license fee.

Director of licenses to furnish information to state agencies.

SEC. 3. The director of licenses, from time to time, shall furnish the state department of civil defense, the Washington state patrol and all county sheriffs a list of the names, addresses and license plate or radio station call letters of each person possessing the special amateur radio station license plates so that the facilities of such radio stations may be utilized to the fullest extent in the work of these governmental agencies.

Duty of holder when federal license expires or revoked—Penalty.

SEC. 4. Any radio amateur operator who holds a special call letter license plate as issued under the provisions of this act, and who has allowed his federal communications commission license to expire, or has had it revoked, must notify the director of licenses in writing within thirty days and surrender his call letter license plate. Failure to do so will constitute a gross misdemeanor.

Appropriation.

SEC. 5. There is hereby appropriated to the department of licenses from the motor vehicle fund the sum of twenty-five thousand dollars, or so much thereof as is necessary to carry out the purposes of this act.

Rules and regulations.

SEC. 6. The director of licenses may make such rules and regulations as are necessary to enforce this chapter.

Passed the Senate February 21, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 146.

[S. B. 197.]

COUNTY ROAD ENGINEER—AUDIT OF BOOKS.

AN ACT relating to accounting and records in the office of the county road engineer and adding a new section to chapter 36.80 RCW, and making an appropriation.

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

SECTION 1. There is hereby added to chapter 36.80 RCW a new section to read as follows: New section.

The division of municipal corporations shall annually make a cost-audit examination of the books and records of the county road engineer and make a written report thereon to the board of county commissioners. The expense of such examination shall be paid out of that portion of the motor vehicle fund allocated to the several counties and withheld for use of the director of highways under the terms of RCW 46.68.120 (1). The state auditor shall certify the expense of such examination to the department of highways. Division of municipal corporations to make cost-audit, report to county commissioners —Expense.

SEC. 2. There is hereby appropriated from the above fund to the budget of the state auditor the sum of twenty thousand dollars to defray the expense of such examination for the next biennium. Appropriation.

Passed the Senate March 2, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 147.

[S. B. 350.]

STATE COLLEGES OF EDUCATION.

AN ACT relating to state colleges of education; providing for an increase in number of trustees, amending sections 1 and 2, Title II, subchapter 3, chapter 97, Laws of 1909 (p. 251), and sections 1, 2 and 3, chapter 23, Laws of 1937 and RCW 28.81.010 and 28.81.020.

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

Combination, division and amendment.

SECTION 1. Sections 1 and 2, Title II, subchapter 3, chapter 97, Laws of 1909 (p. 251), and sections 1, 2 and 3, chapter 23, Laws of 1937 (heretofore divided, combined and codified as RCW 28.81.010 and 28.81.020) are amended to read as set forth in sections 2 and 3 of this act.

RCW 28.81.010 enacted without amendment.

SEC. 2. The state colleges of education shall be located and designated as follows:

At Bellingham, the Western Washington College of Education; at Cheney, the Eastern Washington College of Education; at Ellensburg, the Central Washington College of Education.

RCW 28.81.020 amended.— Trustees— Appointment and term.

SEC. 3. The government of each of the state colleges of education shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the second Monday in March next succeeding their appointment and until their successors are appointed and qualified. In case of a vacancy the governor shall fill the vacancy for the unexpired term of the trustee whose office has become vacant.

Passed the Senate March 5, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 148.

[S. B. 355.]

SHORELANDS AT CLARKSTON.

AN ACT providing for a survey for platting shorelands at Clarkston, Washington and making an appropriation therefor.

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

SECTION 1. The commissioner of public lands is hereby directed to survey and plat the first class shorelands of Clarkston in accordance with present state statutes; and to select for the use of the public out of such shorelands, sites for streets, avenues, alleys, waterways and other purposes insofar as such shorelands may be available for any and all such purposes.

Survey and plat of shorelands of Clarkston.

SEC. 2. There is hereby appropriated from the general fund for the commissioner of public lands the sum of five thousand dollars, or so much thereof as may be necessary, for the purpose of making necessary surveys and plats and other work incident to carrying out the purposes and provisions of this act.

Appropriation.

Passed the Senate February 25, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 149.

[S. B. 285.]

CONGRESSIONAL REAPPORTIONMENT.

AN ACT relating to the redistricting and reapportionment of the state into seven congressional districts repealing sections 1, 2 and 6, chapter 28, Laws of 1931 and RCW 29.68.010, 29.68.020 and 29.68.060; adding a new section to chapter 29.68 RCW.

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

Repeal.

SECTION 1. Section 1, chapter 28, Laws of 1931 and RCW 29.68.010, and section 2, chapter 28, Laws of 1931 and RCW 29.68.020, and section 6, chapter 28, Laws of 1931 and RCW 29.68.060 are each repealed.

New section.

SEC. 2. There is added to chapter 29.68 a new section to read as follows:

First district boundaries and representation.

Bainbridge Island, Seattle precincts 32-1 through 32-76, 36-1 through 36-72, 43-1 through 43-93, 44-1 through 44-36, 44-39 through 44-134, 45-1 through 45-106, and 46-1 through 46-149, and the following King County precincts: Abbey, Anita, Arethusa, Arrowhead, Avisia, Ballinger, Beaux Arts, Bellevue No. 1 through Bellevue No. 17, Berrest, Bircenna, Blarney, Bonnie Glen, Bothell No. 1, Bothell No. 2, Bothell No. 3, Brace, Briarcrest, Bridle Trails, Brookside, Chauncey, Clive, Clyde Hill No. 1, Clyde Hill No. 2, Corwin, Country Club, Denny Park, Donahoe, Dunne, Echo Lake, Electra, Elise, Enatai, Erford, Finn Hill, Firland, Firlock, Florence, Georgette, Glocca Mora, Gloria, Greenwood, Hamlin, Hemlock, Highland, Hillside, Houghton No. 1, Houghton No. 2, Hunts Point, Innis Arden, Interlake, Jackson, Jean, Joanne, Juanita, Kenmore, Killenny, Killarney, Kirkland Nos. 1 through 12, Lago Vista, Lake Forest, Linwood, Louise, Marilyn, Medina No. 1, Medina No. 2, Medina No. 3, Medina No. 4, Meydenbauer, Monte Vista, Moorlands, North

City, North Creek, Northridge, O'Farrell, Paramount, Park Lane, Park View, Parkwood, Perkins, Point Wells, Polk, Redkirk, Richmond, Ridgecrest, Ronald, Rose Hill, Rowena, Rush, Rustic, Sea Breeze, Sheridan, Sherwood, Shoreline, Snoking, Taylor, Thellbo, Transvaal, Underwood, Ward, Westminster, Westover, Wilburton, Woodinville, Woodpark, Yarrow, Yokena, Zachary and Zirconia shall constitute the first congressional district and shall be entitled to one representative in the congress of the United States.

SEC. 3. There is hereby added to chapter 29.68 RCW a new section to read as follows: New section.

Clallam, Island, Jefferson, San Juan, Skagit, Snohomish and Whatcom counties, and the following King county precincts shall constitute the second congressional district and shall be entitled to one representative in the congress of the United States: Avondale, Baring, Bear Creek, Berlin, Carnation, Cherry Valley, Cleveland, Cottage Lake, Duvall, Happy Valley, Hollywood, Leota, Martin Creek, Novelty, Redmond No. 1, Redmond No. 2, Skykomish, Stillwater, Tolt and Vincent. Second district boundaries and representation.

SEC. 4. There is hereby added to chapter 29.68 RCW a new section to read as follows: New section.

Pierce county and the following King county precincts: Aaron, Algona No. 1, Algona No. 2, Arthur, Auburn No. 1 through Auburn No. 12, Beaver Lake, Benson, Big Soos, Birch, Bishop, Black Diamond, Boise, Brooklyn, Buenna, Cedar Falls, Cedar Mountain, Christopher, Covington, Cumberland, Des Moines, Durham, Eastgate, East Hill, Ellinson, Enumclaw No. 1, Enumclaw No. 2, Enumclaw No. 3, Enumclaw No. 4, Enumclaw No. 5, Fall City, Fenwick, Gilman, Green River, Grover, Harding, Hilltop, Hobart, Huntington, Inglewood, Isabella, Issaquah No. 1, Issaquah No. 2, Jovita, Kent No. 1 through Kent No. 8, Krain, Lake, Lakehaven, Lake Sixth district boundaries and representation.

Congressional
reapportionment. Sixth
district boundaries and representation.

Hills, Lakeland, Lacota, Lea Hill, Lester, Lincoln, Little Soos, Madison, Marlene, May Valley, Meadowbrook, Meeker, Meridian, Midway, Mirror Lake, Monohon, Muckleshoot, Newcastle, Ninety-nine, Normandy Park No. 1, Normandy Park No. 2, Normandy Park No. 3, Norpac, North Bend No. 1, North Bend No. 2, North Hill, Orchard, Osceola, Pacific No. 1, Pacific No. 2, Palmer, Panther Lake, Patterson, Phantom Lake, Preston, Ramona, Ravensdale, Redondo, Russell, Salt Water, Sammamish, Sawyer, Sea Cliff, Snoqualmie No. 1, Snoqualmie No. 2, Soos Creek, Springbrook, Star Lake, Steelhead, Steel Lake, Stuck, Sunset, Tanner, Thomas, Tiger Mountain, Valley, Wabash, Warren, Webster, White River, Willow Ridge, Woodmont, Wynooche and Zenith shall constitute the sixth congressional district and shall be entitled to one representative in the congress of the United States.

New section.

Seventh district boundaries and representation.

SEC. 5. There is hereby added to chapter 29.68 RCW a new section to read as follows: Kitsap county exclusive of Bainbridge Island, Seattle precincts 31-1 through 31-33, 31-37 through 31-103, 33-1 through 33-32, 33-34 through 33-89, 34-1 through 34-70, 34-75 through 34-103, 35-1 through 35-76 and 37-1 through 37-86 and the following King county precincts: Airport, Alder, Allentown, Ambaum, Angle Lake, Anthony, Athlone, Avon, Bangor, Bayview, Beverly, Boeing, Bossert, Boulevard Park, Bow Lake, Bow Vista, Bryn Mawr, Burien, Burton, Campbell Hill, Carleton, Cascade, Cedarhurst, Cedar River, Center, Charlotte, Coalfield, Cork, Cove, Crescent, Delano, Dilworth, Dockton, Dolphin, Donegal, Douglas, Down, Dublin, Duncan, Dunlap, Dunmore, Duwamish, Earlington, East Seattle, Elliott, Emerald, Eudocia, Evansvale, Evergreen, Factoria, Five Corners, Florina, Ford, Foster, Francis, Fruitland, Fuller, Galway, Garrett, Glasgow, Greendale, Gregory Heights, Hayes, Hazel Valley, Hazelwood, Heights,

Hestia, Highline, Hillcrest, Hillman, Honey Dew, Island, Jefferson, Juniper, Katherine, Kenneydale, Kerry, Kildare, Kilpatrick, Lakeridge, Lake View, Lakewood, Liberty, Lilac, Lisabuela, Londonderry, Lynmar, McKilvra, McKinley, McMicken, Macadam, Madrona, Manhattan, Margaret, Marian, Marie, Maury, May Creek, Mercer, Military Road, Monterey, Mount View, Myers Way, Newport, Nokomis, North Burien, North Riverton, Orillia, Pilgrim, Plato, Qualheim, Quartermaster, Rainier, Regal, Rendini, Renthree, Renton Nos. 1 through 26, Riverton, Roanoke, Roseburg, Rowell, St. Helens, Salmon Creek, San Juan, Seahurst, Seaview, Seneca, Seola, Shamrock, Shorewood, Showalter, Shuffleton, Skyway, South Park, Southern Heights, Spring Glen, Sterling, Stimson Park, Sunnycrest, Sunnydale, Sylvan, Taft, Thorndyke, Three Tree Point, Tipperary, Tralee, Tukwila No. 1, Tukwila No. 2, Ursina, Valona, Val-Vue, Vashon, Victory, Vista, Wallace, Wayne, White Center, Wildwood, Wilson, Woodside and Wynona shall constitute the seventh congressional district and shall be entitled to one representative in the congress of the United States.

SEC. 6. There is hereby added to chapter 29.68 RCW a new section to read as follows: New section.

The boundaries of precincts mentioned in this chapter shall be those established as of November 6, 1956. Precincts as of Nov. 6, 1956.

SEC. 7. There is added to chapter 29.68 RCW a new section to read as follows: New section.

Any precinct not specifically mentioned or included within the boundaries of any congressional district of this act, and which is completely surrounded by territory embraced within a congressional district shall be and become a part of such congressional district; and in case any such precinct is not completely surrounded by territory embraced Precincts not specifically mentioned herein—Determining proper district.

within a particular congressional district, the precinct shall be and become a part of the congressional district having the smallest number of electors and having territory adjoining or contiguous to such precinct in the same county in which such precinct is located.

Passed the Senate February 26, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 150.

[S. B. 359.]

PUBLIC UTILITY DISTRICTS—LOCAL IMPROVEMENT GUARANTY FUNDS.

AN ACT relating to public utility districts and providing for the establishment and maintenance of local improvement guaranty funds to be derived from a percentage of the gross revenues of the public utilities of the district.

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

Local improve-
ment guaranty
fund.

SECTION 1. Every public utility district in the state is hereby authorized, by resolution, to create a fund for the purpose of guaranteeing, to the extent of such fund, and in the manner hereinafter provided, the payment of such of its local improvement bonds and/or warrants as the commission may determine issued to pay for any local improvement within any local utility district established within the boundaries of the public utility district. Such fund shall be designated "local improvement guaranty fund, public utility district No.". For the purpose of maintaining such fund the public utility district shall set aside and pay into it such proportion as the commissioners may direct by resolution of the monthly gross revenues of its public utilities for which local improvement bonds and/or warrants have been issued and guaranteed by said fund:

Provided, however, That any obligation to make payments into said fund as herein provided shall be junior to any pledge of said gross revenues for the payment of any outstanding or future general obligation bonds or revenue bonds of the district. The proportion may be varied from time to time as the commissioners deem expedient: *Provided, further,* That under the existence of the conditions set forth in subdivisions (1) and (2), hereunder, and when consistent with the covenants of a public utility district securing its bonds, the proportion shall be as therein specified, to wit:

(1) When bonds and/or warrants of a local utility district have been guaranteed and are outstanding and the guaranty fund does not have a cash balance equal to twenty percent of all bonds and/or warrants originally guaranteed hereunder, excluding bonds and/or warrants which have been retired in full, then twenty percent of the gross monthly revenues from each public utility for which such bonds and/or warrants have been issued and are outstanding but not necessarily from users in other parts of the public utility district as a whole, shall be set aside and paid into the guaranty fund: *Provided,* That when, under the requirements of this subdivision, the cash balance accumulates so that it is equal to twenty percent of the total original guaranteed bonds and/or warrants, exclusive of any issue of bonds and/or warrants of a local utility district which issue has been paid and/or redeemed in full, or equal to the full amount of all bonds and/or warrants guaranteed, outstanding and unpaid, which amount might be less than twenty percent of the original total guaranteed, then no further revenue need be set aside and paid into the guaranty fund so long as such condition continues;

(2) When warrants issued against the guaranty fund remain outstanding and uncalled, for lack of funds, for six months from date of issuance, or

Local improve-
ment guaranty
fund.

when coupons, bonds and/or warrants guaranteed hereunder have been matured for six months and have not been redeemed, then twenty percent of the gross monthly revenue, or such portion thereof as the commissioners determine will be sufficient to retire the warrants or redeem the coupons, bonds and/or warrants in the ensuing six months, derived from all the users of the public utilities for which such bonds and/or warrants have been issued and are outstanding in whole or in part, shall be set

Proviso.

aside and paid into the guaranty fund: *Provided*, That when under the requirements of this subdivision all warrants, coupons, bonds and/or warrants specified in this subdivision have been redeemed, no further income need be set aside and paid into the guaranty fund under the requirements of this subdivision unless other warrants remain outstanding and unpaid for six months or other coupons,

Proviso.

bonds and/or warrants default: *Provided, further, however*, That no more than a total of twenty percent of the gross monthly revenue shall be required to be set aside and paid into the guaranty fund by these subdivisions (1) and (2).

Duties of the
district.

SEC. 2. To comply with the requirements of setting aside and paying into the local improvement guaranty fund a proportion of the monthly gross revenues of the public utilities of a district, for which guaranteed local improvement bonds and/or warrants have been issued and are outstanding, the district shall bind and obligate itself so long as economically feasible to maintain and operate the utilities and establish, maintain and collect such rates for water and/or electric energy, as the case may be, as will produce gross revenues sufficient to maintain and operate the utilities, and make necessary provision for the guaranty fund. The district shall alter its rates for water and/or electric energy, as the case may be, from time to time and shall vary

them in different portions of its territory to comply with such requirements.

SEC. 3. When a coupon, bond and/or warrant guaranteed hereby matures and there are not sufficient funds in the local utility district bond redemption fund to pay it, the county treasurer shall pay it from the local improvement guaranty fund of the public utility district; if there are not sufficient funds in the guaranty fund to pay it, it may be paid by issuance and delivery of a warrant upon the local improvement guaranty fund.

Warrants to meet liabilities.

When the cash balance in the local improvement guaranty fund is insufficient for the required purposes, warrants drawing interest at a rate not to exceed seven percent per year may be issued by the district auditor, against the fund to meet any liability accrued against it and shall issue them upon demand of the holders of any matured coupons, bonds and/or warrants guaranteed hereby, or to pay for any certificate of delinquency for delinquent installments of assessments as provided hereinafter. Guaranty fund warrants shall be a first lien in their order of issuance upon the guaranty fund.

SEC. 4. Within twenty days after the date of delinquency of any annual installment of assessments levied for the purpose of paying the local improvement bonds and/or warrants of a district guaranteed hereunder, the county treasurer shall compile a statement of all installments delinquent together with the amount of accrued interest and penalty appurtenant to each installment, and shall forthwith purchase, for the district, certificates of delinquency for all such delinquent installments. Payment for the certificates shall be made from the local improvement guaranty fund and if there is not sufficient money in that fund to pay for the certificates, the county treasurer shall accept the local improvement guaranty fund warrants in payment therefor.

Certificates of delinquency —Contents, purchase, payment, issuance, sale.

Local improve-
ment guaranty
fund. Certifi-
cates of delin-
quency—Con-
tents, pur-
chase, pay-
ment, issuance,
sale.

All certificates shall be issued in the name of the local improvement guaranty fund and all guaranty fund warrants issued in payment therefor shall be issued in the name of the appropriate local utility district fund. When a market is available and the commissioners direct, the county treasurer shall sell any certificates belonging to the local improvement guaranty fund, for not less than face value thereof plus accrued interest from date of issuance to date of sale.

The certificates shall be issued by the county treasurer, shall bear interest at the rate of ten percent per year, shall each be for the face value of the delinquent installment, plus accrued interest to date of issuance, plus a penalty of five percent of the face value, and shall set forth the:

- (1) Description of property assessed;
- (2) Date the installment of assessment became delinquent; and
- (3) Name of the owner or reputed owner, if known.

Certificates of
delinquency—
Redemption,
foreclosure.

SEC. 5. The certificates of delinquency may be redeemed by the owner of the property assessed at any time up to two years from the date of foreclosure of the certificate.

If a certificate is not redeemed on the second occurring first day of January after its issuance, the county treasurer shall foreclose the certificate in the manner specified for the foreclosure of the lien of local improvement assessments in cities, and if no redemption is made within the succeeding two years, from date of the decree of foreclosure, shall execute and deliver unto the public utility district, as trustee for the fund, a deed conveying fee simple title to the property described in the foreclosed certificate.

SEC. 6. When there is paid out of a guaranty fund any sum on the principal or interest upon local improvement bonds, and/or warrants, or on the pur-

chase of certificates of delinquency, the public utility district, as trustee, for the fund, shall be subrogated to all rights of the holder of the bonds, and/or warrants, interest coupons, or delinquent assessment installments so paid; and the proceeds thereof, or of the assessment underlying them, shall become a part of the guaranty fund. There shall also be paid into the guaranty fund the interest received from the bank deposits of the fund, as well as any surplus remaining in the local utility district funds guaranteed hereunder, after the payment of all outstanding bonds and/or warrants payable primarily out of such local utility district funds. As among the several issues of bonds and/or warrants guaranteed by the fund, no preference shall exist, but defaulted interest coupons and bonds and/or warrants shall be purchased out of the fund in the order of their presentation.

Subrogation of district as trustee of fund, effect on fund, disposition of proceeds.

The commissioners shall prescribe, by resolution, appropriate rules for the guaranty fund consistent herewith. So much of the money of a guaranty fund as is necessary and not required for other purposes hereunder may be used to purchase property at county tax foreclosure sales or from the county after foreclosure in cases where the property is subject to unpaid local improvement assessments securing bonds and/or warrants guaranteed hereunder and such purchase is deemed necessary for the purpose of protecting the guaranty fund. In such cases the fund shall be subrogated to all rights of the district. After so acquiring title to real property, the district may lease or resell and convey it in the same manner that county property may be leased or resold and for such prices and on such terms as may be determined by resolution of the commissioners. All proceeds resulting from such resales shall belong to and be paid into the guaranty fund.

Local improve-
ment guaranty
fund. Rights
and remedies
of bond or
warrant holder,
printed on
bond or war-
rant—Disposi-
tion of balance
of fund.

SEC. 7. Neither the holder nor the owner of local improvement bonds and/or warrants guaranteed hereunder shall have a claim therefor against the public utility district, except for payment from the special assessment made for the improvement for which the bonds and/or warrants were issued, and except as against the guaranty fund. The district shall not be liable to any holder or owner of such local improvement bonds and/or warrants for any loss to the guaranty fund occurring in the lawful operation thereof by the district. The remedy of the holder of a local improvement bond and/or warrant shall be confined to the enforcement of the assessment and to the guaranty fund. A copy of the foregoing part of this section shall be plainly written, printed, or engraved on each local improvement bond and/or warrant guaranteed hereby. The establishment of a guaranty fund shall not be deemed at variance from any comprehensive plan heretofore adopted by a district.

If a guaranty fund at any time has a balance therein in cash, and the obligations guaranteed thereby have all been paid off, the balance may be transferred to such other fund of the district as the commissioners shall, by resolution, direct.

Passed the Senate March 4, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 151.

[S. B. 435.]

WASHINGTON FERTILIZER ACT—DEFINITIONS.

AN ACT relating to fertilizers, agricultural minerals and limes; and amending section 2, chapter 85, Laws of 1953 and RCW 15.54.010.

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

SECTION 1. Section 2, chapter 85, Laws of 1953 and RCW 15.54.010 are each amended to read as follows: RCW 15.54.010 amended.

The following definitions apply to words and phrases used in this chapter: Definitions.

(1) "Fertilizer material" means any substance other than unmanipulated animal or vegetable manures containing not less than five percent of nitrogen, phosphoric acid, or potash, singly or chemically combined, and may contain other plant food elements or compounds. "Fertilizer material."

(2) "Mixed fertilizer" means any physical combination or mixture of fertilizer materials designed for use or claimed to have value in promoting plant growth. "Mixed fertilizer."

(3) "Commercial fertilizer" means and includes mixed fertilizers, fertilizer materials and specialty fertilizers. "Commercial fertilizer."

(4) "Complete fertilizer" means commercial fertilizer which contains nitrogen, phosphoric acid and potash. "Complete fertilizer."

(5) The term "specialty fertilizer" means any fertilizer distributed primarily for use on noncommercial crops such as gardens, lawns, shrubs, and flowers; and may include fertilizers used for research or experimental purposes. "Specialty fertilizer."

(6) "Agricultural minerals" means mineral substances, and mixtures of mineral and organic substances containing less than five percent in available form of nitrogen, phosphoric acid, or potash, collec- "Agricultural minerals."

Fertilizer act.
Definitions.

tively, or in combination designed for use principally as a source of plant food; provided that animal manures, limes, sand and soil shall not be considered as minerals.

"Lime."

(7) "Lime" means a substance or mixture of substances, the principal constituent of which is calcium and/or hydroxide, magnesium carbonate, or oxide, singly or combined.

"Brand."

(8) "Brand" means a term, design or trademark used in connection with the distribution and sale of one or more grades of commercial fertilizers, agricultural minerals or lime.

"Grade."

(9) "Grade" means the minimum percentage of total nitrogen, available phosphoric acid and soluble potash stated in the order given.

"Ton."

(10) "Ton" means a net weight of two thousand pounds avoirdupois.

"Percent,"
"percentage."

(11) "Percent" or "percentage" means the percentage by weight. Mixed fertilizers shall always be expressed in whole numbers.

"Ultimate
dealer."

(12) "Ultimate dealer" means a person who sells commercial fertilizer, agricultural mineral or lime direct to the user.

"Department."

(13) "Department" means the state department of agriculture of the state of Washington.

Passed the Senate March 4, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 152.

[S. B. 439.]

TOLL BRIDGE AUTHORITY—REFUNDING BONDS.

AN ACT relating to the refunding of revenue bonds of the Washington toll bridge authority; and amending sections 1, 2 and 3, chapter 17, Laws of 1955 and RCW 47.60.113, 47.60.114 and 47.60.115.

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

SECTION 1. Section 1, chapter 17, Laws of 1955 and RCW 47.60.113 are each amended to read as follows:

RCW 47.60.113 amended.

The Washington toll bridge authority is hereby authorized to refund, at the maturity thereof, or before the maturity thereof if they are subject to call prior to maturity or if all of the holders thereof consent thereto, upon such terms and conditions as it shall deem best, any or all of its revenue bonds now or hereafter outstanding, issued for the purpose of acquiring, constructing or reconstructing any toll bridge, toll road, toll tunnel, ferry system, or any other toll facility of any sort, or issued for the purpose of refunding such bonds, which revenue bonds are payable out of all or part of the revenues of such toll facility. Refunding bonds may be issued hereunder in a sufficient amount to provide additional funds for acquiring, constructing, reconstructing, rehabilitating, rebuilding, enlarging or improving any toll bridge, toll road, toll tunnel, ferry system, or any other toll facility of any sort, and to pay all refunding costs and expenses and to provide adequate reserves for said toll facility and for any such refunding bonds. Various issues and series of such outstanding bonds, including refunding bonds, may be combined and refunded by a single issue of refunding bonds. Such refunding bonds shall bear interest at such rates and mature at such times, without limitation by the interest rates or maturity of the

Puget Sound ferry system. Refunding bonds—Authorization—Amount—Interest—Conditions.

bonds being refunded, and shall contain such other covenants and conditions as the Washington toll bridge authority shall determine by resolution.

RCW 47.60.114
amended.

SEC. 2. Section 2, chapter 17, Laws of 1955 and RCW 47.60.114 are each amended to read as follows:

Puget Sound
ferry system.
Refunding
bonds. Pay-
able from
revenue.

Any refunding bonds authorized herein shall constitute obligations of the Washington toll bridge authority only and not of the state of Washington. They shall be payable solely out of all or such part of the revenues derived from the operation of the toll bridge, toll road, toll tunnel, ferry system, or any other toll facility, as shall be provided in the resolution authorizing the issuance of such refunding bonds.

RCW 47.60.115
amended.

SEC. 3. Section 3, chapter 17, Laws of 1955 and RCW 47.60.115 are each amended to read as follows:

Disposition—
Laws appli-
cable.

The bonds herein authorized shall, in the discretion of the Washington toll bridge authority, be exchanged at the best possible price for the bonds being refunded or any such bonds not exchanged shall be sold in the manner provided in RCW 47.60.090. The bonds herein authorized shall be issued in accordance with, and shall be subject to, the provisions of RCW 47.60.050, 47.60.060, 47.60.070, 47.60.080, 47.60.100, 47.60.110 and 47.60.120.

Passed the Senate March 5, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 153.

[S. B. 463.]

MOSQUITO CONTROL DISTRICTS.

AN ACT relating to the public health; the formation, government, operation and dissolution of mosquito control districts in Adams, Benton, Franklin, Grant, Kittitas, Walla Walla and Yakima Counties; providing for the assessment, levy, collection and disbursement of taxes within such districts; provides for penalties; and defines the districts, jurisdiction and powers of the district, and declares an emergency.

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

SECTION 1. When used in this act, the following terms, words or phrases shall have the following meaning: Definitions.

(1) "District" means any mosquito control district formed pursuant to this act. "District."

(2) "Board" or "district board" means the board of trustees governing the district. "Board," "district board."

(3) "County commissioners" means the governing body of the county. "County commissioners."

(4) "Unit" means all unincorporated territory in a proposed district in one county, regarded as an entity, or each city in a proposed district, likewise regarded as an entity. "Unit."

(5) "Territory" means any city or county or portion of either or both city or county having a population of not less than one hundred persons. "Territory."

(6) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof. "Person."

SEC. 2. Any number of units of a territory within the state of Washington in Adams, Benton, Franklin, Grant, Kittitas, Walla Walla and Yakima counties may be organized as a mosquito control district under the provisions of this act. Who may organize mosquito control district.

A petition to form a district may consist of any number of separate instruments which shall be presented at a regular meeting of the county commis- Petition—Necessary signatures.

sioners of the county in which the greater area of the proposed district is located. Petitions shall be signed by registered voters of each unit of the proposed district, equal in number to not less than ten percent of the votes cast in each unit respectively for the office of governor at the last gubernatorial election prior to the time of presenting the petition.

Mosquito control districts.
Petition method—
Description of boundaries—
Verification of signatures—
Resolution to include city.

SEC. 3. Before a city can be included as a part of the proposed district its governing body shall have requested that the city be included by resolution, duly authenticated.

The petition shall set forth and describe the boundaries of the proposed district and it shall request that it be organized as a mosquito control district. Upon receipt of such a petition, the auditor of the county in which the greater area of the proposed district is located shall be charged with the responsibility of examining the same and certifying to the sufficiency of the signatures thereon. For the purpose of examining the signatures on such petitions, the auditor shall be permitted access to the voters' registration books of each city and county located in the proposed district and may appoint the respective county auditors and city clerks thereof as his deputies. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the board of commissioners of the county in which the greater area of the proposed district is located, together with his certificate as to the sufficiency thereof.

Publication of petition and notice of meeting.

SEC. 4. Upon receipt of a duly certified petition, the board of commissioners shall cause the text of the petition to be published once a week for at least three consecutive weeks in one or more newspapers of general circulation within the county where the petition is presented and at each city a portion of

which is included in the proposed district. If any portion of the proposed district lies in another county, the petition and notice shall be likewise published in that county.

Only one copy of the petition need be published even though the district embraces more than one unit. No more than five of the names attached to the petition need appear in the publication of the petition and notice, but the number of signers shall be stated.

With the publication of the petition there shall be published a notice of the time of the meeting of the county commissioners when the petition will be considered, stating that all persons interested may appear and be heard.

SEC. 5. Such districts may also be organized upon the adoption by the county commissioners of a resolution of intention so to do, in lieu of the procedure hereinbefore provided for the presentation of petitions. In the event the county commissioners adopt a resolution of intention, such resolution shall describe the boundaries of the proposed district and shall set a time and place at which they will consider the organization of the district, and shall state that all persons interested may appear and be heard. Such resolution of intention shall be published in the same manner and for the same length of time as a petition.

Resolution
method.

SEC. 6. At the time stated in the notice of the filing of the petition or the time mentioned in the resolution of intention, the county commissioners shall consider the organization of the district and hear those appearing and all protests and objections to it. The commissioners may adjourn the hearing from time to time, not exceeding two months in all.

Hearing—
Defective peti-
tion—Estab-
lishment of
boundaries.

No defect in the contents of the petition or in the title to or form of the notice or signatures, or lack of signatures thereto, shall vitiate any proceedings

if the petition has a sufficient number of qualified signatures.

On the final hearing the county commissioners shall make such changes in the proposed boundaries as are advisable, and shall define and establish the boundaries.

Mosquito control districts. Procedure to include other territory.

SEC. 7. If the county commissioners deem it proper to include any territory not proposed for inclusion within the proposed boundaries, they shall first cause notice of intention to do so to be mailed to each owner of land in the territory whose name appears as owner on the last completed assessment roll of the county in which the territory lies, addressed to the owner at his address given on the assessment roll, or if no address is given, to his last known address; or if it is not known, at the county seat of the county in which his land lies. The notice shall describe the territory and shall fix a time, not less than two weeks from the date of mailing, when all persons interested may appear before the county commissioners and be heard.

The boundaries of a district lying in a city shall not be altered unless the governing board of the city, by resolution, consents to the alteration.

Determination of public necessity and compliance with chapter.

SEC. 8. Upon the hearing of the petition the county commissioners shall determine whether the public necessity or welfare of the proposed territory and of its inhabitants requires the formation of the district, and shall also determine whether the petition complies with the provisions of this act, and for that purpose shall hear all competent and relevant testimony offered.

Declaration establishing and naming district.

SEC. 9. If, from the testimony given before the county commissioners, it appears to that board that the public necessity or welfare requires the formation of the district, it shall, by an order entered on its minutes, declare that to be its finding, and shall further declare and order that the territory within

the boundaries so fixed and determined be organized as a district, under an appropriate name to be selected by the county commissioners, subject to approval of the voters of the district as hereinafter provided. The name shall contain the words "mosquito control district."

At the time of the declaration establishing and naming the district, the county commissioners shall by resolution call a special election to be held not less than thirty days and not more than sixty days from the date thereof, and shall cause to be published a notice of such election at least once a week for three consecutive weeks in a newspaper of general circulation in the county, setting forth the hours during which the polls will be open, the boundaries of the proposed district as finally adopted, and the object of the election. If any portion of the proposed district lies in another county, a notice of such election shall likewise be published in that county.

Election to
form district—
Establishment
of district.

The election on the formation of the mosquito control district shall be conducted by the auditor of the county in which the greater area of the proposed district is located in accordance with the general election laws of the state and the results thereof shall be canvassed by that county's canvassing board. For the purpose of conducting an election under this section, the auditor of the county in which the greater area of the proposed district is located may appoint the auditor of any county or the city clerk of any city lying wholly or partially within the proposed district as his deputies. No person shall be entitled to vote at such election unless he is a qualified voter under the laws of the state in effect at the time of such election and has resided within the mosquito control district for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

"Shall a mosquito control district be estab-

Mosquito control districts.
Election to form district—
Establishment of district.

lished for the area described in a resolution of the board of commissioners of..... county adopted on the..... day of, 19.....?

YES
NO ”

If a majority of the persons voting on the proposition shall vote in favor thereof, the mosquito control district shall thereupon be established and the county commissioners of the county in which the greater area of the district is situated shall immediately file for record in the office of the county auditor of each county in which any portion of the land embraced in the district is situated, and shall also forward to the county commissioners of each of the other counties, if any, in which any portion of the district is situated, and also shall file with the secretary of state, a certified copy of the order of the county commissioners. From and after the date of the filing of the certified copy with the secretary of state, the district named therein is organized as a district, with all the rights, privileges, and powers set forth in this act, or necessarily incident thereto.

If a majority of the persons voting on the proposition shall vote in favor thereof, all expenses of the election shall be paid by the mosquito control district when organized. If the proposition fails to receive a majority of votes in favor, the expenses of the election shall be borne by the respective counties in which the district is located in proportion to the number of votes cast in said counties.

Election on proposition to levy tax.

SEC. 10. At the same election there shall be submitted to the voters residing within the district, for their approval or rejection, a proposition authorizing the mosquito control district, if formed, to levy at the earliest time permitted by law on all taxable property located within the mosquito control district a general tax, for one year, of one mill in excess

of any constitutional or statutory limitation for authorized purposes of the mosquito control district. The proposition shall be expressed on the ballots in substantially the following form:

“ONE YEAR ONE MILL LEVY

“Shall the mosquito control district, if formed, levy a general tax of one mill for one year upon all the taxable property within said district in excess of the forty mill tax limit for authorized purposes of the district?

YES
 NO ”

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area of the proposed mosquito control district at the last preceding county or state general election.

SEC. 11. Within thirty days after the filing with the secretary of state of the certified copy of the order of formation, a governing board of trustees for the district shall be appointed. The district board shall be appointed as follows:

Board of trustees—
Composition.

(1) If the district is situated in one county only and consists wholly of unincorporated territory, five members shall be appointed by the county commissioners of the county.

(2) If the district is situated entirely in one county and includes both incorporated and unincorporated territory one member shall be appointed from the district at large by the county commissioners of the county, and one member from each city, the whole or part of which is situated in the district, by the governing body of the city; but if the district board created consists of less than five members, the county commissioners shall appoint from the district

Mosquito control districts.
Board of trustees—
Composition.

at large enough additional members to make a board of five members.

(3) If the district is situated in two or more counties and is comprised wholly of incorporated territory, one member shall be appointed from each county or portion of a county situated in the district by the county commissioners; but if the district board created consists of less than five members, the county commissioners of the county in which the greater area of the district is situated shall appoint from the district at large enough additional members to make a board of five members.

(4) If the district is situated in two or more counties and consists of both incorporated and unincorporated territory, one member shall be appointed by the county commissioners of each of the counties from that portion of the district lying within its jurisdiction; and one member from each city, a portion of which is situated in the district by the governing body of the city; but if the board created consists of less than five members, the county commissioners in which the greater area of the district is situated shall appoint from the district at large enough additional members to make a board of five members.

Name of board
—Qualifications of members.

SEC. 12. The district board shall be called "The board of trustees of mosquito control district."

Each member of the board appointed by the governing body of a city shall be an elector of the city from which he is appointed and a resident of that portion of the city which is in the district.

Each member appointed from a county or portion of a county shall be an elector of the county and a resident of that portion of the county which is in the district.

Each member appointed at large shall be an elector of the district.

SEC. 13. The members of the first board in any district shall classify themselves by lot at their first meeting so that:

Terms—
Vacancies.

(1) If the total membership is an even number, the terms of one-half the members will expire at the end of one year, and the terms of the remainder at the end of two years, from the second day of the calendar year next succeeding their appointment.

(2) If the total membership is an odd number, the terms of a bare majority of the members will expire at the end of one year, and the terms of the remainder at the end of two years, from the second day of the calendar year next succeeding their appointment.

The term of each subsequent member is two years from and after the expiration of the term of his predecessor.

In event of the resignation, death, or disability of any member, his successor shall be appointed by the governing body which appointed him.

SEC. 14. The members of the first district board shall meet on the first Monday subsequent to thirty days after the filing with the secretary of state of the certificate of incorporation of the district. They shall organize by the election of one of their members as president and one as secretary.

Organization—
Officers—Com-
pensation—
Expenses.

The members of the district board shall serve without compensation; but the necessary expenses of each member for actual traveling in connection with meetings or business of the board may be allowed and paid.

The secretary shall receive such compensation as shall be fixed by the district board.

SEC. 15. The district board shall provide for the time and place of holding its regular meetings, and the manner of calling them, and shall establish rules for its proceedings.

Meetings—
Rules—
Quorum.

Special meetings may be called by three members, notice of which shall be given to each member at least twenty-four hours before the meeting.

All of its sessions, whether regular or special, shall be open to the public.

A majority of the members shall constitute a quorum for the transaction of business.

Mosquito control districts.
Powers of districts.

SEC. 16. A mosquito control district organized under this act may:

(1) Take all necessary or proper steps for the extermination of mosquitoes.

(2) Subject to the paramount control of the county or city in which they exist, abate as nuisances all stagnant pools of water and other breeding places for mosquitoes.

(3) If necessary or proper, in the furtherance of the objects of this act, build, construct, repair, and maintain necessary dikes, levees, cuts, canals, or ditches upon any land, and acquire by purchase, condemnation, or by other lawful means, in the name of the district, any lands, rights of way, easements, property, or material necessary for any of those purposes.

(4) Make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the use or taking of property for dikes, levees, cuts, canals, or ditches.

(5) Enter upon without hindrance any lands within the district for the purpose of inspection to ascertain whether breeding places of mosquitoes exist upon such lands; or to abate public nuisances in accordance with this act; or to ascertain if notices to abate the breeding of mosquitoes upon such lands have been complied with; or to treat with oil or other larvicidal material any breeding places of mosquitoes upon such lands.

(6) Sell or lease any land, rights of way, easements, property or material acquired by the district.

(7) Issue warrants payable at the time stated therein to evidence the obligation to repay money borrowed or any other obligation incurred by the district, warrants so issued to draw interest at a rate fixed by the board not to exceed five percent per year payable annually or semiannually as the board may prescribe.

(8) Make contracts with the United States, or any state, municipality, or any department of those entities for carrying out the general purpose for which the district is formed.

(9) Acquire by gift, devise, bequest, lease, or purchase, real and personal property necessary or convenient for its purposes.

(10) Make contracts, employ engineers, health officers, sanitarians, physicians, laboratory personnel, attorneys, and other technical or professional assistants; and publish information or literature and do any and all other things necessary or incident to the powers granted by, and to carry out the projects specified in this act.

SEC. 17. Any breeding place for mosquitoes which exists by reason of any use made of the land on which it is found or of any artificial change in its natural condition is a public nuisance.

Mosquito breeding places declared public nuisance—Remedies cumulative.

The nuisance may be abated in any action or proceeding, or by any remedy provided by law.

Any remedy provided in this act for the abatement of a nuisance is in addition to any other remedy provided by law.

SEC. 18. Whenever a nuisance specified in this act exists upon any property in the district, the district board may in writing notify the record owner, and the person in charge or in possession of the property, of the existence of the nuisance..

Nuisance—Notice to owner and possessor of property.

The notice shall direct that the owner shall, within a specified time, abate the nuisance by destroying the larvae or pupae that are present.

Mosquito control districts. Nuisance— Notice to owner and possessor of property.

The notice shall further direct that the owner shall, within a specified time, perform any work that may be necessary to prevent the recurrence of breeding in the places specified in the notice.

The notice shall be served upon the owner of record, and the person having charge or possession, of the property upon which the nuisance exists, or upon the agent of either.

The notice may be served by any person authorized by the district board in the same manner as a summons in a civil action.

Notice when owner is non-resident or cannot be found.

SEC. 19. If the property belongs to a person who is not a resident of the district and there is no tenant or agent of the owner upon whom service can be made who can after diligent search be found, or if the owner of the property cannot after diligent search be found, the notice may be served by posting a copy in a conspicuous place upon the property for a period of ten days, and by mailing a copy to the owner addressed to his address as given on the last completed assessment roll of the county in which the property is situated, or, in the absence of an address on the roll, to his last known address.

Hearing before the board.

SEC. 20. Before complying with the requirements of the notice the owner may appear at a hearing before the board at a time and place fixed by the board and stated in the notice.

At the hearing the district board shall redetermine whether the owner shall abate the nuisance and prevent its recurrence and shall specify a time within which the work shall be completed.

Abatement by the district— Expense is lien.

SEC. 21. In the event that the nuisance is not abated within the time specified in the notice or at the hearing, the district board shall abate the nuisance by destroying the larvae or pupae and by taking appropriate measures to prevent the recurrence of further breeding.

The cost of abatement shall be repaid to the district by the owner.

The sums expended by the district in abating a nuisance or preventing its recurrence are a lien upon the property on which the nuisance is abated, or its recurrence prevented.

SEC. 22. Notice of the lien shall be filed and recorded by the district board in the office of the county auditor of the county in which the property is situated within ninety days after the first item of expenditure by the board.

Lien—Filing notice—Action to foreclose—Limitations.

An action to foreclose the lien shall be commenced within six months after the filing and recording of the notice of lien.

The action shall be brought by the district board in the name of the district.

SEC. 23. When the property is sold, enough of the proceeds to satisfy the lien and the costs of foreclosure shall be paid to the district; and the surplus, if any, shall be paid to the owner of the property if known, and if not known, shall be paid into the court in which the lien was foreclosed for the use of the owner when ascertained.

Foreclosure—Disposition of proceeds of sale.

SEC. 24. The lien provisions of this act do not apply to the property of the state or of the county, city, district, or other public corporation. However, the governing body of the county, city, district, or other public corporation shall repay to any mosquito abatement district the amount expended by the district upon any of its property under this act upon presentation by the district board of a verified claim or bill.

Property of state or public corporation—Exempt from lien—Duty to repay district.

SEC. 25. Any person who obstructs, hinders, or interferes with the entry upon any land within the district of any officer or employee of the district in the performance of his duty, and any person who obstructs, interferes with, molests, or damages any

Interference with entry or work of district—Penalty.

work performed by the district, is guilty of a misdemeanor.

Mosquito control districts.
General obligation bonds.

SEC. 26. A mosquito control district shall have the power to issue general obligation bonds and to pledge the full faith and credit of the district to the payment thereof, for any authorized purpose or purposes of the mosquito control district: *Provided*, That a proposition authorizing the issuance of such bonds shall have been submitted to the electors of the mosquito control district at a special or general election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said mosquito control district at the last preceding county or state general election.

General obligation bonds shall bear interest at a rate of not to exceed six percent per annum. The various annual maturities shall commence not more than two years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.

Such bonds shall never be issued to run for a longer period than ten years from the date of issue.

The bonds shall be signed by the presiding officer of the board of trustees of the district and shall be attested by the secretary of the board, one of which signatures may be a facsimile signature and the seal of the mosquito control district shall be impressed thereon. Each of the interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities of the first class and at a price not less than par and accrued interest.

There shall be levied by the officers or governing body now or hereafter charged by law with the duty of levying taxes in the manner provided by law an annual levy in excess of the forty mill tax limitation sufficient to meet the annual or semi-annual payments of the principal and interest on the said bonds maturing as herein provided upon all taxable property within the mosquito control district.

SEC. 27. All taxes levied under this act shall be computed and entered on the county assessment roll and collected at the same time and in the same manner as other county taxes. When collected, the taxes shall be paid into the county treasury for the use of the district.

Collection,
disposition of
revenue—
Depository.

If the district is in more than one county the treasury of the county in which the district is organized is the depository of all funds of the district.

The treasurers of the other counties shall, at any time, not oftener than twice each year, upon the order of the district board settle with the district board and pay over to the treasurer of the county where the district is organized all money in their possession belonging to the district. The last named treasurer shall give a receipt for the money and place it to the credit of the district.

SEC. 28. The funds shall only be withdrawn from the county treasury depository upon the warrant of the district board signed by its president or acting president, and countersigned by its secretary.

Withdrawal of
funds.

SEC. 29. Any part or all of the taxes collected for use of the district may be used for matching funds made available to the district by county, state, or federal governmental agencies.

Matching
funds.

SEC. 30. All expenses of any special election conducted pursuant to the provisions of this act shall be paid by the mosquito control district.

Expenses of
special
elections.

Mosquito control districts. Annual certification of assessed valuation.

SEC. 31. It shall be the duty of the assessor of each county lying wholly or partially within the district to certify annually to the board the aggregate assessed valuation of all taxable property in his county situated in any mosquito control district as the same appears from the last assessment roll of his county.

Annexation of territory authorized—Consent by city.

SEC. 32. Any territory contiguous to a district may be annexed to the district.

If the territory to be annexed is in a city, consent to the annexation shall first be obtained from the governing body of the city. An authenticated copy of the resolution or order of that body consenting to the annexation shall be attached to the annexation petition.

Petition—Hearing—Boundaries.

SEC. 33. The district board, upon receiving a written petition for annexation containing a description of the territory sought to be annexed, signed by registered voters in said territory equal in number to at least ten percent of the number of votes cast in the territory for the office of governor at the last gubernatorial election prior to the time the petition is presented, shall set the petition for hearing. It shall publish notice of the hearing along with a copy of the petition, stating the time and place set for the hearing, in each county in which any part of the district or of the territory is situated, and in each city situated wholly or in part in the territory. Not more than five of the names attached to the petition need appear in the publication, but the number of signers shall be stated.

At the time set for the hearing the district board shall hear persons appearing in behalf of the petition and all protests and objections to it. The district board may adjourn the hearing from time to time, but not exceeding two months in all.

On the final hearing the district board shall make such changes as it believes advisable in the bound-

aries of the territory, and shall define and establish the boundaries. It shall also determine whether the petition meets the requirements of this act.

SEC. 34. If upon the hearing the district board finds that the petition and the proceedings thereon meet the requirements of this act and that it is desirable and to the interests of the district and of the territory proposed to be annexed that the territory, with boundaries as fixed and determined by the district board, or any portion of it, should be annexed to the district, the board shall order the boundaries of the district changed to include the territory, or portion of the territory, subject to approval of the electors of the territory proposed to be annexed. The election to be conducted and the returns canvassed and declared insofar as is practicable in accordance with the requirements of this act for the formation of a district. The expenses of such election shall be borne by the mosquito control district regardless of the outcome of the election.

Order of
annexation—
Election.

The order of annexation shall describe the boundaries of the annexed territory and that portion of the boundary of the district which coincides with any boundary of the territory. If necessary in making this order, the board may have any portion of the boundaries surveyed.

If more than one petition for the annexation of the territory has been presented, the district board may in one order include in the district any number of separate territories.

SEC. 35. The order of annexation shall be entered in the minutes of the board and certified copies shall be filed with the secretary of state and with the county clerk and county auditor of each county in which the district or any part of it is situated.

Filing of order
—Composition
of board.

From and after the date of the filing and recording of the certified copies of the order, the territory described in the order is a part of the district, with all

Mosquito control districts. Annexation of territory authorized. Filing of order—Composition of board.

the rights, privileges, and powers set forth in this act and those necessarily incident thereto.

After the annexation of territory to a district, the district board shall consist of the number of members and shall be appointed in the manner prescribed by this act for a district formed originally with boundaries embracing the annexed territory. However, the members of the district board in office at the time of the annexation shall continue to serve as members during the remainder of the terms for which they were appointed.

Consolidation of districts—Initial proceedings.

SEC. 36. Whenever in the judgment of the district board it is for the best interests of the district that it be consolidated with one or more other districts, it may, by a two-thirds vote of its members, adopt a resolution reciting that fact and declaring the advisability of such consolidation and the willingness of the board to consolidate. The resolution shall be sent to the board of each district with which consolidation is proposed.

The board of each district to which a proposal of consolidation is sent shall consider said proposal and give notice of its decision to the proposing board.

Concurrent resolution.

SEC. 37. Should it appear that two-thirds of the members of each of the boards of districts proposed to be consolidated favor consolidation each of said boards shall then, by a vote of not less than two-thirds of its members adopt a concurrent resolution in favor of consolidation, declaring its willingness to consolidate, specifying a name for the consolidated district. Immediately upon the adoption of said concurrent resolution a copy of same signed by not less than two-thirds of the members of each board shall be forwarded to the county commissioners of the county in which all of or a major portion of the land of all, the districts consolidated are situated.

SEC. 38. When the concurrent resolution for consolidation has been adopted, each board of the districts proposed for consolidation shall forthwith call a special election in its district in which shall be presented to the electors of the districts the question whether the consolidation shall be effected.

Election.

The election shall be conducted and the returns canvassed and declared insofar as is practicable in accordance with the requirements of this act for the formation of a district.

The board of each district shall declare the returns of the election in its district, and shall certify the results to the county commissioners of the county in which all the districts, or the major portion of the land of all the districts, are situated.

SEC. 39. Should not less than two-thirds of the votes of each of the respective districts proposed to be consolidated favor consolidation the county commissioners shall immediately:

Order of consolidation.

(1) Enter an order on its minutes consolidating all of the districts proposed for consolidation into one district with name as specified in the concurrent resolution.

(2) Transmit a certified copy of the order to the county commissioners of any other county in which any portion of the consolidated district is situated.

(3) Record a copy in the office of the county auditor of each of the counties in which any portion of the consolidated district is situated.

(4) File a copy in the office of the secretary of state.

After the transmission, recording and filing of the order, the territory in the districts entering into the consolidation proposal forms a single consolidated district.

SEC. 40. After the consolidation, the board of the consolidated district shall consist of the number and

Composition of board.

shall be appointed in the manner prescribed by this act for a district originally formed.

The terms of the members of the district boards of the several districts consolidated who are in office at the time of consolidation shall terminate at the time the consolidation becomes effective.

Mosquito control districts. Annexation of territory authorized. Powers of consolidated district—Indebtedness of former districts.

SEC. 41. The consolidated district has all the rights, powers, duties, privileges and obligations of a district formed originally under the provisions of this act.

If at the time of consolidation there is outstanding an indebtedness of any of the former districts included in the consolidated district, that indebtedness shall be paid in the manner provided for the payment of indebtedness upon dissolution of a district.

A consolidated district shall not be liable for any indebtedness of any of the former districts included in it which was outstanding at the time of consolidation.

No property in any of the former districts shall be taxed to pay any indebtedness of any other former district existing at the date of the consolidation.

Dissolution—Election.

SEC. 42. The district may at any time be dissolved upon the vote of two-thirds of the qualified electors in the district at a special election called by the district board upon the question. The question shall be submitted as, "Shall the district be dissolved?", or words to that effect.

Notice of the election shall be published at least once a week for at least four weeks prior to the date of the election in a newspaper of general circulation in each county of the district.

Result of election to be certified—Certificate of dissolution.

SEC. 43. Should two-thirds or more of the votes at the election favor dissolution the district board shall certify that fact to the secretary of state. Upon receipt of such certification the secretary of state shall issue his certificate reciting that the district (naming it) has been dissolved, and shall transmit

to and file a copy with the county clerk of each county in which any portion of the district is situated.

After the date of the certificate of the secretary of state, the district is dissolved.

SEC. 44. If the district at the time of dissolution was wholly within unincorporated territory in one county, its property vests in that county.

Disposition
of property.

If the district at the time of dissolution was situated wholly within the boundaries of a single city, its property vests in that city.

If the district at the time of dissolution comprised only unincorporated territory in two or more counties, its property vests in those counties in proportion to the assessed value of each county's property within the boundaries of the district as shown on the last equalized county assessment roll.

If the district at the time of dissolution comprised both incorporated and unincorporated territory, its property vests in each unit in proportion as its assessed property value lies within the boundaries of the district: *Provided, however,* That any real property, easements, or rights of way vest in the city in which they are situated or in the county in which they are situated.

Proviso.

SEC. 45. If, at the time of election to dissolve, a district has outstanding any indebtedness, the vote to dissolve the district dissolves it for all purposes except the levy and collection of taxes for the payment of the indebtedness, and expenses of assessing, levying, and collecting such taxes.

Collection of
taxes to dis-
charge indebt-
edness.

Until the indebtedness is paid, the county commissioners of the county in which the greater portion of the district was situated shall act as the ex officio district board and shall levy taxes and perform such functions as may be necessary in order to pay the indebtedness.

SEC. 46. If any part, or parts, of this act shall be held unconstitutional, the remaining provisions shall

Severability.

be given full force and effect, as completely as if the part held unconstitutional had not been included therein, if any such remaining part can then be administered in furtherance of the purposes of this act.

Emergency.

SEC. 47. This act is necessary for the immediate preservation of public peace, health or safety, support of state government, and its existing state institutions, and shall take effect immediately.

Passed the Senate March 1, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 154.

[S. B. 488.]

FOREST PROTECTION—CERTIFICATES OF CLEARANCE.

AN ACT relating to protection of forests; providing for burning of slashings; and amending section 8, chapter 142, Laws of 1955 and RCW 76.04.230.

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

RCW 76.04.230 amended.

SECTION 1. Section 8, chapter 142, Laws of 1955 and RCW 76.04.230 are each amended to read as follows:

Certificates of clearance.

When any fire hazard exists or has been created by any logging or clearing operations, and whether the supervisor has declared the same to be a fire hazard or not, and whether or not an effort has been made to remove or abate such fire hazard, an application may be made to the supervisor for a certificate of clearance.

As soon as practicable after the receipt of such written request the supervisor shall cause the area to be carefully inspected and if it is found that the unused material and debris has been properly disposed of or the fire hazard abated through deterioration or utilization, the supervisor shall issue a

certificate of clearance in duplicate, one copy to be delivered to the applicant and one copy to be retained in the records of his office. Each such certificate of clearance shall describe with reasonable accuracy the slashing, chopping or other area on which the unused material or other debris or fire hazard has been satisfactorily disposed of or the fire hazard abated through deterioration or utilization, by subdivision, section, township, and range, shall give the approximate acreage of the area to which the certificate applies, shall name the person who created such slashing, chopping, unused material, or fire hazard, if known, and name the person by whom the disposal or abatement was done, shall give the date on which the area was inspected and the name of the person making the inspection, and shall certify that in the opinion of the inspector such unused forest material or debris has been properly disposed of or through deterioration or utilization the fire hazard abated. Such certificate of clearance shall be issued for any fraction or part of the area inspected when the inspector finds that only such fraction or part meets the requirements of satisfactory and legal disposition of such unused material or debris and of the abatement of such fire hazard.

Forest protection. Certificates of clearance.

If the supervisor determines that the burning of any slashings will result in the destruction of second growth or will be detrimental to the growth of a new forest crop, such that the harm will be greater than the benefit derived, or that burning such slashings will create a greater fire hazard than already exists, he shall issue a certificate of clearance therefor: *Provided*, That the supervisor has received the application for clearance in writing, within twelve months after completion of logging, describing the area in forty acre subdivisions or less, according to area logged, and the supervisor will have the right to require extra protection measures as a condition precedent to the issuance of such certificate of clear-

Proviso.

Forest protection. Certificates of clearance. Proviso.

ance to be given the area by the owner and/or operator if the hazard warrants it: *Provided further*, That should the owner and/or operator elect he may request the supervisor to be relieved of this responsibility and if the supervisor finds it reasonably possible for the division of forestry, or some other organized protection agency approved by the supervisor, to assume this responsibility and that it can be assumed at a cost per acre not exceeding the average cost per acre for protecting lands of similar type from fire as determined by the supervisor of forestry, and if the owner and/or operator pays to the supervisor of forestry or other protection agency a sum equal to the annual cost multiplied by the estimated number of years necessary for the slash to deteriorate, then upon receiving this amount, the supervisor of forestry shall issue a certificate of clearance certifying that the operator and/or owner of the land is relieved of fire fighting costs that may accrue as a result of the unabated slashings, providing that no negligent act of the operator and/or landowner shall cause a fire to start on land for which such certificate has been issued. All money paid to the supervisor of forestry pursuant to this section shall be deposited in a special permanent revolving fund to be maintained by the supervisor outside the state treasury and designated the "certificate of clearance fund." The supervisor of forestry shall utilize said moneys for discharging the obligations assumed by the state under this section.

All certificates of clearance shall be conclusive evidence of the satisfactory and legal disposition and abatement of the unused material and debris and the fire hazard created thereby to the extent in such certificate set forth; but any such certificate may be canceled or set aside, upon due notice served in writing by the supervisor for fraud or collusion in the

procuring or issuance thereof, or in the event of non-compliance with any provision or condition therein.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 20, 1957.

CHAPTER 155.

[H. B. 262.]

SCHOOL DISTRICTS—EMINENT DOMAIN.

AN ACT relating to education; and amending section 13, page 289, Laws of 1909 as amended by section 1, chapter 54, Laws of 1949, and RCW 28.58.070.

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

SECTION 1. Section 13, page 289, Laws of 1909 as amended by section 1, chapter 54, Laws of 1949 and RCW 28.58.070 are each amended to read as follows:

RCW 28.58.070 amended.

The board of directors of any school district of this state may proceed to condemn and appropriate not more than fifteen acres of land for any elementary school purpose, not more than twenty-five acres for any junior high school purpose and not more than forty acres for any senior high school purpose. Such condemnation proceedings shall be in accordance with the laws of this state providing for appropriating private property for public use.

Eminent domain.

Passed the House February 8, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 156.

[H. B. 273.]

CITIES AND TOWNS—VACATION OF STREETS.

AN ACT relating to vacation of streets and alleys in all cities and towns; amending section 1, chapter 84, Laws of 1901 and RCW 35.79.010 and 35.79.020; and amending section 2, chapter 84, Laws of 1901 as amended by section 1, chapter 14, Laws of 1949, and RCW 35.79.030.

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

Division and amendment.

SECTION 1. Section 1, chapter 84, Laws of 1901, (heretofore divided and codified as RCW 35.79.010 and 35.79.020) is divided and amended as set forth in sections 2 and 3 of this act.

RCW 35.79.010 amended. Petition by owner—Fixing time for hearing.

SEC. 2. (RCW 35.79.010) The owners of an interest in any real estate abutting upon any street or alley who may desire to vacate the street or alley, or any part thereof, may petition the legislative authority to make vacation, giving a description of the property to be vacated, or the legislative authority may itself initiate by resolution such vacation procedure. The petition or resolution shall be filed with the city or town clerk, and, if the petition is signed by the owners of more than two-thirds of the property abutting upon the part of such street or alley sought to be vacated, legislative authority by resolution shall fix a time when the petition will be heard and determined by such authority or a committee thereof, which time shall not be more than sixty days nor less than twenty days after the date of the passage of such resolution.

RCW 35.79.020 amended. Notice of hearing.

SEC. 3. (RCW 35.79.020) Upon the passage of the resolution the city or town clerk shall give twenty days' notice of the pendency of the petition by a written notice posted in three of the most public places in the city or town and a like notice in a conspicuous place on the street or alley sought to be vacated. The said notice shall contain a statement

that a petition has been filed to vacate the street or alley described in the notice, together with a statement of the time and place fixed for the hearing of the petition. In all cases where the proceeding is initiated by resolution of the city or town council or similar legislative authority without a petition having been signed by the owners of more than two-thirds of the property abutting upon the part of the street or alley sought to be vacated, in addition to the notice hereinabove required, there shall be given by mail at least fifteen days before the date fixed for the hearing, a similar notice to the owners or reputed owners of all lots, tracts or parcels of land or other property abutting upon any street or alley or any part thereof sought to be vacated, as shown on the rolls of the county treasurer, directed to the address thereon shown: *Provided*, That if fifty per cent of the abutting property owners file written objection to the proposed vacation with the clerk, prior to the time of hearing, the city shall be prohibited from proceeding with the resolution.

Proviso.

SEC. 4. Section 2, chapter 84, Laws of 1901 as amended by section 1, chapter 14, Laws of 1949, and RCW 35.79.030 are each amended to read as follows:

RCW 35.79.030 amended.

The hearing on such petition may be held before the legislative authority, or before a committee thereof upon the date fixed by resolution or at the time said hearing may be adjourned to. If the hearing is before such a committee the same shall, following the hearing, report its recommendation on the petition to the legislative authority which may adopt or reject the recommendation. If such hearing be held before such a committee it shall not be necessary to hold a hearing on the petition before such legislative authority. If the legislative authority determines to grant said petition or any part thereof, such city or town shall be authorized and have authority by ordinance to vacate such street, or alley, or any part thereof: *Provided*, That such ordinance

Hearing—Ordinance of vacation.

Proviso.

may provide that the city retain an easement or the right to exercise and grant easements in respect to the vacated land for the construction, repair, and maintenance of public utilities and services.

Passed the House February 14, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 157.

[H. B. 73.]

PLANNING—STATE, URBAN, MUNICIPAL, METROPOLITAN, REGIONAL.

AN ACT relating to conservation and development; providing additional and supplemental powers for state, urban, metropolitan and regional planning; adding three new sections to chapter 173, Laws of 1945 and to chapter 43.21 RCW; and amending section 2, chapter 173, Laws of 1945, section 2, chapter 54, Laws of 1933 extraordinary session, section 3, chapter 134, Laws of 1937 and RCW 43.21.180.

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

New section.

SECTION 1. There is added to chapter 173, Laws of 1945 and to chapter 43.21 RCW a new section to read as follows:

Coordination of governmental planning commissions—Assistance to.

The department of conservation and development, through the division of progress and industry development, in order to facilitate state, municipal, urban, metropolitan and regional planning, and to encourage such areas to maintain a continuing and adequate program for such planning, shall coordinate established city and town, county, metropolitan and regional planning commissions, and shall aid such planning bodies in securing planning assistance, consultative services and technical aid, which may include surveys, land use, demographic and economic studies, comprehensive plans, urban renewal plans and other plans. The department, through

the division, shall serve generally as a consultative, coordinating and advisory agency for state departments or agencies, and/or municipal, urban, metropolitan and regional planning commissions. The director may employ competent, qualified technical planning personnel and such other personnel as may be required to administer this act.

SEC. 2. There is added to chapter 173, Laws of 1945 and to chapter 43.21 RCW a new section to read as follows: New section.

The director, through the division, may accept contributions, grants, or other financial assistance from the government of the United States for, or in aid of, any planning program. The director shall promulgate such rules and regulations, enter into such agreements, prescribe such conditions, perform such other lawful act as may be necessary or desirable to secure the financial aid and cooperation of the government of the United States and local planning bodies to implement any planning program. Gifts and grants from other agencies — Agreements with other agencies.

SEC. 3. There is added to chapter 173, Laws of 1945 and to chapter 43.21 RCW a new section to read as follows: New section.

The powers conferred by this amendatory act are in addition and supplemental to the powers conferred by any other state or local law, and nothing herein contained shall be construed as limiting or restricting any other powers of the department, the state, or any political subdivision thereof. Powers herein conferred supplemental to existing law.

SEC. 4. Section 2, chapter 173, Laws of 1945, section 2, chapter 54, Laws of 1933 extraordinary session and section 3, chapter 134, Laws of 1937 (heretofore combined and codified as RCW 43.21-.180) are amended to read as follows: RCW 43.21.180 amended.

The director of conservation and development, through the division of progress and industry development, shall: Powers and duties.

- (1) Assume charge and supervision of advertis-

Supervisor of
progress and
industry
development.
Powers and
duties.

ing and publicity for the state other than that carried or planned by the various departments or other political subdivisions within the state;

(2) Formulate, supervise, and carry out a continuous factual information program for the promotion of the state as an ideal region for tourists, permanent residents, and a most favorable field for investment, enterprise, and future development;

(3) Assemble such data, statistics, information, and exhibits as will publicize and popularize the advantages of the state, and cause such data, statistics, information, and exhibits to be published and disseminated in such manner as he deems expedient;

(4) Make inquiries, investigations, and surveys concerning the resources of all sections of the state;

(5) Assemble and analyze the data thus obtained, and formulate plans for the conservation of such resources and the planned and systematic utilization and development thereof;

(6) Make recommendations, from time to time, as to the best methods of such conservation, utilization, and development;

(7) Cooperate with the United States, other states or territories and their agencies, and the departments and all other public agencies of this state in the planning, conservation, utilization and development of its resources: *Provided*, That nothing in this section shall be construed to apply to the natural water power resources of the state or to any publicly owned utility or electrical transmission or distribution system or to state lands;

(8) Be authorized to receive from any state department or agency, county and/or municipal legislative body, municipal, metropolitan and/or regional planning commission, funds made available by them to the department of conservation and development, through the division of progress and industry development, in trust, for the purpose of matching such funds with federal moneys received through any

Proviso.

federal program of providing planning grants-in-aid to assist financially in fostering comprehensive planning;

Supervisor of
progress and
industry
development.
Powers and
duties.

(9) Be authorized to budget for, and transfer the funds referred to in subdivision (8) of this section, after such funds have been matched by federal funds, in either one of the following alternative methods:

(a) Approve the budget, after receiving the proposed budget from the state department or agency, county and/or municipal legislative body, municipal, metropolitan and/or regional planning commission, which made the funds available, for the expenditure of its funds referred to in subdivision (8) hereof, plus the federal matching funds therefor, and an agreement duly executed by it, that such funds will be retained in a separate account, to be expended for such planning purposes only if it has been properly prepared, and said agreement is satisfactory, after which the money placed in trust and the matching funds therefor shall be transferred to the appropriate official having administrative responsibility for the expenditure thereof; or

(b) Establish an account with the state treasurer, after receiving from the state department, or agency, county and/or municipal legislative body, municipal, metropolitan and/or regional planning commission, which made the funds available, a proposed budget for the expenditure of its funds referred to in subdivision (8) hereof, plus the matching funds therefor, and an agreement duly executed by it, authorizing the department of conservation and development to expend its funds referred to in subdivision (8) hereof, plus the matching funds therefor, after which the director shall authorize the expenditure of these funds for the conduct of the planning program in accordance with the approved budget and agreement: *Provided, however,* That at any time after the expiration of ninety days

Proviso.

from the date of the deposit of moneys in trust as provided herein and of the notification to the department of conservation and development of such deposit, the depositor may have the moneys so deposited returned to it without restrictions upon their use, upon the depositor's requesting the director of said department to terminate the trust status of such funds and to return them to it.

Note: See also section 24, chapter 215, Laws of 1957.

Passed the House February 6, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 158.

[H. B. 147.]

STATE-WIDE CITY EMPLOYEES RETIREMENT SYSTEM.

AN ACT relating to cities and towns and to pension, relief, disability and retirement systems, and pension, relief, disability and retirement funds therein; amending section 10, chapter 71, Laws of 1947 as last amended by section 3, chapter 228, Laws of 1953, and RCW 41.44.100; amending section 12, chapter 71, Laws of 1947 as last amended by section 8, chapter 275, Laws of 1951, and RCW 41.44.120; amending section 13, chapter 71, Laws of 1947 as last amended by section 9, chapter 275, Laws of 1951, and RCW 41.44.130; amending section 15, chapter 71, Laws of 1947 as last amended by section 6, chapter 228, Laws of 1953, and RCW 41.44.140; amending section 17, chapter 71, Laws of 1947 as last amended by section 7, chapter 228, Laws of 1953, and RCW 41.44.170; and amending section 21, chapter 71, Laws of 1947 and RCW 41.44.210.

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

RCW 41.44.100
amended.

SECTION 1. Section 10, chapter 71, Laws of 1947, as last amended by section 3, chapter 228, Laws of 1953 and RCW 41.44.100 are each amended to read as follows:

Retirement
fund—Deposit
—Investment.

(1) A fund is hereby created and established to be known as the "state-wide city employees retire-

ment fund," and shall consist of all moneys paid into it in accordance with the provisions of this chapter, whether such moneys shall take the form of cash, securities, or other assets: *Provided*, That such assets shall be public funds to the extent necessary to authorize any bank to deposit such collateral security necessary and required under the laws of the state to secure the deposit of public funds belonging to a city. Proviso.

(2) The board of trustees shall be the custodian of the retirement fund and shall arrange for the safe-keeping thereof. Subject to such provisions as may be prescribed by law for the deposit of city funds in banks, cash belonging to the retirement fund may be deposited in any licensed national bank or banks in the state, or in any bank, banks or corporations authorized or licensed to do a banking business and organized under the laws of the state of Washington; and may be withdrawn on order of the board for the purpose of making such payments as are authorized and required by this chapter.

(3) The board may invest pension fund moneys in such securities of the United States, states, Dominion of Canada, public housing authorities, municipal corporations and other public bodies, as are designated by the laws of the state as lawful investments for the funds of mutual savings banks, and to invest not to exceed twenty-five percent of the system's total investments in the securities of any corporations or public utility bodies as are designated by the laws of the state as lawful investments for the funds of mutual savings banks: *Provided*, That not more than five percent of the system's total investments may be made in the securities of any one of such corporations or public utility bodies. Proviso.

(4) Subject to the limitations hereinafter provided, investment of pension funds may also be made in amounts not to exceed twenty-five percent of the

Proviso.

system's total investments in the shares of certain open-end investment companies: *Provided*, That not more than five percent of the system's total investments may be made in the shares of any one such open-end investment company. The total amount invested in any one company shall not exceed five percent of the assets of such company, and shall only be made in the shares of such companies as are registered as "open-end companies" under the federal investment company act of 1940, as amended. Such company must be at least ten years old and have net assets of at least five million dollars. It must have no outstanding bonds, debentures, notes, or other evidences of indebtedness, or any stock having priority over the shares being purchased, either as to distribution of assets or payment of dividends. It must have paid dividends from investment income in each of the ten years next preceding purchase. The maximum selling commission on its shares may not exceed seven and one-half percent of the sum of the asset value plus such commission.

State-wide city
employees'
retirement.
Retirement
fund—Deposit
—Investment.

(5) Investment of pension funds may also be made in the bonds of any municipal corporation or other public body of the state; and in any of the bonds or warrants, including local improvement bonds or warrants within the protection of the local improvement guaranty fund law, issued by any city or town which is a member of the system. Investment of pension funds may also be made in the bonds or other obligations of any other state or territory of the United States or of any political subdivision, agency or instrumentality of any such state, territory, or political subdivision thereof.

(6) In order to provide for an equitable apportionment of the cost of the making and handling of the system's investments, the board may charge against the annual earnings from the system's investments, including income from the same and gains

realized from the purchase and sale of its securities, a portion of such earnings computed on the book value of the investments held by the system at the end of its fiscal year, for the purpose of paying the cost of purchasing, safekeeping, servicing and handling its securities: *Provided*, That such portion shall not exceed one-fourth of one percent of such value and shall not exceed the net gain from the operations for the year: *Provided further*, That such charge shall not be considered as an administrative expense payable solely by the cities.

Retirement
fund—Deposit
—Investment.

Proviso.

Proviso.

SEC. 2. Section 12, chapter 71, Laws of 1947 as last amended by section 8, chapter 275, Laws of 1951, and RCW 41.44.120 are each amended to read as follows:

RCW 41.44.120
amended.

(1) Subject to subsection (4) of this section the following members shall be entitled to prior service credit:

Prior service
credit.

(a) Each member in service on the effective date.

(b) Each member entering after the effective date if such entry is within one year after rendering service prior to the effective date.

As soon as practicable, the board shall issue to each member entitled to prior service credit a certificate certifying the aggregate length of service rendered prior to the effective date. Such certificate shall be final and conclusive as to his prior service unless hereafter modified by the board, upon application of the member.

(2) Each city joining the system shall have the privilege of selecting the rate at which prior service pensions shall be calculated for its employees and may select any one of the three rates set forth below:

(a) 1.33% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "full prior service credit."

(b) 1.00% of final compensation multiplied by the number of years of prior service credited to the

State-wide city employees' retirement. Prior service credit.

member. This rate may be referred to as "three-fourths prior service credit."

(c) .667% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "one-half prior service credit."

(3) The above rates shall apply at the age of sixty-two or over for members included in the miscellaneous personnel and at age sixty or over for members in the uniformed personnel: *Provided*, That if a member shall retire before attaining either of the ages above referred to, the total prior service pension shall be reduced to the percentages computed and established in accordance with the following tables, to-wit:

Miscellaneous Personnel			
Percent of Full Prior Service Allowable			
Male		Female	
Age	Factor	Age	Factor
45	65.48	45	66.78
46	66.86	46	67.91
47	68.29	47	69.09
48	69.77	48	70.34
49	71.28	49	71.67
50	72.82	50	73.10
51	74.43	51	74.71
52	76.13	52	76.41
53	77.93	53	78.21
54	79.84	54	80.11
55	81.86	55	82.12
56	84.00	56	84.24
57	86.28	57	86.50
58	88.69	58	88.89
59	91.26	59	91.42
60	94.00	60	94.11
61	96.90	61	96.96
62	100.00	62	100.00

Percent of full Prior Service Allowable
Uniformed Personnel

Prior service
credit.

Age	Factor
45	69.66
46	71.13
47	72.65
48	74.22
49	75.83
50	77.47
51	79.18
52	80.99
53	82.91
54	84.93
55	87.09
56	89.37
57	91.79
58	94.36
59	97.09
60	100.00

(4) If sickness, injury or service in the armed forces of the United States during the national emergency identified with World War I or World War II and/or service in the armed forces of the United States of America for extended active duty by any employee who shall have been regularly granted a leave of absence from the city service by reason thereof, prevents any regular employee from being in service on the effective date, the board shall grant prior service credit to such person when he is again employed. The legislative authority in each participating city shall specify the amount of prior service to be granted or current service credit to be made available to such employees: *Provided*, That in no case shall such service credit exceed five years. Certificate of honorable discharge from or documentary evidence of such service shall be submitted to the board before any such credit may be granted or made available. Prior or current service rates, or

Proviso.

both, for such employees shall not exceed the rates established for fellow employees.

RCW 41.44.130 amended.

State-wide city employees' retirement. Contributions by employees.

SEC. 3. Section 13, chapter 71, Laws of 1947 as last amended by section 9, chapter 275, Laws of 1951, and RCW 41.44.130 are each amended to read as follows:

(1) The normal rates of contribution of members shall be based on sex and age at time of entry into the system, which age shall be the age at the birthday nearest the date of such entry.

(2) The normal rates of contribution for miscellaneous personnel shall be so fixed as to provide an annuity which, together with the pension provided by the city, shall produce as nearly as may be, a retirement allowance at the age of sixty-two years, of one and one-third percent of the final compensation multiplied by the number of years of service of the retiring employee. The normal rate established for age sixty shall be the rate for any member who has attained a greater age before entrance into the retirement system and the normal contribution established for age twenty-four shall be the rate for any member who enters the system at an earlier age.

(3) The normal rates of contribution for uniformed personnel shall be so fixed as to provide an annuity which, together with the pension provided by the city, shall produce as nearly as may be a retirement allowance at the age of sixty years, of one and one-third percent of the final compensation multiplied by the number of years of service of the retiring employee. The normal rate established for age fifty-eight shall be the rate for any member who has attained a greater age before entrance into the retirement system and the normal contribution established for age twenty-two shall be the rate for any member who enters the system at an earlier age.

(4) Subject to the provisions of this chapter,

the board shall adopt rules and regulations governing the making of deductions from the compensation of employees and shall certify to the proper officials in each city the normal rate of contribution for each member provided for in subsections (2) and (3) of this section. The proper officials in each city shall apply such rate of contribution to so much of the compensation of a member as does not exceed three hundred dollars per month, or four hundred dollars per month as to members whose member cities have duly elected to increase the limitation provided for in subsection (12) of RCW 41.44.030 and shall certify to the board on each and every payroll the total amount to be contributed and shall furnish immediately to the board a copy of each and every payroll; and each of said amounts shall be forwarded immediately to the board and the board shall credit the deduction shown on such payroll to individual accounts of the members represented on such payrolls.

Contributions
by employees.

(5) Every member shall be deemed to consent and agree to the contribution made and provided for herein, and shall receipt in full for his salary or compensation. Payment less said contributions shall be a full and complete discharge of all claims and demands whatsoever for the service rendered by such person during the period covered by such payment, except his claim to the benefits to which he may be entitled under the provisions of this chapter.

(6) Any member may elect to contribute in excess of the contributions provided for in this section in accordance with rules to be established by the board for the purpose of providing additional benefits, but the exercise of this privilege shall not place on the member city or cities any additional financial obligation. The board shall have authority to fix the rate of interest to be paid or allowed upon the additional contributions and from time to time make any necessary changes in said rate. Refunds of additional contributions shall be governed by the same

rules as those covering normal contributions unless the board shall establish separate rules therefor.

RCW 41.44.150 amended.

SEC. 4. Section 15, chapter 71, Laws of 1947 as last amended by section 6, chapter 228, Laws of 1953, and RCW 41.44.150 are each amended to read as follows:

State-wide city employees' retirement. Allowance on retirement for service.

(1) A member, upon retirement for service, shall receive a retirement allowance subject to the provisions of subsection (2) of this section, which shall consist of:

(a) An annuity which shall be the actuarial equivalent of his accumulated normal contributions at the time of his retirement; and

(b) A pension provided by the contributions of the city, equal to the annuity purchased by the accumulated normal contributions of the member;

(c) For any member having credit for prior service an additional pension, provided by the contributions of the city, as set forth in RCW 41.44.120 at the rate selected by the city employing the member;

(d) Any member, excepting a part time employee, who has ten or more years of creditable service and who is retired by reason of attaining the age of sixty-five or over if included in the miscellaneous personnel or the age of sixty or over if included in the uniformed personnel, and whose retirement allowance is calculated to be less than sixty dollars per month, shall receive such additional pension, provided by the contributions of the city, as will make his total retirement allowance equal to sixty dollars per month. An annuity purchased by accumulated additional contributions in such case shall be paid in addition to the minimum guaranteed as herein provided. A part time employee having ten or more years of creditable service, retired by reason of attaining the ages in this subdivision specified and whose retirement allowance is calculated to

be less than forty dollars per month, shall receive such additional pension, provided by the contributions of the city, as will make the total retirement allowance equal to forty dollars per month, together with an annuity purchased by his accumulated additional contributions, if any, in addition to the minimum guaranteed.

Allowance on retirement for service.

Nothing herein contained shall be construed in a manner to increase or to decrease any pension being paid or to be paid to a member retired prior to June 11, 1953.

(e) Any member, excepting a part time employee, who has been or is retired by reason of attaining the age of sixty-five or over if included in the miscellaneous personnel or the age of sixty or over if included in the uniformed personnel, and whose retirement allowance is calculated to be less than sixty dollars per month, shall receive such additional pension, provided by the contributions of the city, as will make his total retirement allowance equal to six dollars per month for each year of his creditable service; provided that the total additional retirement allowance shall be limited to an amount equal to such amount as will make his total retirement allowance not more than sixty dollars per month. An annuity purchased by accumulated additional contributions, if any, in such case shall be paid in addition to the minimum guaranteed, as herein provided.

Nothing herein contained shall be construed in a manner to increase or to decrease any pension being paid or to be paid to a member retired prior to June 11, 1953.

(2) If the retirement allowance of the member as provided in this section, is in excess of three-fourths of his final compensation, the pension of the member, purchased by the contributions of the city, shall be reduced to such an amount as shall make the member's retirement allowance equal to three-

fourths of his final compensation, except as provided in subdivision (3) of this section.

(3) A member, upon retirement from service, shall receive in addition to the retirement allowance provided in this section, an additional annuity which shall be the actuarial equivalent of any accumulated additional contributions which he has to his credit at the time of his retirement.

RCW 41.44.170
amended.

SEC. 5. Section 17, chapter 71, Laws of 1947 as last amended by section 7, chapter 228, Laws of 1953, and RCW 41.44.170 are each amended to read as follows:

State-wide city
employees'
retirement.
Allowance on
retirement
for disability.

On retirement for permanent and total disability a member shall receive a retirement allowance which shall consist of:

(1) An annuity which shall be the actuarial equivalent of his accumulated normal contributions; and

(2) A pension provided by the contributions of the city which, together with his annuity provided by his accumulated normal contributions, shall make the retirement allowance equal to one and one-fourth percent of his final compensation multiplied by the number of years of service credited to him, if such retirement allowance exceeds sixty dollars per month; otherwise he shall receive a retirement allowance of forty dollars per month or, except as to a part time employee, such sum, monthly, not in excess of sixty dollars per month, as is equal to six dollars per month for each year of his creditable service, whichever is the greater. If the retirement allowance of a part time employee, based upon the pension hereinabove provided, does not exceed forty dollars per month, then such part time employee shall receive a retirement allowance of forty dollars per month and no more.

Nothing herein contained shall be construed in a manner to increase or to decrease any pension be-

ing paid or to be paid to a member retired prior to June 11, 1953.

Allowance on retirement for disability.

(3) If it appears to the satisfaction of the board that disability was incurred in line of duty and the retirement allowance to be provided under subdivisions (1) and (2) of this section is less than sixty dollars per month, then there shall be provided by contributions of the city such additional pension as shall make the retirement allowance equal to sixty dollars per month.

(4) No disability retirement allowance shall exceed seventy-five percent of final compensation, anything herein to the contrary notwithstanding, except as provided in subdivision (7) of this section.

(5) Upon the death of a member while in receipt of a disability retirement allowance, his accumulated contributions, as they were at the date of his retirement, less any annuity payments made to him, shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board.

(6) If disability is due to intemperance, wilful misconduct, or violation of law, on the part of the member, the board, in its discretion, may pay to said member, in one lump sum his accumulated contribution, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the city to such member.

(7) In addition to the annuity and pension provided for in subdivisions (1) and (2) of this section, a member shall receive an annuity which shall be the actuarial equivalent of his accumulated additional contributions.

SEC. 6. Section 21, chapter 71, Laws of 1947 and RCW 41.44.210 are each amended to read as follows:

RCW 41.44.210 amended.

Upon the death of any member who dies from injuries or disease arising out of or incurred in the

State-wide city
employees'
retirement.
Benefit on
death in
line of duty.

performance of his duty or duties, of which the board of trustees shall be the judge, if death occurs within one year from date of discontinuance of city service caused by such injury, there shall be paid to his estate or to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the board, the sum of one thousand dollars, purchased by the contributions of the cities participating in the retirement system. Cost of this benefit shall be determined by actuarial calculation and prorated equitably to each city. This benefit shall be exclusive of any other benefits due the member under this chapter.

Passed the House February 14, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 159.

[H. B. 332.]

VOLUNTEER FIREMEN'S RELIEF PENSIONS.

AN ACT relating to volunteer firemen's relief and pensions; providing for benefits payable for injuries and death; prescribing a time for filing claims; providing for payment of pension earned in addition to that under any other act; amending section 15, chapter 261, Laws of 1945, as amended by section 1, chapter 253, Laws of 1953, and RCW 41.24.150; amending section 16, chapter 261, Laws of 1945, as last amended by section 2, chapter 253, Laws of 1953, and RCW 41.24.160; amending section 21, chapter 261, Laws of 1945 and RCW 41.24.210; amending section 22, chapter 261, Laws of 1945, as last amended by section 7, chapter 253, Laws of 1953, and RCW 41.24.220; amending section 23, chapter 261, Laws of 1945, as amended by section 4, chapter 103, Laws of 1951, and RCW 41.24.230; and amending section 24, chapter 261, Laws of 1945 and RCW 41.24.240.

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

SECTION 1. Section 15, chapter 261, Laws of 1945, as amended by section 1, chapter 253, Laws of 1953,

and RCW 41.24.150 are each amended to read as follows:

Whenever a fireman serving in any capacity as a member of a fire department subject to the provisions of this chapter becomes physically or mentally disabled, or sick, in consequence or as the result of the performance of his duties, so as to be wholly prevented from engaging in each and every duty of his regular occupation, business or profession, he shall be paid from the fund monthly, the sum of three hundred dollars for a period of not to exceed six months, or ten dollars per day for such period as is part of a month, after which period, if the member is incapacitated to such an extent that he is thereby prevented from engaging in any occupation or performing any work for compensation or profit, he shall be entitled to draw from the fund monthly, the sum of one hundred twenty-five dollars so long as the disability continues, except as hereinafter provided. The board may at any time reopen the grant of such disability pension if the pensioner is gainfully employed, and may reduce it in the proportion that the annual income from such gainful employment bears to the annual income received by the pensioner at the time of his disability: *Provided*, That where a fireman sustains a permanent partial disability the state board may provide that such injured fireman shall receive a lump sum compensation therefor to the same extent as is provided for permanent partial disability under the workmen's compensation act under Title 51 in lieu of such monthly disability payments.

Disability
payments.

Proviso

SEC. 2. Section 16, chapter 261, Laws of 1945, as last amended by section 2, chapter 253, Laws of 1953, and RCW 41.24.160 are each amended to read as follows:

RCW 41.24.160
amended.

Whenever a fireman dies as the result of injuries received, or sickness contracted in consequence or as

Death
benefits.

Volunteer
firemen's
benefits. Death
benefits.

the result of the performance of his duties, the board of trustees shall order and direct the payment of the sum of one thousand dollars to his widow, or if there be no widow, then to his dependent child or children, or if there be no dependent child or children, then to his parents or either of them, and the sum of one hundred dollars per month to his widow during her life; or, if there is no widow, or the widow dies while there are minor children, then to his minor child or children until they reach the age of eighteen years; and if there are no widow, child or children entitled thereto, then to his parents or either of them, if it is proved to the satisfaction of the board that the parents, or either of them, were dependent on the deceased for their support at the time of his death: *Provided*, That if the widow, child or children, or the parents, or either of them, marry while receiving such pension the person so marrying shall thereafter receive no further pension from the fund.

Proviso.

RCW 41.24.210
amended.

SEC. 3. Section 21, chapter 261, Laws of 1945 and RCW 41.24.210 are each amended to read as follows:

Certificate of
disability or
tenure.

No fireman shall receive any pension from the fund, or be entitled to receive any relief or compensation for sickness or injuries received in the performance of his duties, unless there is filed with the board of trustees a certificate of disability or of tenure, which certificate shall be subscribed and sworn to by the claimant, or member of the board of trustees, and in the case of sickness or disability by the duly appointed or authorized attending physician, if there is one. No claim for disability shall be allowed by the state board unless there has been filed with it a report of accident within ninety days after its occurrence and a claim based thereon within one year after the occurrence of the accident on which such claim is based. The board may require such other or further evidence as it deems advisable before ordering any relief, compensation, or pension.

SEC. 4. Section 22, chapter 261, Laws of 1945, as last amended by section 7, chapter 253, Laws of 1953, and RCW 41.24.220 are each amended to read as follows:

RCW 41.24.220 amended.

Whenever any fireman becomes disabled or sick in the performance of his duties by reason of which he is confined to any hospital, an amount not exceeding sixteen dollars daily shall be allowed and paid from said fund toward such hospital expenses for a period not exceeding twenty-six weeks: *Provided*, That this allowance shall not be in lieu of but in addition to any other allowance in this chapter provided: *Provided further*, That costs of surgery, medicine, laboratory fees, x-ray, special therapies, and similar additional costs shall be paid in addition thereto.

Hospitalization, surgery, etc.

Proviso.

Proviso.

SEC. 5. Section 23, chapter 261, Laws of 1945, as amended by section 4, chapter 103, Laws of 1951, and RCW 41.24.230 are each amended to read as follows:

RCW 41.24.230 amended.

Upon the death of any fireman resulting from injuries or sickness in consequence or as the result of the performance of his duties, the board of trustees shall authorize the issuance of a voucher for the sum of five hundred dollars, and upon the death of any fireman who is receiving any pension provided for in this chapter, the board of trustees shall authorize the issuance of a voucher for the sum of two hundred fifty dollars, to help defray the funeral expenses and burial of such fireman, which voucher shall be paid in the manner provided for payment of other charges against the fund.

Funeral expenses.

SEC. 6. Section 24, chapter 261, Laws of 1945 and RCW 41.24.240 are each amended to read as follows:

RCW 41.24.240 amended.

The right of any person to any future payment under the provisions of this chapter shall not be transferable or assignable at law or in equity, and

Benefits not assignable or subject to legal process.

none of the moneys paid or payable or the rights existing under this chapter, shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law. Nothing in this act shall be construed to deprive any fireman, eligible to receive a pension hereunder, from receiving a pension under any other act to which he may become eligible by reason of services other than or in addition to his services as a fireman under this act.

Passed the House February 12, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 160.

[H. B. 453.]

BOVINES—SLAUGHTERING DISEASED ANIMALS.

AN Act relating to bovine diseases; providing for slaughtering of diseased bovine animals and indemnity therefor; adding a new section to chapter 165, Laws of 1927 and chapter 16.36 RCW; making an appropriation; and declaring an emergency.

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

New sections.

SECTION 1. There are added to chapter 165, Laws of 1927 and chapter 16.36 RCW two new sections to read as set forth in sections 2 and 3 of this act:

Indemnity payments.

SEC. 2. The director of agriculture may condemn for slaughter any bovine animals which are infected with a highly contagious or communicable disease, other than tuberculosis and Bang's disease, and pay indemnity therefor in accordance with the provisions of RCW 16.40.080: *Provided*, That the director shall first ascertain that the best interests of the livestock industry and general public will be served thereby.

Proviso.

SEC. 3. There is appropriated to the director of agriculture from the general fund the sum of fifty thousand dollars or as much thereof as may be necessary to carry out the provisions of this act: *Provided, however,* That this appropriation shall not be used to duplicate any program otherwise provided for in the omnibus appropriations bill.

Appropriation.
Proviso.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and welfare, the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the House March 13, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 161.

[H. B. 565.]

UNIFORM NARCOTIC DRUG ACT—EXEMPTED SALES AND USES.

AN ACT relating to narcotic drugs; amending section 8, chapter 22, Laws of 1951 second extraordinary session as amended by section 4, chapter 88, Laws of 1953, and RCW 69.33.080; and declaring an emergency.

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

SECTION 1. Section 8, chapter 22, Laws of 1951 second extraordinary session as amended by section 4, chapter 88, Laws of 1953, and RCW 69.33.080 are each amended to read as follows:

RCW 69.33.080 amended.

Except as otherwise in this chapter specifically provided, this chapter shall not apply to the following cases:

Sale by apothecary.

Administering, dispensing, or selling at retail any medicinal preparation, other than those hereinafter specified, that contains in one fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce, not more than one grain of codeine or of any

Uniform nar-
cotic drug act.
Sale by
apothecary.

of its salts, or not more than one-sixth grain of dihydrocodeinone or of any of its salts, or not more than two grains of noscapine (formerly narcotine) or of any of its salts, or not more than two grains of papaverine or of any of its salts: *Provided*, That any new narcotic drug of natural or synthetic origin, that may be found by the United States commissioner of narcotics to be nonhabit forming in use, and which is so designated by them as an exempt narcotic, under federal law, may be classified as an exempt narcotic in the state of Washington, by ruling of the board of pharmacy.

Proviso.

The exemption authorized by this section shall be subject to the following conditions: (1) That the medicinal preparation administered, dispensed, or sold, shall contain, in addition to the narcotic drug in it, some drug or drugs conferring upon it medicinal qualities other than those possessed by the narcotic drug alone; and (2) that such preparation shall be administered, dispensed, and sold in good faith as a medicine, and not for the purpose of evading the provisions of this chapter.

Nothing in this section shall be construed to limit the quantity of codeine or of any of its salts, or of dihydrocodeinone or of any of its salts, or of noscapine (formerly narcotine) or of any of its salts, or of papaverine or of any of its salts, that may be prescribed, administered, dispensed, or sold, to any person or for the use of any person or animal, when it is prescribed, administered, dispensed, or sold, in compliance with the general provisions of this chapter.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Passed the House March 4, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 162.

[S. B. 154.]

STATE PATROL RETIREMENT SYSTEM.

AN ACT relating to the Washington state patrol retirement system; amending section 3, chapter 250, Laws of 1947 and RCW 43.43.140; amending section 11, chapter 250, Laws of 1947 as last amended by section 3, chapter 140, Laws of 1951 and RCW 43.43.220; amending section 14, chapter 250, Laws of 1947 as last amended by section 4, chapter 140, Laws of 1951 and RCW 43.43.260; and amending section 15, chapter 250, Laws of 1947 as last amended by section 2, chapter 244, Laws of 1955 and RCW 43.43.260; and declaring an emergency.

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

SECTION 1. Section 3, chapter 250, Laws of 1947 and RCW 43.43.140 are each amended to read as follows:

RCW 43.43.140
amended.

The general administration and management of the retirement fund and the making effective of the provisions hereof are hereby vested in the retirement board which shall have the authority to make all necessary rules and regulations, not inconsistent with the provisions hereof to carry into effect the provisions of this chapter.

Management
—Retirement
board.

The board shall consist of seven members as follows: Chief of the Washington state patrol, insurance commissioner, state auditor and four members known as employee members, who shall be elected by ballot by members of the retirement fund in a manner to be approved by the retirement board. Two of said employee members shall be from and represent eastern Washington and two of said employee members shall be from and represent western Washington.

The chief of the Washington state patrol shall act at all times as chairman of the retirement board. A majority of the members of the board shall constitute a quorum for the transaction of business and

State patrol.
Management
—Retirement
board.

any action taken shall be approved by five or more of its members. The board shall hold such meetings as are necessary to transact its business and in any event shall meet not less than once each year and sufficient notice shall be given the members thereof.

The election of employee members of the board shall be conducted by and under the supervision of the chief of the Washington state patrol. The chief of the Washington state patrol shall designate election dates and shall define election procedures: *Provided*, That the first election shall be held within thirty days after May 15, 1958. At the first election, each person eligible to participate in the retirement fund shall have the right to vote for two qualified employee members, each person to vote only upon those members from his geographical division of the state. At the first election, the employee member receiving the greatest number of votes shall be deemed elected for a four year term; the employee member receiving the second greatest number of votes shall be deemed elected for a three year term; the employee member receiving the third greatest number of votes shall be deemed elected for a two year term; and the employee member receiving the fourth greatest number of votes shall be deemed elected for a one year term. Terms of office of the first members shall commence July 1, 1958. Upon expiration of the term of each of the employee members, each succeeding member shall be elected by general election and shall hold office for a term of four years. After the first election, those persons eligible to participate in the retirement fund and who are from the same geographical division as that of the employee member whose term of office has expired or whose office has become vacant shall have the right to vote for one qualified employee member to fill that office. Any vacancy occurring in the term of any qualified employee member of the retirement board shall be filled by a general

Proviso.

election. The qualified employee member elected shall fill the unexpired term.

SEC. 2. Section 11, chapter 250, Laws of 1947 as last amended by section 3, chapter 140, Laws of 1951 and RCW 43.43.220 are each amended to read as follows:

RCW 43.43.220
amended.

(1) The Washington state patrol retirement fund shall be the fund from which shall be paid all retirement allowances or benefits in lieu thereof which are payable as provided herein. The expenses of operating the retirement system shall be paid from appropriations made for the operation of the Washington state patrol.

Fund to pay
benefits—
Expenses—
Contributions
by state.

(2) The contributions by the state for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the current service contribution, and a fixed sum to be known as the prior service contribution.

(3) After the completion of each actuarial valuation, the retirement board shall determine or re-determine the current service contribution rate. Such current service contribution rate shall become effective in the ensuing biennium. Such contribution rate shall be the uniform and constant percentage of the prospective compensation of all members in the retirement system at the date of such valuation required, together with the prospective value of future contributions from members, and all funds (other than funds allocated to prior service benefits) currently standing to the credit of the retirement fund, to provide for the payment of all future benefits for such members (other than prior service benefits).

(4) The prior service contribution shall be thirty-seven thousand five hundred dollars in each calendar year, and shall continue at such rate until the assets of the retirement fund allocated to prior serv-

ice benefits are equal to the then outstanding liability for prior service benefits.

(5) The retirement board shall estimate biennially the amount required to maintain the retirement fund for the ensuing biennium.

RCW 43.43.250
amended.

SEC. 3. Section 14, chapter 250, Laws of 1947 as last amended by section 4, chapter 140, Laws of 1951 and RCW 43.43.250 are each amended to read as follows:

State patrol.
Retirement of
members.

(1) Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty.

(2) Any member who has attained the age of fifty years and has completed twenty-five years of service, may retire upon his written application to the retirement board, setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, he desires to be retired. Any member who shall retire under the provisions of this subsection, shall receive as a retirement allowance the actuarial equivalent of the retirement allowance based on the total service credited to such member at the date of his retirement, which he would otherwise have received had he remained in service until eligible to retire as provided in subsection 3 of this section.

(3) Any member who has completed thirty years of credited service or has attained the age of fifty-five may retire as provided in RCW 43.43.260, on his retirement application to the retirement board, setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, he desires to be retired.

Proviso.

(4) No member shall contribute to the retirement fund or receive service credit after he has completed thirty years of service: *Provided*, That if the member has completed thirty years of service before

reaching age fifty-five he shall contribute to the retirement fund and receive service credit until he attains the age of fifty-five.

SEC. 4. Section 15, chapter 250, Laws of 1947 as last amended by section 2, chapter 244, Laws of 1955 and RCW 43.43.260 are each amended to read as follows: RCW 43.43.260 amended.

Upon retirement from service as provided in RCW 43.43.250, subsections 2 and 3, a member shall be granted a retirement allowance which shall consist of: Benefits.

(1) A prior service annuity which shall be equal to one and one-half percent of the member's average final salary multiplied by the number of years of prior service rendered by the member to the Washington state patrol.

(2) A current service annuity which shall be equal to one and seven-tenths percent of the member's average final salary multiplied by the number of years of service rendered while a member of the retirement system.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect immediately. Emergency.

Passed the Senate February 25, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 163.

[S. B. 219.]

HORTICULTURE.

AN ACT relating to horticulture, establishing a horticultural inspection trust fund and horticultural inspection districts, adding new sections to chapters 15.04 and 15.16 RCW, and amending section 1, chapter 89, Laws of 1949, section 1, chapter 193, Laws of 1949 and RCW 15.04.040, 15.04.060, 15.04.070, 15.04.080, 15.08.280, 15.16.040, 15.16.050, 15.16.060 and 15.16.070.

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

New section.

SECTION 1. There is added to chapter 15.04 RCW, a new section to read as follows:

Horticultural inspection trust fund—Authorized payments from.

The director shall establish a horticultural inspection trust fund to be derived from horticultural inspection district funds. The director shall adjust district payments so that the balance in the trust fund shall not exceed seventy-five thousand dollars. The director is authorized to make payments from the trust fund to:

(1) Pay fees and expenses provided in the inspection agreement between the State Department of Agriculture and the Agricultural Marketing Service of the United States Department of Agriculture;

(2) Pay portions of salaries of inspectors-at-large as provided under RCW 15.04.040;

(3) Assist horticultural inspection districts in temporary financial distress as result of less than normal production of horticultural commodities. Districts receiving such assistance shall make repayment to the trust fund as district funds shall permit without an increase in the schedule of inspection fees for that purpose.

Division and amendment.

SEC. 2. Section 1, chapter 89, Laws of 1949 (heretofore divided and codified as RCW 15.04.040, 15.04-

.060, 15.04.070, 15.04.080) is divided and amended as set forth in sections 3, 4, 5 and 6 of this act.

SEC. 3. (RCW 15.04.040) Inspectors-at-large shall pass such an examination by the director as will satisfy him they are qualified in knowledge and experience to carry on the work in the districts to which they are assigned. They shall be assigned to a horticultural inspection district and may be transferred from one district to another. Their salaries and necessary traveling expenses, as shown by vouchers verified by them and countersigned by the director, shall be paid by warrants drawn upon the state treasurer, horticultural inspection district funds, the horticultural inspection trust fund, or from county appropriations: *Provided*, That, not less than twenty-five percent of their total salary shall be paid by warrants drawn upon the state treasurer.

RCW 15.04.040 amended. Inspectors-at-large—Qualifications—Duties—Compensation.

Proviso.

SEC. 4. (RCW 15.04.060) Whenever twenty-five or more resident freeholders of any county, each of whom is the owner of an orchard, berry farm, cultivated cranberry marsh or nursery, present a petition to the board of commissioners stating that certain horticultural premises in the county are infected and the petitioners desire the help of inspectors in combating the infection, the board shall by resolution request the director to appoint and assign to that county such a number of local horticultural inspectors for such time as the petition specifies.

RCW 15.04.060 enacted without amendment.

SEC. 5. (RCW 15.04.070) Said local inspectors shall satisfy the director, by examination, that their knowledge and experience qualifies them to successfully perform horticultural inspection work. Their salaries, as fixed by the board, and actual and necessary traveling expenses shall be paid from the county current expense fund on vouchers verified by them, approved by the director and ordered paid

RCW 15.04.070 enacted without amendment.

by the board. All local inspectors are under the direction and control of the director and supervisor.

RCW 15.04.080
enacted
without
amendment.

SEC. 6. (RCW 15.04.080) If any county fails to appoint a county horticultural inspector, or he is not available, the nearest available inspector may perform the services, and his compensation and necessary expenses shall be charged against said county.

If any inspector is dismissed from the service, or is assigned to another county or other duties, any qualified inspector or officer of the department may continue or complete any work initiated by him.

Division and
amendment.

SEC. 7. Section 1, chapter 193, Laws of 1949 (heretofore divided and codified as RCW 15.08.280, 15.16.040, 15.16.050, 15.16.060 and 15.16.070) is divided and amended as set forth in sections 8, 9, 10, 11 and 12 of this act.

RCW 15.08.280
enacted
without
amendment.

SEC. 8. (RCW 15.08.280) The director shall designate one horticulturist from the department of agriculture, the president of the University of Washington shall designate one horticulturist from the University of Washington, the president of Washington State College shall designate one horticulturist from Washington State College, some recognized journalist specializing in horticultural research and related subjects, who shall together constitute a board of experts to formulate a program of tent caterpillar (*malacosoma pluvialis*) eradication. The research of the board hereby created shall be conducted at the agricultural experiment station established at Puyallup, Washington.

RCW 15.16.040
enacted
without
amendment.

SEC. 9. (RCW 15.16.040) Upon application by a financially interested party for inspection and certification services on certain specified fruits, vegetables, nursery stock, or other horticultural products the director, supervisor, or inspectors-at-large may appoint a horticultural inspector who shall perform said services and certify to the shipper or interested parties the quality, grade and condition of the speci-

fied products and the cars in which they are loaded. Said services shall be made pursuant to rules and regulations adopted from time to time by the director and upon payment of such fees as he may determine will, as near as may be, cover the cost of the service.

SEC. 10. (RCW 15.16.050) The inspectors-at-large in charge of such inspections shall collect the fees therefor and deposit them in the horticultural district fund in a bank approved for the deposit of state funds and located in the city in which the district office is maintained. The inspectors-at-large shall expend fees deposited in the horticultural district fund to assist in defraying the expenses of inspections and they shall make payments from the horticultural district fund to the horticultural inspection trust fund as authorized by the director in accordance with section 1 of this act. Inspectors-at-large shall furnish bonds to the state in amounts set by the administrative board, with sureties approved by the director, conditioned upon the faithful handling of said funds for the purposes specified; and shall, on or before the tenth day of each month, render to the director a detailed account of the receipts and disbursements for the preceding month.

RCW 15.16.050
amended.
Standards,
grades, packs.
Collection and
use of fees—
Accounting—
Official bonds.

SEC. 11. (RCW 15.16.060) On the thirtieth day of June of each year the inspectors-at-large shall render to the commissioners of every county in which such service has been rendered in their districts, a complete account of the past year's business. Should there remain on hand in any horticultural district fund after all expenses of said services have been paid, amounts in excess of those in the following schedule, they shall be returned to the contributors to the fund in proportion to the amount each contributed: Schedule: Districts 2, 6 and 7, each, twenty-five thousand dollars; districts 1, 3, 8, 9

RCW 15.16.060
amended.
Annual
reports—
Refunds—
Schedule of
districts.

and 10, each, thirty thousand dollars; district 11, thirty-five thousand dollars; and districts 4 and 5, each, seventy-five thousand dollars.

RCW 15.16.070 amended. Standards, grades, packs. Failure to pay fees—Actions—Certificates as evidence.

SEC. 12. (RCW 15.16.070) Should the applicant for said services fail to pay the fee therefor within thirty days after the performance thereof, the prosecuting attorney of the county shall, at the request of the inspector-at-large, bring suit in the name of the inspector-at-large to collect the debt.

The certificate of inspection shall be admitted in all courts as prima facie evidence of the truth of the statements therein contained.

New section.

SEC. 13. There is added to chapter 15.16 RCW, a new section to read as follows:

Horticultural inspection districts—Supervisors.

For the purpose of this chapter the state shall be divided into the following horticultural inspection districts to which may be assigned one or more inspectors-at-large who shall supervise and administer regulatory and inspection affairs of the district.

District One:

Walla Walla, Columbia, Garfield, Asotin, Whitman

District Two:

Spokane, Lincoln, Stevens, Ferry, Pend Oreille

District Three:

Benton, Franklin, Adams

District Four:

Chelan, Grant, Southern portion of Douglas

District Five:

Yakima, Kittitas

District Six:

Klickitat, Spamania, Clark, Cowlitz, Wahkiakum

District Seven:

Lewis, Pacific, Thurston, Mason, Grays Harbor

District Eight:

Pierce, Kitsap, Jefferson, Clallam

District Nine:

King

District Ten:

Whatcom, Snohomish, San Juan, Skagit, Island

District Eleven:

Okanogan, Northern part of Douglas

The director shall establish those portions of district boundaries which do not follow county lines.

SEC. 14. This act shall take effect as of July 1, 1957. Effective date.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 164.

[S. B. 252.]

CIVIL SERVICE EMPLOYEES.

AN ACT preserving the status of civil service employees.

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

SECTION 1. Any civil service employee of the state of Washington or of any political subdivision thereof who is on leave of absence by reason of having been elected or appointed to an elective office shall be preserved in his civil service status, his seniority, rank and retirement rights so long as he regularly continues to make the usual contribution incident to the retention of such beneficial rights as if he were not on leave of absence: *Provided*, That such contributions being made shall be based on the rank at the time of taking such leave of absence.

Elected official may retain civil service status.

Proviso.

Passed the Senate March 4, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 165.

[S. B. 329.]

RECLAMATION AND IRRIGATION IN UNITED STATES RECLAMATION AREAS.

AN ACT relating to irrigation and reclamation districts; amending section 1, chapter 275, Laws of 1943 and RCW 89.12.010; amending section 4, chapter 275, Laws of 1943 and RCW 89.12.040; amending section 1, chapter 200, Laws of 1951 and RCW 89.12.050; and amending section 3, chapter 200, Laws of 1951 and RCW 89.12.100; and providing an effective date.

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

RCW 89.12.010 amended.

SECTION 1. Section 1, chapter 275, Laws of 1943 and RCW 89.12.010 are each amended to read as follows:

Preamble—Purpose.

It is the policy of the state of Washington in connection with lands within the scope of this chapter which may be irrigated through works of federal reclamation projects, to assist the United States in the reduction or prevention of speculation in such lands and in limiting the size of the holdings thereof entitled to receive water by means of the works of such projects, and otherwise to cooperate with the United States with respect thereto.

RCW 89.12.040 amended.

SEC. 2. Section 4, chapter 275, Laws of 1943 and RCW 89.12.040 are each amended to read as follows:

Farm units authorized—Size—Plats—Excess land.

In connection with a district contracting or intending to contract with the United States under this chapter, the secretary for the purpose of administering the federal reclamation laws and in carrying out the policy of this chapter may segregate such lands, or any part thereof, into farm units of sufficient acreage for the support of an average sized family at a suitable living level, having in mind the character of soil, topography, location with respect to the irrigation system, and such other relevant factors as enter into the determination of the area and

boundaries thereof. Plats showing the established farm units or revisions thereof when approved, may be filed by the United States for record with the auditor of the county in which the land is located. Lands in excess of the farm unit or units or acreage in the amount specified by applicable federal law as not being excess lands held by any one landowner or family shall, except as otherwise provided in this chapter, be deemed excess land.

SEC. 3. Section 1, chapter 200, Laws of 1951 and RCW 89.12.050 are each amended to read as follows:

RCW 89.12.050
amended.

A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

Contracts
with the U. S.
—Permissible
provisions.

(1) The district will not deliver water by means of the project works provided by the United States to or for lands not conforming in area and boundaries to the established farm units nor to or for more than the farm unit or units or acreage specified by applicable federal law as not being excess lands held by one landowner or family. These limitations shall not apply to lands owned by the United States or any agency thereof. In case of excess land acquired by foreclosure or other process of law, by conveyance in satisfaction of mortgages, by inheritance, or by devise, water therefor may be furnished temporarily for a period not exceeding five years from the date of acquisition; delivery of water thereafter ceasing until the transfer thereof to a landowner qualified to secure water therefor.

(2) As a condition to receiving water by means of the project works, each landowner in the district shall be required to execute, within six months from the date of the execution of the repayment contract, a recordable contract covering all his lands within

Reclamation and irrigation in U. S. reclamation areas. Contracts with the U.S.—Permissible provisions.

the district, agreeing as to such lands for himself, his heirs, successors, and assigns to any or all of the provisions set forth below in this subdivision: *Provided*, That any landowner, having failed to execute the contract within this period, may be permitted to do so within one year after the date of judicial confirmation of the validity of the repayment contract, but only in accordance with such rules and regulations as may be prescribed by the secretary concerning this privilege.

Notwithstanding the time limitations of the preceding paragraph but subject to such rules and regulations as may be prescribed therefor by the secretary, the privilege of executing recordable contracts is hereby extended as follows: (i) To any landowner as to a tract of land to which he, or his ancestors or devisors if he holds as an heir or devisee, held legal or equitable title on October 28, 1947;

(ii) To any landowner as to a tract of land as to which he has held legal or equitable title for not less than ten years (including the period of holding by his ancestors or devisors where title is held as an heir or devisee), or as to which he furnishes proof in writing satisfactory to the secretary as to the terms of the transaction and consideration paid by him (or by his ancestors or devisors where title is held as an heir or devisee) for the tract and as to which there is a finding by the secretary that the transaction was bona fide and for a consideration not in excess of the full fair market value of the tract, valued as of the date of that transaction without reference to or increment by reason of the project. Any such recordable contract may be executed only on or before December 31, 1951, or on or before a date to be fixed by the secretary as to each irrigation block in which the lands are situated, such date to be approximately two years before the commencement of the development period for that block.

Each such recordable contract may provide any or all of the following:

Contracts
with the U. S.
—Permissible
provisions.

(a) That the landowner will conform his lands by purchase, sale, or exchange at the appraised value to the area and boundaries of the pertinent established farm unit or units and will dispose of excess land then or thereafter owned by him at its appraised value; that the secretary is thereby given an irrevocable power of attorney to sell in behalf of the landowner any such excess land at the appraised value; and that the United States is thereby given, without further consideration, an option to buy any excess land at the appraised value: *Provided*, That sales under such power or option, unless otherwise provided in writing by the owner, shall be only for cash and only such that surrender of possession by the owner of any area of excess lands then operated as a single unit for dry farming or grazing may be effected substantially at one time;

Proviso.

(b) That from the date of execution thereof and to a date five years from the time water becomes available for the lands covered thereby, no conveyance of or contract to convey a freehold estate in such lands, whether excess or nonexcess lands, shall be made for a consideration exceeding its appraised value, and in connection with any conveyance of, or contract to convey, such an estate within such period the grantor or vendor or the grantee or vendees or any lien holder thereof shall, within thirty days from the date of the conveyance or contract, file in the office of the auditor in the county in which the land is located an affidavit describing the conveyance or contract and the consideration therefor;

(c) That in the event that within such period such a conveyance of, or contract to convey, is made without filing within the thirty days the required affidavit, or is made for a consideration in excess of the appraised value, the secretary, at any time

Reclamation and irrigation in U. S. reclamation areas. Contracts with the U. S. —Permissible provisions.

within two years of the day on which there is filed for recording in the county records the contract or deed involved, whichever is filed earliest, in the event both the contract and deed are filed in a given transaction, may cancel the right of the estate to receive water by means of the project works, by a written notice of cancellation: *Provided*, That the power to cancel as to any given parcel of land may be waived by the secretary at any time within the two year period by a written notice of waiver: *Provided further*, That after any such cancellation a water right for the estate involved by means of the project works may be acquired only on terms and conditions satisfactory to the secretary; and

Proviso,

Proviso.

(d) That should any freehold estate in land covered thereby be conveyed or contracted to be conveyed within the period defined in (b) of this subdivision, the transaction, and any mortgage or other lien covering any deferred consideration thereunder, shall be subject to all the provisions of subsection (2) of RCW 89.12.070.

(3) All lands within the district not covered by recordable contracts or otherwise not eligible to receive water by means of the project works shall be subject to assessment in the same manner and to the same extent as like lands eligible to receive water, subject to such provisions as the secretary may prescribe for postponement in payment of all or part of the assessment but not beyond the expiration of the period during which the price limit under subdivision (2) applies.

(4) Without compliance with other provisions of state law for the exclusion of lands, lands may be withdrawn from the district by filing a written notice of withdrawal with the district board on or before the date fixed by the board between a date ten days after the official notice of the election on the repayment contract and the date of such election.

The date limiting the time of such filing shall be announced in the notice of the proposed election, and lands for which the notice is filed shall be deemed excluded from the district for all purposes as of the time of the filing.

Contracts
with the U. S.
—Permissible
provisions.

(5) The secretary is authorized to amend any existing contract, deed, or other document to conform to the provisions of applicable federal law as it now exists or may hereafter be enacted. Any such amendment may be filed for record under RCW 89.12.080 at the expense of the party benefited thereby.

SEC. 4. Section 3, chapter 200, Laws of 1951 and RCW 89.12.100 are each amended to read as follows:

RCW 89.12.100
amended.

If state lands within a district have been segregated into farm units and the appraised value thereof established, the state shall recognize and accept the appraisal as determining the market value of such lands, and shall offer the state lands for sale for cash on the following terms and conditions:

State Lands—
Terms and
conditions
of sale.

(1) Sales shall be made only at the appraised value; (2) only the number of farm units or acreage specified by applicable federal law as not being excess lands shall be sold to any person or family; (3) applicants for the purchase of a farm unit shall be selected, as nearly as practicable, in accordance with the provisions of subsection (C) of section 4 of the act of congress of December 5, 1924 (43 Stat. 702); and (4) each applicant shall be required to execute a recordable contract within six months from the date the state's conveyance or contract to convey is made, whichever is the earlier, if such a contract is required as a condition to the delivery of water under the terms of the district's repayment contract with the United States; except as the carrying out of any such terms or conditions as to particular state lands may be precluded by provisions of the state constitution.

The state shall cooperate with the secretary in carrying out the purposes of this chapter and in connection therewith, may execute recordable contracts covering any state lands and such other agreements as are necessary in connection with the administration of this chapter.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 166.

[S. B. 158.]

CITIES AND TOWNS—USE OF PARKING METER REVENUES.

AN ACT relating to all cities of the third class, regardless of form of government, and municipal corporations of the fourth class (towns); authorizing use of parking meter revenue as a base for obtaining revenue bonds for local public work improvements.

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

Parking meter revenue as base for revenue bonds, authorized.

SECTION 1. All cities of the third class, regardless of their form of government, and all municipal corporations of the fourth class (towns), are hereby authorized to use parking meter revenue as a base for obtaining revenue bonds for use in improvement of streets, roads, alleys, and such other related public works.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 167.

[H. B. 528.]

FOREST LANDS.

AN ACT relating to certain state forest lands; and amending section 1, chapter 91, Laws of 1951 and RCW 76.12.030.

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

SECTION 1. Section 1, chapter 91, Laws of 1951 and RCW 76.12.030 are each amended to read as follows:

RCW 76.12.030 amended.

If any land acquired by a county through foreclosure of tax liens, or otherwise, comes within the classification of land described in RCW 76.12.020 and can be used as state forest land and if the board deems such land necessary for the purposes of this chapter, the county shall, upon demand by the board, deed such land to the board and the land shall become a part of the state forest lands, and upon such deed being made the commissioner of public lands shall be notified and enter and note it upon the records of his office.

Deed of county land to board—Disposition of proceeds.

Such land shall be held in trust and administered and protected by the board as other state forest lands. Any moneys derived from the lease of such land or from the sale of forest products, oils, gases, coal, minerals, or fossils therefrom, shall be distributed as follows:

(1) The expense incurred by the state for administration, reforestation, and protection, not to exceed ten percent, shall be returned to the forest development fund of the state treasury.

(2) Ten percent thereof shall be placed in the forest development fund of the state treasury.

(3) Any balance remaining shall be paid to the county in which the land is located to be paid, distributed, and prorated, except as hereinafter provided, to the various funds in the same manner as

Proviso.

general taxes are paid and distributed during the year of payment: *Provided*, That any such balance remaining paid to a county of the eighth or ninth class shall first be applied to the reduction of any indebtedness existing in the current expense fund of such county during the year of payment.

Passed the House March 5, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 168.

[H. B. 536.]

ELECTIONS—OFFICIALS OF CITIES OF THE FIRST CLASS.

AN ACT relating to elections in first class cities; providing when such elections are to be held; changing the term of office of councilmen and certain elected officials; and adding two new sections to chapter 29.13 RCW.

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

New section.

SECTION 1. There is added to chapter 29.13 RCW a new section to read as follows:

Elections in first class cities under mayor-council government. Twelve councilmen charter.

All regular elections in first class cities having a mayor-council form of government whose charters provide for twelve councilmen elected for a term of two years, two being elected from each of six wards, and for the election of a mayor, treasurer, and comptroller for terms of two years, shall be held biennially, and shall be held on the second Tuesday of March in the even-numbered years. The term of each councilman, mayor, treasurer and comptroller shall be four years. The terms of the councilmen shall be so staggered that six councilmen shall be elected to office at each regular election.

All city officials and councilmen to be elected in the year 1958 shall be elected for a term of four years.

There shall be no primary or general municipal elections held in the year 1959 and the councilmen and officials whose terms would have expired in 1959, but for the provisions of this act, shall continue in office until their successors are elected at the regular election to be held on the second Tuesday in March, 1960.

SEC. 2. There is added to chapter 29.13 RCW a new section to read as follows:

All regular elections in first class cities having a mayor-council form of government whose charters provide for seven councilmen, one to be elected from each of six wards and one at large, for a term of two years, and for the election of a mayor, comptroller, treasurer and attorney for two years terms, shall be held on the second Tuesday of March on the even-numbered years. The terms of the six councilmen to be elected by wards shall be four years and the term of the councilman to be elected at large shall be two years. The terms of the councilmen shall be so staggered that three ward councilmen and the councilman at large shall be elected at each regular election. The term of the mayor, attorney, treasurer, and comptroller shall be four years.

All city officials and councilmen, except councilman at large, to be elected in the year 1958 shall be elected for a term of four years. There shall be no primary or general municipal election held in the year 1959 and the officials and councilmen whose terms would have expired in 1959, but for the provisions of this act, shall continue in office until their successors are elected at the next general election to be held on the second Tuesday of March, 1960.

Passed the House March 5, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 169.

[H. B. 666.]

ELECTIONS—SERVICE VOTER DEFINED.

AN ACT relating to service voters; and amending section 1, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.010.

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

RCW 29.39.010 amended.

SECTION 1. Section 1, chapter 14, Laws of 1950 extraordinary session and RCW 29.39.010 are each amended to read as follows:

Definitions. "Service voter."

"Service voter" means an elector who comes within any of the following categories:

(1) Members of the armed forces while in the active service, and their spouses and dependents.

(2) Members of the merchant marine of the United States, and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the territorial limits of the several states of the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the congress.

(4) Members of religious groups or welfare agencies assisting members of the armed forces, who are officially attached to and serving with the armed forces, and their spouses and dependents.

"Armed forces."

The term "armed forces" means the uniformed services as defined in section 102 of the Career Compensation Act of 1949 (63 Stat. 804), as amended.

"Members of the merchant marine of the United States."

The term "members of the merchant marine of the United States" means persons (other than members of the armed forces) employed as officers or members of crews of vessels documented under the laws of the United States, and persons (other than

members of the armed forces) enrolled with the United States for employment, or for training for employment, or maintained by the United States for emergency relief service, as officers or members of crews of any such vessels; but does not include persons so employed, or enrolled for such employment or for training for such employment, or maintained for such emergency relief service, on the Great Lakes or the inland waterways. Definitions.

The term "dependent" means any person who is in fact a dependent. "Dependent."

Passed the House March 4, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 170.

[H. B. 310.]

FEDERAL SOCIAL SECURITY FOR PUBLIC EMPLOYEES.

AN ACT relating to the covering of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the federal social security act, as amended; providing for a referendum; amending section 3, chapter 4, Laws of 1955 extraordinary session and RCW 41.48.030; and declaring an emergency.

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

SECTION 1. Section 3, chapter 4, Laws of 1955 extraordinary session and RCW 41.48.030 are each amended to read as follows: RCW 41.48.030 amended.

(1) The governor is hereby authorized to enter on behalf of the state into an agreement with the secretary of health, education, and welfare consistent with the terms and provisions of this chapter, for the purpose of extending the benefits of the federal old-age and survivors insurance system to employees of the state or any political subdivision not members of an existing retirement system, or to Agreement with secretary of health, education and welfare.

Federal social security for public employees. Agreement with secretary of health, education and welfare.

members of a retirement system established by the state or by a political subdivision thereof or by an institution of higher learning with respect to services specified in such agreement which constitute "employment" as defined in RCW 41.48.020. Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions as the governor and secretary of health, education, and welfare shall agree upon, but, except as may be otherwise required by or under the social security act as to the services to be covered, such agreement shall provide in effect that—

(a) Benefits will be provided for employees whose services are covered by the agreement (and their dependents and survivors) on the same basis as though such services constituted employment within the meaning of title II of the social security act;

(b) The state will pay to the secretary of the treasury, at such time or times as may be prescribed under the social security act, contributions with respect to wages (as defined in RCW 41.48.020), equal to the sum of the taxes which would be imposed by the federal insurance contributions act if the services covered by the agreement constituted employment within the meaning of that act;

(c) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein but in no event may it be effective with respect to any such services performed prior to the first day of the calendar year in which such agreement is entered into or in which the modification of the agreement making it applicable to such services, is entered into except that if a modification is entered into after December 31, 1954, and prior to January 1, 1958, which applies to individuals covered by an existing retirement sys-

tem, such modification may be effective with respect to services performed after December 31, 1954, or after a later date specified in such modification.

Agreement with secretary of health, education and welfare.

(d) All services which constitute employment as defined in RCW 41.48.020 and are performed in the employ of the state by employees of the state, shall be covered by the agreement;

(e) All services which (i) constitute employment as defined in RCW 41.48.020, (ii) are performed in the employ of a political subdivision of the state, and (iii) are covered by a plan which is in conformity with the terms of the agreement and has been approved by the governor under RCW 41.48.050, shall be covered by the agreement; and

(f) As modified, the agreement shall include all services described in either paragraph (d) or paragraph (e) of this subsection and performed by individuals to whom section 218 (c) (3) (C) of the social security act is applicable, and shall provide that the service of any such individual shall continue to be covered by the agreement in case he thereafter becomes eligible to be a member of a retirement system; and

(g) As modified, the agreement shall include all services described in either paragraph (d) or paragraph (e) of this subsection and performed by individuals in positions covered by a retirement system with respect to which the governor has issued a certificate to the secretary of health, education, and welfare pursuant to subsection (5) of this section.

(2) Any instrumentality jointly created by this state and any other state or states is hereby authorized, upon the granting of like authority by such other state or states, (a) to enter into an agreement with the secretary of health, education, and welfare whereby the benefits of the federal old-age and survivors insurance system shall be extended

Federal social security for public employees. Agreement with secretary of health, education and welfare.

to employees of such instrumentality, (b) to require its employees to pay (and for that purpose to deduct from their wages) contributions equal to the amounts which they would be required to pay under RCW 41.48.040 (1) if they were covered by an agreement made pursuant to subsection (1) of this section, and (c) to make payments to the secretary of the treasury in accordance with such agreement, including payments from its own funds, and otherwise to comply with such agreements. Such agreement shall, to the extent practicable, be consistent with the terms and provisions of subsection (1) and other provisions of this chapter.

(3) The governor is empowered to authorize a referendum, and to designate an agency or individual to supervise its conduct, in accordance with the requirements of section 218 (d) (3) of the social security act, and subsection (4) of this section on the question of whether service in all positions covered by a retirement system established by the state or by a political subdivision thereof should be excluded from or included under an agreement under this chapter. If a retirement system covers positions of employees of the state of Washington, the university of Washington, the state college of Washington and the several colleges of education, and positions of employees of one or more of the political subdivisions of the state, then for the purpose of the referendum as provided herein, there may be deemed to be a separate retirement system with respect to employees of the state, or any one or more of the political subdivisions, or institutions of higher learning named herein and the governor shall authorize a referendum upon request of the subdivisions' or institutions' of higher learning governing body: *Provided however*, That if a referendum of state employees generally fails to produce a favorable majority vote then the governor may authorize

Proviso.

a referendum covering positions of employees in any state department who are compensated in whole or in part from grants made to this state under title III of the federal social security act: *Provided*, That any city or town affiliated with the statewide city employees retirement system organized under chapter 41.44 may at its option agree to a plan submitted by the board of trustees of said statewide city employees retirement system for inclusion under an agreement under this chapter if the referendum to be held as provided herein indicates a favorable result: *Provided further*, That the Teachers' Retirement System be considered one system for the purpose of the referendum except as applied to the several colleges of education. The notice of referendum required by section 218 (d) (3) (C) of the social security act to be given to employees shall contain or shall be accompanied by a statement, in such form and such detail as the agency or individual designated to supervise the referendum shall deem necessary and sufficient, to inform the employees of the rights which will accrue to them and their dependents and survivors, and the liabilities to which they will be subject, if their services are included under an agreement under this chapter.

Agreement with secretary of health, education and welfare.

Proviso.

Proviso.

(4) The governor, before authorizing a referendum, shall require the following conditions to be met:

(a) The referendum shall be by secret written ballot on the question of whether service in positions covered by such retirement system shall be excluded from or included under the agreement between the governor and the secretary of health, education, and welfare provided for in RCW 41.48.030 (1);

(b) An opportunity to vote in such referendum shall be given and shall be limited to eligible employees;

Federal social security for public employees. Agreement with secretary of health, education and welfare.

(c) Not less than ninety days' notice of such referendum shall be given to all such employees;

(d) Such referendum shall be conducted under the supervision (of the governor or) of an agency or individual designated by the governor;

(e) The proposal for coverage shall be approved only if a majority of the eligible employees vote in favor of including services in such positions under the agreement;

(f) The state legislature, in the case of a referendum affecting the rights and liabilities of state employees covered under the state employees' retirement system and employees under the teachers' retirement system, and in all other cases the local legislative authority or governing body, shall have specifically approved the proposed plan and approved any necessary structural adjustment to the existing system to conform with the proposed plan.

(5) Upon receiving satisfactory evidence that with respect to any such referendum the conditions specified in subsection (4) of this section and section 218 (d) (3) of the social security act have been met, the governor shall so certify to the secretary of health, education, and welfare.

Emergency.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Passed the House March 8, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 171.

[H. B. 315.]

COMMERCIAL FISHING—LICENSING DISTRICTS—GEAR
REGULATION.

AN ACT relating to food fish and shellfish; adding four new sections to chapter 12, Laws of 1955 and to chapter 75.28 RCW; amending section 75.28.380, chapter 12, Laws of 1955 and RCW 75.28.380; and declaring an emergency.

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

SECTION 1. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows: New section.

The following licensing districts are hereby created: Licensing districts created.

(1) Puget Sound licensing districts shall include those waters of the Strait of Juan de Fuca, Georgia Strait, Puget Sound, and all bays, inlets, canals, coves, sounds and estuaries lying inside, easterly and southerly of the international boundary line and a line at the entrance to the Strait of Juan de Fuca projected northerly from Cape Flattery to Bonilla Point on Vancouver Island. Puget Sound licensing district.

(2) Grays Harbor licensing district shall include those waters of Grays Harbor and tributary estuaries lying inside and easterly of a line projected northerly from Point Chehalis Light to Point Brown. Grays Harbor licensing district.

(3) Willapa Bay licensing district shall include those waters of Willapa Bay and tributary estuaries lying inside and easterly of a line projected northerly from Leadbetter Point to Cape Shoalwater Light. Willapa Bay licensing district.

(4) Columbia River licensing district shall include those waters of the Columbia River and tributary sloughs and estuaries lying inside and easterly of a line at the entrance to the Columbia River projected southerly from the most westerly point of the North jetty to the most westerly point of the South jetty. Columbia River licensing district.

New section.

SEC. 2. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

Commercial fishing—
License regulations.
Separate gear license required in each licensing district.

A separate gear license, as provided in this chapter, for a gill net, a drag seine, a purse seine, a reel or drum purse seine, or a reef net, and a separate vessel license, as provided in RCW 75.28.100, for a commercial fishing vessel shall be required in each licensing district when such gear and vessel are used for lawful fishing for salmon therein. The gear and vessel license fees for such fishing in one district only shall be in the amounts as set forth in this chapter. Such license fees for such fishing in more than one district shall be, in each such additional district, three times the amounts required for fishing in one district only: *Provided*, That additional licenses shall not be required for fishing in more than one district for species of fish other than salmon.

Proviso.

New section.

SEC. 3. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

Due date for license applications and fees.

Applications accompanied by the prescribed fees for the licenses required in section 2 herein shall be made, in person or postmarked, not later than midnight of December 31st, preceding the year in which the license is to be effective, except that applications for such licenses for 1957 shall be made in such manner not later than midnight of May 15, 1957:

Proviso.

Provided, That applications for licenses for troll lines and vessels on which they are used for fishing for salmon shall be subject to the provisions of this section, except such applications by nonresident trollers who do not take salmon within the territorial waters of the state: *And provided further*, That all persons holding previously issued 1957 gear and vessel licenses named in section 2 herein and used for fishing for salmon are subject to the provisions of this act, and such persons may, not later than May

Proviso.

15, 1957, either surrender such licenses and have the fees refunded, or they shall by such date declare to the director the licensing district or area where such licenses are to be used and the vessel on which the gear is to be used.

SEC. 4. There is added to chapter 12, Laws of 1955 and to chapter 75.28 RCW a new section to read as follows:

New section.

Each gear license required in section 2 herein shall be issued for use on a specific licensed vessel, or in a reef net fishing area described in RCW 75.12-.140, and for use in a specific licensing district, and such gear license shall not be transferable for use on another vessel or in another area or district: *Provided*, That if such specific vessel becomes destroyed or otherwise rendered incapable of being operated as a fishing vessel, such gear license may, with the approval of the director, be transferred for use on another specific licensed vessel.

Gear license nontransferable—Issued for specific vessel or reef net fishing area.

Proviso.

SEC. 5. Section 75.28.380, chapter 12, Laws of 1955 and RCW 75.28.380 are each amended to read as follows:

RCW 75.28.380 amended.

Upon conviction of any person of a violation of any provision of this title, or rule or regulation of the director, the judge or justice of the peace may, in addition to the penalty imposed by law, forfeit the license of such person: *Provided*, That upon conviction of any person of a violation of any statute or regulation prescribing the length, depth or construction of fishing gear, or upon subsequent conviction of any person of any violation of any other provisions of this title or rule or regulation of the director, the forfeiture of such license shall be mandatory, and the license shall remain forfeited pending any appeal. The director may prohibit the issuance of a license to any person convicted two or more times of any such violation or prescribe the conditions under which the license may be issued.

Forfeiture of license for violation.

Proviso.

Emergency.

SEC. 6. 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 February 12, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 172.

[H. B. 627.]

HIGHWAYS.

AN ACT relating to highways and the operation of vehicles thereon; describing powers and duties of the Washington state highway commission, the Washington state toll bridge authority, and the interim committees on highways, streets and bridges; establishing and designating certain highways; providing for surveys and studies of proposed highway additions and proposed toll facilities; prescribing fees for certain motor vehicles; amending section 1, chapter 190, Laws of 1937 and RCW 47.16.010, section 1, chapter 280, Laws of 1953 and RCW 47.16.080, section 12, chapter 247, Laws of 1951 and RCW 43.27.180, section 1, chapter 136, Laws of 1941 and RCW 47.16.110, sections 4, 5, 7, 9, 12, 17, 20, 21, 24, 33 and 38, chapter 383, Laws of 1955 and RCW 47.16.140, 47.16.190, 47.20.010, 47.20.030, 47.20.060, 47.20.110, 47.20.170, 47.20.180, 47.20.210, 47.20.320, and 47.20.380, section 7, chapter 239, Laws of 1943, as amended by section 6, chapter 280, Laws of 1953 and RCW 47.20.130 through 47.20.160, section 12, chapter 207, Laws of 1937, as amended by section 9, chapter 239, Laws of 1943, and section 10, chapter 273, Laws of 1951, section 11, chapter 280, Laws of 1953 and section 2, chapter 285, Laws of 1953 and RCW 47.20.410, 47.20.420 and 47.20.430, and section 9, chapter 254, Laws of 1953, as amended by section 26, chapter 384, Laws of 1955 (uncodified), and adding three new sections to RCW 47.20; making appropriations; and declaring an emergency.

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

Short title.

SECTION 1. This act shall be known as the Washington state highway act of 1957.

SEC. 2. Section 1, chapter 190, Laws of 1937 and RCW 47.16.010 are each amended to read as follows:

RCW 47.16.010 amended.

A primary state highway to be known as primary state highway No. 1, or the Pacific highway, is established as follows: Beginning at the international boundary line in the vicinity of Blaine, in Whatcom county, thence in a southerly direction by way of Bellingham, thence to the east of Lake Samish, thence in a southerly direction by way of Mt. Vernon, Everett, Seattle, Tacoma, Olympia, Centralia, Chehalis, Kelso, and Vancouver to the Washington-Oregon boundary line on the interstate bridge over the Columbia river; also beginning at Bellingham on primary state highway No. 1, thence in an easterly direction to a point in the vicinity of Austin Pass in Whatcom county; also beginning at Bellingham on primary state highway No. 1, thence in a southerly direction by way of Blanchard to a junction with primary state highway No. 1, in the vicinity of Mt. Vernon; also beginning at Mt. Vernon on primary state highway No. 1, thence in a westerly direction to Anacortes; also beginning at Everett in the vicinity of Broadway Avenue, thence in a southwesterly direction to a junction with primary state highway No. 1, in the vicinity south of Everett; also beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northeasterly direction to Renton, thence northerly east of Lake Washington to primary state highway No. 1 north of Seattle; and also until the federal aid interstate route No. 1 through Seattle is open to through traffic, beginning on primary state highway No. 1 in the vicinity south of Seattle, thence in a northwesterly direction west of the Duwamish river to Seattle.

No. 1 Pacific highway.

SEC. 3. Section 12, chapter 383, Laws of 1955 and RCW 47.20.060 are each amended to read as follows:

RCW 47.20.060 amended.

Highway act
of 1957.
Highways
1K, 1L.

Secondary state highways as branches of primary state highway No. 1, are established as follows:

Secondary state highway No. 1K; beginning at Seattle on primary state highway No. 1, thence in a southerly direction to Des Moines, thence in a southeasterly direction to a junction with primary state highway No. 1;

Secondary state highway No. 1L; beginning on primary state highway No. 1 in the vicinity of Seattle, thence in a westerly direction to a junction with secondary state highway No. 1K near Sunnydale.

Division and
amendment.

SEC. 4. Section 7, chapter 239, Laws of 1943, as amended by section 6, chapter 280, Laws of 1953 (heretofore divided and codified as RCW 47.20.130, 47.20.140, 47.20.150, and 47.20.160) is divided and amended as set forth in sections 4, 5, 6, and 7 of this act.

RCW 47.20.130
amended.

SEC. 5. (RCW 47.20.130) Secondary state highways as branches of primary state highway No. 2 are established as follows:

Branches,
state highway
No. 2. High-
ways 2A, 2B.

Secondary state highway No. 2A; beginning on primary state highway No. 2 in the vicinity of Woodinville, thence in a southerly direction to a junction with primary state highway No. 1 in the vicinity north of Kirkland.

Secondary state highway No. 2B; beginning at a junction with primary state highway No. 2 in the vicinity of Lake Forest Park, thence in a northwesterly direction to a junction with primary state highway No. 1 in the vicinity of the Snohomish county line.

RCW 47.20.140
amended.
Highways
2D, 2E.

SEC. 6. (RCW 47.20.140) Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2D; beginning at a junction with primary state highway No. 2 in the vicinity west of Issaquah, thence in a northerly direc-

tion to the west of Lake Sammamish to Redmond on primary state highway No. 2, thence in a westerly direction to Kirkland on primary state highway No. 1;

Secondary state highway No. 2E; beginning at a junction with primary state highway No. 2 west of Cle Elum, thence in a northwesterly direction by way of Roslyn to the National Forest boundary in the vicinity of Lake Cle Elum.

SEC. 7. (RCW 47.20.150) Secondary state highways as branches of primary state highway No. 2 are established as follows:

RCW 47.20.150
enacted
without
amendment.

Secondary state highway No. 2F; beginning at a junction with primary state highway No. 2 in the vicinity north of Coulee City, thence in a northeasterly direction to the boundary of the federal reservation at the Grand Coulee dam;

Secondary state highway No. 2G; beginning at a junction with primary state highway No. 2 in the vicinity west of Reardon, thence in a southerly direction by way of Edwall to a junction with secondary state highway No. 11F in the vicinity northwest of Sprague.

SEC. 8. (RCW 47.20.160) Secondary state highways as branches of primary state highway No. 2 are established as follows:

RCW 47.20.160
enacted
without
amendment.

Secondary state highway No. 2H; beginning at Spokane on primary state highway No. 2, thence in an easterly direction by way of Millwood to a junction with primary state highway No. 2 in the vicinity of the Washington-Idaho boundary line;

Secondary state highway No. 2I; beginning at a junction with primary state highway No. 2 in the vicinity of Virden, thence southeasterly to a junction with primary state highway No. 3 in the vicinity of Woldale.

SEC. 9. Section 1, chapter 280, Laws of 1953 and RCW 47.16.080 are each amended to read as follows:

RCW 47.16.080
amended.

Highway act
of 1957. No. 8
Evergreen
highway.

A primary state highway to be known as primary state highway No. 8, or the Evergreen highway, is established as follows: Beginning at Vancouver on primary state highway No. 1, thence in easterly direction by way of Stevenson to Goldendale, thence in a northeasterly direction by way of Satus Pass to junction with primary state highway No. 3, south-east of Yakima; also beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to connect with the approach to the Biggs Rapids toll bridge across the Columbia river; also, beginning in the vicinity of Maryhill, running thence easterly along the north bank of the Columbia river to a point in the vicinity of Plymouth, thence in a northeasterly direction to a junction with primary state highway No. 3, in the vicinity of Kennewick; also, beginning at a junction with primary state highway No. 8 in the vicinity of Paterson, thence in a northerly direction to a junction with primary state highway No. 3 in the vicinity of Prosser.

The route of primary state highway No. 8 beginning at a junction with primary state highway No. 8, in the vicinity of Maryhill, thence in a southerly direction to the ferry landing of the Maryhill ferry on the Columbia river shall remain a part of such highway until the Biggs Rapids toll bridge and approaches are connected and opened to traffic.

RCW 47.16.140
amended.

SEC. 10. Section 5, chapter 383, Laws of 1955 and RCW 47.16.140 are each amended to read as follows:

No. 14 Navy
Yard highway.

A primary state highway to be known as primary state highway No. 14, or the Navy Yard highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 21 near the southwest end of Sinclair Inlet, thence northeasterly by way of Port Orchard to Manchester and Point Southworth; also begin-

ning at a junction with primary state highway No. 14 in the vicinity of Port Orchard, as herein described, thence in a southeasterly direction by way of the Tacoma Narrows Bridge to a junction with primary state highway No. 1 in Tacoma.

The route of primary state highway No. 14 extending to Harper as provided by section 5, chapter 383, Laws of 1955 shall remain a part of such highway until a ferry landing is constructed and opened to public use at Point Southworth.

SEC. 11. Section 4, chapter 383, Laws of 1955 and RCW 47.16.190 are each amended to read as follows:

RCW 47.16.190 amended.

A primary state highway to be known as primary state highway No. 21, or the Kitsap Peninsula highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 9 near the mouth of the Skokomish river, thence in a northeasterly direction along the southeast shore of Hood Canal to the vicinity of Belfair, thence northeasterly by the most feasible route to Bremerton, thence northerly and easterly by the most feasible route in the vicinity of Poulsbo to Port Gamble, thence southerly and easterly to Kingston; also beginning at Keyport, thence in a westerly direction by the most feasible route to a junction with primary state highway No. 21, as herein described.

No. 21 Kitsap Peninsula highway.

The route of primary state highway No. 21, beginning at Lofall established by section 4, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and opened to traffic.

SEC. 12. Section 38, chapter 383, Laws of 1955 and RCW 47.20.380 are each amended to read as follows:

RCW 47.20.380 amended.

Highway act of 1957. Branches, state highway No. 9. Highways 9E, 9F.

Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9E; beginning at a junction with primary state highway No. 9 in the vicinity south of Discovery Bay, thence in a southeasterly direction to the vicinity of Shine on Hood Canal;

The route of secondary state highway No. 9E to South Point established by section 38, chapter 383, Laws of 1955 shall remain a part of such highway to service ferry traffic and shall not be superseded by this section until the Hood Canal bridge and approaches are constructed and open to traffic.

Secondary state highway No. 9F; beginning at Sequim on primary state highway No. 9, thence in a northerly direction to Dungeness.

RCW 47.16.110 amended.

SEC. 13. Section 1, chapter 136, Laws of 1941 and RCW 47.16.110 are each amended to read as follows:

No. 11 Columbia Basin highway.

A primary state highway to be known as primary state highway No. 11, or the Columbia Basin highway, is established as follows: Beginning at Pasco on primary state highway No. 3, thence in a northeasterly direction by way of Connell, Lind, Ritzville, Sprague, and Cheney, to a junction with primary state highway No. 2, in the vicinity west of Spokane: *Provided*, That the Washington state highway commission is authorized to construct as a part of primary state highway No. 11 and the federal interstate system a bypass in the vicinity of Cheney.

RCW 47.20.010 amended.

SEC. 14. Section 7, chapter 383, Laws of 1955 and RCW 47.20.010 are each amended to read as follows:

Branches, state highway No. 1. Highways 1A, 1B.

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1A; beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Lawrence, thence

in a northerly direction to the international boundary in the vicinity west of Sumas; also beginning at a junction with secondary state highway No. 1A in the vicinity of Nooksack, thence southwesterly by way of Everson to a junction with secondary state highway No. 1B in the vicinity of Wiser Lake; also beginning at a junction with the Mt. Baker branch of primary state highway No. 1 in the vicinity of Deming, thence in a southerly direction by way of Sedro Woolley, Arlington and Snohomish to a junction with primary state highway No. 2 in the vicinity of Woodinville;

Secondary state highway No. 1B; beginning at Bellingham on primary state highway No. 1, thence in a northerly direction to the international boundary in the vicinity east of Delta; also beginning at a junction with secondary state highway No. 1B approximately 2.7 miles south of the international boundary, thence easterly by way of Van Buren to a junction with secondary state highway No. 1A.

SEC. 15. Section 9, chapter 383, Laws of 1955 and RCW 47.20.030 are each amended to read as follows:

RCW 47.20.030
amended.

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Highways
1E, 1F.

Secondary state highway No. 1E; beginning at Conway on Primary state highway No. 1, thence in a southerly direction by way of East Stanwood, thence in a southeasterly direction to a junction with primary state highway No. 1, thence in an easterly direction to Arlington on secondary state highway No. 1A; also from the junction of secondary state highway No. 1A at Arlington in a northeasterly and easterly direction to Darrington;

Secondary state highway No. 1F; beginning at a junction with primary state highway No. 1 in the vicinity of Burlington, thence in a northeasterly

direction to a junction with secondary state highway No. 1A in the vicinity of Sedro Woolley.

RCW 47.20.110 amended.

SEC. 16. Section 17, chapter 383, Laws of 1955 and RCW 47.20.110 are each amended to read as follows:

Highway act of 1957. Branches, state highway No. 1. Highways 1V, 1W.

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary state highway No. 1V; beginning at Tacoma on primary state highway No. 1, thence in a northeasterly direction west of primary state highway No. 1 by way of Redondo to Des Moines on secondary state highway No. 1K;

Secondary state highway No. 1W; beginning at a junction with primary state highway No. 1 in the vicinity of Snohomish-King county line, thence in a northwesterly direction to Edmonds, thence in a northeasterly direction to a junction with primary state highway No. 1 in the vicinity of Lynnwood.

New section.

SEC. 17. There is added to chapter 47.20 RCW, a new section to read as follows:

Branches, state highway No. 2. Highway 2J.

Secondary state highway No. 2J is established as a branch of primary state highway No. 2, according to the following designation and description:

Beginning on primary state highway No. 2 in the vicinity of Bothell, thence in a northerly direction to a junction with primary state highway No. 1 in a vicinity south of Everett.

RCW 47.20.170 amended.

SEC. 18. Section 20, chapter 383, Laws of 1955 and RCW 47.20.170 are each amended to read as follows:

Branches, state highway No. 3. Highways 3A, 3B.

Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3A; beginning at Union Gap on primary state highway No. 3, thence in a southeasterly direction to the south of the Yakima river to Toppenish on primary state highway No. 8, thence in a southeasterly direction by

way of Mabton to Prosser on primary state highway No. 3;

Secondary state highway No. 3B; beginning at Toppenish on primary state highway No. 8, thence in a westerly direction to White Swan, thence in a southwesterly direction to old Fort Simcoe.

SEC. 19. Section 21, chapter 383, Laws of 1955 and RCW 47.20.180 are each amended to read as follows: RCW 47.20.180 amended.

Secondary state highways as branches of primary state highway No. 3 are established as follows: Highways 3C, 3D.

Secondary state highway No. 3D; beginning at a junction with primary state highway No. 3 in the vicinity of Burbank, thence in a northeasterly direction by the most feasible route to a point in the vicinity of Eureka, thence in an easterly direction by the most feasible route to a junction with secondary state highway No. 3E in the vicinity of Prescott.

SEC. 20. Section 24, chapter 383, Laws of 1955 and RCW 47.20.210 are each amended to read as follows: RCW 47.20.210 amended.

Secondary state highways as branches of primary state highway No. 3 are established as follows: Highways 3J, 3K.

Secondary state highway No. 3J; beginning at a junction with primary state highway No. 3 in the vicinity of Chewelah, thence by way of Springdale in a southwesterly direction across the Spokane river to Long lake: *Provided*, That until such time as the relocation and construction of primary state highway No. 3 from Loon Lake to Chewelah is completed, secondary state highway No. 3J shall begin at a junction with primary state highway No. 3 in the vicinity of Springdale;

Secondary state highway No. 3K; beginning at Pomeroy on primary state highway No. 3, thence in a southeasterly direction to Peola, thence in a northeasterly direction to a junction with primary state highway No. 3 in the vicinity west of Clarkston.

RCW 47.20.320
amended.

SEC. 21. Section 33, chapter 383, Laws of 1955 and RCW 47.20.320 are each amended to read as follows:

Highway act
of 1957.
Branches,
state high-
way No. 7.
Highway 7C.

Secondary state highways as branches of primary state highway No. 7 are established as follows:

Secondary state highway No. 7C; beginning in the vicinity of the east end of the Vantage bridge on primary state highway No. 7, thence in a southerly direction parallel to the east bank of the Columbia river for a distance of approximately two and one-half miles, thence southeasterly in the vicinity of Othello, thence easterly to a junction with primary state highway No. 11, thence easterly to a junction with secondary state highway No. 11B in the vicinity of Washtucna; also, beginning at a junction with secondary state highway No. 7C south of the Columbia river bridge at Vantage, thence southerly and easterly by way of Beverly and Arrowsmith to a junction with secondary state highway No. 11A north of its crossing of the Columbia river: *Provided*, That until such time as secondary state highway No. 7C is actually constructed on the location adopted by the director of highways, no existing county roads shall be maintained or improved by the state department as a temporary route of said secondary state highway No. 7C.

Division and
amendment.

SEC. 22. Section 12, chapter 207, Laws of 1937, section 9, chapter 239, Laws of 1943, section 10, chapter 273, Laws of 1951, section 11, chapter 280, Laws of 1953, section 2, chapter 285, Laws of 1953 (heretofore divided and codified as RCW 47.20.410, 47.20.420 and 47.20.430) are divided and amended to read as set forth in sections 23 through 25 of this act.

RCW 47.20.410
amended.

SEC. 23. (RCW 47.20.410) Secondary state highways as branches of primary state highway No. 11 are established as follows:

Secondary state highway No. 11A; beginning at

Connell on primary state highway No. 11, thence in a westerly direction to Yakima on primary state highway No. 3: The director shall provide and maintain suitable facilities for vehicles and pedestrian crossing of the Columbia river at the point where secondary state highway No. 11A crosses the river, at the expense of the state and without charge to the public:

Branches,
state highway
No. 11,
Highways
11A, 11B.

Secondary state highway No. 11B; beginning at a junction with primary state highway No. 11 in the vicinity of Connell, thence northeasterly by way of Kahlotus, Washtucna and LaCrosse to a junction with primary state highway No. 3 in the vicinity of Dusty; also beginning at a junction with secondary state highway No. 11B in the vicinity of Washtucna, thence southeasterly to a junction with primary state highway No. 3 at Delaney: *Provided*, That until such time as secondary state highway No. 11B between Washtucna and Delaney is actually constructed on the location adopted by the director of highways no existing county roads shall be maintained or improved by the state highway department as a temporary route of said secondary state highway No. 11B.

SEC. 24. (RCW 47.20.420) Secondary state highways as branches of primary state highway No. 11 are established as follows:

RCW 47.20.420
enacted
without
amendment.

Secondary state highway No. 11C; beginning at Sprague on primary state highway No. 11, thence in a southeasterly direction to a point in the vicinity of Ewan;

Secondary state highway No. 11D; beginning at a junction with primary state highway No. 11 at a point approximately three miles northeast of Four Lakes, thence in a westerly and southwesterly direction to the town of Medical Lake, thence in a southerly direction to the vicinity of the state custodial school;

Highway act of 1957.

Secondary state highway No. 11E; beginning at Ritzville on primary state highway No. 11, thence in a southerly direction to Washtucna on secondary state highway No. 11B.

RCW 47.20.430 amended.

SEC. 25. (RCW 47.20.430) Secondary state highways as branches of primary state highway No. 11 are established as follows:

Branches, state highway No. 11. Highways 11F, 11G.

Secondary state highway No. 11F; beginning at Sprague on primary state highway No. 11, thence in a northwesterly direction to Harrington on primary state highway No. 7;

Secondary state highway No. 11G; beginning in the vicinity of Eltopia on primary state highway No. 11, thence in a northwesterly direction to a junction with primary state highway No. 18 in the vicinity of Moses Lake, thence northwesterly to a junction with primary state highway No. 7 in the vicinity of Soap Lake with a wye connection from the vicinity of Rocky Ford creek to the vicinity of Ephrata.

New section.

SEC. 26. There is added to chapter 47.20 RCW, a new section to read as follows:

Branches, state highway No. 12. Highway 12H.

A secondary state highway as a branch of primary state highway No. 12 is established as follows:

Secondary state highway No. 12H; beginning at a junction with primary state highway No. 12 in West Kelso, thence northerly to a junction with secondary state highway No. 1P in the vicinity of Vader.

New section.

SEC. 27. There is added to chapter 47.20 RCW a new section to read as follows:

Branches, state highway No. 21. Highway 21C.

Secondary state highway No. 21C as a branch of primary state highway No. 21 is established as follows:

Secondary state highway No. 21C; beginning at a junction with primary state highway No. 21 at Belfair, thence in a general westerly direction to the westerly boundary of the Belfair state park.

SEC. 28. The joint fact-finding committee on highways, streets and bridges, jointly with the Washington state highway commission, shall, pursuant to the provisions of this act, consider the following highway additions and deletions by undertaking a comprehensive and definitive study, with necessary reconnaissance surveys, including location, reconstruction cost and roadway design, to accomplish their evaluation with respect to their being a part of the modern integrated state highway system. All studies shall be completed by June 1, 1958.

Highway additions or deletions studied—Appropriations.

(1) An extension of secondary state highway No. 1S from Amboy westerly to a junction with primary state highway No. 1 at Woodland. This highway section shall be evaluated as to state interest with respect to other branches of secondary state highway No. 1S on the north side of Lewis river serving the traffic in hauling of logs and log products. This study shall also include cooperation with the United States forest service with respect to the source of logs and log products being hauled from the United States forest area. (Reference in H.B. 204)

Extension highway No. 1S.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(2) An extension of secondary state highway No. 12D from the west fork of the Elokommin river northeasterly to a connection with secondary state highway No. 1P at Ryderwood; and also, a highway from primary state highway No. 12 in the vicinity of Grays River northeasterly to a junction with primary state highway No. 12 in the vicinity of PeEll. These two highway locations shall be studied [studied] with respect to their relationship as serving as the most logical route to connect with the lower

Extension highway No. 12D—Highway from No. 12, Grays River to 12, Pe Ell.

Highway act of 1957. Highway additions or deletions studied—Appropriations.

Columbia river crossing being investigated by the Washington toll bridge authority as required by S.B. 321 and H.B. 529, and making recommendation as to the feasible route with respect to serving the financial feasibility of the toll bridge location. (Reference H.B. 122 and H.B. 123)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Realigning No. 21B to connection with 21A.

(3) Realigning secondary state highway No. 21B between Bremerton and Keyport and thence crossing Liberty Bay to a connection with secondary state highway No. 21A southeast of Poulsbo. (Reference H.B. 238)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of three thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Old Columbia river bridge route from Kennewick to Pasco.

(4) A highway from primary state highway No. 3 at the south approach to the new Columbia river bridge west of Kennewick, thence easterly and northerly by way of Kennewick and the old Columbia river bridge to a junction with primary state highway No. 3 at Pasco. (Reference H.B. 401)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of two thousand five hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Extension of Highway No. 3R.

(5) An extension of secondary state highway No. 3R from the west boundary of the government

reservation northeasterly and easterly to a junction with primary state highway No. 11 in the vicinity of Glade. (Reference H.B. 402)

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of two thousand five hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(6) A highway beginning at a junction with primary state highway No. 11 in the vicinity of Lind, thence westerly by way of Warden to a junction with secondary state highway No. 11G. (Reference H.B. 486)

Highway from No. 11, Lind, to highway No. 11G.

This study shall include the possible deletion by legislative act of that portion of secondary state highway No. 4B from Lind northerly.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(7) A highway beginning at a junction of primary state highway No. 5 and Renton avenue in the vicinity of the Renton municipal airport, thence northwesterly on Renton avenue to its junction with primary state highway No. 2 at Webster street in the city of Seattle. (Reference H. B. 505)

Renton avenue route from highway No. 5 to highway No. 2.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(8) A highway relocation of primary state highway No. 14 as follows: Beginning at a junction with

Relocation of highway No. 14.

Highway act
of 1957.
Highway addi-
tions or dele-
tions studied
—Appropri-
ations.

primary state highway No. 21 near the southwest end of Sinclair Inlet, thence southeasterly by way of the Tacoma Narrows bridge to a junction with primary state highway No. 1 in Tacoma; also beginning at a junction with primary state highway No. 14 in the vicinity of Fernwood, thence northeasterly to Port Orchard, thence southerly and easterly to Point Southworth. (Reference H.B. 448)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of ten thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Highway from
No. 8, Lyle
to No. 8,
Goldendale.

(9) A highway beginning at a junction with primary state highway No. 8 in the vicinity of Lyle, thence northeasterly and easterly by way of Klickitat to a junction with primary state highway No. 8 in the vicinity of Goldendale. (Reference S.B. 157)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of fifteen thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Highway
locations.

(10) Highway locations as follows:

- (a) Three Tree point to White Center to Renton;
- (b) From Normandy park via south side of Seattle-Tacoma airport in the vicinity of Bow lake, Orillia, Lake Youngs, Maple Valley to Hobart;
- (c) From primary state highway No. 1 in the vicinity of Midway easterly to a connection with primary state highway No. 5 in the vicinity of Kent;
- (d) From Lakota to Federal Way, Auburn, Black Diamond to Palmer. (Reference S.B. 388)

Appropri-
ations.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on high-

ways, streets and bridges the sum of forty thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

(11) A highway relocation of primary state highway No. 4 between Republic and Wilbur to reroute traffic over the Columbia river bridge at Coulee Dam in lieu of operating a ferry for such traffic across the Columbia river at Keller.

Relocation of
highway No. 4.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(12) Continue the location study of a highway from Spokane westerly along the north bank of the Spokane river to connect with primary state highway No. 22 in the vicinity of the junction of the Columbia and Spokane rivers. (Reference S.B. 272)

Highway from
Spokane to
No. 22, junction
Spokane
and Columbia
rivers.

This study shall be undertaken in cooperation with the Bureau of Indian Affairs as related to the location of this highway through the Spokane Indian reservation and also the city of Spokane as to its relationship in its development of a comprehensive city street plan.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of two thousand five hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation.

(13) A highway beginning at a junction with primary state highway No. 10 south of the Okanogan river in the vicinity of Malott, thence northerly following the course of Loup Loup creek to a junction with primary state highway No. 16. (Reference S.B. 445)

Highway from
No. 10, Malott,
to No. 16.

Highway act of 1957. Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of two thousand five hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Extension of highway No. 15B.

(14) An extension to secondary state highway No. 15B from Fall City southerly to a junction with primary state highway No. 2 in the vicinity of Preston. (Reference S.B. 362 and H.B. 583)

Appropriation.

There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges the sum of two thousand five hundred dollars, or so much thereof as may be necessary to carry out the provisions of this subsection.

Appropriation—Location survey on highway No. 17.

SEC. 29. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the period beginning July 1, 1957 and ending June 30, 1959 the sum of seventy-five thousand dollars, or so much thereof as shall be necessary, to conduct a location survey on primary state highway No. 17, Marblemount to Mazama. This survey shall be undertaken in cooperation with the United States forest service to promote the orderly development of this highway section in order to serve the needs of the state and the development of the forest area.

Commission to report to legislature—Effect, federal highway policy.

SEC. 30. The state highway commission shall report to the legislature through the joint fact-finding committee on highways, streets and bridges on the highway needs of the state in the light of the new federal highway policy, taking into consideration the needs of the existing state highway system and such extensions thereto as may be warranted by the expanding economy of the state.

SEC. 31. Section 12, chapter 247, Laws of 1951 and RCW 43.27.180 are each amended to read as follows:

RCW 43.27.180 amended.

The salary of the director of highways shall be ten thousand dollars per year: *Provided*, That the commission may increase said salary.

Director of highways—
Salary.

SEC. 32. The joint fact-finding committee on highways, streets and bridges, created by chapter 111, Laws of 1947, and continued in chapter 213, Laws of 1949, continued by section 44, chapter 269, Laws of 1951, continued by section 4, chapter 254, Laws of 1953 and continued by section 21, chapter 384, Laws of 1955, is hereby continued until April 1, 1959. It shall consist of seven senators to be appointed by the president of the senate and eight members of the house of representatives to be appointed by the speaker thereof. The list of appointees shall be submitted before the close of the 1957 session for confirmation of senate members, by the senate, and the house members by the house. Vacancies occurring shall be filled by the appointing authority.

Joint fact-finding committee continued—
Membership—
Vacancies.

SEC. 33. The committee is authorized and directed to continue its studies and for that purpose shall have all the powers and duties set forth in chapter 111, Laws of 1947, and in addition thereto is authorized and directed to ascertain, study, analyze, report on and make recommendations to the 1959 legislature, prior to its convening, concerning:

Committee on highways, streets and bridges—
Powers and duties.

(a) The orderly development of state highways by classification and necessity with recommendations of additions and deletions to accomplish a modern integrated highway system;

(b) The operations of the license department in connection with the licensing of all motor vehicles;

(c) The desirability of the preemption of motor vehicle licensing;

(d) The existing and proposed exemptions from motor vehicle licensing and taxation and its impact

Highway act
of 1957.
Committee
on highways,
streets and
bridges.
Powers and
duties.

on revenues for highway purposes, and the use of motor vehicle funds to finance margin revenue bond projects;

(e) The revaluation of highway needs in the light of federal interstate highway legislation and appropriations, and appear before such bodies as may be required;

(f) The tax structure in connection with the financing of necessary highway and related construction, hearings in connection with this study, to begin not later than September 1, 1957, and in connection therewith the committee shall review the benefits study of the Highway Research council with specific attention to the ton-mile and incremental cost methods and other related highway use and gas taxes.

(g) Existing laws relating to the collection of overweight penalties, and in conjunction with the attorney general, prepare the necessary legislation to facilitate the collection of such penalties;

(h) A redefinition of rural and urban vehicles which better reflects the use of said vehicles on county roads and in connection therewith, the feasibility of total traffic counts in counties as an alternative for the registered vehicle formula in making county gas tax allocations, and the committee is authorized to make sample test counts;

(i) The proper subsidy, if any, to be paid from the motor vehicle fund toward the operation of an integrated Puget Sound transportation system, including the operation of ferries and bridges constructed to replace ferries; this study shall begin prior to July 1, 1957 and be pursued in cooperation with the Washington toll bridge authority;

(j) In cooperation with the legislative budget committee and the director of the budget to study the proper budgeting and appropriation of motor vehicle funds;

(k) To cooperate with any other agencies in the study of the state's responsibility in determining the equitable obligation of the state with respect to the construction of highways through irrigation districts where highway rights of way are taken from the irrigation district lands. (Reference H.B. 6)

Powers and
duties.

(l) Highway safety, including remedial legislation, which will tend to lower the toll of highway accidents. This study shall be made in conjunction with the Washington state patrol and other law enforcement agencies.

(m) The equitable policy to be established between the state and counties as to portions of existing primary and secondary state highways affected by highway relocations. (Reference H.B. 662)

(n) The impact of monthly licensing of motor vehicles engaged in logging and the hauling of agricultural products in cooperation with the employment security department. (Reference H.B. 643)

(o) The future development and financing of urban freeways, in the light of the findings of the highway cost allocation study. In this study the interim committee shall appoint advisory committees of lay consultants in each of the four metropolitan areas of the state to consider the practicality of contribution from benefited property.

(p) The submission of necessary amendments to highway laws and to all laws relating to motor vehicles suggested by its studies and recommended by it, and in such connection the committee shall prepare drafts of bills with the aid of the attorney general.

SEC. 34. In addition to the powers and duties heretofore conferred upon it, the committee is further authorized and directed to continue its participations in the activities of the "Western Interstate Committee on Highway Policy Problems" of the eleven western states in its study of highway prob-

Highway
act of 1957.
Committee
on highways,
streets and
bridges.

lems upon a state and regional basis; participate in or make joint studies with relation to the design and construction of highways and the use and equitable cost thereof; and participate in any interstate reciprocity or proration meetings designated by the Washington reciprocity commission.

Council for
highway
research.

SEC. 35. The committee is also authorized to avail themselves of the services of the Washington state council for highway research and to cooperate with said body.

Committee
expenses—
Reimburse-
ment—
Vouchers.

SEC. 36. The members of the joint fact-finding committee on highways, streets and bridges shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittees of the committee or while engaged on other committee business authorized by the committee to the extent of twenty dollars per day plus ten cents per mile in going and coming from committee sessions or subcommittee meetings or for travel on other committee business authorized by the committee. All expenses incurred by the committee, including salaries of employees, shall be paid upon voucher forms as provided by the state auditor and signed by the chairman or vice chairman of the committee and attested by the secretary of the committee, and the authority of said chairman and secretary to sign vouchers shall continue until their successors are selected. Vouchers may be drawn upon funds appropriated for the expenses of the committee.

1955 c 384 § 26
amended.

SEC. 37. Section 9, chapter 254, Laws of 1953, as amended by section 26, chapter 384, Laws of 1955 (uncodified) is amended to read as follows:

Additional
fees on motor
vehicles—
Disposition
of fees.

In addition to all other fees prescribed by law, there shall be paid for each motor vehicle the following amounts at the time of the payment of the registration fee as provided by law:

For each truck under 12,000 lbs.....	.25
For each truck over 12,000 lbs. and under 20,000 lbs.	1.00
For each truck over 20,000 lbs.....	2.00
For each trailer 4,000 lbs. to 12,000 lbs....	.25
For each trailer 12,000 lbs. to 20,000 lbs....	1.00
For each trailer, semi-trailer or pole trailer over 20,000 lbs.....	2.00
For each diesel truck	4.00
For each auto stage	2.00
For each for hire vehicle over 4,000 lbs....	.50
For each motor vehicle not otherwise taxed herein .....	.10

Such fees shall be collected for the calendar years 1957, 1958 and 1959 only, and shall be deposited in the motor vehicle fund, and shall be used by the joint fact-finding committee on highways, streets and bridges and the state highway commission to help defray the costs of special highway use and weight studies and tests upon highways as provided for in this act and for other necessary expenses of such committee.

SEC. 38. There is hereby appropriated from the motor vehicle fund to the joint fact-finding committee on highways, streets and bridges, created by chapter 111, Laws of 1947, continued by chapter 213, Laws of 1949, chapter 269, Laws of 1951, chapter 280, Laws of 1953, chapter 384, Laws of 1955 and continued by the 1957 legislative session the sum of forty thousand dollars for the biennium ending June 30, 1959, or so much thereof as shall be necessary.

Appropriation to committee.

SEC. 39. The Washington toll bridge authority, the Washington state highway commission, and any county or other political subdivision of the state of Washington, are each authorized to enter into any agreements with each other, the Oregon state highway commission, Port of Astoria, Oregon,

Agreements respecting Columbia river toll bridge authorized.

Highway act
of 1957.
Agreements
respecting
Columbia
river toll
bridge
authorized.

or any other governmental agency or political subdivision of either Oregon or Washington for the purpose of continuing traffic, engineering and financial studies, and surveys for the planning of a toll bridge to be constructed at a feasible site on the lower Columbia river. Such studies and surveys shall include but shall not be confined to the following:

- (1) The most desirable design and bridge approaches;
- (2) The most desirable location;
- (3) The cost of construction and the length of construction time required; and
- (4) The financial feasibility of the bridge together with any supplementary aid which may be available to finance it.

In order to carry out the provisions of this section the Washington toll bridge authority, the Washington state highway commission and any political subdivision of the state of Washington may:

- (1) Consult, cooperate and enter into agreements with the government of the United States or any of its agencies, the state of Oregon or any of its agencies or political subdivisions, or any other governmental agency, person, or corporation.
- (2) Accept and expend moneys from any public or private source, including the government of the United States, which is now or may be made available for the carrying out of the purposes contained in this section.

Appropriation.

There is appropriated from the motor vehicle fund to the Washington toll bridge authority for the biennium commencing July 1, 1957 and ending June 30, 1959 the sum of one hundred thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this section. Any funds herein appropriated from the motor vehicle fund to the Washington toll bridge authority shall be considered as a loan and repaid by the authority

to the motor vehicle fund upon the sale of bonds for this project.

SEC. 40. For the period beginning July 1, 1957, and ending June 30, 1959, there is hereby reappropriated from the motor vehicle fund to the Washington toll bridge authority, the sum of four hundred seventy-six thousand five hundred dollars or so much thereof as may be necessary, for conducting further engineering surveys and financial studies, and for designing feasible bridges and securing the necessary permits for the construction of a bridge or bridges across Puget Sound or Hood Canal, such sum being the unexpended balance of the appropriation contained in section 62, chapter 383, Laws of 1955: *Provided*, That no expenditure under the authority of this section shall exceed the unexpended balance of the appropriation contained in section 62, chapter 383, Laws of 1955 as shown in the state auditor's records as of June 30, 1957.

Reappropriation—Puget Sound-Hood Canal bridges.

Proviso.

If the total project, or any part thereof, is deemed feasible by the authority as an integral part of the public highway system and has been approved by the highway commission, the authority shall further utilize the funds herein appropriated to do all things necessary to accomplish the sale of revenue bonds to finance the proposed project, or any part thereof as may be determined feasible, and for the payment of all preliminary expenses incident to the issuance and sale of said bonds.

The appropriation herein authorized shall be considered a loan from the motor vehicle fund, and the motor vehicle fund shall be reimbursed in full for any portion of those funds which may be expended, from the proceeds of the sale of any revenue bonds issued for the purpose of financing said project or any part thereof.

SEC. 41. There is hereby appropriated from the authority revolving fund to the Washington toll

Appropriation (1951 c 259 §§ 14, 15).

Highway act of 1957.

bridge authority for the biennium ending June 30, 1959, the sum of four hundred thousand dollars to carry out the provisions of sections 14 and 15, chapter 259, Laws of 1951 and RCW 47.60.180 and RCW 47.60.190.

Toll tunnel through Cascades.

SEC. 42. The Washington toll bridge authority is hereby authorized and directed to complete pending location surveys and studies, and make such further studies and surveys as it deems proper to determine the feasibility of financing and constructing a toll tunnel through the Cascade mountains, together with the necessary connections with existing highways. Said toll tunnel shall be located on an alternate to primary state highway No. 5 beginning at a point thereon in the vicinity of the junction of the Greenwater and White rivers, thence in an easterly direction to a junction with primary state highway No. 5 in the vicinity of Cliffdell. The authority shall report to the next regular session of the legislature its conclusions as to the feasibility of constructing such toll tunnel.

Appropriation.

There is appropriated to the authority from the motor vehicle fund the sum of twenty-five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this section.

Appropriation to continue highway equipment fund under RCW 47.08.120.

SEC. 43. There is hereby appropriated from the highway equipment fund to the Washington state highway commission for the biennium ending June 30, 1959, the sum of ten million nine hundred eight thousand five hundred five dollars, or so much thereof as may be necessary, to continue the highway equipment fund as established by RCW 47.08-.120 and amendments thereto.

Appropriation to highway commission for salaries and operations.

SEC. 44. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, for salaries, wages and operations of the offices of the commission, director and district offices of the

department of highways, including the office of the research and planning engineer, the traffic engineer, including traffic training; and the administration of state aid to cities and counties as provided by RCW 46.68 and amendments thereof, the sum of four million five hundred ninety-seven thousand seven hundred fifty dollars, or so much thereof as shall be necessary.

SEC. 45. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission and the joint fact-finding committee on highways, streets and bridges, for the biennium ending June 30, 1959, the sum of three hundred eighty-five thousand dollars, or so much thereof as shall be necessary, to be used for the costs of special studies, tests and research relative to highway problems and any other necessary expenses jointly authorized.

Appropriation for special studies on highway problems.

SEC. 46. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of three million nine hundred two thousand one hundred forty-six dollars twenty-three cents, the same being the unexpended balance of the appropriation contained in section 13, chapter 311, Laws of 1955 as shown on the records of the state auditor January 31, 1957: *Provided*, That no expenditure under the authority of this act shall exceed the unexpended balance of the appropriation contained in section 13, chapter 311, Laws of 1955, as of June 30, 1957.

Reappropriation for unpaid obligations. Balance of appropriation (1955 c 311 § 13).

Proviso.

SEC. 47. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of eight million one hundred nineteen thousand six hundred twenty-six dollars forty-two

Balance of appropriation (1955 c 383 § 53).

Highway act
of 1957.

Proviso.

Appropriation
for state high-
ways through
cities and
towns—Emer-
gencies.

cents, the same being the unexpended balance of the appropriation contained in section 53, chapter 383, Laws of 1955, as shown on the records of the state auditor January 31, 1957: *Provided*, That no expenditure under the authority of this act shall exceed the unexpended balance of the appropriation contained in section 53, chapter 383, Laws of 1955, as of June 30, 1957.

SEC. 48. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of ninety eight million eight hundred seventy-one thousand five hundred thirty-five dollars, or so much thereof as shall be necessary, for state highways and designated routes through cities and towns, including location, engineering, engineering supervision and training, improvement, rights of way, construction and damages, bridges, reconstruction, maintenance including road signs, traffic signals and devices, radio, ferries, toll bridges, extraordinary maintenance, non-reimbursable federal aid off the state system, emergencies and for any and all proper highway purposes not specifically set forth in this act, emergencies being defined as damages to highways, structures, ferries, and/or other conditions involving public safety or welfare, which could not with the exercise of reasonable judgment have been foreseen.

Reappropriation for
unpaid
obligations.
Balance of
appropriation
(1955 c 383
§ 56).

SEC. 49. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid the sum of seven million five hundred fifty-eight thousand eight hundred eighty nine dollars and eighty-eight cents, the same being the unexpended balance of the appropriation contained in section 56, chapter 383, Laws of 1955, as shown on the records

of the state auditor for January 31, 1957: *Provided*,
That no expenditure under the authority of this act shall exceed the unexpended balance of the appropriation contained in section 56, chapter 383, Laws of 1955, as of June 30, 1957.

Proviso.

SEC. 50. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of ninety-four million two hundred thirty-six thousand dollars, or so much thereof as shall be necessary, to be expended and reimbursed under specific project agreements executed or to be executed under the federal aid road acts and the state acts assenting thereto; and for any other expenditures of any kind by the department of highways upon public highways, or for services to other public agencies, for which reimbursement is anticipated; and for inventories and salary suspense.

Appropriation for projects under federal and state acts providing reimbursement.

SEC. 51. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, for the maintenance and construction of roads within state parks the sum of one hundred fifty thousand dollars, which sum shall be deducted from the net tax amount of the motor vehicle fuel tax in the motor vehicle fund before credits are made to the incorporated cities and towns and to counties of the state.

Appropriation for roads in state parks.

SEC. 52. There is hereby appropriated from the highway equipment fund to the Washington state highway commission for the period beginning April 1, 1957 and ending June 30, 1957, the sum of five hundred twenty-five thousand ninety-eight dollars for the purchase, repair and replacement of equipment, which sum is the amount estimated for the three months period in the 1955-1957 budget re-

Appropriation for equipment not covered by 1955 c 383 § 46.

Highway act
of 1957.

quest but was not included in the appropriation made in section 46, chapter 383, Laws of 1955.

Appropriation
for capital
outlay.

SEC. 53. There is hereby appropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of one million nine hundred eighty-three thousand two hundred dollars, or so much thereof as may be necessary for capital outlay, which shall include the purchase and improvement of land, erection of buildings and structures, major repairs and equipment, including fees, salaries and wages incident thereto.

Reappropriation for unpaid obligations. Balance of appropriation (1955 c 383 § 52).

SEC. 54. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, and for obligations incurred and not yet paid, the sum of two million seven hundred six thousand five hundred seventy-five dollars and thirty-three cents, the same being the unexpended balance of the appropriation contained in section 52, chapter 383, Laws of 1955, as shown on the records of the state auditor January 31, 1957: *Provided*, That no expenditure under the authority of this act shall exceed the unexpended balance of the appropriation contained in section 52, chapter 383, Laws of 1955, as of June 30, 1957.

Proviso.

Appropriation to cities and towns under chapter 46.68 RCW.

SEC. 55. There is hereby appropriated from the motor vehicle fund to the incorporated cities and towns of the state, for the biennium ending June 30, 1959, the sum of thirteen million one hundred eighty-five thousand seven hundred dollars, or so much thereof as shall become available under RCW 46.68 and amendments thereto, including supplemental amounts due and sums reserved by resolutions to the state, to be paid out and expended in the manner provided by law.

SEC. 56. There is hereby appropriated from the motor vehicle fund to the counties of the state, including counties composed of islands, for the biennium ending June 30, 1959, the sum of forty-one million two hundred fifty-two thousand dollars, or so much thereof as may become available under RCW 46.68 and RCW 82.36 and amendments thereto, including supplemental amounts due and sums reserved by resolutions to the state, to be paid out and expended in the manner provided by law.

Appropriation to counties under chapter 46.68 and 82.36 RCW.

SEC. 57. There is hereby appropriated from the motor vehicle fund the sum of eleven million five hundred thousand dollars, for the biennium ending June 30, 1959, for transfer to the highway bond retirement fund as provided in chapter 121, Laws of 1951, chapter 154, Laws of 1953, and chapter 311, Laws of 1955.

Appropriation to highway bond retirement fund.

SEC. 58. There is hereby reappropriated from the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1959, the sum of twelve thousand dollars, the same being the appropriation contained in section 2, chapter 15, Laws of 1955 extraordinary session to the Corbin Water District (Greenacres), for disruption of water pipe lines. Payment to be made upon completion of work and determination of cost by the department of highways.

Reappropriation (1955 ex.s. c 15 § 2).

SEC. 59. (1) If any provision of this act or the application thereof to any person, firm, or corporation or circumstance is held invalid, in whole or in part, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and to this end the provisions of this act are declared to be severable.

Severability

(2) If any provision of this act shall be declared unconstitutional or ineffective in whole or in part by a court of competent jurisdiction, then to the ex-

Highway act
of 1957.

tent that it is unconstitutional or ineffective, such provision shall not be enforced, nor shall such determination be deemed to invalidate the remaining provisions of this act.

Emergency—
Exceptions.

SEC. 60. 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 section 52 shall take effect April 1, 1957, and sections 1, 28, 30 through 36 and 38 shall take effect immediately.

Sections 14 through 19, 26 and 27 shall take effect January 1, 1958.

Passed the House March 8, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 173.

[H. B. 679.]

CITIES AND TOWNS—INCORPORATION.

AN ACT relating to incorporation of cities and towns; amending section 2, page 133, Laws of 1890 as amended by sections 1, 2, 3, 4 and 5, chapter 219, Laws of 1953, and RCW 35.02-.020, 35.02.030, 35.02.040, 35.02.050, 35.02.060, 35.02.070, 35.02.080, 35.02.100 and 35.02.110 and declaring an emergency.

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

SECTION 1. Section 2, page 133, Laws of 1890, as amended by sections 1, 2, 3, 4 and 5, chapter 219, Laws of 1953 (heretofore divided and codified as RCW 35.02.020, 35.02.030, 35.02.040, 35.02.050, 35.02-.060, 35.02.070, 35.02.080, 35.02.100 and 35.02.110) is divided and amended to read as set forth in sections 2 through 10 of this act.

SEC. 2. (RCW 35.02.020) A petition for incorporation must be signed by qualified voters resident

Division and
amendment.

RCW 35.02.020
enacted with-
out amend-
ment.

within the limits of the proposed city or town equal in number to twenty percent of the votes cast at the last state election and presented to the auditor of the county.

SEC. 3. (RCW 35.02.030) The petition for incorporation shall contain the form of government under which a city is to operate in the event it is incorporated, set forth and particularly describe the proposed boundaries of the proposed city or town, state the name of the proposed corporation and state the number of inhabitants therein, as nearly as may be, and pray that it may be incorporated.

RCW 35.02.030
enacted with-
out amend-
ment.

SEC. 4. (RCW 35.02.040) Upon receipt of a petition for incorporation together with a certificate of sufficiency by the county auditor, the board of county commissioners shall give notice of the hearing upon said petition for incorporation by one publication in not more than ten nor less than three days prior to the date set for said hearing in one or more newspapers of general circulation within the county. Said notice shall contain the time and place of said hearing.

RCW 35.02.040
enacted with-
out amend-
ment.

SEC. 5. (RCW 35.02.050) If the petition sets forth an estimate of inhabitants of fifteen hundred or more, the chairman of the board of county commissioners, if the board is not in regular session at the time, shall call a special meeting of the board within five days; otherwise the petition may be presented at any regular or special meeting of the board.

RCW 35.02.050
enacted with-
out amend-
ment.

SEC. 6. (RCW 35.02.060) When the petition for incorporation is presented the board of county commissioners shall hear it, but may adjourn the hearing from time to time not exceeding two months in all.

RCW 35.02.060
enacted with-
out amend-
ment.

SEC. 7. (RCW 35.02.070) Upon final hearing on a petition for incorporation the board shall establish and define the boundaries of the proposed city or town, being authorized to decrease but not increase

RCW 35.02.070
amended.
Findings by
board of
county com-
missioners.

Cities and towns—Incorporation. Findings.

the area proposed in the petition and any such decrease shall not exceed twenty percent of the area proposed; it must also determine the number of inhabitants within the boundaries it has established:

Proviso.

Provided, That the area shall not be so decreased that the number of inhabitants therein shall be less than required by RCW 35.02.010.

RCW 35.02.080 enacted without amendment.

SEC. 8. (RCW 35.02.080) Following the action required of the board of county commissioners by RCW 35.02.070, an election shall be conducted within the area to determine whether it shall be incorporated, and to fill the various elective offices prescribed by law for cities of the class to which it will belong. Said election shall be conducted by the county auditor and the results thereof canvassed by the county canvassing board of election returns.

RCW 35.02.100 enacted without amendment.

SEC. 9. (RCW 35.02.100) The notice of election shall be given as provided by RCW 29.27.080 but shall further describe the boundaries of the proposed city or town, its name and the number of inhabitants, ascertained by the board of county commissioners to reside therein.

RCW 35.02.110 enacted without amendment.

SEC. 10. (RCW 35.02.110) The ballots shall contain the words "for incorporation" and "against incorporation" or words equivalent thereto, and also the names of the persons to be voted for, to fill the various elective offices.

Emergency.

SEC. 11. 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 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 174.

[Sub. H. B. 700.]

WORLD FAIR.

AN ACT to promote the commerce and economic development of the state; authorizing the acquisition and development of a site together with buildings, equipment and appurtenances, suitable for a world fair to be held in the city of Seattle and for other state purposes; prescribing powers and duties of certain state agencies; granting the power of eminent domain; authorizing the issuance and sale of limited obligation bonds of the state and pledging certain revenues to the retirement of said bonds, creating funds; and making an appropriation.

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

SECTION 1. The department of commerce and economic development has been created to accelerate the orderly growth of the economy of the state and to increase its commerce and the economic well-being of its citizens. The Alaska-Yukon-Pacific Exposition held in Seattle in 1909 did much to foster the development of the state to the position of eminence which it now enjoys. In the nearly half a century which has elapsed since the Alaska-Yukon-Pacific Exposition, this state has progressed markedly in agriculture, trade, and manufacturing, and the University of Washington on whose site the exposition was held has become one of the great universities of the world. It is therefore fitting that another exposition be held in the state of Washington and that the department of commerce and economic development be authorized to acquire a site and buildings, equipment and appurtenances thereto, suitable for an exposition and for other state purposes.

The department shall cooperate with the world fair commission to the end that the exposition to be conducted by the world fair commission shall become a memorable success.

Preamble—
Department of
commerce and
economic de-
velopment to
cooperate in
world fair.

World fair.
Declaration of
state purpose.

SEC. 2. The acquisition and development of a site and the purchase, construction, or acquisition by any lawful means of permanent type buildings, equipment and appurtenances therefor, suitable for use as a site for a world fair or exposition and for the future use by the state in promoting and fostering its commerce and economic development is declared to be a state purpose.

Department
authorized to
acquire site
and buildings
thereon.

SEC. 3. The department of commerce and economic development is authorized and directed, in the furtherance of the purposes for which it was created, and in furtherance of the purposes of this act, to acquire a site in the city of Seattle in the vicinity of the civic center and to develop the same and to construct or otherwise acquire buildings thereon, together with such furnishings, equipment and appurtenances as may be required, for use as the grounds and buildings for a world fair or exposition and for such use thereafter as shall promote and foster the commerce and economic development of this state.

The department is further authorized to make all necessary plans and surveys for such acquisition and construction, and any such plans shall be subject to the approval of the world fair commission.

Department to
cooperate with
other agen-
cies—Right of
eminent
domain.

SEC. 4. The department is enjoined to cooperate in all respects with the world fair commission, with the city of Seattle and with other departments, agencies, political subdivisions and municipal corporations of this state. The department and the world fair commission may cooperate with the government of the United States and with the governments or agencies of other states or foreign countries, or their lesser subdivisions to the extent required to secure their participation in the world fair or in the future uses of the site and buildings.

In furtherance of the purposes of this act the department may exercise the right of eminent domain as provided in chapter 8.04 RCW.

SEC. 5. The department is authorized to lease or otherwise temporarily convey the site and buildings herein provided for, for the use of the world fair commission in conducting such fair or exposition.

Temporary conveyances by department authorized.

SEC. 6. To provide funds for plans and surveys, for the acquisition and development of a site and the purchase, construction or acquisition by any lawful means of permanent type buildings, equipment and appurtenances thereto to be used for an exposition and for future use by the state, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of seven million five hundred thousand dollars.

Limited obligation bonds authorized—Terms—Finance committee to supervise.

Issuance, sale, and retirement of the bonds shall be under the general supervision and control of the state finance committee. The state finance committee, in its discretion, may provide for issuance of coupon or registered bonds to be dated, issued, and sold at such time or times and in such amount or amounts as may be necessary to finance the program authorized by this act.

Each bond shall be made payable at any time not exceeding thirty years from date of issuance, with such reserved rights of prior redemption as the state finance committee may prescribe to be specified therein. Bonds shall be payable at such places and be in such denominations as the committee prescribes.

SEC. 7. Bonds shall be signed either manually or with a printed facsimile signature by the governor and the state auditor under the seal of the state, and any coupons attached to the bonds shall be signed by the same officers, whose signatures thereon may be in printed facsimile.

Bonds—Signature—Negotiable.

All such bonds shall be fully negotiable.

SEC. 8. The bonds may be sold in such manner and amounts, at such times, and on such terms and

Sale of bonds.

World fair.
 Proviso.

conditions as the state finance committee may prescribe: *Provided*, That if the bonds are sold to any persons other than the state of Washington, they shall be sold at public sale, and the state finance committee shall cause the sale to be advertised in such manner as it deems sufficient.

The bonds shall be sold for not less than par value.

The bonds shall be a legal investment for all state funds (except the permanent school fund) or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county, and municipal deposits.

Registering
 the bonds.

SEC. 9. Any of such bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone or as to both principal and interest, under such regulations as the state treasurer may prescribe.

Bonds as
 obligations of
 the state.

SEC. 10. Bonds issued under the provisions of this act shall distinctly state that they are not a general obligation of the state of Washington, but are payable in the manner provided in this act from the proceeds of one-half of the corporation fees collected under all the provisions of chapter 70, Laws of 1937 as now or hereafter amended. The bonds and interest thereon shall, so long as any portion thereof remains unpaid, constitute a prior and exclusive claim upon the portion of the corporation fees so collected and deposited to the credit of the world fair bond redemption fund as provided in RCW 23.28.240.

World fair
 fund created—
 Disposition of
 moneys
 therein.

SEC. 11. There is hereby created within the state treasury a special fund to be known as the world fair fund in which shall be deposited all moneys arising from the sale of such bonds. Such moneys shall be available only for the purpose of plans and surveys for site and buildings, the acquisition of a site in the city of Seattle in the vicinity of the civic center and the purchase, construction, or acquisition by any

lawful means of permanent type buildings, equipment and appurtenances therefor suitable for an exposition and for such use thereafter as shall promote and foster the commerce and economic development of this state, and for the payment of the expense incurred in the printing, issuance and sale of such bonds.

The state finance committee is authorized to invest the proceeds from the sale of such bonds in short term securities: *Provided*, That such investment will not impede the orderly progress of the project authorized by this act. The interest from such investments shall be deposited to the credit of the world fair bond redemption fund.

Proviso.

SEC. 12. For the purpose of carrying out the provisions of this act, there is hereby appropriated to the state department of commerce and development from the world fair fund the sum of seven million five hundred thousand dollars.

Appropriation.

SEC. 13. As a part of the sale of the bonds herein authorized, the state undertakes to continue to impose the license and other fees on domestic and foreign corporations prescribed by and at the rates authorized in chapter 70, Laws of 1937 as last amended by the 1957 legislature and to place one-half of the proceeds of such fees in the world fair bond redemption fund, hereby created as a special fund within the state treasury, and to make the fund available to meet payments when due until all of the bonds and interest thereon have been paid.

World fair bond redemption fund created.

SEC. 14. The legislature may provide additional means for raising moneys for the payment of the principal and interest on the bonds authorized herein and this act shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and

Act not exclusive in means of bond payment—No pledge of state's credit.

World fair.

shall not be construed to constitute a pledge of the general credit of the state of Washington.

Bonds. Legal action to enforce payment on.

SEC. 15. The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the deposit and payment of funds as provided in RCW 23.28.240 and by the provisions of this act.

Severability.

SEC. 16. 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 House March 9, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 175.

[H. B. 74.]

TAX REVENUES—ALLOCATION—STATE CENSUS.

AN ACT relating to state government; providing for the allocation of certain tax revenues; prescribing procedures; amending section 2, chapter 51, Laws of 1947, as last amended by section 1, chapter 96, Laws of 1951 and RCW 43.62.010; amending section 1, chapter 51, Laws of 1947, section 1, chapter 60, Laws of 1949 and RCW 43.62.020; amending section 2, chapter 96, Laws of 1951 and RCW 43.62.030; amending section 3, chapter 96, Laws of 1951 and RCW 43.62.040; amending section 1, chapter 187, Laws of 1949, as last amended by sections 2 and 3, chapter 109, Laws of 1955, and RCW 43.66.090, 43.66.100, 43.66.110 and 43.66.120; amending section 1, chapter 83, Laws of 1943 and RCW 46.68.100; amending section 4, chapter 181, Laws of 1939, as last amended by section 1, chapter 143, Laws of 1949 and RCW 46.68.110; amending section 5, chapter 152, Laws of 1945 and RCW 82.44.150; and amending section 5, chapter 248, Laws of 1951 and RCW 35.13.260 and 35.13.270; repealing RCW 43.66.120; and declaring an emergency.

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

SECTION 1. Section 2, chapter 51, Laws of 1947, as last amended by section 1, chapter 96, Laws of 1951 and RCW 43.62.010 are each amended to read as follows:

RCW 43.62.010 amended.

There is hereby created a state census board hereinafter referred to as the board, which shall consist of three members, one of whom shall be a member of the faculty of the University of Washington, appointed by the president thereof; one a member of the faculty of the State College of Washington, appointed by the president thereof, and one member appointed by the governor, all of whom serve at the pleasure of the appointing authority. If a member of said board declines to act, resigns, or is unable to act, his successor shall be named as in the original case. The board shall elect a chairman and shall purchase such equipment and supplies and shall employ such assistance and clerical help as is

Board created—Composition—Expenses.

Census board.
Board created
—Composition
—Expenses.

necessary in the performance of its duties. Each member of the board and any assistants or employees of the board when authorized to make expenditures in behalf of the board shall be reimbursed for necessary traveling and other expenses. In addition, the per diem for each member of the board shall be twenty-five dollars for attendance at board meetings, which shall not exceed three meetings per year. If the state or any of its political subdivisions, or other agencies, use the services of the board, the state, its political subdivision, or other agencies utilizing such services shall pay for the cost of rendering such services. Per diem and expenditures herein authorized shall be approved by the chairman or the executive secretary of the board, and shall be paid out of funds allocated to cities and towns under RCW 82.44.150, as derived from section 5, chapter 152, Laws of 1945, and shall be paid from said fund before any allocations or payments are made to cities and towns under said act.

RCW 43.62.020 amended.

SEC. 2. Section 1, chapter 51, Laws of 1947 and section 1, chapter 60, Laws of 1949 (heretofore combined and codified as RCW 43.62.020) are each amended to read as follows:

Method of allocating state funds to cities and towns prescribed.

(RCW 43.62.020) Whenever cities and towns of the state are, by law, allocated and entitled to be paid any funds or state moneys from any source, and the allocation and payment is required to be made on a populations basis, notwithstanding the provisions of any other law to the contrary, all such allocations shall be made on the basis of the population of the respective cities and towns as last determined by the state census board: *Provided*, That the regular federal decennial census figures released for cities and towns shall be considered by the board in determining the population of cities and towns.

Proviso.

RCW 43.62.030 amended.

SEC. 3. Section 2, chapter 96, Laws of 1951 and RCW 43.62.030 are each amended to read as follows:

The board shall, as of April 1, 1957, and annually thereafter as of April 1st, determine the populations of all cities and towns of the state; and on or before July 1st of each year, shall file with the secretary of state a certificate showing its determination as to the populations of cities and towns of the state. A copy of such certificate and of a certificate showing the determination of all population increases of cities and towns resulting from annexations that become effective prior to September 1st in any year shall be forwarded by the board to each state official or department responsible for making allocations or payments, and on and after January 1st next following the date when such certificate or certificates are filed, the population determination shown in such certificate or certificates shall be used as the basis for the allocation and payment of state funds, to cities and towns until the next January 1st following the filing of successive certificates by the board: *Provided*, That whenever any city or town becomes incorporated subsequent to the determination of such population, the populations of such cities and towns as shown in the records of incorporation filed with the secretary of state shall be used in determining the amount of allocation and payments, and the board shall so notify the proper state officials or departments, and such cities and towns shall be entitled to participate in allocations thereafter made: *Provided further*, That in case any incorporated city or town disincorporates subsequent to the filing of such certificate or certificates, the board shall promptly notify the proper state officials or departments thereof, and such cities and towns shall cease to participate in allocations thereafter made, and all credit accrued to such incorporated city or town shall be distributed to the credit of the remaining cities and towns. The secretary of state shall promptly notify the board of the incorporation of

Determination
of population—
Certificate—
Allocation of
state funds.

Proviso.

Proviso.

each new city and town and of the disincorporation of any cities or towns.

RCW 43.62.040 amended.

SEC. 4. Section 3, chapter 96, Laws of 1951 and RCW 43.62.040 are each amended to read as follows:

Census board. Assistance to board—Determination by board conclusive.

The tax commission or any other state officer or officials of cities, towns, or counties shall upon request of the board furnish such information, aid, and assistance as may be required by the board in the performance of its duties. The action of the board in determining the population shall be final and conclusive.

Combination, division and amendment.

SEC. 5. Section 1, chapter 187, Laws of 1949, as last amended by sections 2 and 3, chapter 109, Laws of 1955 (heretofore divided, combined and codified as RCW 43.66.090, 43.66.100, 43.66.110 and 43.66.120) are amended to read as set forth in sections 6 through 9 of this act.

RCW 43.66.090 enacted without amendment.

SEC. 6. (RCW 43.66.090) When excess funds are distributed, all moneys subject to distribution shall be disbursed as follows:

Fifty percent to the general fund of the state, ten percent to the counties of the state, and forty percent to the incorporated cities and towns of the state.

RCW 43.66.100 amended. Liquor control board. Determination of distribution to counties.

SEC. 7. (RCW 43.66.100) With respect to the ten percent share coming to the counties, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

The share coming to each eligible county shall be determined by a division among the eligible counties according to the relation which the population of the unincorporated area of such eligible county, as shown by the last federal or official county census, whichever is the later, bears to the population of the total combined unincorporated areas of all eligible counties, as shown by such census: *Provided*, That no county in which the sale of liquor is forbidden in

Proviso.

the unincorporated area thereof as the result of an election shall be entitled to share in such distribution. "Unincorporated area" means all that portion of any county not included within the limits of incorporated cities and towns.

SEC. 8. (RCW 43.66.110) With respect to the forty percent share coming to the incorporated cities and towns, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

RCW 43.66.110 amended.
Determination of distribution to cities and towns.

The share coming to each eligible city or town shall be determined by a division among the eligible cities and towns within the state ratably on the basis of population as last determined by the board: *And provided*, That no city or town in which the sale of liquor is forbidden as the result of an election shall be entitled to any share in such distribution.

SEC. 9. (RCW 43.66.120)

RCW 43.66.120 deleted.

SEC. 10. Section 1, chapter 83, Laws of 1943 and RCW 46.68.100 are each amended to read as follows:

RCW 46.68.100 amended.

From the net tax amount in the motor vehicle fund there shall be paid by the state agency responsible for collecting the same as follows:

Motor vehicles. Disposition of revenue. Allocation of net tax amount in motor vehicle fund.

(1) To the cities and towns of the state sums equal to fifteen percent of the net tax amount to be paid monthly as the same accrues;

(2) To the counties of the state sums equal to forty-one and one-half percent of the net tax amount to be paid monthly as the same accrues.

Note: See also section 3, chapter 271, Laws of 1957.

SEC. 11. Section 4, chapter 181, Laws of 1939, as last amended by section 1, chapter 143, Laws of 1949 and RCW 46.68.110 are each amended to read as follows:

RCW 46.68.110 amended.

Funds credited to the incorporated cities and towns of the state as set forth in subdivision (1) of

Distribution of amount allocated to cities and towns.

RCW 46.68.100 shall be subject to deduction and distribution as follows:

(1) Three-fourths of one percent of such sums shall be deducted monthly as such sums are credited and set aside for the use of the director of highways for the supervision of work and expenditures of such incorporated cities and towns on the city and town streets thereof: *Provided*, That any moneys so retained and not expended shall be credited in the succeeding biennium to the incorporated cities and towns in proportion to deductions herein made;

Proviso.

(2) The balance remaining to the credit of incorporated cities and towns after such deduction shall be apportioned monthly as such funds accrue among the several cities and towns within the state ratably on the basis of the population last determined by the board.

RCW 82.44.150 amended.

SEC. 12. Section 5, chapter 152, Laws of 1945 and RCW 82.44.150 are each amended to read as follows:

Excise taxes. Motor vehicle excise. Distribution of motor vehicle excise fund generally.

On the first day of the months of January, April, July, and October of each year, the state treasurer shall make the following apportionment and distribution of all moneys remaining in the motor vehicle excise fund: Five percent thereof shall be credited and transferred to the state general fund; seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth; and seventy-eight percent thereof shall be credited and transferred to the state school equalization fund.

The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably, on the basis of the population as last determined by the board.

When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire pro-

tection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

SEC. 13. Section 5, chapter 248, Laws of 1951 (heretofore divided and codified as RCW 35.13.260 and 35.13.270) is divided and amended as set forth in sections 14 and 15 of this act.

Division and amendment.

SEC. 14. (RCW 35.13.260) Whenever any territory is annexed to a city or town, a certificate as hereinafter provided shall be forthwith filed in duplicate with the board, and the board shall transmit one of the copies thereof to the secretary of state. Such certificate shall be in such form and contain such information as shall be prescribed by said board and shall contain a legal description and map showing the annexed territory. The board shall upon request furnish such forms to any city or town requesting the same.

Cities and towns. Determining population of annexed territory—Certificate—As basis for allocation of state funds.

Whenever annexation is made effective subsequent to September 1st in any year and prior to January 1st next following, such population basis for distribution shall not be used until on and after one year following the next subsequent January 1st. Whenever any territory is annexed to a city or town subsequent to April 1st of any year and certified and filed as provided herein prior to September 1st, the population of the annexed territory shall be added to the population of the city or town as determined by the board to be used for the allocation and distribution of state funds to cities and towns commencing January 1st next following. The population of the annexed territory shall be determined by a count made by, or under the direction of, the mayor of the

annexing city or town by multiplying the number of existing dwelling units in the annexed territory at the time of annexation by a factor of 2.95. Such certificate shall be signed by the mayor and attested by the city clerk.

Until an annexation certificate is filed as provided herein, such annexed territory shall not be considered by the board in determining the population of such city or town.

RCW 35.13.270 amended. Road district taxes collected in annexed territory—Disposition.

SEC. 15. (RCW 35.13.270) Whenever any territory is annexed to a city which is part of a road district of the county and road district taxes have been levied but not collected on any property within the annexed territory, the same shall when collected by the county treasurer be paid to the city and by the city placed in the city street fund.

Basis for allocation of state funds for 1957.

SEC. 16. The allocation of state funds to cities and towns for the calendar year 1957 shall be made on the basis of the laws in effect prior to the effective date of this act.

Emergency.

SEC. 17. This act is necessary for the immediate preservation of the public peace, health and safety, and the support of the state government and its existing institutions, and shall take effect immediately.

Passed the House February 14, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 176.

[Sub. H. B. 178.]

GAME AND GAME FISH—LICENSES.

AN ACT relating to game and game fish; amending sections 77.32-.020, 77.32.060, 77.32.100, 77.32.103, 77.32.105, 77.32.110, 77.32-.113, 77.32.130, 77.32.150, 77.32.160 and 77.32.190, chapter 36, Laws of 1955 and RCW 77.32.020, 77.32.060, 77.32.100, 77.32-.103, 77.32.105, 77.32.110, 77.32.113, 77.32.130, 77.32.150, 77.32-.160, and 77.32.190; repealing section 77.32.140, chapter 36, Laws of 1955 and RCW 77.32.140; adding two new sections to chapter 36, Laws of 1955 and to chapter 77.32 RCW; and providing an effective date.

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

SECTION 1. Section 77.32.020, chapter 36, Laws of 1955 and RCW 77.32.020 are each amended to read as follows:

RCW 77.32.020
amended.

It shall be unlawful for any person to hunt or kill deer without first having procured from the director a tag to be known as a supplemental deer seal, which tag shall be procured, in addition to any other license, to hunt game animals required by law. The fee for issuing and procuring such tag shall be two dollars and shall be paid in addition to all other license fees prescribed by law. It shall be unlawful for any person to hunt or kill elk without first having procured from the director a tag to be known as a supplemental elk seal, which tag shall be procured in addition to any other license to hunt game animals required by law. The fee for issuing and procuring such tag shall be seven dollars and fifty cents and shall be paid in addition to all other license fees prescribed by law.

Supplemental
seals—Deer,
elk, mountain
goat—Penalty.

It shall be unlawful for any person to hunt or kill mountain goat without first having procured from the director a tag to be known as a supplemental goat seal, which tag shall be procured in addition to any other license to hunt game animals required by law. The fee for issuing and procuring

Game and
game fish.
Licenses. Sup-
plemental
seals—Deer,
elk, mountain
goat—Penalty.

such tag shall be seven dollars and fifty cents and shall be paid in addition to all other license fees prescribed by law.

It shall be unlawful for any nonresident or alien to hunt or kill deer without first having procured from the director a tag to be known as a supplemental nonresident deer seal which tag shall be procured, at no extra charge, in addition to any other license to hunt game animals required by law.

It shall be unlawful for any nonresident or alien to hunt or kill elk without first having procured from the director a tag to be known as a supplemental nonresident elk seal which tag shall be procured in addition to any other license to hunt game animals required by law. The fee for issuing and procuring such tag shall be twenty-five dollars and shall be paid in addition to all other license fees provided by law.

It shall be unlawful for any nonresident or alien to hunt or kill mountain goat without first having procured from the director a tag to be known as a supplemental nonresident goat seal which tag shall be procured in addition to any other license to hunt game animals required by law. The fee for issuing and procuring such tag shall be twenty-five dollars and shall be paid in addition to all other license fees prescribed by law.

Such tags shall be in the possession of all persons while engaged in hunting deer, elk, or mountain goat. Such tags shall be prepared by and under the supervision of the director and shall bear the name "department of game of the state of Washington" and the year for which it is issued, and any other distinguishing marks deemed necessary by the director, and shall be void on the first day of April next following the date of issuance. Any person who kills any deer, elk, or mountain goat shall immediately attach his own tag to the carcass of any such animal

and properly seal the same. All moneys received from the issuance or sale of tags as provided herein shall be paid into the state game fund. Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than twenty-five dollars and not more than two hundred fifty dollars or by imprisonment in the county jail for not less than ten days and not more than thirty days or by both such fine and imprisonment.

SEC. 2. Section 77.32.060, chapter 36, Laws of 1955 and RCW 77.32.060 are each amended to read as follows:

RCW 77.32.060 amended.

Any person deputized by the director to issue combination county hunting and fishing licenses, state resident fishing licenses, state resident hunting licenses, nonresident state fishing licenses, nonresident state hunting licenses, and nonresident state transient licenses shall charge the sum of fifteen cents in addition to collecting the fee prescribed by law, for issuing each such license, which sum shall be retained by him for his services.

Issuer's compensation—
Licenses, state,
county.

SEC. 3. Section 77.32.100, chapter 36, Laws of 1955 and RCW 77.32.100 are each amended to read as follows:

RCW 77.32.100 amended.

Any resident may by paying the sum of eight dollars obtain a state hunting and fishing license, which shall entitle the holder thereof to hunt and fish in any county of the state until the first day of January next following the date of its issuance, when it is lawful to hunt or fish therein.

Resident state
hunting and
fishing license.

SEC. 4. Section 77.32.103, chapter 36, Laws of 1955 and RCW 77.32.103 are each amended to read as follows:

RCW 77.32.103 amended.

Any resident may by paying the sum of four dollars and fifty cents obtain a state hunting license which shall entitle the holder thereof to hunt in any

Resident state
hunting
license.

county of the state until the first day of January next following the date of its issuance, when it is lawful to hunt therein.

RCW 77.32.105 amended.

SEC. 5. Section 77.32.105, chapter 36, Laws of 1955 and RCW 77.32.105 are each amended to read as follows:

Resident state fishing license.

Any resident may by paying the sum of four dollars and fifty cents obtain a state fishing license which shall entitle the holder thereof to fish in any county of the state until the first day of January next following the date of its issuance, when it is lawful to fish therein.

RCW 77.32.110 amended.

SEC. 6. Section 77.32.110, chapter 36, Laws of 1955 and RCW 77.32.110 are each amended to read as follows:

Resident county hunting and fishing license.

Any resident may by paying the sum of four dollars and twenty-five cents obtain a hunting and fishing license, which shall entitle the holder thereof to hunt and fish within the county in which he resides and for which the license is issued until the first day of January next following the date of issuance, when it is lawful to hunt or fish therein.

RCW 77.32.113 amended.

SEC. 7. Section 77.32.113, chapter 36, Laws of 1955 and RCW 77.32.113 are each amended to read as follows:

Resident county fishing license

Any resident may by paying the sum of three dollars obtain a fishing license which shall entitle the holder thereof to fish within the county in which he resides and for which the license is issued until the first day of January next following the date of issuance, when it is lawful to fish therein.

RCW 77.32.130 amended.

SEC. 8. Section 77.32.130, chapter 36, Laws of 1955 and RCW 77.32.130 are each amended to read as follows:

Nonresident state hunting license.

Any nonresident or alien may by paying the sum of thirty-five dollars obtain a hunting license which shall entitle the holder thereof to hunt in any county

of the state until the first day of January next following the date of issuance, when it is lawful to hunt therein.

SEC. 9. Section 77.32.150, chapter 36, Laws of 1955 and RCW 77.32.150 are each amended to read as follows:

RCW 77.32.150 amended.

Any nonresident or alien may by paying the sum of fifteen dollars obtain a state fishing license, which shall entitle the holder thereof to fish in any county of the state until the first day of January next following the date of issuance, when it is lawful to fish therein.

Nonresident state fishing license.

SEC. 10. Section 77.32.160, chapter 36, Laws of 1955 and RCW 77.32.160 are each amended to read as follows:

RCW 77.32.160 amended.

Any nonresident or alien who is temporarily sojourning in the state may by paying the sum of four dollars obtain a state fishing license, which shall entitle the holder thereof to fish in any county of the state for a period of seven days following the date of its issuance, when it is lawful to fish therein: *Provided*, That the license under this section shall not entitle the holder thereof to fish for steelhead during the winter steelhead seasons as established by rule or regulation of the commission.

Transient's limited state fishing license.

SEC. 11. Section 77.32.190, chapter 36, Laws of 1955 and RCW 77.32.190 are each amended to read as follows:

RCW 77.32.190 amended.

Any resident may by paying the sum of five dollars obtain a state trapping license which shall entitle the holder thereof to trap furbearing animals, except beaver, for their hides or their pelts only, within any county of the state until the first day of April next following the date of its issuance, at any time when it is lawful to trap such animals.

Trapper's license.

SEC. 12. Section 77.32.140, chapter 36, Laws of 1955 and RCW 77.32.140 are each repealed.

Repeal.

New section.

SEC. 13. There is added to chapter 36, Laws of 1955 and to chapter 77.32 RCW a new section to read as follows:

Fishing guide license.

A fishing guide license shall be obtained by every person who offers services or who performs the services of a professional guide for others in the taking of game fish.

Fees—Resident, non-resident.

The fee for such license is ten dollars for a resident and one hundred dollars for a nonresident or alien which shall entitle the holder thereof to act as a fishing guide in any county of the state until the first day of January next following the date of its issuance.

Rules and regulations authorized.

The commission may adopt rules and regulations requiring records to be kept and reports to be made by fishing guides concerning the activities of their clients with respect to the time, manner, and place of taking any game fish by such clients, the quantities taken by them, and such other information as may be helpful in enforcing the provisions of the game code or the rules and regulations of the commission. Such rules and regulations may prescribe the form of such records and reports and may require fishing guides to keep such records current while performing their services, and to display the same, and may authorize the director to prepare and distribute to fishing guides the forms for such records and reports.

New section.

SEC. 14. There is added to chapter 36, Laws of 1955 and to chapter 77.32 RCW a new section to read as follows:

Definitions, "Resident."

For the purposes of this chapter: A "resident" means any citizen of the United States or person who has in good faith declared his intention of becoming a citizen of the United States, and who for at least six months immediately preceding any application for a license has maintained a permanent

place of abode within this state with the intent to permanently reside within this state. Definitions.

An "alien" means any person who is not a citizen of the United States and has not in good faith declared his intention of becoming a citizen of the United States. "Alien."

A "nonresident" means any person who is neither a "resident" nor an "alien" as defined in this section. "Nonresident."

SEC. 15. Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 12 and 13 above shall become effective on January 1, 1958. Effective date.

Passed the House February 21, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 177.

[Sub. H. B. 395.]

STATE GAME COMMISSION—POWERS AND DUTIES.

AN ACT relating to game and game fish; amending sections 77.12.280, 77.12.290 and 77.12.300, chapter 36, Laws of 1955 and RCW 77.12.280 through 77.12.300.

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

SECTION 1. Section 77.12.280, chapter 36, Laws of 1955 and RCW 77.12.280 are each amended to read as follows: RCW 77.12.280 amended.

No payment of any such claim shall be made in excess of one thousand dollars, and in the event any claim is not adjusted, compromised, or settled and paid by the commission for a sum up to such amount, and within one year from the filing of such claim the same may be filed with the state auditor and referred to the legislature for settlement. The payment of any claim by the commission shall be full and final payment upon such claim. Damages caused by game—Maximum payment—Settlement final—Arbitration of award.

In the event that any valid claim for damages as provided for in RCW 77.12.270 has been refused or

Game and
game fish.
Game commis-
sion.
Damages
caused by
game—Maxi-
mum payment
—Final settle-
ment—Arbi-
tration of
award.

has not been compromised, adjusted, settled and paid by the commission within one hundred and twenty days of the filing of the claim for damages with the commission as provided for in RCW 77.12.290, either the claimant or the commission may serve upon the other personally or by registered mail a notice of an intention to arbitrate; said notice shall contain the name of a person, selected as one arbitrator. Within ten days of receiving such a notice to arbitrate the person upon whom such notice was served shall serve personally or by registered mail upon the other party the name of an arbitrator. The two arbitrators, within seven days of the naming of the second arbitrator shall select a third arbitrator, said arbitrator not to be an employee or commissioner of the state game department. In the event that the two arbitrators as selected by the parties to the dispute cannot agree upon a third arbitrator, either party to the dispute may petition the superior court in the county in which the claim arose, asking said court to select the third arbitrator and upon receiving such a petition the court shall appoint a third arbitrator. Any filing fee or court costs arising from the foregoing petition shall be shared equally by the claimant and the department of game.

The award of the arbitrators shall be advisory only; it shall be written and filed with the department of game at its office in Seattle, King county, Washington, not later than ninety days following the naming of the third arbitrator.

In the event that the parties arbitrate no payment shall be made by the commission until the arbitrators shall have made their advisory award. The payment of any claim by the commission shall be full and final payment of the claim.

In the event that any claim is not adjusted, compromised, settled and paid through arbitration or otherwise within one year from the filing of said

claim the same may be filed with the state auditor and referred to the legislature for settlement.

SEC. 2. Section 77.12.290, chapter 36, Laws of 1955 and RCW 77.12.290 are each amended to read as follows:

RCW 77.12.290 amended.

Notice of all claims for damages caused by beaver, deer, or elk shall be filed in writing with the commission in the offices of the department of game, Seattle, King county, Washington, within ninety days after the claimed damage has occurred, or within ninety days following the discovery of the claimed damage. In the event the damages are unascertainable within such ninety day period, the notice shall so state. The failure to file notice of any claim or pending claim shall bar payment thereof. No payment shall be made to any claimant for damages occurring on lands leased by claimant from any public agency.

Damages caused by game—Notice of claim required—Damages on public lands excluded.

SEC. 3. Section 77.12.300, chapter 36, Laws of 1955 and RCW 77.12.300 are each amended to read as follows:

RCW 77.12.300 amended.

The commission may promulgate rules and regulations requiring affidavits and prescribing the forms thereof to be furnished in proof of all claims and providing for the time for making of any examination, appraisal, or ascertainment of any damages. The commission may by rule and regulation provide that it may refuse to consider and pay any claims of claimants who have posted the property whereon the claimed damages have occurred, against hunting during the season immediately preceding the time when said damages occurred.

Damages caused by game—Rules and regulations as to claims.

Passed the House March 5, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 178.

[H. B. 500.]

TACOMA SIXTH AVENUE FERRY LANDING.

AN ACT relating to the removal of dolphins and wing walls of the Sixth Avenue ferry landing in Tacoma and making an appropriation.

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

Appropriation for Pierce county.

SECTION 1. There is hereby appropriated to Pierce county from the motor vehicle fund the sum of three thousand dollars, or so much thereof as may be necessary, for dismantling and disposing of the dolphins and wing walls and that part of the ferry dock installed by the department of highways and formerly operated as part of primary state highway No. 14 at the Sixth Avenue ferry landing in Tacoma, Pierce county. It shall be the sole responsibility of Pierce county to dispose of and remove such dolphins and wing walls.

Passed the House February 22, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 179.

[H. B. 683.]

STATE BOARD FOR VOCATIONAL EDUCATION.

AN ACT relating to vocational education; amending section 3, chapter 160, Laws of 1919 as amended by section 2, chapter 183, Laws of 1939, and RCW 28.09.010, 28.09.020, 28.09.030 and 28.09.040; and declaring an emergency.

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

Division and amendment.

SECTION 1. Section 3, chapter 160, Laws of 1919 as amended by section 2, chapter 183, Laws of 1939 (heretofore divided and codified as RCW 28.09.010,

28.09.020, 28.09.030 and 28.09.040) is divided and amended as set forth in sections 2 through 5 of this act.

SEC. 2. (RCW 28.09.010) There is created a state board for vocational education to serve as the agency of the state for the administration of vocational education. The state board for vocational education shall consist of the members of the state board of education. It shall select one of its number as chairman, may appoint an executive officer or a secretary, or both, as it deems necessary, and may designate the chairman or any member, or an employee, as disbursing officer for the board. Meetings of the board may be held at the call of the chairman or a majority of the members of the board.

RCW 28.09.010
enacted with-
out amend-
ment.

SEC. 3. (RCW 28.09.020) The state board for vocational education shall have authority to administer any legislation enacted by the legislature in pursuance of the aims and purposes of any acts of congress insofar as the provisions thereof may apply to the administration of vocational education in this state. It shall have full power to cooperate with the common schools, the institutions of higher education and any department or division of the state government or of any county or municipal corporation thereof, in establishing and maintaining instruction in vocational education in accordance with the provisions of any acts of congress and legislation enacted by the legislature in pursuance thereof. It shall have power to administer the funds provided by the federal government, and by the state under the provisions of any federal acts and of the acts passed by the legislature for the promotion of vocational education in agricultural subjects, trade and industrial subjects, distributive education subjects, home economics subjects, training for public service, and the rehabilitation of handicapped persons.

RCW 28.09.020
amended.
Vocational
education. Au-
thority to
administer
funds.

RCW 28.09.030
enacted with-
out amend-
ment.

SEC. 4. (RCW 28.09.030) The state board for vocational education may formulate plans for the promotion of vocational education in such subjects as are to be taught under its direction and provide for the preparation of the teachers of such subjects. It may appoint and fix the compensation and tenure of such employees as it may deem necessary to administer its duties and to pay compensation and other necessary expenses of administration from funds appropriated for that purpose. It may contract with teacher training institutions to furnish all or any part of the administrative, supervisory, clerical and teacher training services authorized. It may make investigations relating to vocational education. It may promote and aid in the establishment, by school districts or institutions, of schools, departments, or classes giving training in agricultural subjects, trade and industrial subjects, distributive education subjects, and home economics, and cooperate with such school districts or institutions in the maintenance of said schools, departments, or classes.

RCW 28.09.040
enacted with-
out amend-
ment.

SEC. 5. (RCW 28.09.040) The state board for vocational education may prescribe the qualifications of the teachers, directors, and supervisors of vocational subjects in schools, or departments or classes thereof, and may provide for the certification of teachers, directors, and supervisors. It shall direct and control all instrumentalities and courses prescribed and established under its authority for the preparation of teachers, directors, and supervisors and it may maintain such classes under its own direction and control. It shall also establish and determine by general regulations the qualifications to be possessed by persons engaged in the training of vocational teachers. It shall have power to make any necessary rules and regulations to carry out the provisions of this chapter.

Emergency.

This act is necessary for the immediate preserva-

tion 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 2, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 180.

[S. B. 55.]

CITIES AND TOWNS—ROAD DISTRICT TAXES.

AN ACT relating to uncollected road district taxes in territory in newly incorporated cities and towns; and adding a new section to chapter 7, Laws of 1890 and to chapter 35.02 RCW; and declaring an emergency.

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

SECTION 1. There is added to chapter 7, Laws of 1890 and to chapter 35.02 RCW a new section to read as follows:

New section.

Whenever in any territory forming a part of an incorporated city or town which is part of a road district of the county, and road district taxes have been levied but not collected on any property within such territory, the same shall, when collected by the county treasurer, be paid to such city or town and placed in the city or town street fund by the city or town: *Provided*, That this section shall not apply to any special assessments due in behalf of such property.

Road district taxes to be paid city or town.

Proviso.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 181.

[S. B. 144.]

EMPLOYMENT SECURITY—OUTSIDE SALESMEN.

AN ACT relating to the employment security act and providing the exemption of outside salesmen of merchandise; and adding a new section to chapter 50.04 RCW.

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

New section.

SECTION 1. There is added to chapter 50.04 RCW, a new section to read as follows:

Services not "employment."

The term "employment" shall not include services as an outside salesman of merchandise paid solely by way of commission; and such services must have been performed outside of all the places of business of the enterprises for which such services are performed only.

Passed the Senate February 25, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 182.

[S. B. 145.]

LOG PATROLS.

AN ACT relating to log patrol; amending sections 2 and 7, chapter 116, Laws of 1947 (heretofore combined and codified as RCW 76.40.010); amending section 1, chapter 27, Laws of 1955 and RCW 76.40.020; amending section 3, chapter 108, Laws of 1955 and RCW 76.40.030; amending section 4, chapter 116, Laws of 1947 and RCW 76.40.040; amending section 11, chapter 140, Laws of 1953 and RCW 76.40.050; amending section 8, chapter 116, Laws of 1947 and RCW 76.40.070; amending section 12, chapter 140, Laws of 1953 and RCW 76.40.110; amending section 7, chapter 108, Laws of 1955 and RCW 76.40.127; and adding and providing penalties to chapter 116, Laws of 1947 and to chapter 76.40 RCW.

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

SECTION 1. Sections 2 and 7, chapter 116, Laws of 1947 (heretofore combined and codified as RCW 76.40.010) is amended to read as follows: RCW 76.40.010 amended.

Words and phrases herein used, unless clearly contrary to or inconsistent with the context of this chapter or the section in which used, shall be construed as follows: Definitions.

(1) "Log Patrol" includes all activities in connection with the recapture, repossession, and delivery to owners or to boom companies of stray logs in this state except activities by the owner of such logs, the transportation agency that towed or transported the booms or cargo from which such stray logs were lost, or any other duly constituted agent of the owner; "Log Patrol."

(2) "Stray logs" means and includes any and all logs, piling, poles, and boom sticks having a merchantable value that are adrift or have been adrift and stranded on beaches, marshes, or tidal and shorelands which have escaped in any manner from the owner or from a transportation agency, from storage or while being transported; "Stray logs."

(3) "Person" includes the plural and all corpora- "Person."

Definitions.

tions foreign and domestic, copartnerships, firms, and associations of persons;

"Boom company."

(4) "Boom company" means a company organized and operating under the authority of chapter 76.28.

"Waters of this state."

(5) "Waters of this state" include any and all bodies of fresh and salt water including all rivers and lakes and their tributaries, harbors, bays, bayous, and marshes within the jurisdiction of the state capable of being used for the transportation or storage of stray logs.

RCW 76.40.020 amended.

SEC. 2. Section 1, chapter 27, Laws of 1955 and RCW 76.40.020 are each amended to read as follows:

Compliance with chapter required.

It shall be unlawful for any person, firm, association or corporation to hold any stray log or to directly or indirectly engage in the activities of a log patrol on or adjacent to the waters of this state, except that area in the state of Washington on the Columbia River above Grand Coulee Dam drained by the Columbia River and its tributaries, and except as hereinafter provided. Nothing in this chapter shall be construed to deprive any person of any right to take nonmerchantable unbranded stray logs for his own domestic use.

RCW 76.40.030 amended.

SEC. 3. Section 3, chapter 108, Laws of 1955 and RCW 76.40.030 are each amended to read as follows:

Log patrol license—Bond—Fee.

Before any person may engage in log patrol activities he must have an existing license from the state therefor. Before any license is issued the applicant must apply to the supervisor of forestry on a form to be prescribed by said supervisor. The application must contain the name and address of the applicant or applicants, the name, type, and size of equipment to be used, and the mailing address of the principal place of business at which address process may be served upon the applicant. Before any license may be issued the applicant must execute and file with said supervisor, to be approved by him,

a surety bond running to the state in the penal sum of five thousand dollars, conditioned that the applicant will comply with all the requirements of the laws of the state governing such activities, and will account for all stray logs taken into possession, which bond shall not be diminished by any recovery but shall at all times remain and be in force and effect in the full amount for any person claiming damages against the licensee. Each application shall be accompanied by a remittance of one hundred dollars for each boat or truck to be used or operated in such activities by the licensee or agent. All licenses shall expire on June 30th following the date of issuance. The supervisor shall issue each applicant a license and shall also issue distinctive stickers or other suitable devices for each piece of equipment listed in the application identifying it as engaged in log patrol activities. A fee of four dollars shall be paid for each pair of such stickers or devices used.

SEC. 4. Section 4, chapter 116, Laws of 1947 and RCW 76.40.040 are each amended to read as follows:

RCW 76.40.040 amended.

It shall be unlawful for any licensee or his agent to engage in the activities of a log patrol without having at all times displayed on each side of each piece of licensed equipment the distinctive device identifying it as a log patrol issued by the supervisor of forestry.

Identification of equipment.

SEC. 5. Section 11, chapter 140, Laws of 1953 and RCW 76.40.050 are each amended to read as follows:

RCW 76.40.050 amended.

(1) All stray logs shall, whenever practicable, be returned to the owner or his agent; otherwise they shall be delivered to a boom company or other agency, approved by the supervisor of forestry and which is regularly engaged in the commercial booming business or the marketing of logs and adequately equipped for sorting, rafting and handling of logs loose or in rafts, which maintains such records as are designated by the supervisor of forestry for

Duties of log patrol, boom company, on recovery of stray logs.

handling stray logs, and the log patrol shall be entitled to a reasonable compensation, not to exceed the maximum herein provided, for the recovery and return of such logs, and shall have all the rights incident to a logger's lien therefor: *Provided*, That where there is no boom company or other agency, approved by the supervisor of forestry, within reasonable proximity to the place where stray logs are, or may be recovered, the supervisor of forestry is authorized to approve a plan for processing such logs by some other agency to accomplish the purpose herein provided to be performed by such boom companies or other agency: *Provided*, That no log patrol shall take into possession any stray logs during the time that the owner, his agent, or the transportation agency which lost said stray logs, are attempting, or are awaiting favorable weather conditions, to attempt to recover said stray logs.

Proviso.

Proviso.

Log patrols.
Duty of log
patrol, boom
company, on
recovery of
stray logs—
Sales—Com-
pensation.

(2) A boom company or other agency, approved by the supervisor of forestry, upon receipt of such stray logs, shall give adequate receipt therefor and promptly thereafter shall cause them to be scaled by a log scaling bureau or by an individual log scaler approved by the supervisor of forestry, whose regular and established business is that of scaling logs. A copy of each scale certificate shall immediately be forwarded to the division of forestry and to the log patrol which delivered said logs to such boom company or other agency. Thereafter at least ten days subsequent to the mailing of a detailed sales notice specifying time and place and date of sale to all prospective purchasers requesting such notices such boom company or other agency with reasonable promptness shall offer for sale such stray logs in the open market to the person making the highest offer and from the proceeds pay the log patrol for services performed, a sum which shall not exceed sixty percent of the current selling price of logs of

the same grade and type, or fifteen dollars per thousand feet board measure for merchantable logs of number three grade or better, whichever sum is greater, unless written authority for the payment of a higher rate is given in advance by the owner of said stray logs or his agent or unless a different rate is approved by the supervisor of forestry in exceptional cases and on adequate proof of the necessity therefor: *Provided*, That in the event such stray logs are not of sufficient quantity, or are not located within reasonable proximity to a market conducive to competitive bidding in bringing the highest price therefor, or in the event any raft or small parcel of logs shall contain ten percent by scaled volume or less of stray logs, the said stray logs may be sold by the boom company or other agency approved by the supervisor of forestry pursuant to rules and regulations prescribed for such sales. From such proceeds, the boom company or other approved agency shall deduct the usual and customary handling charges, and at such regular intervals as may be required by the supervisor of forestry commencing after July 1, 1953, and not less frequently than every six months, pay to the owner the balance: *Provided*, That the net proceeds from unbranded stray logs, and branded stray logs the owner of which cannot be determined by existing records, shall be forwarded to the division of forestry.

Proviso.

Proviso.

SEC. 6. Section 8, chapter 116, Laws of 1947 and RCW 76.40.070 are each amended to read as follow:

RCW 76.40.070 amended.

Branded or marked boom sticks and boom chains shall be held by the log patrol, boom company or approved agency for the owner as identified by the registered brand or mark thereon, and when claimed by the owner the log patrol, boom company or approved agency shall be entitled to receive reasonable compensation not to exceed ten dollars

Recovery of boom sticks and chains—Compensation.

per boom stick and five dollars per boom chain and shall have all the rights incident to a logger's lien therefor. Upon receipt of such boom sticks, the log patrol, the boom company, or other approved agency shall notify the owner who shall have sixty days to recover said boom sticks upon payment of such reasonable compensation for its recovery. If the owner fails, neglects, or refuses to claim his boom sticks within such period after notice, they may be sold as stray logs.

RCW 76.40.110 amended.

SEC. 7. Section 12, chapter 140, Laws of 1953 and RCW 76.40.110 are each amended to read as follows:

Unlawful to acquire or possess certain logs.

It shall be unlawful to purchase, or otherwise acquire stray logs other than from the owner, or from a boom company or other approved agency as provided in this chapter, or to process or manufacture products from logs acquired in contravention of the provisions of this section or to possess such logs for such purpose.

RCW 76.40.127 amended.

SEC. 8. Section 7, chapter 108, Laws of 1955 and RCW 76.40.127 are each amended to read as follows:

Order requesting denial, revocation, etc., of license —Hearings.

The supervisor of forestry may upon giving notice to the licensee or the applicant, hold hearings to determine whether a license should be revoked or suspended or the application for a license denied and to find whether any person has been injured by reason of any violation of this chapter by the licensee or applicant. If the supervisor of forestry at such hearing finds that the licensee or applicant has been guilty of any violation of the provisions of this chapter or of any rule or regulation adopted pursuant to the authority granted in this chapter, or has made false statements on the application for a license, or of any report or return required to be made by such licensee, he shall revoke, suspend or deny the application therefor.

SEC. 9. There is added to chapter 116, Laws of 1947 and to chapter 76.40 RCW a new section to read as follows: New section.

The supervisor of forestry may adopt and enforce such reasonable rules and regulations as may be consistent with and necessary to carry out the provisions of this chapter relating to log patrols. Any violation of a rule or regulation prescribed by the supervisor of forestry under this chapter shall be punishable as a misdemeanor. Rules and regulations authorized.

Passed the Senate February 27, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 183.

1 S. B. 17. 1

TEACHERS' RETIREMENT SYSTEM—FEDERAL SOCIAL SECURITY.

AN ACT relating to the covering of members of the teachers' retirement system under the old age and survivor insurance provisions of Title II of the federal social security act as amended; approving a plan for such coverage as presented to and approved by the governor of the state of Washington; amending section 52, chapter 80, Laws of 1947, section 25, chapter 274, Laws of 1955 and RCW 41.32.520 as each are amended; establishing an effective date; and declaring an emergency.

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

SECTION 1. The plan for covering the members of the teachers' retirement system under the old age and survivor insurance provisions of Title II of the federal social security act as amended, required by RCW 41.48.050 as amended by section 5, chapter 4, Laws of the Extraordinary Session of 1955, approved by the board of trustees of the teachers' retirement system on October 8, 1956, and by the governor of the Plans for covering members under OASI approved.

Teachers' retirement. OASI.

state of Washington on November 19, 1956, is hereby approved.

Terms and provisions of plan.

SEC. 2. The terms and provisions of the plan are as follows:

(1) Each political subdivision of the state employing members of the teachers' retirement system and the members of the teachers' retirement system, after the approval of this plan by the legislature, and by the eligible employees through a referendum as provided in RCW 41.48.030 (3) and (4), shall be deemed to have accepted and agreed to be bound by the following terms and conditions in consideration of extension of the existing agreement between the secretary of health, education and welfare and the governor to make the protection of the federal old age and survivors insurance program available and applicable to such employees.

Definitions.

(2) As used in this plan the terms quoted below shall have the meanings assigned thereto in this section.

"Political subdivision."

"Political subdivision" means any political subdivision, or instrumentality of one or more subdivisions, or proprietary enterprise acquired, purchased or originated by one or more such subdivisions after December, 1950, which employs members of the teachers' retirement system. The state, its agencies, instrumentalities and institutions of higher learning shall be grouped and considered as a single political subdivision.

"Employee."

"Employee" means any person who is a member of the teachers' retirement system and is employed by a political subdivision.

"Wages."

"Wages" shall have the meaning given in RCW 41.48.020 (1) and section 209 of the social security act (42 U. S. C. A. Sec. 409).

"State" where not otherwise clearly indicated by the context, means the commissioner of employment security or other officer designated by the governor

to administer the plan at the state level for all participating political subdivisions.

Terms and provisions of plan.

(3) The terms and conditions of this plan are intended and shall be construed to be in conformity with the requirements of the federal social security act as amended and with the requirements of chapter 41.48 RCW, and particularly RCW 41.48.050, as amended by chapter 4, Laws of 1955 extraordinary session.

(4) The rights and benefits accruing to employees from membership in the teachers' retirement system shall in no way be altered or impaired by this plan or by the additional and supplementary OASI coverage which such employees may receive hereunder, other than the elimination of (1), (2) and (3) of section 52, chapter 80, Laws of 1947 and RCW 41.32.520 as each are amended, with the exception of that part of (1) which permits a widow or dependent widower without a child or children under age eighteen to receive a monthly payment of fifty dollars at age fifty, provided that the member had fifteen or more years of Washington membership service credit at date of death.

(5) There shall be no additional cost to or involvement of the state or a political subdivision with respect to OASI coverage of members of the teachers' retirement system until this plan has been approved by the legislature.

(6) Each employee to whom OASI coverage is made applicable under this plan pursuant to an extension or modification under RCW 41.48.030 of the existing agreement between the secretary of health, education and welfare and the governor shall be required to pay into the OASI contribution fund established by RCW 41.48.060 during the period of such coverage contributions with respect to his wages in an amount equal to the employee tax imposed by the federal insurance contributions act

Teachers'
retirement.
OASI. Terms
and provisions
of plan.

(section 3101, Internal Revenue Code of 1954), in consideration of the employee's retention in service by the political subdivision. The subdivision shall withhold such contributions from the wages paid to the employee; and shall remit the contributions so withheld in each calendar quarter to the state for deposit in the contribution fund not later than the twentieth calendar day of the month following that quarter.

(7) Each political subdivision shall pay into the contribution fund with respect to the wages of its employees during the period of their OASI coverage pursuant to this plan contributions in an amount equal to the employer tax imposed by the federal insurance contributions act (section 3111, Internal Revenue Code of 1954), from the fund of the subdivision from which such employees' wages are paid. The subdivision shall remit such contributions to the state for deposit in the contribution fund on a quarterly basis, not later than the twentieth calendar day of the month following each calendar quarter.

(8) If any political subdivision other than that comprising the state, its agencies, instrumentalities and institutions of higher learning fails to remit as provided herein employer contributions or employee contributions, or any part of either, such delinquent contributions may be recovered with interest at the rate of six percent per annum by action in a court of competent jurisdiction against the political subdivision; or such delinquent contributions may at the request of the governor be deducted from any moneys payable to such subdivision by the state.

(9) Each political subdivision shall be charged with a share of the cost of administration of this plan by the state, to be computed as that proportion of the overall cost of administration which its total annual contributions bear to the total annual contributions paid by all subdivisions on behalf of employees cov-

ered by the plan. The state shall compute the share of cost allocable to each subdivision and bill the subdivision therefor at the end of each fiscal year. The subdivision shall within ninety days thereafter remit its share of the cost to the state for deposit in the general fund of the state.

Teachers' retirement. OASI. Terms and provisions of plan.

(10) Each political subdivision shall submit to the state, through the employment security department, P. O. Box 367, Olympia, Washington, or such other officer or agency as the governor may subsequently designate, on forms furnished by the state, not later than the twentieth calendar day of the month following the end of each calendar quarter, the following information:

- A. the social security account number of each employee;
- B. the name of each employee;
- C. the amount of wages subject to contributions as required hereunder paid to each employee during the quarter;
- D. the total amount of wages subject to contributions paid to all employees during the quarter;
- E. the total amount of employee contributions withheld and remitted for the quarter; and
- F. the total amount of employer contributions paid by the subdivision for the quarter.

(11) Each political subdivision shall furnish in the same manner as provided in subsection (10), upon reasonable notice, such other and further reports or information as the governor may from time to time require. Each subdivision shall comply with such requirements as the secretary of health, education and welfare or the governor may from time to time establish with respect to any or all of the reports or information which are or may be provided for under subsection (10) or this subsection in order to assure the correctness and verification thereof.

Teachers' retirement. OASI. Terms and provisions of plan.

(12) The governing body of each political subdivision shall designate an officer of the subdivision to administer such accounting, reporting and other functions as will be required for the effective operation of this plan within the subdivision, as provided herein. The commissioner of employment security or such other officer as the governor may designate, shall perform or supervise those functions with respect to employees of the subdivision comprising the state, its agencies, instrumentalities and institutions of higher learning; and shall serve as the representative of the participating political subdivisions in the administration of this plan with the secretary of health, education and welfare.

(13) The legislature shall designate the first day of any month beginning with January, 1956, as the effective date of OASI coverage for such employees, except that after January 1, 1958, the effective date may not be prior to the first day of the current year.

The employer's contribution for any retroactive coverage shall be transferred by the board of trustees from the teachers' retirement pension reserve fund to the official designated by the governor to administer the plan at the state level.

Each employee's contribution for any retroactive coverage shall be transferred by the board of trustees from his accumulated contributions in the teachers' retirement fund, to the official designated above. Each employee, if he so desires, may, within one year from the date of transfer, reimburse his accumulated contributions for the amount so transferred.

(14) The governor may terminate the operation of this plan in its entirety with respect to any political subdivision, in his discretion, if he finds that the subdivision has failed to comply substantially with any requirement or provision of this plan. The plan shall not be so terminated until reasonable notice and opportunity for hearing thereon have been given

to the subdivision under such conditions, consistent with the provisions of the social security act, as shall have been established in regulations by the governor.

SEC. 3. Section 25, chapter 274, Laws of 1955 and RCW 41.32.520 are each amended to read as follows:

RCW 41.32.520 amended.

Upon receipt of proper proofs of death of any member before retirement or before the first installment of his retirement allowance shall become due his accumulated contributions shall be paid to his estate or to such persons as he shall have nominated by written designation duly executed and filed with the board of trustees. If a member had established five or more years of Washington membership service credit and was in active service or receiving or entitled to receive temporary disability payments at the time of his death, the named beneficiary if otherwise eligible may elect, in lieu of a cash refund, the following survivor benefit plan:

Payment on death before retirement.

(1) A widow or dependent widower without a child or children under eighteen years of age may elect a monthly payment of fifty dollars to become effective at age fifty, provided the member had fifteen or more years of Washington membership service credit.

(2) If the member was eligible for retirement the named beneficiary, if the surviving spouse or a dependent, may elect to receive a retirement allowance under Option 2. This election shall also be available to the spouse or a dependent of a member who has died while eligible for retirement during the period July 1, 1947, to June 30, 1955, inclusive, upon the repayment to the teachers' retirement fund of the refunded contributions. No benefits may be paid for any months prior to July 1, 1955.

If no named beneficiary survives a member, at his death his accumulated contributions shall be paid to his estate, or his dependents may qualify for survivor benefits in lieu of a cash refund in the follow-

Teachers' retirement. OASI. Terms and provisions of plan.

ing order: Widow or dependent widower, guardian of a dependent child or children under age eighteen, or dependent parent or parents.

Under survivors' benefit plan (1) the board of trustees shall transfer to the survivors' benefit fund the accumulated contributions of the deceased member together with an amount from the pension fund determined by actuarial tables to be sufficient to fully fund the liability. Benefits shall be paid from the survivors' benefit fund monthly and terminated at the marriage of the beneficiary.

Effective date, section 3.

SEC. 4. Section 3 of this act shall not take effect until the agreement between the governor and the secretary of health, education and welfare, as provided for in section 3, chapter 184, Laws of 1951 and RCW 41.48.030 as each are amended, has been executed.

Effective date, OASI.

SEC. 5. The effective date of OASI coverage for members of the teachers' retirement system shall be January 1, 1956: *Provided*, That should the agreement between the governor and the secretary of health, education and welfare be executed subsequent to December 31, 1957, the effective date of coverage shall be that specified in the agreement.

Proviso.

Severability.

SEC. 6. 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.

Emergency.

SEC. 7. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 23, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 184.

[S. B. 92.]

SEXUAL PSYCHOPATHS AND PSYCHOPATHIC
DELINQUENTS.

AN ACT relating to sexual psychopaths and psychopathic delinquents, and amending section 2, chapter 223, Laws of 1951 and RCW 71.06.010.

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

SECTION 1. Section 2, chapter 223, Laws of 1951 and RCW 71.06.010 are each amended to read as follows:

RCW 71.06.010 amended.

As used in this chapter, the following terms shall have the following meanings:

Definitions.

“Psychopathic personality” means the existence in any person of such hereditary, congenital or acquired condition affecting the emotional or volitional rather than the intellectual field and manifested by anomalies of such character as to render satisfactory social adjustment by such person difficult or impossible.

“Psychopathic personality.”

“Sexual psychopath” means any person who is affected in a form of psychoneurosis or in a form of psychopathic personality, which form predisposes such person to the commission of sexual offenses in a degree constituting him a menace to the health or safety of others.

“Sexual psychopath.”

“Sex offense” means one or more of the following: Abduction, incest, rape, assault with intent to commit rape, indecent assault, contributing to the delinquency of a minor involving sexual misconduct, sodomy, indecent exposure, indecent liberties with children, carnal knowledge of children, soliciting or enticing a child for immoral purposes, vagrancy involving immoral or sexual misconduct, or an attempt to commit any of the said offenses.

“Sex offense.”

“Psychopathic delinquent” means any minor who is psychopathic, and who is a habitual delinquent,

“Psychopathic delinquent.”

Sexual psychopaths, psychopathic delinquents. Definitions.

if his delinquency is such as to constitute him a menace to the health, person, or property of himself or others, and the minor is not a proper subject for commitment to a state correctional school, a penal institution, to a state school for the mentally deficient as a mentally deficient person, or to a state hospital as a mentally ill person.

"Minor."

"Minor" means any person under twenty-one years of age.

"Department."

"Department" means department of public institutions.

"Court."

"Court" means the superior court of the state of Washington.

"Superintendent."

"Superintendent" means the superintendent of a state institution designated for the custody, care and treatment of sexual psychopaths or psychopathic delinquents.

Passed the Senate March 3, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 185.

[S. B. 345.]

PUBLIC SERVICE COMPANIES—REPORTS.

AN ACT relating to public service companies and amending section 4, chapter 125, Laws of 1955 and RCW 81.24.010.

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

RCW 81.24.010 amended.

SECTION 1. Section 4, chapter 125, Laws of 1955 and RCW 81.24.010 are each amended to read as follows:

Every company subject to regulation by the commission, except auto transportation companies, steamboat companies, wharfingers or warehousemen, motor freight carriers, and storage warehousemen shall, on or before the first day of April of each

year, file with the commission a statement on oath showing its gross operating revenue from intrastate operations for the preceding calendar year, or portion thereof, and pay to the commission a fee equal to one-tenth of one percent of the first fifty thousand dollars of gross operating revenue, plus two-tenths of one percent of any gross operating revenue in excess of fifty thousand dollars, except railroad companies which shall each pay to the commission a fee equal to three-tenths of one percent of its intrastate gross operating revenue: *Provided further*, That the fee shall in no case be less than one dollar.

Companies to file reports of gross revenue and pay fees—General.

Proviso.

The percentage rates of gross operating revenue to be paid in any year may be decreased by the commission for any class of companies subject to the payment of such fees, by general order entered before March 1st of such year, and for such purpose such companies shall be classified as follows: Railroad, express, sleeping car, and toll bridge companies shall constitute class two. Every other company subject to regulation by the commission, for which regulatory fees are not otherwise fixed by law shall pay fees as herein provided and shall constitute additional classes according to kinds of businesses engaged in.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 186.

[S. B. 428.]

STATE TIDE AND SHORE LANDS—SALE.

AN ACT permitting the commissioner of public lands to exchange or sell certain lands to municipal corporations or agencies of the state of Washington.

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

Sale of state tide and shore lands authorized.

SECTION 1. The commissioner of public lands, may with the advice and approval of the board of state land commissioners sell state owned tide or shore lands at the appraised market value to a municipal corporation or agency of the state of Washington when said land is to be used solely for municipal or state purposes.

Duty of commissioner of public lands.

SEC. 2. The commissioner of public lands shall with the advice and approval of the attorney general, execute such agreements, writings, or relinquishments and certify to the governor such deeds as are necessary or proper to effect such sale or exchange.

Passed the Senate March 13, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 187.

[S. B. 69.]

FEDERAL SURPLUS PROPERTIES.

AN ACT relating to federal surplus property; prescribing powers and duties of the director of general administration, county commissioners and the department of public assistance; amending section 12, chapter 285, Laws of 1955 and RCW 43.19.190; and adding new sections to Title 74 RCW; and declaring an emergency.

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

SECTION 1. Section 12, chapter 285, Laws of 1955 and RCW 43.19.190 are each amended to read as follows:

RCW 43.19.190 amended.

The director of general administration, through the division of purchasing, shall:

Powers and duties—Division of purchasing.

(1) Purchase all supplies for the support and maintenance of the state institutions under the control of the department of institutions, and all supplies needed for the support, maintenance, and use of the state's institutions, the offices of the elective state officers, the supreme court, the administrative and other departments of the state government, and the offices of all appointive officers of the state;

(2) Administer the "central stores" system and all of its affiliated activities;

(3) Purchase, lease, or otherwise acquire, dispose of, and distribute federal surplus property and commodities for the use of any state department or political subdivision of the state, for the use of or assistance to recipients of public assistance or other needy families and individuals when certified as eligible to obtain such commodities by the state department of public assistance, and any other person or organization eligible under the terms and provisions of any federal act to receive federal surplus property or commodities;

General administration. Powers and duties—Division of purchasing.

(4) Sell or exchange personal property belonging to the state for which the office, department, or institution having custody thereof has no further use, at public or private sale and with or without notice, and cause the moneys realized from the sale of any such property to be paid into the state treasury, accompanied by a statement showing the fund from which the property sold was purchased, to which fund the state treasurer shall credit such moneys: *Provided*, That if such fund is not in existence at the time of the sale, the moneys shall be credited to the general fund.

Proviso.

New section.

SEC. 2. There is added to Title 74 RCW, a new section to read as follows:

Department to assist in obtaining federal surplus commodities.

The state department of public assistance is authorized to assist needy families and individuals to obtain federal surplus commodities for their use, by certifying, when such is the case, that they are eligible to receive such commodities. However, only those who are receiving or are eligible for public assistance or care and such others as may qualify in accordance with federal requirements and standards shall be certified as eligible to receive such commodities.

New section.

SEC. 3. There is added to Title 74 RCW, a new section to read as follows:

Federal surplus commodities not deemed public assistance.

Federal surplus commodities shall not be deemed or construed to be public assistance and care or a substitute, in whole or in part, therefor; and the receipt of such commodities by eligible families and individuals shall not subject them, their legally responsible relatives, their property or their estates to any demand, claim or liability on account thereof. A person's need or eligibility for public assistance or care shall not be affected by his receipt of federal surplus commodities.

New section.

SEC. 4. There is added to Title 74 RCW, a new section to read as follows:

Expenditures made by the state department of public assistance for the purpose of certifying eligibility of needy families and individuals for federal surplus commodities shall be deemed to be expenditures for the administration of public assistance and care.

Expenses of certifying eligibles for federal surplus commodities.

SEC. 5. The county commissioners of any county may expend from the county general fund for the purpose of receiving, warehousing and distributing federal surplus commodities for the use of or assistance to recipients of public assistance or other needy families and individuals when such recipients, families or individuals are certified as eligible to obtain such commodities by the state department of public assistance. The county commissioners may expend county general fund moneys to carry out any such program as a sole county operation or in conjunction or cooperation with any similar program of distribution by private individuals or organizations, any department of the state, or any political subdivision of the state.

Expenditures from county general fund authorized in distributing federal surplus commodities.

SEC. 6. 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.

Emergency.

Passed the Senate March 2, 1957.

Passed the House March 14, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 188.

[S. B. 416.]

PUBLIC INSTITUTIONS—LIVING QUARTERS FOR OFFICERS, EMPLOYEES.

AN ACT relating to public institutions of the state; amending section 7, chapter 119, Laws of 1901 as amended by section 6, chapter 166, Laws of 1907 and RCW 72.04.040; and declaring an effective date.

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

RCW 72.04.040 amended.

SECTION 1. Section 7, chapter 119, Laws of 1901 as amended by section 6, chapter 166, Laws of 1907 and RCW 72.04.040 are each amended to read as follows:

Quarters for personnel.

The superintendent of each public institution and the assistant physicians, steward, accountant and chief engineer of each hospital for the insane may be furnished with quarters, household furniture, board, fuel, and lights for themselves and their families, and the director may, when in his opinion any public institution would be benefited by so doing, extend this privilege to any officer at any of the public institutions under his control. The words "family" or "families" used in this section shall be construed to mean only the wife and minor children of an officer. Employees may be furnished with quarters and board for themselves. The director shall charge and collect from such officers and employees the full cost of the items so furnished, including an appropriate charge for depreciation of capital items.

Effective date.

SEC. 2. The effective date of section 1 of this act is July 1st, 1959.

Passed the Senate March 9, 1957.

Passed the House March 14, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 189.

[S. B. 478.]

HIGHWAYS—TACOMA-SEATTLE-EVERETT.

AN ACT relating to public highways and making an appropriation.

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

SECTION 1. Increased traffic and increased costs of highway and bridge construction make necessary additional moneys with which to complete the sections of primary state highway No. 1 through and between the cities of Tacoma, Seattle, and Everett and as an additional alternate route by-passing Seattle east of Lake Washington. It is vital to the economy of the state and the safety of the traffic that these sections shall be completed to relieve traffic congestions, to insure greater safety to highway users, and to assure an adequate through highway to accommodate traffic from bridges across Lake Washington as soon as possible.

Tacoma-Seattle-Everett facility. Declaration of necessity.

SEC. 2. This highway project shall be constructed as a part of the federal interstate highway system as a fully controlled limited access facility and shall meet the standards and specifications required by the state of Washington and the Secretary of Commerce of the United States in order to qualify for federal grants in aid as provided for in the Federal-Aid Highway Act of 1956. The state shall perform all conditions precedent to payment in advance of apportionment as provided by section 108(h) of the Federal-Aid Highway Act of 1956 so as to be entitled to federal aid funds for the project covered by this act when such funds are apportioned.

Part of federal interstate highway system, controlled limited access—Federal standards and conditions to be met.

SEC. 3. In order to facilitate vehicular traffic through and between the cities of Tacoma, Seattle and Everett and to remove the present handicaps and hazards over and along primary state highway No. 1 as presently established, the state highway

Powers and duties of highway commission—Route of project.

Tacoma-Se-
attle-Everett
facility.
Powers and
duties of high-
way commis-
sion—Route of
project.

commission is authorized to realign, redesign and reconstruct primary state highway No. 1 upon a newly located right of way or upon portions of existing right of way through and between the cities of Tacoma, Seattle and Everett and as an additional alternate route by-passing Seattle east of Lake Washington. The route of the proposed project is established as follows: Beginning in the vicinity of Ponders Corner, thence in a general northeasterly and northerly direction through the cities of Tacoma and Seattle to a point in the vicinity of the city of Everett and as an additional alternate route by-passing Seattle east of Lake Washington.

Issuance and
sale of bonds
authorized.

SEC. 4. In order to finance the immediate construction of the project referred to in section 1 above pending receipt of federal grants in aid and in accordance with the Federal-Aid Highway Act of 1956, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of seventy-five million dollars or such amount thereof and at such times as determined to be necessary by the state highway commission. No bonds shall be issued under the provisions of this chapter until the Congress of the United States shall approve the estimated cost of completing the federal interstate system to be submitted to it within ten days subsequent to January 2, 1958, as provided by section 108(d), Federal-Aid Highway Act of 1956. The issuance, sale and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made by the Washington state highway commission, shall provide for the issuance, sale and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as may be necessary for the orderly progress of said project.

Form and
term of bonds.

SEC. 5. Each of such bonds shall be made payable at any time not exceeding twenty-five years

from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

SEC. 6. The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of this chapter shall be legal investment for any of the funds of the state, except the permanent school fund.

Sale of bonds.

SEC. 7. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of the project referred to in sections 1, 2 and 3 hereof, and

Proceeds from bonds—Deposit and use.

for payment of the expense incurred in the drafting, printing, issuance and sale of any such bonds.

Tacoma-Se-
attle-Everett
facility.
Bonds not
general ob-
ligations—
Taxes pledged.

SEC. 8. Bonds issued under the provisions of this chapter shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in this chapter from the proceeds of state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250 and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of this chapter, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay, when due, the principal and interest on all bonds issued under the provisions of this chapter.

Source of
funds for pay-
ment of prin-
cipal and
interest.

SEC. 9. Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle fuels and which is, or may be appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or the interest on any such bonds.

Additional
security for
payment of
bonds.

SEC. 10. As additional security for payment of the principal amount of any or all of the bonds to be issued hereunder, the state finance committee,

with the consent of the state highway commission, may pledge all or any portion of the federal aid funds received or from time to time to be received by the state from the United States under the provisions of the Federal-Aid Highway Act of 1956 for the construction of all or any part of the project referred to in sections 1, 2 and 3 of this act.

Pledge of federal funds.

SEC. 11. At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate, subject to the provisions of section 9 of this act, the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which, together with federal funds which may be pledged as provided in section 10 of this act, shall be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the bond retirement fund, which fund shall be available solely for payment of interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

Highway bond retirement fund.

SEC. 12. Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels and the federal funds which may be pledged as provided by section 10 of this act, payable into

Excess sums in bond retirement fund—Use.

Tacoma-Se-
attle-Everett
facility.
Excess sums
in bond retire-
ment fund—
Use.

the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

Appropriation
from motor
vehicle fund.

SEC. 13. There is hereby appropriated from the motor vehicle fund to the state highway commission the sum of seventy-five million dollars, or so much thereof as may be necessary to carry out the provisions of this chapter, but no money shall be available under this appropriation from said fund unless a like amount of bonds provided for herein are sold and the money derived therefrom deposited to the credit of such fund.

Severability,
enforceability.

SEC. 14. If any provision of this act or the application thereof to any person, firm, or corporation or circumstance is held invalid, in whole or in part, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and to this end the provisions of this act are declared to be severable.

If any provision of this act shall be declared unconstitutional or ineffective in whole or in part by a court of competent jurisdiction, then to the extent that it is unconstitutional or ineffective, such provision shall not be enforced, nor shall such determination be deemed to invalidate the remaining provisions of this act.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 21, 1957.

CHAPTER 190.

[H. B. 288.]

BANKS AND TRUST COMPANIES—DIRECTORS.

AN ACT relating to banks and trust companies; and amending section 30.12.010, chapter 33, Laws of 1955 and RCW 30.12.010.

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

SECTION 1. Section 30.12.010, chapter 33, Laws of 1955 and RCW 30.12.010 are each amended to read as follows:

RCW 30.12.010
amended.

Every bank and trust company shall be managed by not less than five directors, excepting that a bank having a capital of fifty thousand dollars or less may have only three directors. Directors shall be elected by the stockholders and hold office for one year and until their successors are elected and have qualified. In the first instance the directors shall be elected at a meeting held before the bank or trust company is authorized to do business by the supervisor and afterwards at the annual meeting of the stockholders to be held on a day in the month of January of each year to be specified by the bank's bylaws. If for any cause no election is held at that time, it may be held at an adjourned meeting or at a subsequent meeting called for that purpose in the manner prescribed by the corporation's bylaws. The directors shall meet at least once each month and whenever required by the supervisor. A majority of the board of directors shall constitute a quorum for the transaction of business. At all stockholders' meetings, each share shall be entitled to one vote. Any stockholder may vote in person or by written proxy. Every director must own in his own right shares of the capital stock of the bank or trust company of which he is a director the aggregate par value of which shall not be less than four hundred dollars, unless the capital of the bank shall not exceed fifty

Directors—
Election—
Meeting—
Vacancies—
Oath.

Banks and
trust com-
panies.
Directors—
Election—
Meeting—
Vacancies—
Oath.

thousand dollars, in which case he must own in his own right shares of such capital stock the aggregate par value of which shall not be less than two hundred dollars. Any director who ceases to be the owner of the required number of shares of the stock, or who becomes in any other manner disqualified, shall thereby vacate his place.

Immediately upon election, each director shall take, subscribe, swear to and file with the supervisor an oath that he will, so far as the duty devolves upon him, diligently and honestly administer the affairs of such corporation and will not knowingly violate or willingly permit to be violated any provision of law applicable to such corporation and that he is the beneficial owner in good faith of the number of shares of stock required by this section, and that the same is fully paid, is not hypothecated or in any way pledged as security for any loan or debt. Vacancies in the board of directors shall be filled by the board.

Passed the House February 19, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 191.

[H. B. 98.]

GAS COMPANIES—EMINENT DOMAIN.

AN ACT relating to eminent domain by certain gas companies.

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

SECTION 1. Every corporation having for one of its principal purposes the transmission, distribution, sale, or furnishing of natural gas or other type gas for light, heat, or power and holding and owning a certificate of public convenience and necessity from the public service commission authorizing the operation of a gas plant, may appropriate, by condemnation, lands and property and interests therein, for the transmission, distribution, sale, or furnishing of such natural gas or other type gas through gas mains or pipelines under the provisions of chapter 8.20 RCW.

Certain gas companies, right of eminent domain.

SEC. 2. Any property or interest acquired as provided in section 1 shall be used exclusively for the purposes for which it was acquired: *Provided, however,* That if any such property be sold or otherwise disposed of by said corporations, such sale or disposition shall be by public sale or disposition and advertised in the manner of public sales in the county where such property is located.

Property acquired, use limited.

Proviso.

Passed the House March 2, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 192.

[H. B. 265.]

FRESH PEACHES—INSPECTION—SALE.

AN ACT relating to peaches; and adding five new sections to chapter 15.16 RCW.

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

New section.

SECTION 1. There is added to chapter 15.16 RCW, a new section to read as follows:

Inspection and fee prerequisite to shipment of peaches.

No person shall ship or transport from the area of production, fresh peaches unless they have been inspected by a state horticultural inspector and found to comply with the obligatory rules and regulations as adopted and promulgated by the director of agriculture pursuant to the terms of RCW 15.16.010, 15.16.020 and 15.16.030, and if they comply with the standards as set forth in the regulations and an inspection fee is paid as provided in section 2 of this act, a permit to ship shall be granted.

New section.

SEC. 2. There is added to chapter 15.16 RCW, a new section to read as follows:

Inspection fee —Collection —Disposition.

The director of agriculture shall fix reasonable fees to cover the cost of the inspection provided in section 1 of this act, which shall be collected at the time of inspection and placed in a horticultural fund.

New section.

SEC. 3. There is added to chapter 15.16 RCW, a new section to read as follows:

“Cull peaches” —Sale of.

No person shall sell as fresh fruit any cull peaches as defined in regulations adopted and promulgated by the director of agriculture from time to time unless they are packed in one-bushel wooden baskets, ring faced with the peaches in the ring face representative of the size and quality of the peaches in the basket and the baskets lidded, and the words “Cull Peaches” must appear on the top and side of of the basket in which they are shipped and upon labels placed upon the basket in clear and legible

letters at least two and one-half inches high. Every bill of lading, invoice, memorandum and other documents referring to said peaches shall designate them as cull peaches.

SEC. 4. There is added to chapter 15.16 RCW, a New section.
new section to read as follows:

Sections 1 through 3 of this act do not apply to Certain sales excluded.
the sale, transportation or shipment of fresh peaches in quantities of five hundred pounds or less, nor to the transportation or shipment of fresh peaches consigned to a processing or byproducts plant.

SEC. 5. There is added to chapter 15.16 RCW, a New section.
new section to read as follows:

Any violation of this act shall be punishable as a Penalty.
misdemeanor.

Passed the House February 15, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 193.

[H. B. 333.]

INSURANCE.

AN ACT relating to insurance; amending section .05.04, chapter 79, Laws of 1947 and RCW 48.05.040, section .05.12, chapter 79, Laws of 1947 as amended by section 1, chapter 31, Laws of 1955, and RCW 48.05.120, section .07.05, chapter 79, Laws of 1947 and RCW 48.07.050, section .09.09, chapter 79, Laws of 1947 and RCW 48.09.090, section .11.11, chapter 79, Laws of 1947 and RCW 48.11.110, section .12.15, chapter 79, Laws of 1947 and RCW 48.12.150, section .17.50, chapter 79, Laws of 1947 as amended by section 7, chapter 197, Laws of 1953, and RCW 48.17.500, section .18.12, chapter 79, Laws of 1947 and RCW 48.18.120, section .18.14, chapter 79, Laws of 1947 and RCW 48.18.140, section .18.48, chapter 79, Laws of 1947 and RCW 48.18.480, section .19.05, chapter 79, Laws of 1947 and RCW 48.19.050, section .19.28, chapter 79, Laws of 1947 and RCW 48.19.280, section .23.35, chapter 79, Laws of 1947 and RCW 48.23.350, section .29.03, chapter 79, Laws of 1947 and RCW 48.29.030, section .29.04, chapter 79, Laws of 1947 and RCW 48.29.040, section .30.15, chapter 79, Laws of 1947 and RCW 48.30.150; adding a new section to chapter 79, Laws of 1947 and chapter 48.05 RCW; adding a new section to chapter 79, Laws of 1947 and chapter 48.09 RCW; adding a new section to chapter 79, Laws of 1947 and chapter 48.13 RCW; adding two new sections to chapter 79, Laws of 1947 and chapter 48.30 RCW; and repealing section .09.02, chapter 79, Laws of 1947 and RCW 48.09.020, section .09.03, chapter 79, Laws of 1947 and RCW 48.09.030, section .09.04, chapter 79, Laws of 1947 and RCW 48.09.040, section .09.05, chapter 79, Laws of 1947 and RCW 48.09.050, section .09.06, chapter 79, Laws of 1947 and RCW 48.09.060, section .09.07, chapter 79, Laws of 1947 and RCW 48.09.070, and section .09.08, chapter 79, Laws of 1947 and RCW 48.09.080.

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

RCW 48.05.040 amended.

SECTION 1. Section .05.04, chapter 79, Laws of 1947 and RCW 48.05.040 are each amended to read as follows:

Certificate of authority. Qualifications.

To qualify for and hold a certificate of authority an insurer must:

(1) Be a stock, mutual, or reciprocal insurer of the same general type as may be formed as a domes-

tic insurer under the provisions of chapter 48.06 of this code, but this requirement shall not apply as to domestic mutual property insurers which, as of January 1, 1957, were lawfully transacting insurance on the assessment plan; and

(2) Have capital funds as required by this code, based upon the type and domicile of the insurer and the kinds of insurance proposed to be transacted; and

(3) Transact or propose to transact in this state insurances authorized by its charter, and only such insurance as meets the standards and requirements of this code; and

(4) Fully comply with, and qualify according to, the other provisions of this code.

SEC. 2. There is added to chapter 79, Laws of 1947 and chapter 48.05 RCW a new section to read as follows:

New section.

No certificate of authority shall be issued to or exist with respect to any insurer which is owned and controlled, in whole or in substantial part, by any government or governmental agency.

No certificate issued to governmental agency.

SEC. 3. Section .05.12, chapter 79, Laws of 1947 as amended by section 1, chapter 31, Laws of 1955, and RCW 48.05.120 are each amended to read as follows:

RCW 48.05.120 amended.

(1) All certificates of authority shall continue in force until suspended, revoked, or not renewed. A certificate shall be subject to renewal annually on the first day of July upon application of the insurer and payment of the fee therefor. If not so renewed, the certificate shall expire as of the thirtieth day of June next preceding.

Certificate of authority. Expiration, renewal, amendment.

(2) The commissioner may amend a certificate of authority at any time in accordance with changes in the insurer's charter or insuring powers.

New section.

SEC. 4. There is added to chapter 79, Laws of 1947 and chapter 48.09 RCW a new section to read as follows:

Mutual
insurers.
Requirements
—Kinds of
insurance.

(1) When newly organized a domestic mutual insurer may be authorized to transact any one of the kinds of insurance listed in the schedule contained in subsection (2) of this section.

(2) When applying for an original certificate of authority the insurer must be otherwise qualified therefor under this code, and must have received and accepted bona fide applications as to substantial insurable subjects for insurance coverage of a substantial character of the kind of insurance proposed to be transacted, must have collected in cash the full premium therefor at a rate not less than that usually charged by stock insurers for comparable coverages, must have surplus funds on hand as of the date such insurance coverages are to become effective, or, in lieu of such applications, premiums, and surplus, may deposit surplus, all in accordance with that part of the following schedule which applies to the one kind of insurance the insurer then proposes to transact:

(a) Kind of insurance	(b) Minimum no. of applicants accepted	(c) Minimum no. of subjects covered	(d) Minimum premium collected	(e) Minimum amt. ins. each subject	(f) Maximum amount of ins. each subject (v)	(g) Minimum surplus funds	(h) Deposit of surplus in lieu (vi)
.....
Life (i)	500	500	annual	\$1,000	\$2,500	\$25,000	\$50,000
Disability (ii)	500	500	quart.	\$10	\$25	\$25,000	\$50,000
				weekly indem.	weekly indem.		
Property (iii)	100	250	annual	\$1,000	\$3,000	\$25,000	\$50,000
Vehicle (iv)	200	500	annual	\$1,000	\$10,000	\$150,000	\$150,000
Casualty (iv)	250	250	annual	\$1,000	\$10,000	\$150,000	\$200,000

The following provisos are respectively applicable to the foregoing schedule and provisions as indicated by like roman numerals appearing in such schedule:

(i) No group insurance, nor term policies for terms of less than ten years shall be included.

(ii) No group or blanket or family plans of insurance shall be included. In lieu of weekly indemnity a like premium value in medical, surgical, and hospital benefits may be provided. Any accidental death or dismemberment benefit provided shall not exceed two thousand five hundred dollars.

(iii) Only insurance of the owner's interest in real property may be included, and all such coverages must be in compliance with the provisions of subsection (2) of RCW 48.11.140.

(iv) Must include insurance of legal liability for bodily injury and property damage, to which the maximum and minimum insured amounts apply.

(v) The maximums provided for in this column (f) are net of applicable reinsurance.

(vi) The deposit of surplus in the amount specified in column (h) must thereafter be maintained unimpaired. The deposit is subject to the provisions of chapter sixteen of this code (deposits of insurers).

SEC. 5. Section .09.09, chapter 79, Laws of 1947 and RCW 48.09.090 are each amended to read as follows:

RCW 48.09.090 amended.

A domestic mutual insurer may be authorized to transact kinds of insurance in addition to that for which it was originally authorized, if it has otherwise complied with the provisions of this code therefor, and while it possesses and maintains surplus funds in aggregate amount not less than the minimum amount of capital and special surplus, if any, required under this code of a domestic stock insurer authorized to transact like kinds of insurance.

Additional kinds of insurance.

SEC. 6. Section .11.11, chapter 79, Laws of 1947 and RCW 48.11.110 are each amended to read as follows:

RCW 48.11.110 amended.

Authority shall be granted or denied insurers, already authorized to transact one kind of insurance, to transact additional kinds of insurance as follows:

Authority to transact additional kinds of insurance.

Insurance.
Authority to
transact addi-
tional kinds
of insurance.

(1) An insurer authorized to transact life insurance shall not be authorized to transact any additional kind of insurance other than disability insurance; except, that any life insurer which immediately prior to the effective date of this code, held a certificate of authority to transact in this state certain kinds of insurance in addition to life and disability insurance, may continue to be so authorized by the commissioner.

(2) An insurer authorized to transact title insurance shall not be authorized to transact any additional kind of insurance.

(3) A domestic mutual insurer may be authorized to transact additional kinds of insurance as provided in RCW 48.09.090.

(4) An insurer authorized to transact general casualty insurance shall be authorized to transact disability insurance and fidelity insurance without requiring additional financial qualifications.

RCW 48.12.150
amended.

SEC. 7. Section .12.15, chapter 79, Laws of 1947 and RCW 48.12.150 are each amended to read as follows:

Standard
valuation
law.

(1) This section shall be known as the standard valuation law.

(2) Annual valuation: The commissioner shall annually value, or cause to be valued, the reserve liabilities (hereinafter called reserves) for all outstanding life insurance policies and annuity and pure endowment contracts of every life insurer doing business in this state, except that in the case of an alien insurer such valuation shall be limited to its insurance transactions in the United States, and may certify the amount of any such reserves, specifying the mortality table or tables, rate or rates of interest and methods (net level premium method or others) used in the calculation of such reserves. In calculating such reserves, the commissioner may use group methods and approximate averages for

fractions of a year or otherwise. He may accept, in his discretion, the insurer's calculation of such reserves. In lieu of the valuation of the reserves herein required of any foreign or alien insurer, he may accept any valuation made, or caused to be made, by the insurance supervisory official of any state or other jurisdiction when such valuation complies with the minimum standard herein provided and if the official of such state or jurisdiction accepts as sufficient and valid for all legal purposes the certificate of valuation of the commissioner when such certificate states the valuation to have been made in a specified manner according to which the aggregate reserves would be at least as large as if they had been computed in the manner prescribed by the law of that state or jurisdiction.

Standard
valuation
law.

(3) Minimum valuation standard:

(a) The minimum standard for the valuation of all such policies and contracts issued prior to the operative date of RCW 48.23.350 shall be as follows:

For policies issued prior to the operative date no standard of valuation for ordinary policies, whether on the net level premium, preliminary term, or select and ultimate reserve basis, shall be less than that determined upon such basis according to the American Experience Table of Mortality with three and one-half percent interest; except, that when the preliminary term basis is used it shall not exceed one year. The commissioner may vary the standard of valuation in particular cases of invalid lives and other extra hazards, provided, that the interest rate used is not greater than three and one-half percent.

The legal minimum standard for the valuation of annuities issued on or after January 1, 1912, and prior to the operative date of RCW 48.23.350, shall be McClintock's Table of Mortality Among Annuitants, with interest at three and one-half percent per annum, but annuities deferred ten or more years

Standard
valuation
law.

and written in connection with life or term insurance may be valued on the same mortality table from which the consideration or premiums were computed, with interest not higher than three and one-half percent per annum.

The legal minimum standard for the valuation of industrial policies issued on or after the first day of January, 1912, and prior to the operative date of RCW 48.23.350, shall be the American Experience Table of Mortality with interest at three and one-half percent per annum; except, that any life insurer may voluntarily value such industrial policies according to the Standard Industrial Mortality Table or the Substandard Industrial Mortality Table.

The legal minimum standard for the valuation of group life insurance policies under which premium rates are not guaranteed for a period in excess of five years shall be, at the option of the life insurer issuing such policies, either the American Men Ultimate Table of Mortality, the Commissioners 1941 Standard Ordinary Mortality Table, or any other table approved by the commissioner, with interest at three and one-half percent per annum.

(b) The minimum standard for the valuation of all such policies and contracts issued on or after the operative date of RCW 48.23.350 shall be the Commissioners Reserve Valuation Method defined in subsection (4) of this section, three and one-half percent interest, and the following tables:

(i) For all ordinary policies of life insurance issued on the standard basis, excluding any disability and accidental death benefits in such policies,—the Commissioners 1941 Standard Ordinary Mortality Table; provided, that for any category of such policies issued on female risks on or after July 1, 1957, modified net premiums and present values, referred to in subsection (4) of this section, may be calculated, at the option of the insurer with approval of

the commissioner, according to an age not more than three years younger than the actual age of the insured.

Standard
valuation
law.

(ii) For all industrial life insurance policies issued on the standard basis, excluding any disability and accidental death benefits in such policies,—the 1941 Standard Industrial Mortality Table.

(iii) For annuity and pure endowment contracts, excluding any disability and accidental death benefits in such policies,—the 1937 Standard Annuity Mortality Table.

(iv) For total and permanent disability benefits in or supplementary to ordinary policies or contracts,—Class (3) Disability Table (1926) which, for active lives, shall be combined with a mortality table permitted for calculating the reserves for life insurance policies.

(v) For accidental death benefits in or supplementary to policies—the Inter-Company Double Indemnity Mortality Table combined with a mortality table permitted for calculating the reserves for life insurance policies.

(vi) For group life insurance, life insurance issued on the substandard basis and other special benefits,—such tables as may be approved by the commissioner.

(4) Commissioners Reserve Valuation Method: Reserves according to the Commissioners Reserve Valuation Method, for the life insurance and endowment benefits of policies providing for a uniform amount of insurance and requiring the payment of uniform premiums shall be the excess, if any, of the present value, at the date of valuation, of such future guaranteed benefits provided for by such policies, over the then present value of any future modified net premiums therefor. The modified net premiums for any such policy shall be such uniform percentage of the respective contract premiums for such bene-

Standard
valuation
law.

fits (excluding extra premiums on a substandard policy) that the present value, at the date of issue of the policy, of all such modified net premiums shall be equal to the sum of the then present value of such benefits provided for by the policy and the excess of (a) over (b) as follows:

(a) A net level annual premium equal to the present value, at the date of issue, of such benefits provided for after the first policy year, divided by the present value, at the date of issue, of an annuity of one per annum payable on the first and each subsequent anniversary of such policy on which a premium falls due; provided, however, that such net level annual premium shall not exceed the net level annual premium on the nineteen-year premium whole life plan for insurance of the same amount at an age one year higher than the age at issue of such policy.

(b) A net one-year term premium for such benefits provided for in the first policy year.

Reserves according to the Commissioners Reserve Valuation Method for (1) life insurance policies providing for a varying amount of insurance or requiring the payment of varying premiums, (2) annuity and pure endowment contracts, (3) disability and accidental death benefits in all policies and contracts, and (4) all other benefits, except life insurance and endowment benefits in life insurance policies, shall be calculated by a method consistent with the principles of this paragraph.

(5) Minimum aggregate reserves: In no event shall an insurer's aggregate reserves for all life insurance policies, excluding disability and accidental death benefits, issued on or after the operative date of RCW 48.23.350, be less than the aggregate reserves calculated in accordance with the method set forth in subsection (4) and the mortality table or tables

and rate or rates of interest used in calculating nonforfeiture benefits for such policies.

Standard
valuation
law.

(6) Optional reserve bases: Reserves for all policies and contracts issued prior to the operative date of RCW 48.23.350 may be calculated, at the option of the insurer, according to any standards which produce greater aggregate reserves for all such policies and contracts than the minimum reserves required by the laws in effect immediately prior to such date.

For any category of policies, contracts or benefits specified in subsection (3) of this section, issued on or after the operative date of RCW 48.23.350, reserves may be calculated, at the option of the insurer, according to any standard or standards which produce greater aggregate reserves for such category than those calculated according to the minimum standard herein provided, but the rate or rates of interest used shall not be higher than the corresponding rate or rates of interest used in calculating any nonforfeiture benefits provided for therein: *Provided*, That reserves for participating life insurance policies issued on or after the operative date of RCW 48.23.350 may, with the consent of the commissioner, be calculated according to a rate of interest lower than the rate of interest used in calculating the nonforfeiture benefits in such policies, with the further proviso that if such lower rate differs from the rate used in the calculation of the nonforfeiture benefits by more than one-half percent the insurer issuing such policies shall file with the commissioner a plan providing for such equitable increases, if any, in the cash surrender values and nonforfeiture benefits in such policies as the commissioner shall approve.

Any such insurer which at any time had adopted any standard of valuation producing greater aggregate reserves than those calculated according to the minimum standard herein provided may, with the

Standard valuation law.

approval of the commissioner, adopt any lower standard of valuation, but not lower than the minimum herein provided.

(7) Deficiency reserve: If the gross premium charged by any life insurer on any policy or contract is less than the net premium for the policy or contract according to the mortality table, rate of interest and method used in calculating the reserve thereon, there shall be maintained on such policy or contract a deficiency reserve in addition to all other reserves required by law. For each such policy or contract the deficiency reserve shall be the present value, according to such standard, of an annuity of the difference between such net premium and the premium charged for such policy or contract, running for the remainder of the premium-paying period.

New section.

SEC. 8. There is added to chapter 79, Laws of 1947 and chapter 48.13 RCW a new section to read as follows:

Limitation on investments of assets by insurer.

An insurer shall not invest or have invested at any one time more than sixty-five percent of its assets in investments in real estate, real estate contracts, and notes, bonds and other evidences of debt secured by mortgage on real estate, as described in RCW 48.13.110 and 48.13.160. Any insurer which, on the effective date of this act, has in excess of sixty-five percent of its assets so invested shall not make any further such investments while such excess exists.

RCW 48.17.500 amended.

SEC. 9. Section .17.50, chapter 79, Laws of 1947 as amended by section 7, chapter 197, Laws of 1953, and RCW 48.17.500 are each amended to read as follows:

Expiration and renewal of license.

(1) Agents' licenses for life, or life and disability, or disability insurances only shall expire as at 12:01 a. m. o'clock on the first day of October next following date of issuance: except that all such licenses issued between April 1, 1957, and October 1, 1957,

both dates inclusive, shall expire at 12:01 a. m. o'clock on the first day of October, 1958.

Agents,
brokers,
solicitors,
adjusters.
Expiration
and renewal
of license.

(2) All brokers', solicitors', and adjusters' licenses shall expire as at 12.01 a. m. o'clock on the first day of April next following date of issuance.

(3) Agents' licenses for all other kinds of insurance or combinations thereof shall expire as at 12:01 a. m. o'clock on the first day of April three years after the first day of April nearest to the date of issuance of the license.

(4) Subject to the right of the commissioner to suspend, revoke, or refuse to renew any license as provided in this code, any such license may be renewed into another like period by filing with the commissioner on or before the expiration date a written request, by or on behalf of the licensee, for such renewal accompanied by payment of the renewal fee as specified in RCW 48.14.010. An agent or broker shall make and file renewal requests on behalf of his solicitors.

(5) If request and fee for renewal of license is filed with the commissioner prior to expiration of the existing license, the licensee may continue to act under such license, unless sooner revoked or suspended until the issuance of renewal license or until the expiration of fifteen days after the commissioner has refused to renew the license and has mailed order of such refusal to the licensee. Any request for renewal not so filed until after date of expiration may be considered by the commissioner as an application for a new license.

(6) As to all licenses where renewal must be applied for by the licensee, if request for renewal of license or payment of the license fee is not received by the commissioner prior to expiration date as required under subsection (4) the applicant for renewal of license shall pay to the commissioner and the commissioner shall collect, in addition to the

regular license fee, a surcharge for such license as follows: For the first thirty days or part thereof of delinquency the surcharge shall be five dollars; for all delinquencies extending more than thirty days, the surcharge shall be ten dollars. This subsection shall not be deemed to exempt any person from any penalty provided by law for transacting business without a valid and subsisting license, or affect the commissioner's right, at his discretion, to consider such delinquent application as one for a new license.

RCW 48.18.120 amended.

SEC. 10. Section .18.12, chapter 79, Laws of 1947 and RCW 48.18.120 are each amended to read as follows:

Insurance. Insurance contract. Standard forms.

(1) The commissioner shall, after hearing, from time to time promulgate such rules and regulations as may be necessary to define and effect reasonable uniformity in all basic contracts of fire insurance which are commonly known as the standard form fire policies and may be so referred to in this code, and the usual supplemental coverages, riders, or endorsements thereon or thereto, to the end that such definitions shall be applied in the construction of the various sections of this code wherein such terms are used and that there be a reasonable concurrency of contract where two or more insurers insure the same subject and risk. All such forms heretofore approved by the commissioner and for use as of immediately prior to the effective date of this code, may continue to be so used until the further order of the commissioner made pursuant to this subsection or pursuant to any other provision of this code.

(2) The commissioner may from time to time, after hearing, promulgate such rules and regulations as he deems necessary to establish reasonable minimum standard conditions and terminology for basic benefits to be provided by disability insurance con-

tracts which are subject to chapter 48.20 and 48.21, for the purpose of expediting his approval of such contracts pursuant to this code. No such promulgation shall be inconsistent with standard provisions as required pursuant to RCW 48.18.130, nor contain requirements inconsistent with requirements relative to the same benefit provisions as formulated or approved by the National Association of Insurance Commissioners.

SEC. 11. Section .18.14, chapter 79, Laws of 1947 and RCW 48.18.140 are each amended to read as follows:

RCW 48.18.140 amended.

(1) The written instrument, in which a contract of insurance is set forth, is the policy.

Content of policies in general.

(2) A policy shall specify:

(a) The names of the parties to the contract. The insurer's name shall be clearly shown in the policy.

(b) The subject of the insurance.

(c) The risk insured against.

(d) The time at which the insurance thereunder takes effect and the period during which the insurance is to continue.

(e) A statement of the premium, and if other than life, disability, or title insurance, the premium rate where applicable.

(f) The conditions pertaining to the insurance.

(3) If under the contract the exact amount of premiums is determinable only at termination of the contract, a statement of the basis and rates upon which the final premium is to be determined and paid shall be furnished any policy examining bureau having jurisdiction or to the insured upon request.

(4) This section shall not apply to surety insurance contracts.

RCW 48.18.480 amended.

SEC. 12. Section .18.48, chapter 79, Laws of 1947 and RCW 48.18.480 are each amended to read as follows:

Insurance. Insurance contract. Discrimination prohibited.

No insurer shall make or permit any unfair discrimination between insureds or subjects of insurance having substantially like insuring, risk, and exposure factors, and expense elements, in the terms or conditions of any insurance contract, or in the rate or amount of premium charged therefor, or in the benefits payable or in any other rights or privileges accruing thereunder. This provision shall not prohibit fair discrimination by a life insurer as between individuals having unequal expectation of life.

RCW 48.19.050 amended.

SEC. 13. Section .19.05, chapter 79, Laws of 1947 and RCW 48.19.050 are each amended to read as follows:

Rates. Filings by rating bureau.

(1) If so authorized by an insurer, the commissioner shall accept, in lieu of filings by the insurer, filings on its behalf made by a rating organization then licensed as provided in this chapter.

(2) As to fire insurance under a standard form fire policy, and the following insurances (other than vehicle insurance coverages) when issued as part of a standard form fire policy, an insurer may so authorize a rating organization to make all its filings only, and may not make a portion of such filings upon its own behalf and authorize a rating organization to make other such filings:

- (a) Additional property insurance coverages, or
- (b) Coverages including any kind of insurance in addition to fire for a single undivided premium.

(3) Except, that notwithstanding the provisions of subsection (2) an insurer which prior to the first day of January, 1947, made its own filings in this state as to a particular class of fire risks, and its filings in this state as to other classes of fire risks were

made by a rating organization authorized by the insurer so to do, may:

Filings by
rating
bureau.

(a) Continue to make all its own filings as to such specific class of risks or authorize a rating organization to make its filings as to such specific class of risks or any part thereof, and

(b) authorize a different rating organization to make all only of its filings as to all other classes of risks insured by it in this state against fire under the standard form fire policy; or

(c) make all its own filings as to all classes of risks insured by it against fire under the standard form fire policy, or make all its own such filings except as to any which may relate to any such specific class of risks, which filings so excepted the insurer may authorize a rating organization to make; or

(d) authorize a rating organization to make all only of its filings as to all classes or risks insured by it against fire in this state under the standard form fire policy.

SEC. 14. Section .19.28, chapter 79, Laws of 1947 and RCW 48.19.280 are each amended to read as follows:

RCW 48.19.280
amended.

(1) Every subscriber to a rating organization shall adhere to the filings made on its behalf by such organization, and shall not deviate therefrom except as provided in this section.

Deviations.

(2) Any such subscriber may make written application to the commissioner for permission to file a deviation, and shall at the same time send a copy of the application to the rating organization. The application shall specify the deviation desired, and the basis thereof. In the case of deviations as specified in subsection (4) of this section, the application shall be accompanied by the data upon which the applicant relies. The commissioner shall forthwith set a date for a hearing on the application and give

notice thereof to the applicant and to the rating organization. If the rating organization informs the commissioner that it does not desire a hearing he may, upon consent of the applicant, waive the hearing.

(3) As to fire insurance under standard form fire policies, and the following insurances when issued as part of a standard form fire policy, any such deviation shall be only by a uniform percentage of addition to or decrease from all rates resulting from all filings relative to such insurance made by the rating organization on behalf of such applicant and then in effect:

(a) Additional property insurance coverages, or

(b) Coverages including any kind of insurance in addition to fire for a single undivided premium.

In considering the application for permission to file such deviation the commissioner shall give consideration to the available statistics and the applicable principles for rate making as provided in RCW 48.19.030.

(4) As to insurance other than that designated in subsection (3) of this section, any such deviation shall be only by a uniform percentage decrease or increase to be applied to the premiums produced by the rating system so filed for a kind of insurance, or for a class of insurance which is found by the commissioner to be a proper rating unit for the application of such uniform percentage decrease or increase, or for a subdivision of a kind of insurance (a) comprised of a group of manual classifications which is treated as a separate unit for rate making purposes, or (b) for which separate expense provisions are included in the filings of the rating organization.

(5) If upon such hearing the commissioner finds the proposed deviation to be justified, and that premiums and rates resulting therefrom would not be inadequate, excessive, or unfairly discriminatory, he

shall issue his order permitting the deviation to be filed and such deviation shall thereupon become effective. If he finds otherwise, he shall issue his order denying the application. Deviations.

(6) Each deviation permitted to be filed shall be effective for a period of not less than one year from the date of such permission unless terminated sooner with the approval of the commissioner. Every such deviation shall terminate upon a material change of the basic rate from which the deviation is made. The commissioner shall determine whether a change of the basic rate is so material as to require such termination of deviations.

(7) This section does not apply to casualty insurance.

SEC. 15. Section .23.35, chapter 79, Laws of 1947 and RCW 48.23.350 are each amended to read as follows: RCW 48.23.350 amended.

(1) This section shall be known as the standard nonforfeiture law. Life insurance. Standard nonforfeiture law.

(2) Nonforfeiture provisions—Life: In the case of policies issued on or after the operative date of this section as defined in subsection (8), no policy of life insurance, except as stated in subsection (7), shall be delivered or issued for delivery in this state unless it shall contain in substance the following provisions, or corresponding provisions which in the opinion of the commissioner are at least as favorable to the defaulting or surrendering policyholder:

(a) That, in the event of default in any premium payment, the insurer will grant, upon proper request not later than sixty days after the due date of the premium in default, a paid-up nonforfeiture benefit on a plan stipulated in the policy, effective as of such due date, of such value as may be hereinafter specified.

(b) That, upon surrender of the policy within sixty days after the due date of any premium pay-

Insurance.
Life. Stan-
dard non-
forfeiture law.

ment in default after premiums have been paid for at least three full years in the case of ordinary insurance or five full years in the case of industrial insurance, the insurer will pay, in lieu of any paid-up nonforfeiture benefit, a cash surrender value of such amount as may be hereinafter specified.

(c) That a specified paid-up nonforfeiture benefit shall become effective as specified in the policy unless the person entitled to make such election elects another available option not later than sixty days after the due date of the premium in default.

(d) That, if the policy shall have become paid-up by completion of all premium payments or if it is continued under any paid-up nonforfeiture benefits which become effective on or after the third policy anniversary in the case of ordinary insurance or the fifth policy anniversary in the case of industrial insurance, the insurer will pay, upon surrender of the policy within thirty days after any policy anniversary, a cash surrender value of such amount as may be hereinafter specified.

(e) A statement of the mortality table and interest rate used in calculating the cash surrender values and the paid-up nonforfeiture benefits available under the policy, together with a table showing the cash surrender value, if any, and paid-up nonforfeiture benefit, if any, available under the policy on each policy anniversary either during the first twenty policy years or during the term of the policy, whichever is shorter, such values and benefits to be calculated upon the assumption that there are no dividends or paid-up additions credited to the policy and that there is no indebtedness to the insurer on the policy.

(f) A statement that the cash surrender values and the paid-up nonforfeiture benefits available under the policy are not less than the minimum values and benefits required by or pursuant to the insurance

law of this state; an explanation of the manner in which the cash surrender values and the paid-up nonforfeiture benefits are altered by the existence of any paid-up additions credited to the policy or any indebtedness to the insurer on the policy; if a detailed statement of the method of computation of the values and benefits shown in the policy is not stated therein, a statement that such method of computation has been filed with the insurance supervisory official of the state in which the policy is delivered; and a statement of the method to be used in calculating the cash surrender value and paid-up nonforfeiture benefit available under the policy on any policy anniversary beyond the last anniversary for which such values and benefits are consecutively shown in the policy.

Insurance.
Life.
Standard
nonforfeit-
ure law.

Any of the foregoing provisions or portions thereof not applicable by reason of the plan of insurance may, to the extent inapplicable, be omitted from the policy.

The insurer shall reserve the right to defer the payment of any cash surrender value for a period of six months after demand therefor with surrender of the policy.

(3) Cash surrender value—Life: Any cash surrender value available under the policy in the event of default in a premium payment due on any policy anniversary, whether or not required by subsection (2) of this section, shall be an amount not less than the excess, if any, of the present value, on such anniversary, of the future guaranteed benefits which would have been provided for by the policy including any existing paid-up additions, if there had been no default, over the sum of (a) the then present value of the adjusted premiums as defined in subsection (5) of this section corresponding to premiums which would have fallen due on and after such anniversary, and (b) the amount of any in-

Insurance.
Life.
Standard
nonforfeit-
ure law.

debtedness to the insurer on account of or secured by the policy. Any cash surrender value available within thirty days after any policy anniversary under any policy paid-up by completion of all premium payments or any policy continued under any paid-up nonforfeiture benefits, whether or not required by such subsection (2), shall be an amount not less than the present value, on such anniversary, of the future guaranteed benefits provided for by the policy including any existing paid-up additions, decreased by any indebtedness to the insurer on account of or secured by the policy.

(4) Paid-up nonforfeiture benefit—Life: Any paid-up nonforfeiture benefit available under the policy in the event of default in a premium payment due on any policy anniversary shall be such that its present value as of such anniversary shall be at least equal to the cash surrender value then provided for by the policy or, if none is provided for, that cash surrender value which would have been required by this section in the absence of the condition that premiums shall have been paid for at least a specified period.

(5) The adjusted premium—Life: The adjusted premiums for any policy shall be calculated on an annual basis and shall be such uniform percentage of the respective premiums specified in the policy for each policy year, excluding extra premiums on a substandard policy, that the present value, at the date of issue of the policy, of all such adjusted premiums shall be equal to the sum of (a) the then present value of the future guaranteed benefits provided for by the policy; (b) two percent of the amount of insurance, if the insurance be uniform in amount, or of the equivalent uniform amount, as hereinafter defined, if the amount of insurance varies with duration of the policy; (c) forty percent of the adjusted premium for the first policy year; (d)

twenty-five percent of either the adjusted premium for the first policy year or the adjusted premium for a whole life policy of the same uniform or equivalent uniform amount with uniform premiums for the whole of life issued at the same age for the same amount of insurance, whichever is less: *Provided*, That in applying the percentages specified in (c) and (d) above, no adjusted premium shall be deemed to exceed four percent of the amount of insurance or level amount equivalent thereto. Whenever the plan or term of a policy has been changed, either by request of the insured or automatically in accordance with the provisions of the policy, the date of inception of the changed policy for the purposes of determining a nonforfeiture benefit or cash surrender value shall be the date as of which the age of the insured is determined for the purpose of the changed policy.

Insurance.
Life.
Standard
nonforfeiture
law.

Proviso.

In the case of a policy providing an amount of insurance varying with duration of the policy, the equivalent level amount thereof for the purpose of this subsection shall be deemed to be the level amount of insurance provided by an otherwise similar policy, containing the same endowment benefit or benefits, if any, issued at the same age and for the same term, the amount of which does not vary with duration and the benefits under which have the same present value at the date of issue as the benefits under the policy.

All adjusted premiums and present values referred to in this section shall for all policies of ordinary insurance be calculated on the basis of the Commissioners 1941 Standard Ordinary Mortality Table; provided, that for any category of ordinary insurance issued on female risks on or after July 1, 1957, adjusted premiums and present values may be calculated, at the option of the insurer with approval of the commissioner, according to an age not

Insurance.
Life.
Standard
nonforfeiture
law.

more than three years younger than the actual age of the insured. Such calculations for all policies of industrial insurance shall be made on the basis of the 1941 Standard Industrial Mortality Table. All calculations shall be made on the basis of the rate of interest, not exceeding three and one-half percent per annum, specified in the policy for calculating cash surrender values and paid-up nonforfeiture benefits: *Provided*, That in calculating the present value of any paid-up term insurance with accompanying pure endowment, if any, offered as a nonforfeiture benefit, the rates of mortality assumed may be not more than one hundred and thirty percent of the rates of mortality according to such applicable table: *Provided further*, That for insurance issued on a substandard basis, the calculation of any such adjusted premiums and present values may be based on such other table of mortality as may be specified by the insurer and approved by the commissioner.

Proviso.

Proviso.

(6) Calculation of values—Life: Any cash surrender value and any paid-up nonforfeiture benefit, available under the policy in the event of default in a premium payment due at any time other than on the policy anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional premiums beyond the last preceding policy anniversary. All values referred to in subsections (3), (4) and (5) of this section may be calculated upon the assumption that any death benefit is payable at the end of the policy year of death. The net value of any paid-up additions, other than paid-up term additions, shall be not less than the dividends used to provide such additions. Notwithstanding the provisions of subsection (3) of this section, additional benefits payable (a) in the event of death or dismemberment by accident or accidental means, (b) in the event of total and permanent disability, (c) as re-

versionary annuity or deferred reversionary annuity benefits, (d) as decreasing term insurance benefits provided by a rider or supplemental policy provision to which, if issued as a separate policy, this section would not apply, and (e) as other policy benefits additional to life insurance and endowment benefits, and premiums for all such additional benefits, shall be disregarded in ascertaining cash surrender values and nonforfeiture benefits required by this section, and no such additional benefits shall be required to be included in any paid-up nonforfeiture benefits.

Insurance.
Life.
Standard
nonforfeiture
law.

(7) Exceptions: This section shall not apply to any reinsurance, group insurance, pure endowment, annuity or reversionary annuity contract, nor to any term policy of uniform amount, or renewal thereof, of fifteen years or less expiring before age sixty-six, for which uniform premiums are payable during the entire term of the policy, nor to any term policy of decreasing amount on which each adjusted premium, calculated as specified in subsection (5) of this section, is less than the adjusted premium so calculated, on such fifteen year term policy issued at the same age and for the same initial amount of insurance, nor to any policy which shall be delivered outside this state through an agent or other representative of the insurer issuing the policy.

(8) Operative Date: After the effective date of this section, any insurer may file with the commissioner a written notice of its election to comply with the provisions of this section after a specified date before July 1, 1948. After the filing of such notice, then upon such specified date (which shall be the operative date for such insurer), this section shall become operative with respect to the policies thereafter issued by such insurer. If an insurer makes no such election, the operative date of this section for such insurer shall be July 1, 1948.

RCW 48.29.030 amended.

SEC. 16. Section .29.03, chapter 79, Laws of 1947 and RCW 48.29.030 are each amended to read as follows:

Insurance. Title. Amount of deposit.

(1) The amount of the required guaranty fund deposit shall be determined by the population, as at last official United States or official state census, of the county within which the insurer is to be authorized to transact its business, as follows:

County population	Amount of guaranty fund deposit
More than 0 but not more than 15,000	\$10,000.00
15,000 but not more than 35,000	\$15,000.00
35,000 but not more than 60,000	\$25,000.00
60,000 but not more than 100,000	\$50,000.00
100,000 but not more than 150,000	\$75,000.00
150,000 but not more than 300,000	\$100,000.00
300,000 but not more than 500,000	\$150,000.00
500,000 or more	\$200,000.00

(2) For authority to transact business in two or more counties, the insurer must have a guaranty fund deposit in amount not less than the amount required under subsection (1) as to that one of the counties in which business is to be so transacted for which the largest amount is so required.

RCW 48.29.040 amended.

SEC. 17. Section .29.04, chapter 79, Laws of 1947 and RCW 48.29.040 are each amended to read as follows:

May do business in two or more counties.

Subject to the deposit requirements of RCW 48.29.030, a title insurer having its principal offices in one county may be authorized to transact business in only such additional counties as to which it owns and maintains, or has a duly authorized agent that owns and maintains, a complete set of tract indexes.

RCW 48.30.150 amended.

SEC. 18. Section .30.15, chapter 79, Laws of 1947 and RCW 48.30.150 are each amended to read as follows:

No insurer, general agent, agent, broker, solicitor, or other person shall, as an inducement to insurance, or in connection with any insurance transaction, provide in any policy for, or offer, or sell, buy, or offer or promise to buy or give, or promise, or allow to the insured or prospective insured or to any other person on his behalf in any manner whatsoever:

Unfair practices. Illegal inducements.

(1) Any shares of stock or other securities issued or at any time to be issued or any interest therein or rights thereto; or

(2) Any special advisory board contract, or other contract, agreement, or understanding of any kind, offering, providing for, or promising any profits or special returns or special dividends; or

(3) Any prizes, goods, wares, or merchandise of an aggregate value in excess of one dollar.

This section shall not be deemed to prohibit the sale or purchase of securities as a condition to or in connection with surety insurance insuring the performance of an obligation as part of a plan of financing found by the commissioner to be designed and operated in good faith primarily for the purpose of such financing.

SEC. 19. There is added to chapter 79, Laws of 1947 and chapter 48.30 RCW a new section to read as follows:

New section.

No life or disability insurer shall directly or indirectly participate in any plan to offer or effect any kind or kinds of insurance in this state as an inducement to the purchase by the public of any goods, securities, commodities, services or subscriptions to publications. This section shall not apply to group or blanket insurance issued pursuant to this code.

Life or disability insurer—Illegal inducements.

SEC. 20. There is added to chapter 79, Laws of 1947 and chapter 48.30 RCW a new section to read as follows:

New section.

Insurance.
Unfair prac-
tices. Debtor's
rights in
selection
of agent.

Every debtor or borrower, when property insurance of any kind is required in connection with the debt or loan, shall have reasonable opportunity and choice in the selection of the agent, broker, and insurer through whom such insurance is to be placed; but only if the insurance is properly provided for the protection of the creditor or lender not later than at commencement of risk as to such property as respects such creditor or lender, and in the case of renewal of insurance, only if the renewal policy is delivered to the creditor or lender not later than thirty days prior to the renewal date.

RCW 48.07.050
amended.

SEC. 21. Section .07.05, chapter 79, Laws of 1947 and RCW 48.07.050 are each amended to read as follows:

Domestic
insurers.
Directors—
Qualifica-
tions.

Not less than three-fourths of the directors of an incorporated domestic insurer shall be United States citizens, and a majority of the board of directors of a mutual life insurer shall be residents of this state.

Repeal.

SEC. 22. Section .09.02, chapter 79, Laws of 1947 and RCW 48.09.020, section .09.03, chapter 79, Laws of 1947 and RCW 48.09.030, section .09.04, chapter 79, Laws of 1947 and RCW 48.09.040, section .09.05, chapter 79, Laws of 1947 and RCW 48.09.050, section .09.06, chapter 79, Laws of 1947 and RCW 48.09.060, section .09.07, chapter 79, Laws of 1947 and RCW 48.09.070, and section .09.08, chapter 79, Laws of 1947 and RCW 48.09.080 are each repealed.

Passed the House February 25, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 194.

[H. B. 408.]

PLANNING COMMISSIONS—CITIES, COUNTIES.

AN ACT relating to planning commissions; and amending section 9, chapter 44, Laws of 1935 and RCW 35.63.120.

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

SECTION 1. Section 9, chapter 44, Laws of 1935 and RCW 35.63.120 are each amended to read as follows:

RCW 35.63.120 amended.

Any ordinance or resolution adopting any such plan or regulations, or any part thereof, may be amended, supplemented or modified by subsequent ordinance or resolution.

Supplemental restrictions.

Proposed amendments, supplementations, or modifications shall first be heard by the commission and the decision shall be made and reported by the commission within ninety days of the time that the proposed amendments, supplementations, or modifications were made.

The council or board, pursuant to public hearing called by them upon application therefor by any interested party or upon their own order, may affirm, modify or disaffirm any decision of the commission.

Passed the House February 23, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 195.

[H. B. 495.]

ELECTIONS—VOTING MACHINES.

AN ACT relating to elections; amending section 3, chapter 58, Laws of 1913, section 1, chapter 114, Laws of 1915, section 33, chapter 77, Laws of 1947 as last amended by section 5, chapter 323, Laws of 1955, and RCW 29.33.010, 29.33.100 and 29.33.160; amending section 12, chapter 58, Laws of 1913 and RCW 29.48.020 and 29.48.080; and amending sections 3093, 3094, 3095 and 3098, Code 1881, section 2, chapter 112, Laws of 1893, section 1, chapter 85, Laws of 1903, section 14, chapter 58, Laws of 1913, section 8, chapter 114, Laws of 1915, section 21, chapter 163, Laws of 1919, section 6, chapter 20, Laws of 1935 and RCW 29.54.080, 29.54.090, 29.54.100, 29.54.110, 29.54.120, 29.54.130, 29.62.020, 29.62.030 and 29.62.040.

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

Combination, division and amendment.

SECTION 1. Section 3, chapter 58, Laws of 1913, section 1, chapter 114, Laws of 1915, section 33, chapter 77, Laws of 1947 as last amended by section 5, chapter 323, Laws of 1955 (heretofore divided, combined and codified as RCW 29.33.010, 29.33.100 and 29.33.160) are amended to read as set forth in sections 2 through 4 of this act.

RCW 29.33.010 amended.

SEC. 2. (RCW 29.33.010) The following words used in this chapter have the meaning given them in this section:

Definitions. "Ballot label."

(1) "Ballot label" means the paper containing the names of offices and candidates and the statements of propositions to be voted upon;

"Candidate counters," "question counters."

(2) "Candidate counters" and "question counters" mean the counters on which are registered the votes cast for candidates and on questions respectively;

"Public counter."

(3) "Public counter" means a counter or other device, which shall at all times publicly indicate how many times the machine has been voted on at an election;

(4) "Protective counter" or "protective devices" means a counter or device that will register each time the machine is operated and shall be so constructed, and so connected that it cannot be reset, altered or operated, except by operating the machine; "Protective counter,"
"protective devices."

(5) "Diagram" means illustration of a voting machine complete with ballot labels prepared for a particular election or primary; "Diagram."

(6) "Irregular ballot" means a ballot cast by means of a voting machine by the use of a label which is a ballot label with no printing thereon; "Irregular ballot."

(7) "Statement of canvass" means a statement in book form of the votes cast upon a voting machine together with suitable certificates of correctness or, if the voting machine is equipped with printed election returns mechanism, the printed returns therefrom, together with suitable certificates thereon; "Statement of canvass."

(8) "Vote indicator" means the lever over each ballot label; "Vote indicator."

(9) "Voting machine booth" means the inclosure occupied by a voter while operating a voting machine; "Voting machine booth."

(10) "Printed election returns" means the papers, original and duplicates, which are produced by the voting machine after the close of the polls and which have imprinted and inscribed thereon the complete record of votes cast in the election in the precincts where voting machines equipped with printed election returns mechanism are used. "Printed election returns."

SEC. 3. (RCW 29.33.100) The governing body of any public corporation may adopt and provide for the use of voting machines approved by the state voting machine committee in any or all of the election precincts thereof. RCW 29.33.100
enacted
without
amendment.

SEC. 4. (RCW 29.33.160) General provisions with reference to use of voting machines are: RCW 29.33.160
enacted
without
amendment.

Elections.
Voting ma-
chines.

(1) The list of offices and candidates and the statements of measures when properly arranged and affixed by ballot labels to a voting machine shall be deemed an official ballot.

(2) A "diagram" as in this chapter defined shall be deemed a sample ballot.

(3) The protective counter on a voting machine must be so constructed that it cannot be reset, altered, or operated except by operating the machine in the manner it is operated when actually voting.

(4) Statements of canvass take the place of tally-keepers, statements, and returns provided for in connection with voting in precincts where voting machines are not used.

(5) Not later than forty days before any primary or election, for the purpose of using one or more voting machine therein, the county may create, unite, combine or divide election precincts. More than one voting machine may be used in the same precinct. There shall be at least one machine in each precinct: *Provided*, That where precincts have been combined under the provisions of this chapter, there shall be used at such combined polling place a number of voting machines no less than the number of precincts so combined.

(6) No voting machine shall be used at any election unless each [party] voting device thereon is locked against movement, and the machine has been prepared in such a way that the voter cannot by a single operation vote for all the candidates of one party.

Division and
amendment.

SEC. 5. Section 12, chapter 58, Laws of 1913 (heretofore divided and codified as RCW 29.48.020 and 29.48.080) is divided and amended to read as set forth in sections 6 and 7 of this act.

RCW 29.48.020
enacted
without
amendment.

SEC. 6. (RCW 29.48.020) The election officers of each precinct shall meet at the polling place there-

of at least forty-five minutes before the time set for opening the polls.

SEC. 7. (RCW 29.48.080) In precincts where machines are used the election officers before unlocking the machine for voting shall proceed as follows: RCW 29.48.080 amended.

(1) They shall see that the voting machine is placed where it can be conveniently attended by the election officers and conveniently operated by the voters, and where, unless its construction requires otherwise, the ballot labels thereon can be plainly seen by the election officers and the public when not being voted on; Inspection of voting machine.

(2) They shall see that the model is placed where each voter can conveniently operate it and receive instructions thereon as to the manner of voting, before entering the machine booth;

(3) They shall post one diagram inside the polling room and one outside, in places where the voters can conveniently examine them;

(4) They shall see that the lantern or other means provided for giving light is in such condition that the voting machine is sufficiently lighted to enable voters to readily read the names on the ballot labels;

(5) They shall see that the ballot labels are in the proper places on the machine;

(6) They shall see whether the number or other designating mark on the seal sealing the machine, also the number registered on the protective counter agree with the number written on the envelope containing the keys. If they do not agree they shall at once notify the custodian and delay unlocking the machine, and opening the polls until he has reexamined the machine;

(7) If the numbers or marks on the envelope containing the keys and upon the machine do agree, they shall proceed to see whether the public counter

Elections.
Polling place
—Before open.
Inspection
of voting
machine.

and all the candidate and question counters register "000." If any of the counters are found to register a number other than "000," one of the judges shall at once notify the custodian who shall set such counter at "000";

(8) Where voting machines equipped with printed election returns mechanism are used, they shall proceed to operate the mechanism provided to produce one imprinted "before election inspection sheet" showing whether the candidate and question counters register "000." If said sheet has imprinted thereon any numbers below any candidate's name or below any question's designation other than "000" one of the judges shall, after the polls close, under the scrutiny of the other members of the board of election officials, deduct that number from that candidate's or question's total in the space provided for on the return sheet.

After performing their duties as provided in this section, the election officers shall certify thereto in the appropriate places on the statement of canvass as provided thereon. When the polls are declared open, one of the election officers shall break the seal and unlock the machine for voting.

Combination,
division and
amendment.

SEC. 8. Sections 3093, 3094, 3095 and 3098, Code 1881, section 2, chapter 112, Laws of 1893, section 1, chapter 85, Laws of 1903, section 14, chapter 58, Laws of 1913, section 8, chapter 114, Laws of 1915, section 21, chapter 163, Laws of 1919, and section 6, chapter 20, Laws of 1935 (heretofore divided, combined and codified as RCW 29.54.080, 29.54.090, 29.54.100, 29.54.110, 29.54.120, 29.54.130, 29.62.020, 29.62.030 and 29.62.040) are amended to read as set forth in sections 9 through 17 of this act.

RCW 29.54.080
enacted
without
amendment.

SEC. 9. (RCW 29.54.080) As soon as all the ballots have been counted two sets of the following papers shall be assembled:

- (1) One poll list;
- (2) One tally book or set of tally sheets, or one statement of canvass where voting machines are used;
- (3) One each of the duplicate oaths of the inspector, the judges and the clerks.

To each set of papers shall be attached a certificate signed by the inspector, the judges and the clerks designating, in the order in which they appear upon the sample ballots, each candidate, the number of votes he received, and the office for which he is a candidate. The number of votes in each case must be written in words and figures (for example five thousand four hundred and fifty-two—(5452)).

One set shall constitute the “returns” to be made to the canvassing board or official; the other set shall be retained by the inspector and preserved by him for at least six months.

SEC. 10. (RCW 29.54.090) At any election or primary where machines are used, as soon as the last voter has voted, the election officers shall lock and seal the machine, unlock and open the doors of the counter compartment, and canvass the votes registered on the counters therein and the votes recorded on or in the device or devices for voting for persons not nominated, and shall make two statements of canvass thereof in the following manner:

RCW 29.54.090
amended.
Polling places
—After
closing.
Voting ma-
chine count
—Method.

- (1) One election officer shall call the designating number and letter of each candidate's counter in the order given on the statement of canvass, and another election officer shall repeat such number and letter as it is read, and announce the vote registered on such counter, which shall thereupon be entered in ink on each of the statements of canvass;

- (2) The canvass of each office shall be completed before proceeding to the next;

Elections.
Polling places
—After
closing.
Voting ma-
chine count
—Method.

(3) The vote on each question shall be canvassed in the same manner;

(4) The votes cast on the irregular ballots and paper ballots shall then be canvassed;

(5) All votes for persons or questions, the names or propositions of which appear on the ballot labels, must be cast on the proper counters therefor. All votes for persons or questions, whose names or propositions do not appear upon the ballot labels must be cast in the proper places or in the device for irregular ballots. Any votes not so cast shall not be counted, except in case of the use of paper ballots;

(6) In precincts where voting machines equipped with printed election returns mechanism are used, the original and duplicate originals of the printed returns sheet of the votes cast for questions and for candidates regularly nominated, or who have duly filed, together with the tabulation and inclusion of any votes written in on the paper roll for those not regularly nominated, or who have not filed, shall constitute the "election returns" and "statement of canvass" from each such precinct when properly certified by the board of election officials.

During the canvassing said printed returns sheets shall be available for public inspection and opportunity shall be given any person lawfully present to examine the returns sheets to ascertain the record of votes cast.

RCW 29.54.100
enacted
without
amendment.

SEC. 11. (RCW 29.54.100) After completing and writing down the canvass of the votes cast, the election officers shall verify it by comparing the figures on the statement of canvass with the figures on the counters in the machine and the names recorded on a device for voting for persons not nominated. They shall then certify, in the appropriate place on each of the statements of canvass:

(1) The number of voters that voted at the election as shown by the poll-list and by the number registered on the public counter;

(2) The number registered on the protective counter; and

(3) The number or other designating marks on the seal with which the machine has been sealed.

SEC. 12. (RCW 29.54.110) After completing and certifying to the statements of canvass, the inspector or a judge shall read therefrom in a distinct voice the name of each candidate, the designating number and letter of his counter as stated thereon, and the vote entered for each; also the vote for or against each question. One copy thereof shall then be placed in an envelope and sealed to become part of the returns. During the canvassing and announcing of the vote, the counter compartment shall remain open, and opportunity shall be given any person lawfully present to examine the counters to determine the correctness of the vote as announced: *Provided*, That where voting machines equipped with printed election returns mechanism are used, during the canvassing the printed returns sheets shall be available for public inspection and opportunity shall be given any person lawfully present to examine the returns sheets to ascertain the record of votes cast.

RCW 29.54.110
amended.
Voting ma-
chine count
—Public an-
nouncement.

SEC. 13. (RCW 29.54.120) The counter compartment shall then be locked and all keys of the machine shall be delivered in a sealed envelope to the county auditor or other election officer.

RCW 29.54.120
enacted
without
amendment.

SEC. 14. (RCW 29.54.130) The returns from each election precinct shall be transmitted to the county auditor or other election officer either by registered mail or in person by one of the judges or the inspector.

RCW 29.54.130
enacted
without
amendment.

Failure to transmit the returns is a misdemeanor punishable by a fine of not less than five dollars nor more than fifteen dollars.

Elections.
Canvassing
returns.
RCW 29.62.020
enacted
without
amendment.

SEC. 15. (RCW 29.62.020) On the tenth day after each election or primary or as soon as he has received the returns from all the precincts included therein, the county auditor shall call a meeting of the county canvassing board at his office on a day and hour certain, for the purpose of canvassing the votes cast therein. The canvassing board shall consist of the county auditor, the chairman of the board of county commissioners and the prosecuting attorney.

RCW 29.62.030
enacted
without
amendment.

SEC. 16. (RCW 29.62.030) If the primary or election is one at which the county auditor is to be nominated or elected, canvass of the returns for that office shall be made by the other two members of the board; if the two disagree, the returns for that office shall be canvassed by the presiding judge of the superior court of the county.

RCW 29.62.040
enacted
without
amendment.

SEC. 17. (RCW 29.62.040) The county canvassing board at any meeting for canvassing the returns of a primary or election shall proceed as follows:

(1) The chairman of the board of county commissioners shall administer the following oath to the county auditor:

“I do solemnly swear that the primary (or election) returns of the several precincts included in the primary (or election) last held in..... (here name the county or any other governmental unit not larger than a county if the election was held for it) have been in no wise altered by additions or erasures and that they are the same as when they were deposited in my office, so help me God.” This oath, the signature and certificate must be in writing and filed with the papers pertaining to the election;

(2) The county auditor with the assistance of the other members of the canvassing board shall proceed to count the vote of the precincts, precinct by precinct;

(3) Neither the tally books and sheets, the poll lists nor the certificate returned for any primary or election from any precinct shall be rejected for want of form or substance if it can be satisfactorily understood;

(4) File a certificate of their canvass signed by all the members with the county auditor;

(5) If there is a vacancy in the county canvassing board, the remaining members of the board shall choose one of the other county officers to act during the canvass;

(6) Failure to return the total votes counted, if they can be ascertained with reasonable certainty shall be a misdemeanor.

Passed the House February 26, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 196.

[H. B. 617.]

INDUSTRIAL INSURANCE—PENSION INCREASE.

AN ACT relating to the compensation and remedies of workmen injured in extra-hazardous employments and their dependents, and amending section 1, chapter 233, Laws of 1947 and RCW 51.32.070; and declaring an emergency with the effective date April 1, 1957.

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

RCW 51.32.070 amended.

SECTION 1. Section 1, page 233, Laws of 1947 and RCW 51.32.070 are hereby amended to read as follows:

Additional payments for prior pensioners.

Notwithstanding any other provision of law, every widow or invalid widower receiving a pension under this title shall, after April 1, 1957, be paid one hundred dollars per month, and every permanently totally disabled workman receiving a pension under this title shall, after such date, be paid one hundred dollars per month, in addition to any amount now or hereafter allowed in cases requiring the services of an attendant, if unmarried at the time his injury occurred; one hundred twenty-five dollars per month, in addition to any amount now or hereafter allowed in cases requiring the services of an attendant, if he or she has a wife or invalid husband; and seventy-five dollars per month, in addition to any amount now or hereafter allowed in cases requiring the services of an attendant, if the husband is not an invalid and the husband and wife are living together as such.

No part of such additional payments shall be payable from the accident fund or be charged against any class under the industrial insurance law.

The director of labor and industries shall pay monthly to every such widow, invalid widower, and totally disabled workman from the funds appropriated by the legislature such an amount as will, when

added to the pensions they are presently receiving, exclusive of amounts received for children or dependents or attendants, equal the amounts hereinabove specified.

In cases where money has been or shall be advanced to any such person from the pension reserve, the additional amount to be paid to him or her under this section shall be reduced by the amount of monthly pension which was or is predicated upon such advanced portion of the pension reserve.

The legislature shall make biennial appropriations to carry out the purposes of this section.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect April 1, 1957: *Provided*, That in order to facilitate accounting, the director of labor and industries, with the consent of the state auditor, may make such additional payments provided by this act from the reserve fund, and the state auditor shall monthly reimburse the reserve fund in an amount equal to the sum of such additional payments made in the preceding month, either by cash transfer or from any appropriation made available for that purpose.

Effective
date.

Proviso.

Passed the House March 9, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 197.

[H. B. 641.]

FOOD ESTABLISHMENTS—WORKER'S HEALTH PERMITS.

AN ACT relating to persons employed or working in food and beverage establishments; providing for workers' permits prescribing powers and duties; and providing penalties.

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

Food and beverage service workers permit. When necessary—Duration.

SECTION 1. It shall be unlawful for any person to be employed in the handling of unwrapped or unpackaged food unless he or she shall furnish and place on file with the person in charge of such establishment, a food and beverage service worker's permit, as prescribed by the state board of health. Such permit shall be kept on file by the employer and open for inspection at all reasonable hours by authorized public health officials. Such permit shall be returned to the employee upon termination of employment. Permits shall be valid for two years from date of issuance, and each employee shall furnish the person in charge of said food handling establishments such permit biennially.

Where valid—Cost.

SEC. 2. The permit provided in section 1 shall be valid in every city, town and county in the state, for the period for which it is issued, and no other health certificate shall be required of such employees by any municipal corporation or political subdivision of the state. The cost of the permit shall be uniform throughout the state and shall be in that amount set by the state board of health, not to exceed two dollars.

Certain acts unlawful.

SEC. 3. It shall be unlawful for any person afflicted with any contagious or infectious disease to work in or about any place where unwrapped or unpackaged food and/or beverage products are prepared or sold, or offered for sale for human con-

sumption and it shall be unlawful for any person knowingly to employ a person so afflicted.

SEC. 4. This act shall apply only to retail establishments regularly engaged in the business of food handling or food service. Retail establishments covered.

SEC. 5. Individuals under this act shall have thirty days from commencement of employment to secure health permits. Time limitation in procuring permit.

SEC. 6. Any violation of the provisions of this act shall be a misdemeanor. Penalty.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 198.

[H. B. 720.]

CORPORATIONS—FEES.

AN ACT relating to revenue; increasing filing fees and annual license fees of corporations; directing the deposit of one-half of all money collected as fees under chapter 70, Laws of 1937 to the credit of the world fair bond redemption fund; amending sections 1, 4, 5, and 32, chapter 70, Laws of 1937 and RCW 23.28.010, 23.28.020, 23.28.060, and 23.28.240; and amending section 2, chapter 70, Laws of 1937 and RCW 23.52.010.

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

RCW 23.28.010 amended.

SECTION 1. Section 1, chapter 70, Laws of 1937 and RCW 23.28.010 are each amended to read as follows:

Filing fees—
Articles—
Amendments
—Domestic.

Every domestic corporation, except one for which existing law provides a different fee schedule, shall pay for the filing of its articles of incorporation a fee of fifty dollars for the first fifty thousand dollars or less, of its authorized capital stock; and one-tenth of one percent additional on all amounts in excess of fifty thousand dollars and not exceeding one million dollars; one twenty-fifth of one percent additional on all amounts in excess of one million dollars, and not exceeding four million dollars; and one one-fiftieth of one percent additional on all amounts in excess of four million dollars; but in no case shall the amount exceed five thousand dollars.

Every domestic corporation, except one for which existing law provides a different fee schedule, desiring to file in the office of the secretary of state, articles amendatory or supplemental articles increasing its capital stock, or certificates of increase of capital stock, shall pay to the secretary of state the fees hereinabove in this section provided, in proportion to such increased capital stock upon the actual amount of such increase, and every such corporation

desiring to file other amendatory or supplemental articles shall pay to the secretary of state a fee of ten dollars.

SEC. 2. Section 4, chapter 70, Laws of 1937 and RCW 23.28.020 are each amended to read as follows:

Every corporation organized under the laws of this state, except the corporations for which existing law provides a different fee schedule, shall make and file an affidavit as to the amount of its authorized capital stock, and shall pay, on or before the first day of July of each and every year, to the secretary of state, and it shall be the duty of the secretary of state to collect, for the use of the state, an annual license fee of thirty dollars for the first fifty thousand dollars or less of its authorized capital stock; and one-twentieth of one percent additional on all amounts in excess of fifty thousand dollars, and not exceeding one million dollars; and one-fiftieth of one percent additional on all amounts in excess of one million dollars, and not exceeding four million dollars; and one one-hundredth of one percent additional on all amounts in excess of four million dollars; but in no case shall an annual license fee exceed the sum of two thousand five hundred dollars.

SEC. 3. Section 5, chapter 70, Laws of 1937 and RCW 23.28.060 are each amended to read as follows:

All foreign corporations doing intrastate business, or hereafter seeking to do intrastate business in this state shall pay for the privilege of doing such intrastate business in this state the same fees as are prescribed for domestic corporations for annual license fees in RCW 23.28.020 as now or hereafter amended, such fees to be computed upon the proportion of the capital stock represented or to be represented by its property and business in this state to be ascertained by comparing the entire volume of business with the volume of intrastate business in this state.

Corporations and associations for profit. Annual license fee—Foreign.

Any such corporation that shall employ an increased amount of its capital stock within this state shall pay license fees upon such increase in the same proportion as provided for payment of license fees by domestic corporations. Such corporations shall file with the secretary of state a statement showing the amount of such increase and shall forthwith pay to the secretary of state the increased license fee brought about by such increased use of capital represented by its property and business in this state. All fees shall be paid on or before the first day of July of each and every year.

RCW 23.52.010 amended.

SEC. 4. Section 2, chapter 70, Laws of 1937 and RCW 23.52.010 are each amended to read as follows:

Foreign corporations. Fees for admission of foreign corporations.

A foreign corporation doing an intrastate business or seeking to do an intrastate business in the state of Washington shall qualify so to do in the manner prescribed in this chapter and shall pay for the privilege of so doing the filing and license fees prescribed in chapter 70, Laws of 1937 as now or hereafter amended. Each and every foreign corporation doing an intrastate business or seeking to do an intrastate business in the state of Washington shall pay as a fee for the filing of the papers required in sections 3 and 16, chapter 70, Laws of 1937 (RCW 23.52.030), the same fees as are prescribed in RCW 23.28.010, as now or hereafter amended, for the filing of articles of incorporation of a domestic corporation. The fees are to be computed upon the portion of capital stock of such corporation represented or to be represented in the state of Washington, to be ascertained by comparing the value in money of its entire property and capital with the value in money of its property and capital in, or to be brought into, and used in this state. Any corporation that employs an increased amount of its capital stock within the state shall pay fees at the same rate upon such increase, and whenever such increase is made such corporation shall file

with the secretary of state, a statement showing the amount of such increase.

SEC. 5. Section 32, chapter 70, Laws of 1937 and RCW 23.28.240 are each amended to read as follows:

Any money received by the secretary of state under the provisions of chapter 70, Laws of 1937 as now or hereafter amended, shall be by him paid in to the state treasury to the credit of the world fair bond redemption fund. Immediately after payment of such bond redemption fund, charges and expenses thereof the fee schedules, filing and license fees provided for herein in sections 1, 2, 3, 4 and 5 shall be limited to and revert to the amounts prevailing prior to the adoption hereof.

Vetoed.

Passed the House March 8, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957, with the exception of section 5, which is vetoed.

Note: Excerpt of Governor's veto message reads as follows:

"House Bill 720 doubles the corporation filing fees and annual license fees of corporations. This bill as originally introduced contemplated that one-half of such fees should be credited to the world fair bond redemption fund and such intention is expressed in the title. Section 5, however, which was amended, provides that all such fees shall be credited to the world fair bond redemption fund. This section does not conform to the title.

"Furthermore, House Bill 720 is a companion bill to House Bill 700. House Bill 700, which I have approved, provides for the issuance of revenue bonds to be paid for from the proceeds of one-half of the corporation fees collected under the provisions of House Bill 720.

"Section 5 of House Bill 720 is inconsistent with the provisions of House Bill 700 and in order to permit the other half of the corporation filing fees to go into the general fund, Section 5 is vetoed. The remainder of the bill is approved."

Veto message, excerpt from.

CHAPTER 199.

[H. B. 455.]

DEPARTMENT OF INSTITUTIONS—MOTOR VEHICLE PLATES.

AN ACT relating to the department of institutions; making an appropriation; and declaring an emergency.

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

Appropriation for machinery, supplies, state penitentiary.

SECTION 1. There is appropriated to the department of institutions from the general fund, the sum of seventy-five thousand dollars or so much thereof as may be necessary for the purchase of machinery, supplies and equipment for the manufacture of motor vehicle license plates and highway signs at the state penitentiary.

Emergency.

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 February 16, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 200.

[S. B. 30.]

CORPORATIONS—SEAL.

AN ACT relating to corporate seals.

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

SECTION 1. The absence of a corporate seal on any deed, mortgage, lease, bond or other instrument or contract in writing shall not affect its validity, legality or character in any respect.

Effect of absence of corporate seal.

Passed the Senate February 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 201.

[S. B. 72.]

COUNTY CLERK—DESTRUCTION, USE OF RECORDS.

AN ACT relating to court records, exhibits and other records; adding two new sections to chapter 36.23 RCW and amending section 1, chapter 277, Laws of 1947 and RCW 36.23.070.

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

SECTION 1. There is added to chapter 36.23 RCW a new section to read as follows:

New section.

Notwithstanding any other law relating to the destruction of court records, the county clerk may cause to be destroyed all documents, records, instruments, books, papers, depositions, and transcripts, in any action or proceeding in the superior court, or otherwise filed in his office pursuant to law, if all of the following conditions exist:

Destruction of court records—Conditions requisite to.

(1) Ten years have elapsed since the filing of any paper in the action or proceeding and the records of the county clerk do not show that the

Destruction of court records—Conditions requisite to.

action or proceeding is pending on appeal in any court.

(2) The county clerk maintains for the use of the public a photographic film, microphotographic, photostatic or similar reproduction of each document, record, instrument, book, paper, deposition, or transcript so destroyed.

(3) At the time of the taking of said photographic film, microphotographic, photostatic or similar reproduction, the county clerk or other person under whose direction and control the same was taken, attached thereto, or to the sealed container in which the same was placed and has been kept, or incorporated in said photographic film, microphotographic, photostatic or similar reproduction, a certification that the copy is a correct copy of the original, or of a specified part thereof, as the case may be, the date on which taken, and the fact it was taken under his direction and control. The certificate must be under the official seal of the certifying officer, if there be any, or if he be the clerk of a court having a seal, under the seal of such court.

(4) The county clerk promptly seals and stores at least one original negative of each such photographic film, microphotographic, photostatic or similar reproduction in such manner and place as reasonably to assure its preservation indefinitely against loss, theft, defacement, or destruction.

New section.

SEC. 2. There is added to chapter 36.23 RCW a new section to read as follows:

Prints processed under section 1, as evidence.

Any print, whether enlarged or not, from any photographic film, including any photographic plate, microphotographic film, or photostatic negative or similar reproduction, of any original record, document, instrument, book, paper, deposition or transcript which has been processed in accordance with the provisions of section 1 of this act, and has been

certified by the county clerk under his official seal as a true copy, may be used in all instances, including introduction in evidence in any judicial or administrative proceeding, that the original record, document, instrument, book, paper, deposition or transcript might have been used, and shall have the full force and effect of said original for all purposes.

SEC. 3. Section 1, chapter 277, Laws of 1947 and RCW 36.23.070 are each amended to read as follows:

RCW 36.23.070 amended.

A county clerk may at any time more than ten years after the entry of final judgment in any action apply to the superior court for an authorizing order and, upon such order being signed and entered, destroy any exhibits which have theretofore been filed in such cause: *Provided*, That any exhibits which are deemed to possess historical value may be directed to be delivered by the clerk to libraries or historical societies.

Destruction of certain exhibits authorized.

Proviso.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 202.

[S. B. 102.]

CIVIL PROCEDURE—SERVICE OF SUMMONS.

AN ACT relating to the service of summons amending section 7, chapter 127, Laws of 1893 and RCW 4.28.080.

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

RCW 4.28.080 amended.

Summons, how served.

SECTION 1. Section 7, chapter 127, Laws of 1893 and RCW 4.28.080 is amended to read as follows:

The summons shall be served by delivering a copy thereof, as follows:

(1) If the action be against any county in this state, to the county auditor.

(2) If against any town or incorporated city in the state, to the mayor thereof.

(3) If against a school district, to the clerk thereof.

(4) If against a railroad corporation, to any station, freight, ticket or other agent thereof within this state.

(5) If against a corporation owning or operating sleeping cars, or hotel cars, to any person having charge of any of its cars or any agent found within the state.

(6) If against a domestic insurance company, to any agent authorized by such company to solicit insurance within this state.

(7) If against a foreign or alien insurance company, as provided in RCW 48.05.200 and 48.05.210.

(8) If against a company or corporation doing any express business, to any agent authorized by said company or corporation to receive and deliver express matters and collect pay therefor within this state.

(9) If the suit be against a company or corporation other than those designated in the preceding subdivisions of this section, to the president or other

head of the company or corporation, secretary, cashier or managing agent thereof or to the secretary, stenographer or office assistant of the president or other head of the company or corporation, secretary, cashier or managing agent. Summons,
how served.

(10) If the suit be against a foreign corporation or nonresident joint stock company, partnership or association doing business within this state, to any agent, cashier or secretary thereof.

(11) If against a minor under the age of fourteen years, to such minor personally, and also to his father, mother, guardian, or if there be none within this state, then to any person having the care or control of such minor, or with whom he resides, or in whose service he is employed, if such there be.

(12) If against any person for whom a guardian has been appointed for any cause, then to such guardian.

(13) In all other cases, to the defendant personally, or by leaving a copy of the summons at the house of his usual abode with some person of suitable age and discretion then resident therein.

Service made in the modes provided in this section shall be taken and held to be personal service.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 203.

[S. B. 129.]

JUSTICES OF THE PEACE—CITIES.

AN ACT relating to justices of the peace and amending section 12, chapter 11, Laws of 1955 and RCW 3.12.021; and amending section 2, chapter 41, Laws of 1913, as amended by section 2, chapter 156, Laws of 1951 and RCW 12.03.051.

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

RCW 3.12.021 amended.

SECTION 1. Section 12, chapter 11, Laws of 1955 and RCW 3.12.021 are each amended to read as follows:

Number in cities of five thousand or more.

The number of justices of the peace to be elected in cities having a population of five thousand or more, according to the last census, shall be as follows: Five thousand to thirty thousand, one; thirty thousand to seventy-five thousand, two; seventy-five thousand to one hundred twenty-five thousand, three; one hundred twenty-five thousand to one hundred seventy-five thousand, four; and one additional for each one hundred fifty thousand or major fraction thereof above one hundred seventy-five thousand.

RCW 3.12.071 amended.

SEC. 2. Section 2, chapter 41, Laws of 1913, as amended by section 2, chapter 156, Laws of 1951 and RCW 3.12.071 are each amended to read as follows:

Justices must be attorneys.

Justices of the peace in cities of five thousand population or more shall be attorneys at law duly admitted to practice in this state.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 204.

[S. B. 288.]

HIGHWAYS—TRAFFIC CONTROL DEVICES.

AN ACT relating to public highways and forbidding the erection or maintenance of certain devices adjacent thereto; amending section 62, chapter 53, Laws of 1937 and RCW 47.36.180; and declaring an emergency.

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

SECTION 1. Section 62, chapter 53, Laws of 1937 and RCW 47.36.180 are each amended to read as follows: RCW 47.36.180 amended.

It shall be unlawful to erect or maintain at or near a city street, county road or state highway any structure, sign, or device: Forbidden devices.

(1) Visible from a city street, county road or state highway and simulating any directional, warning, or danger sign or light likely to be mistaken for such a sign or bearing any such words as "danger," "stop," "slow," "turn," or similar words, figures, or directions likely to be construed as giving warning to traffic;

(2) Visible from a city street, county road or state highway and displaying any red, green, blue, or yellow light or intermittent or blinking light or rotating light identical or similar in size, shape and color to that used on any emergency vehicle or road equipment or any light otherwise likely to be mistaken for a warning, danger, directional, or traffic control signal or sign;

(3) Visible from a city street, county road or state highway and displaying any lights tending to blind persons operating vehicles upon the highway, city street or county road, or any glaring light, or any light likely to be mistaken for a vehicle upon the highway or otherwise to be so mistaken as to constitute a danger; or

State highway
and toll
bridges.
Traffic con-
trol devices.
Forbidden
devices.

(4) Visible from a city street, county road or state highway and flooding or intended to flood or directed across the roadway of the highway with a directed beam or diffused light, whether or not the flood light is shielded against directing its flood beam toward approaching traffic on the highway, city street or county road.

Any structure or device erected or maintained contrary to the provisions of this section is a public nuisance, and the Washington state highway commission, the chief of the Washington state patrol, the county sheriff or the chief of police of any city or town shall notify the owner thereof that it constitutes a public nuisance and must be removed, and if the owner fails to do so, the Washington state highway commision, the chief of the Washington state patrol, the county sheriff or the chief of police of any city or town may abate the nuisance.

Penalty.

If the owner shall fail to remove any such structure or device within fifteen days after being notified to remove such structure or device, he shall be guilty of a misdemeanor.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health, and safety of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 12, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 205.

[S. B. 340.]

PUBLIC SERVICE COMPANIES.

AN ACT relating to public service companies; amending section 9, chapter 95, Laws of 1953 and RCW 81.08.010; amending section 15, chapter 117, Laws of 1911 and RCW 81.28.050; amending section 1, chapter 133, Laws of 1949 and RCW 81.80.040; amending section 9, chapter 166, Laws of 1937 and RCW 81.80.130; amending section 4, chapter 264, Laws of 1947 and RCW 81.80.150; amending section 8, chapter 79, Laws of 1955 and RCW 81.80.320; amending section 22, chapter 95, Laws of 1953 and RCW 81.80.355; adding to chapter 154, Laws of 1933 and to chapter 22.20 RCW, a new section; repealing section 13, chapter 184, Laws of 1935 and RCW 81.80.160; and providing penalties.

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

SECTION 1. There is added to chapter 154, Laws of 1933 and to chapter 22.20 RCW a new section to read as follows:

New section.

In addition to all other penalties provided by law every "storage warehouseman" and "warehouseman" subject to the provisions of this chapter and every officer, agent, or employee of any such "storage warehouseman" or "warehouseman" who violates or who procures, aids or abets in the violation of any provisions of this chapter, or any order, rule, regulation, or decision of the commission shall incur a penalty of one hundred dollars for every such violation. Every violation shall be a separate and distinct offense, and in case of a continuing violation every day's continuance shall be a separate and distinct offense. Every act of commission or omission which procures, aids, or abets in the violation shall be considered a violation under this section and subject to the penalty herein specified.

Violation—
Additional penalties—
Separate offenses—
Penalty, due date—Action to recover.

The penalty shall become due and payable when the person incurring it receives a notice in writing from the commission describing the violation with

Wharfingers
and ware-
housemen.
Violation—
Penalty, due
date—Action
to recover.

reasonable particularity and advising such person that the penalty is due.

The commission may, upon written application therefor, received within fifteen days, remit or mitigate any penalty provided for in this section or discontinue any prosecution to recover the same upon such terms as it deems proper, and may ascertain the facts involved in all such applications in such manner and under such regulations as it deems proper.

If the amount of a penalty is not paid to the commission within fifteen days after receipt of the notice imposing it, or within fifteen days after the violator has received notice of the disposition of his application for remission or mitigation, the attorney general shall bring an action in the name of the state in the superior court of Thurston county or of some county in which such violator may be doing business, to recover the penalty. In all such actions the procedure and rules of evidence shall be the same as in ordinary civil actions except as otherwise herein provided. All penalties recovered under this chapter shall be paid into the state treasury and credited to the public service revolving fund.

RCW 81.08.010
amended.

SEC. 2. Section 9, chapter 95, Laws of 1953 and RCW 81.08.010 are each amended to read as follows:

Definitions.
"Public
service
company."

The term "public service company," as used in this chapter, shall mean every company now or hereafter engaged in business in this state as a public utility and subject to regulation as to rates and service by the public service commission under the provisions of this title or Title 22: *Provided*, That it shall not include any such company the issuance of stocks and securities of which is subject to regulation by the Interstate Commerce Commission: *Provided further*, That it shall not include any "motor carrier" as that term is defined in RCW 81.80.010.

Proviso.

Proviso.

SEC. 3. Section 15, chapter 117, Laws of 1911 and RCW 81.28.050 are each amended to read as follows:

RCW 81.28.050 amended.

Unless the commission otherwise orders, no change shall be made in any classification, rate, fare, charge, rule, or regulation filed and published by a common carrier, except after thirty days' notice to the commission and to the public published as aforesaid, which shall plainly state the changes proposed to be made in the schedule then in force, and the time when the changed rate, classification, fare, or charge will go into effect; and all proposed changes shall be shown by printing, filing and publishing new schedules or shall be plainly indicated upon the schedules in force at the time and kept open to public inspection. The commission, for good cause shown, may by order allow changes in rates without requiring the thirty days' notice and the publication. When any change is made in any rate, fare, charge, classification, rule, or regulation, attention shall be directed to such change by some character on the schedule, such character and its placement to be designated by the commission. The commission may, by order, for good cause shown, allow changes in any rate, fare, charge, classification, rule, or regulation without requiring any character to indicate each and every change to be made.

Common carriers. Tariff charges—Statutory notice—Exception.

SEC. 4. Section 1, chapter 133, Laws of 1949, and RCW 81.80.040 are each amended to read as follows:

RCW 81.80.040 amended.

The provisions of this chapter, except where specifically otherwise provided, and except the provisions providing for licenses, shall not apply to:

Motor freight carriers. Ex-empt vehicles.

(1) Motor vehicles when operated in transportation exclusively within the corporate limits of any city or town of less than ten thousand population unless contiguous to a city or town of ten thou-

Transportation. Motor freight carriers. Ex-empt vehicles.

sand population or over, nor between contiguous cities or towns both or all of which are less than ten thousand population;

(2) Motor vehicles when transporting exclusively the United States mail or in the transportation of newspapers or periodicals;

(3) Motor vehicles owned and operated by the United States, the state of Washington, or any county, city, town, or municipality therein, or by any department of them, or either of them;

(4) Motor vehicles specially constructed for towing disabled vehicles or wrecking and not otherwise used in transporting goods for compensation;

(5) Motor vehicles owned and operated by farmers in the transportation of their own farm, orchard or dairy products from point of production to market, or in the infrequent or seasonal transportation by one farmer for another in his immediate neighborhood of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy.

(6) Motor vehicles when transporting exclusively water in connection with construction projects only.

RCW 81.80.130 amended.

SEC. 5. Section 9, chapter 166, Laws of 1937 and RCW 81.80.130 are each amended to read as follows:

Regulatory power of commission over common carriers.

The commission shall supervise and regulate every "common carrier" in this state; make, fix, alter, and amend, just, fair, reasonable, minimum, maximum, or minimum and maximum, rates, charges, classifications, rules, and regulations for all "common carriers"; regulate the accounts, service, and safety of operations thereof; require the filing of reports and other data thereby; and supervise and regulate all "common carriers" in all other matters affecting their relationship with competing carriers of every

kind and the shipping and general public: *Provided*, The commission may by order approve rates filed by common carriers in respect to certain designated commodities and services when, in the opinion of the commission, it is impractical for the commission to make, fix, or prescribe rates covering such commodities and services.

SEC. 6. Section 4, chapter 264, Laws of 1947 and RCW 81.80.150 are each amended to read as follows:

RCW 81.80.150 amended.

The commission shall make, fix, construct, compile, promulgate, publish, and distribute tariffs containing compilations of rates, charges, classifications, rules, and regulations to be used by all common carriers. In compiling such tariffs it shall include within any given tariff compilation such carriers, groups of carriers, commodities, or geographical areas as it determines shall be in the public interest. Such compilations and publications may be made by the commission by compiling the rates, charges, classifications, rules, and regulations now in effect, and as they may be amended and altered from time to time after notice and hearing, by issuing and distributing revised pages or supplements to such tariffs or reissues thereof in accordance with the orders of the commission: *Provided*, That the commission, upon good cause shown, may establish temporary rates, charges, or classification changes to be made permanent, however, only after notice and hearing. The proper tariff, or tariffs, applicable to a carrier's operations shall be available to the public at each agency and office of all common carriers operating within this state. Such compilations and publications shall be sold by the commission for not to exceed five dollars for each tariff. Corrections to such publications shall be furnished to all subscribers to tariffs in the form of corrected pages to the tariffs, supple-

Tariffs to be compiled and sold by commission.

Proviso.

Motor freight carriers. Tariffs to be compiled and sold by commission.

ments or reissues thereof. In addition to the initial charge for each tariff, the commission shall charge an annual maintenance fee of not to exceed five dollars per tariff to cover the cost of issuing corrections or supplements and mailing them to subscribers: *Provided*, That copies may be furnished free to other regulatory bodies and departments of government and to colleges, schools, and libraries. All copies of the compilations, whether sold or given free, shall be issued and distributed under rules and regulations to be fixed by the commission: *Provided further*, That the commission may by order authorize common carriers to publish and file tariffs with the commission and be governed thereby in respect to certain designated commodities and services when, in the opinion of the commission, it is impractical for the commission to make, fix, construct, compile, publish and distribute tariffs covering such commodities and services.

Proviso.

Proviso.

RCW 81.80.320 amended.

SEC. 7. Section 8, chapter 79, Laws of 1955 and RCW 81.80.320 are each amended to read as follows:

Gross weight fees.

In addition to all other fees to be paid by him, every "common carrier" and "contract carrier" shall pay to the commission each year at the time of, in connection with, and before receiving his identification plates for each motor truck, trailer or semi-trailer owned or operated by him, based upon the maximum gross weight thereof as set by the carrier in his application for his regular license plates, the following fees:

Less than 4,000 pounds.....	\$7.00
4,000 pounds or more and less than 6,000 pounds.....	8.00
6,000 pounds or more and less than 8,000 pounds.....	9.00
8,000 pounds or more and less than 10,000 pounds.....	10.00
10,000 pounds or more and less	

than 12,000 pounds.....	11.00	Gross weight fees.
12,000 pounds or more and less than 14,000 pounds.....	12.00	
14,000 pounds or more and less than 16,000 pounds.....	13.00	
16,000 pounds or more and less than 18,000 pounds.....	14.00	
18,000 pounds or more and less than 20,000 pounds.....	15.00	
20,000 pounds or more and less than 22,000 pounds.....	16.00	
22,000 pounds or more and less than 24,000 pounds.....	17.00	
24,000 pounds or more and less than 26,000 pounds.....	18.00	
26,000 pounds or more and less than 28,000 pounds.....	19.00	
28,000 pounds or more and less than 30,000 pounds.....	20.00	
30,000 pounds or more and less than 32,000 pounds.....	21.00	
32,000 pounds or more and less than 34,000 pounds.....	22.00	
34,000 pounds or more and less than 36,000 pounds.....	23.00	

It is the intent of the legislature that the fees collected under the provisions of this chapter shall reasonably approximate the cost of supervising and regulating motor carriers subject thereto, and to that end the public service commission is authorized to decrease the schedule of fees provided in this section by general order entered before November 1st of any year in which it determines that the moneys then in the motor carrier account of the public service revolving fund and the fees currently to be paid will exceed the reasonable cost of supervising and regulating such carriers during the next succeeding calendar year. Whenever the cost ac-

Motor freight carriers. Gross weight fees.

counting records of the commission indicate that the schedule of fees as previously reduced should be increased such increase, not in any event to exceed the schedule set forth in this section, may be effected by a similar general order entered before November 1st. Any decrease or increase of gross weight fees as herein authorized, shall be made on a proportional basis as applied to the various classifications of equipment.

All fees collected under this section or under any other provision of this chapter shall be paid to the commission and shall be by it transmitted to the state treasurer within thirty days to be deposited to the credit of the public service revolving fund.

RCW 81.80.355 amended.

SEC. 8. Section 22, chapter 95, Laws of 1953 and RCW 81.80.355 are each amended to read as follows:

Unlawful advertising --Penalty.

Any person not holding a permit authorizing him to operate as a common carrier, contract carrier, or temporary carrier for the transportation of property for compensation in this state, or an exempt carrier, who displays on any building, vehicle, billboard or in any manner, any advertisement of, or by circular, letter, newspaper, magazine, poster, card or telephone directory, advertises the transportation of property for compensation shall be guilty of a misdemeanor and punishable as such.

Repeal.

SEC. 9. Section 13, chapter 184, Laws of 1935 and RCW 81.80.160 are each repealed.

Severability.

SEC. 10. 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 4, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 206.

[S. B. 437.]

HIGHWAYS—ECHO LAKE ROUTE.

AN ACT relating to public highways and making
an appropriation.

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

SECTION 1. Increased costs for highway and bridge construction since the enactment of the highway bond issues authorized by the 1951, 1953 and 1955 legislatures makes necessary additional money with which to complete that portion of primary state highway No. 2, beginning approximately four miles west of North Bend thence southwesterly by the most feasible route by way of Auburn to a junction with primary state highway No. 1 in the vicinity of Milton, commonly known as the "Echo Lake Route." It is vital to the economy of the state and traffic safety that this project be constructed as soon as the funds provided herein will permit.

Echo Lake
route. De-
claration of
necessity.

SEC. 2. To provide additional funds for the construction of the "Echo Lake Route," in addition to bonds authorized to be sold by RCW 47.10.160 and as allocated by RCW 47.10.270, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of three million dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall when notified by the Washington state highway commission, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of this project: *Provided*, That if funds are available in the motor vehicle fund in an amount greater than is necessary to pay current demands, moneys appropriated to the

Additional
bond issue
authorized—
Use of motor
vehicle fund.

state highway commission for highways purposes may be used to finance this project until such time as bonds are sold, as provided by law, at which time the motor vehicle fund shall be reimbursed.

Echo Lake
route. Form
and term
of bonds.

SEC. 3. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption bearing such interest, and such terms and conditions as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of this chapter shall be fully negotiable instruments.

Bonds not
general
obligations—
Taxes
pledged.

SEC. 4. Bonds issued under the provisions of this chapter shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in this chapter from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36 and RCW 82.36.020, 82.36.230, 82.36.250, and 82.36.400, as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and RCW 82.40.020, as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes

are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of this chapter and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of this chapter.

SEC. 5. The bonds issued under the terms of this chapter shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.10.150 through 47.10.270 shall be legal investment for any of the funds of the state except the permanent school fund.

Sale of bonds.

SEC. 6. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of the project referred to in section 1 of this chapter, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

Proceeds—
Deposit
and use.

SEC. 7. Any funds required to repay such bonds, or the interest thereon when due shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle

Source of
funds for
payment of
principal
and interest.

fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or the interest on any bonds.

Echo Lake
route. High-
way bond
retirement
fund.

SEC. 8. At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which will be required to meet interest or bond payments under this chapter when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimate so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

Excess sums
in bond re-
tirement
fund—Use.

SEC. 9. Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon

the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

SEC. 10. There is hereby appropriated from the motor vehicle fund to the state highway commission the sum of three million dollars, or so much thereof as may be necessary to carry out the provisions of this chapter, but no money shall be available under this appropriation from said fund unless a like amount of bonds provided for herein are sold and the moneys derived therefrom are deposited to the credit of such fund.

Appropriation
from motor
vehicle fund.

SEC. 11. If any provision of this act or the application thereof to any person, firm, or corporation or circumstance is held invalid, in whole or in part, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and to this end the provisions of this act are declared to be severable.

Severability,
enforce-
ability.

If any provision of this act shall be declared unconstitutional or ineffective in whole or in part by a court of competent jurisdiction, then to the extent that it is unconstitutional or ineffective, such provision shall not be enforced, nor shall such determination be deemed to invalidate the remaining provisions of this act.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 207.

[S. B. 472.]

DECEPTION PASS MARINE RESEARCH STATION—
TRANSFER.

AN ACT authorizing the Director of Fisheries to transfer part or all of certain property in Skagit County, Washington to the Washington State Parks and Recreation Commission.

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

Transfer to state parks and recreation commission authorized.

SECTION 1. The director of fisheries is hereby authorized to transfer part or all of the ownership and control of the Deception Pass Marine Research Station located on Bowman Bay, Skagit County, Washington, to the Washington State Parks and Recreation Commission upon conditions mutually agreeable to both the director and the Commission.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 208.

[S. B. 249.]

PUBLIC OFFICERS AND EMPLOYEES—WAGE
DEDUCTIONS.AN ACT relating to deductions from salaries or wages of
state officers or employees.*Be it enacted by the Legislature of the State of
Washington:*

SECTION 1. For the purpose of this chapter "United Fund" means the organization conducting the single, annual, consolidated effort to secure funds for distribution to agencies engaged in charitable and public health, welfare and service purposes, which is commonly known as the United Fund, or the organization which serves in place of the United Fund organizations in communities where an organization known as the United Fund is not organized.

"United
Fund"
defined.

SEC. 2. Any official of the state or of any of its political subdivisions authorized to disburse funds in payment of salaries or wages of public officers or employees is authorized, upon written request of the officer or employee, to deduct each month from the salary or wages of the officer or employee the amount of money designated by the officer or employee for payment to the United Fund.

Deduction
from wages
authorized
—Written
request
necessary.

The moneys so deducted shall be paid over promptly to the United Fund designated by the officer or employee. Subject to any regulations prescribed by the state auditor, the official authorized to disburse the funds in payment of salaries or wages may prescribe any procedures necessary to carry out this act.

Passed the Senate February 23, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 209.

[S. B. 279.]

MUNICIPAL UTILITIES—RESTRICTIONS ON DAMS.

AN ACT relating to municipal utilities, removing certain restrictions as to dams and other structures, and amending section 1, chapter 150, Laws of 1909 as last amended by section 1, chapter 214, Laws of 1947 and section 1, chapter 252, Laws of 1951 and RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060; and declaring an emergency.

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

Division and amendment.

SECTION 1. Section 1, chapter 150, Laws of 1909, as last amended by section 1, chapter 214, Laws of 1947, and section 1, chapter 252, Laws of 1951 (heretofore divided and codified as RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060) are divided and amended to read as set forth in sections 2, 3, 4, 5, 6 and 7 of this act.

RCW 80.40.010 amended.
Authority to acquire and operate waterworks.

SEC. 2. (RCW 80.40.010) A city or town may construct, condemn and purchase, purchase, acquire, add to, maintain and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: *Provided*, That all water sold by a municipal corporation outside its corporate limits shall be sold at just and reasonable rates.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining

water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or water works or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such water-course or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property.

Note: See also section 2, chapter 288, Laws of 1957.

SEC. 3. (RCW 80.40.020) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate systems of sewerage, and systems and plants for garbage and refuse collection and disposal, with full authority to manage, regulate, operate, and control them, and to fix the price of service thereof, within and without the limits of the city or town.

RCW 80.40.020
enacted
without
amendment.

Note: See also section 3, chapter 288, Laws of 1957.

SEC. 4. (RCW 80.40.030) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants and facilities for the preparation and manufacture of all stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, together with the right to use them, and also fix the price of and sell such products for use in the construction of municipal improvements.

RCW 80.40.030
enacted
without
amendment.

Note: See also section 4, chapter 288, Laws of 1957.

RCW 80.40.040
enacted
without
amendment.

SEC. 5. (RCW 80.40.040) A city or town may also construct, acquire, and operate public markets and cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables, and other perishable provisions.

Note: See also section 5, chapter 288, Laws of 1957.

RCW 80.40.050
enacted
without
amendment.

SEC. 6. (RCW 80.40.050) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, and other means of power and facilities for lighting, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, together with the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorize the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

Note: See also section 6, chapter 288, Laws of 1957.

RCW 80.40.060
enacted
without
amendment.

SEC. 7. (RCW 80.40.060) A city or town may also construct, condemn and purchase, acquire, add to, maintain, operate, or lease cable, electric, and other railways, automobiles, motor cars, motor buses, auto trucks, and any and all other forms or methods of transportation of freight or passengers within the corporate limits of the city or town for the transportation of freight and passengers above, upon, or underneath the ground, and fix, alter, regulate, and control the fares and rates to be charged therefor; and without the payment of any license fee or tax,

or the filing of a bond with, or the securing of a permit from, the state, or any department thereof, to engage in, carry on, and operate the business of transporting and carrying passengers or freight for hire by any method or combination of methods that the legislative authority of any city or town may by ordinance provide, with full authority to regulate and control the use and operation of vehicles or other agencies of transportation used for such business.

Note: See also section 7, chapter 288, Laws of 1957.

SEC. 8. This act is necessary for the immediate Emergency. 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 February 27, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 210.

[S. B. 471.]

STATE LANDS IN OLYMPIA—LEASE OF.

AN ACT relating to state lands, authorizing the leasing of certain state lands located in Olympia, and declaring an emergency.

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

SECTION 1. The director of the department of Lease grant authorized. general administration is authorized to grant a lease to the following described state owned property: Description. All or a portion of lots five, six, seven and eight of block sixty-seven of the plat of Olympia lying north of Union avenue and west of Columbia street and that portion of the vacated portion of Union avenue lying west of Columbia street, all in the city of Olympia, Thurston county, state of Washington, for a period of fifty years or less.

Certain state
lands in
Olympia.
Lease. Form
—Terms.

SEC. 2. The form of the lease shall be prepared by the attorney general. The lease shall be let upon terms as may be agreed upon between the parties including but not limited to the following: (1) The lessee shall within two years from the date of the execution of said lease erect upon said leased premises an office building constructed in accordance with detailed plans and specifications prepared and submitted by the director of the department of general administration; (2) No part of the cost of the construction of said building shall ever be or become an obligation of the state of Washington; (3) Any public agency designated by the director of the department of general administration shall have a prior right to occupy any or all of the building upon payment agreed upon by the agency and the lessee, not to exceed prevailing rental rates for comparable space; (4) During any time that all or a part of the building is not required for occupancy by a public agency, the lessee may rent such space to suitable tenants approved by the director of general administration; (5) Upon expiration of the lease the property including all improvements shall revert to the state.

Lease let on
call for bids,
advertised.

SEC. 3. The lease shall be let on a call for bids, advertised in the manner provided by law for the letting of public contracts, upon the terms most advantageous to the state of Washington.

Emergency.

SEC. 4. 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 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 211.

[S. B. 444.]

TOLL ROADS.

AN ACT relating to toll road projects by the Washington toll bridge authority and repealing sections 1 to 28 inclusive, chapter 268, Laws of 1955 and RCW 47.59.010, 47.59.020, 47.59.030, 47.59.040, 47.59.050, 47.59.060, 47.59.070, 47.59.080, 47.59.090, 47.59.100, 47.59.110, 47.59.120, 47.59.130, 47.59.140, 47.59.150, 47.59.160, 47.59.170, 47.59.180, 47.59.190, 47.59.200, 47.59.210, 47.59.220, 47.59.500, 47.59.510, 47.59.900, 47.59.910, 47.59.920, and 47.59.930.

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

SECTION 1. Sections 1 to 28 inclusive, chapter 268, Laws of 1955, and RCW 47.59.010, 47.59.020, 47.59.030, 47.59.040, 47.59.050, 47.59.060, 47.59.070, 47.59.080, 47.59.090, 47.59.100, 47.59.110, 47.59.120, 47.59.130, 47.59.140, 47.59.150, 47.59.160, 47.59.170, 47.59.180, 47.59.190, 47.59.200, 47.59.210, 47.59.220, 47.59.500, 47.59.510, 47.59.900, 47.59.910, 47.59.920, and 47.59.930 are each repealed. Repeal.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 212.

[S. B. 118.]

STATE INSTITUTIONS OF HIGHER LEARNING—
PURCHASES, CONCESSIONS.

AN ACT relating to education.

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

Contract for
certain pur-
chases over
one thousand
dollars to be
let by bid—
Procedure.

SECTION 1. The associated students of the University of Washington, the associated students of the State College of Washington and the student associations of the colleges of education shall contract for all purchases for printing of athletic programs, athletic tickets, athletic press brochures, yearbooks, magazines, newspapers and letting of concessions, exceeding one thousand dollars, notice of call for bid on the same to be published in at least two newspapers of general circulation in the county wherein the institution is located two weeks prior to the award being made. The contract shall be awarded to the lowest responsible bidder, if the price bid is fair and reasonable and not greater than the market value and price, and if the bid satisfactorily covers the quality, design, performance, convenience and reliability of service of the manufacturer and/or dealer. The associated students of the University of Washington, the associated students of the State College of Washington and the student associations of the colleges of education may require such security as they deem proper to accompany the bids submitted, and they shall also fix the amount of the bond or other security that shall be furnished by the person to whom the contract is awarded. The associated students of the University of Washington, the associated students of the State College of Washington and the student associations of the colleges of education may reject any or all bids submitted, if for any reason it is deemed for the best interest of

their organizations to do so and readvertise in accordance with the provisions of this section. The associated students of the University of Washington, the associated students of the State College of Washington and the student associations of the colleges of education may reject the bid of any person who has had a prior contract, and who did not, in its opinion, faithfully comply with its terms: *Provided*, That Proviso. nothing in this section shall apply to printing done on presses owned and operated by the associated students of the University of Washington, the associated students of the State College of Washington or the student associations of the colleges of education, or to printing done on presses owned or operated by their respective institutions.

Passed the Senate March 13, 1957.

Passed the House March 13, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 213.

[S. B. 136.]

METROPOLITAN MUNICIPAL CORPORATIONS.

AN ACT relating to municipal corporations, providing for the creation and operation of metropolitan municipal corporations to provide and coordinate certain specified public services and functions for prescribed geographic areas including two or more cities and towns and all or part of one or more counties.

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

Declaration of policy and purpose.

SECTION 1. It is hereby declared to be the public policy of the state of Washington to provide for the people of the populous metropolitan areas in the state the means of obtaining essential services not adequately provided by existing agencies of local government. The growth of urban population and the movement of people into suburban areas has created problems of sewage and garbage disposal, water supply, transportation, planning, parks and parkways which extend beyond the boundaries of cities, counties and special districts. For reasons of topography, location and movement of population, and land conditions and development, one or more of these problems cannot be adequately met by the individual cities, counties and districts of many metropolitan areas.

It is the purpose of this act to enable cities and counties to act jointly to meet these common problems in order that the proper growth and development of the metropolitan areas of the state may be assured and the health and welfare of the people residing therein may be secured.

Definitions. "Metropolitan municipal corporation."

SEC. 2. As used herein:

(1) "Metropolitan municipal corporation" means a municipal corporation of the state of Washington created pursuant to this act.

- (2) "Metropolitan area" means the area contained within the boundaries of a metropolitan municipal corporation, or within the boundaries of an area proposed to be organized as such a corporation. **Definitions.**
"Metropolitan area."
- (3) "City" means an incorporated city or town. "City."
- (4) "Component city" means an incorporated city or town within a metropolitan area. "Component city."
- (5) "Component county" means a county, all or part of which is included within a metropolitan area. "Component county."
- (6) "Central city" means the city with the largest population in a metropolitan area. "Central city."
- (7) "Central county" means the county containing the city with the largest population in a metropolitan area. "Central county."
- (8) "Special district" means any municipal corporation of the state of Washington other than a city, county, or metropolitan municipal corporation. "Special district."
- (9) "Metropolitan council" means the legislative body of a metropolitan municipal corporation. "Metropolitan council."
- (10) "City council" means the legislative body of any city or town. "City council."
- (11) "Population" means the number of residents as shown by the figures released for the most recent official state, federal, or county census, or population determination made under the direction of the state census board. "Population."
- (12) "Metropolitan function" means any of the functions of government named in section 5 of this act. "Metropolitan function."
- (13) "Authorized metropolitan function" means a metropolitan function which a metropolitan municipal corporation shall have been authorized to perform in the manner provided in this act. "Authorized metropolitan function."
- SEC. 3. Any area of the state containing two or more cities, at least one of which is a city of the first class, may organize as a metropolitan municipal **Metropolitan municipal corporations.**
Authorized.

corporation for the performance of certain functions, as provided in this act.

Metropolitan municipal corporations. Territory included, excluded.

SEC. 4. No metropolitan municipal corporation shall include only a part of any city, and every city shall be either wholly included or wholly excluded from the boundaries of such corporation. No territory shall be included within the boundaries of more than one metropolitan municipal corporation.

Functions authorized.

SEC. 5. A metropolitan municipal corporation shall have the power to perform any one or more of the following functions, when authorized in the manner provided in this act:

- (1) Metropolitan sewage disposal.
- (2) Metropolitan water supply.
- (3) Metropolitan public transportation.
- (4) Metropolitan garbage disposal.
- (5) Metropolitan parks and parkways.
- (6) Metropolitan comprehensive planning.

Unauthorized functions to be performed under other law.

SEC. 6. All functions of local government which are not authorized as provided in this act to be performed by a metropolitan municipal corporation, shall continue to be performed by the counties, cities and special districts within the metropolitan area as provided by law.

Resolution, petition for election—Requirements, procedure.

SEC. 7. A metropolitan municipal corporation may be created by vote of the qualified electors residing in a metropolitan area in the manner provided in this act. An election to authorize the creation of a metropolitan municipal corporation may be called pursuant to resolution or petition in the following manner:

- (1) A resolution or concurring resolutions calling for such an election may be adopted by either:
 - (a) The city council of a central city; or
 - (b) The city councils of two or more component cities other than a central city; or

(c) The board of commissioners of a central county.

A certified copy of such resolution or certified copies of such concurring resolutions shall be transmitted to the board of commissioners of the central county.

(2) A petition calling for such an election shall be signed by at least four percent of the qualified voters residing within the metropolitan area and shall be filed with the auditor of the central county.

Any resolution or petition calling for such an election shall describe the boundaries of the proposed metropolitan area, name the metropolitan function or functions which the metropolitan municipal corporation shall be authorized to perform initially and state that the formation of the metropolitan municipal corporation will be conducive to the welfare and benefit of the persons and property within the metropolitan area. After the filing of a first sufficient petition or resolution with such county auditor or board of county commissioners respectively, action by such auditor or board shall be deferred on any subsequent petition or resolution until after the election has been held pursuant to such first petition or resolution.

Upon receipt of such a petition, the auditor shall examine the same and certify to the sufficiency of the signatures thereon. For the purpose of examining the signatures on such petition, the auditor shall be permitted access to the voter registration books of each component county and each component city. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the board of commissioners of the central county, together with his certificate as to the sufficiency thereof: *Provided*, That such resolution or resolutions shall be approved by appropriate affirmative resolution of

Resolution,
petition for
election—
Requirements,
procedure.

Vetoed.

Vetoed.

the board of county commissioners of each county, the area of which is affected by said resolution or resolutions.

Metropolitan municipal corporations. Hearings on petition, resolution—Inclusion, exclusion of territory—Boundaries—Calling election.

SEC. 8. Upon receipt of a duly certified petition or a valid resolution calling for an election on the formation of a metropolitan municipal corporation, the board of commissioners of the central county shall fix a date for a public hearing thereon which shall be not more than sixty nor less than forty days following the receipt of such resolution or petition. Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the metropolitan area. The notice shall contain a description of the boundaries of the proposed metropolitan area, shall name the initial metropolitan function or functions and shall state the time and place of the hearing and the fact that any changes in the boundaries of the metropolitan area will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the effect of the formation of the proposed municipal metropolitan corporation. The commissioners may make such changes in the boundaries of the metropolitan area as they shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands, may not delete a portion of any city, and may not delete any portion of the proposed area which is contributing or may reasonably be expected to contribute to the pollution of any water course or body of water in the proposed area when the petition or resolution names metropolitan sewage disposal as a function to be performed by the proposed metropolitan municipal corporation. If the commissioners shall determine that any additional territory should

be included in the metropolitan area, a second hearing shall be held and notice given in the same manner as for the original hearing. The commissioners may adjourn the hearing on the formation of a metropolitan municipal corporation from time to time not exceeding thirty days in all. At the next regular meeting following the conclusion of such hearing the commissioners shall adopt a resolution fixing the boundaries of the proposed metropolitan municipal corporation, declaring that the formation of the proposed metropolitan municipal corporation will be conducive to the welfare and benefit of the persons and property therein and calling a special election on the formation of the metropolitan municipal corporation to be held not more than one hundred twenty days nor less than sixty days following the adoption of such resolution.

Hearings on petition, resolution—Inclusion, exclusion of territory—Boundaries—Calling election.

SEC. 9. The election on the formation of the metropolitan municipal corporation shall be conducted by the auditor of the central county in accordance with the general election laws of the state and the results thereof shall be canvassed by the county canvassing board of the central county, which shall certify the result of the election to the board of county commissioners of the central county, and shall cause a certified copy of such canvass to be filed in the office of the secretary of state. Notice of the election shall be published in one or more newspapers of general circulation in each component county in the manner provided in the general election laws. No person shall be entitled to vote at such election unless he is a qualified voter under the laws of the state in effect at the time of such election and has resided within the metropolitan area for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

Election procedure to form corporation and levy tax—Qualified voters—Establishment of corporation—First meeting of council.

Metropolitan
municipal
corporations.
Election pro-
cedure to
form corpo-
ration and
levy tax—
Qualified
voters—
Establishment
of corpora-
tion—First
meeting of
council.

“FORMATION OF METROPOLITAN
MUNICIPAL CORPORATION

“Shall a metropolitan municipal corpora-
tion be established for the area described in
a resolution of the board of commissioners
of county adopted on the
..... day of, 19....., to per-
form the metropolitan functions of.....
..... (here insert the title of each of
the functions to be authorized as set forth
in the petition or initial resolution).

YES
NO

If a majority of the persons voting on the proposi-
tion residing within the central city shall vote in
favor thereof and a majority of the persons voting
on the proposition residing in the metropolitan area
outside of the central city shall vote in favor thereof,
the metropolitan municipal corporation shall there-
upon be established and the board of commissioners
of the central county shall adopt a resolution setting
a time and place for the first meeting of the metro-
politan council which shall be held not later than
thirty days after the date of such election. A copy
of such resolution shall be transmitted to the legis-
lative body of each component city and county and
of each special district which shall be affected by
the particular metropolitan functions authorized.

At the same election there shall be submitted to
the voters residing within the metropolitan area, for
their approval or rejection, a proposition authoriz-
ing the metropolitan municipal corporation, if
formed, to levy at the earliest time permitted by
law on all taxable property located within the met-
ropolitan municipal corporation a general tax, for
one year, of one mill in excess of any constitutional
or statutory limitation for authorized purposes of
the metropolitan municipal corporation. The pro-

position shall be expressed on the ballots in substantially the following form:

“ONE YEAR ONE MILL LEVY

“Shall the metropolitan municipal corporation, if formed, levy a general tax of one mill for one year upon all the taxable property within said corporation in excess of the forty mill tax limit for authorized purposes of the corporation?

YES
NO

Such proposition to be effective must be approved by a majority of at least three-fifths of the persons voting on the proposition to levy such tax and the number of persons voting on the proposition shall constitute not less than forty percent of the total number of votes cast in the area of the proposed metropolitan municipal corporation at the last preceding county or state general election.

SEC. 10. A metropolitan municipal corporation may be authorized to perform one or more metropolitan functions in addition to those which it has previously been authorized to perform, with the approval of the voters at an election, in the manner provided in this section.

Additional functions—
Authorization by election—
Procedure.

An election to authorize a metropolitan municipal corporation to perform one or more additional metropolitan functions may be called pursuant to a resolution or a petition in the following manner:

- (1) A resolution calling for such an election may be adopted by:
 - (a) The city council of the central city; or
 - (b) The city councils of two or more component cities other than a central city; or
 - (c) The board of commissioners of the central county.

Metropolitan
municipal
corporations.
Additional
functions—
Authorization
by election—
Procedure.

Such resolution shall be transmitted to the metropolitan council.

(2) A petition calling for such an election shall be signed by at least four percent of the registered voters residing within the metropolitan area and shall be filed with the auditor of the central county.

Any resolution or petition calling for such an election shall name the additional metropolitan functions which the metropolitan municipal corporation shall be authorized to perform.

Upon receipt of such a petition, the auditor shall examine the signatures thereon and certify to the sufficiency thereof. For the purpose of examining the signatures on such petition, the auditor shall be permitted access to all voter registration books of any component county and of all component cities. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the metropolitan council, together with his certificate as to the sufficiency of signatures thereon.

Upon receipt of a valid resolution or duly certified petition calling for an election on the authorization of the performance of one or more additional metropolitan functions, the metropolitan council shall call a special election to be held not more than one hundred and twenty days nor less than sixty days following such receipt. Such special election shall be conducted and canvassed as provided in this act for an election on the question of forming a metropolitan municipal corporation. The ballot proposition shall be in substantially the following form:

“Shall the metropolitan municipal corporation be authorized to perform the additional metropolitan functions of (here insert the title of each

of the additional functions to be authorized as set forth in the petition or resolution)?

YES
NO

If a majority of the persons voting on the proposition shall vote in favor thereof, the metropolitan municipal corporation shall be authorized to perform such additional metropolitan function or functions.

SEC. 11. A metropolitan municipal corporation may be authorized to perform one or more metropolitan functions in addition to those which it previously has been authorized to perform, without an election, in the manner provided in this section. A resolution providing for the performance of such additional metropolitan function or functions shall be adopted by the metropolitan council. A copy of such resolution shall be transmitted by registered mail to the legislative body of each component city and county. If, within ninety days after the date of such mailing, a concurring resolution is adopted by the legislative body of each component county, of each component city of the first class, and of at least two-thirds of all other component cities, and such concurring resolutions are transmitted to the metropolitan council, such council shall by resolution declare that the metropolitan municipal corporation has been authorized to perform such additional metropolitan function or functions. A copy of such resolution shall be transmitted by registered mail to the legislative body of each component city and county and of each special district which will be affected by the particular additional metropolitan function authorized.

Additional functions— Authorization without election.

SEC. 12. A metropolitan municipal corporation shall be governed by a metropolitan council composed of the following:

Metropolitan council.

Metropolitan
municipal
corporations.
Council.
Composition
—Chairman.

(1) One member selected by, and from, the board of commissioners of each component county;

(2) One additional member selected by the board of commissioners of each component county for each county commissioner district containing twenty thousand or more persons residing in the unincorporated portion of such commissioner district lying within the metropolitan municipal corporation who shall be a resident of such unincorporated portion: *Provided*, That one additional member shall be selected by and from, the board of county commissioners for each county commissioner district containing less than twenty thousand persons in its unincorporated area.

(3) One member who shall be the mayor of the central city.

(4) One member from each of the three largest component cities containing a population of ten thousand or more other than the central city, selected by, and from, the mayor and city council of each of such cities.

(5) One member representing all component cities other than the four largest cities with a population of ten thousand or more, to be selected from the mayors and city councils of such smaller cities by the mayors of such cities in the following manner: The mayors of all such cities shall meet on the second Tuesday following the establishment of a metropolitan municipal corporation and thereafter on the third Tuesday in June of each even-numbered year at two o'clock p. m. at the office of the board of county commissioners of the central county. The chairman of such board shall preside. After nominations are made, successive ballots shall be taken until one candidate receives a majority of all votes cast.

(6) One member selected by, and from, the city council of the central city.

(7) One member selected by, and from, the city council of each component city containing a population of fifty thousand or more.

Council.
Composition
—Chairman.

(8) One additional member selected by and from the city council of each component city containing a population of one hundred thousand or more.

(9) One additional member selected by, and from, the city council of each component city containing a population of one hundred thousand or more for each one hundred thousand population over and above the first one hundred thousand.

(10) One member, who shall be chairman of the metropolitan council, selected by the other members of the council. He shall not hold any public office other than that of notary public or member of the military forces of the United States or of the state of Washington not on active duty.

SEC. 13. At the first meeting of the metropolitan council following the formation of a metropolitan municipal corporation, the mayor of the central city shall serve as temporary chairman. As its first official act the council shall elect a chairman. The chairman shall be a voting member of the council and shall preside at all meetings. In the event of his absence or inability to act the council shall select one of its members to act as chairman pro tempore. A majority of all members of the council shall constitute a quorum for the transaction of business. A smaller number of council members than a quorum may adjourn from time to time and may compel the attendance of absent members in such manner and under such penalties as the council may provide. The council shall determine its own rules and order of business, shall provide by resolution for the manner and time of holding all regular and special meetings and shall keep a journal of its proceedings which shall be a public record. Every legislative act

Organization,
chairman,
procedures.

of the council of a general or permanent nature shall be by resolution.

Metropolitan
municipal
corporations.
Council.
Terms.

SEC. 14. Each member of a metropolitan council except those selected under the provisions of section 12 (3), (5) and (10), shall hold office at the pleasure of the body which selected him. Each member, who shall hold office ex officio, may not hold office after he ceases to hold the position of mayor, commissioner, or councilman. The chairman shall hold office until the second Tuesday in July of each even-numbered year and may, if reelected, serve more than one term. Each member shall hold office until his successor has been selected as provided in this act.

Vacancies.

SEC. 15. A vacancy in the office of a member of the metropolitan council shall be filled in the same manner as provided for the original selection. The meeting of mayors to fill a vacancy of the member selected under the provisions of section 12 (5) shall be held at such time and place as shall be designated by the chairman of the metropolitan council after ten days' written notice mailed to the mayors of each of the cities specified in section 12 (5).

Compensation.

SEC. 16. The chairman of the metropolitan council shall receive such compensation as the other members of the metropolitan council shall provide. Members of the council other than the chairman shall receive compensation for attendance at metropolitan council or committee meetings of twenty-five dollars per diem but not exceeding a total of two hundred dollars in any one month, in addition to any compensation which they may receive as officers of component cities or counties: *Provided*, That elected public officers serving in such capacities on a full time basis shall not receive compensation for attendance at metropolitan, council or committee meetings. All members of the council shall be reim-

bursed for expenses actually incurred by them in the conduct of official business for the metropolitan municipal corporation.

SEC. 17. The name of a metropolitan municipal corporation shall be established by its metropolitan council. Each metropolitan municipal corporation shall adopt a corporate seal containing the name of the corporation and the date of its formation.

Metropolitan
municipal
corporations.
Name and
seal.

SEC. 18. In addition to the powers specifically granted by this act a metropolitan municipal corporation shall have all powers which are necessary to carry out the purposes of the metropolitan municipal corporation and to perform authorized metropolitan functions. A metropolitan municipal corporation may contract with the United States or any agency thereof, any state or agency thereof, any other metropolitan municipal corporation, any county, city, special district, or governmental agency for the operation by such entity of any facility or the performance of any service which the metropolitan municipal corporation may be authorized to operate or perform, on such terms as may be agreed upon by the contracting parties.

General
power of
corporation.

A metropolitan municipal corporation may sue and be sued in its corporate capacity in all courts and in all proceedings.

SEC. 19. The metropolitan council shall provide by resolution the effective date on which the metropolitan municipal corporation will commence to perform any one or more of the metropolitan functions which it shall have been authorized to perform.

Performance
of functions,
commence-
ment date.

SEC. 20. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan sewage disposal, it shall have the following powers in addition to the general powers granted by this act:

Powers rela-
tive to
sewage
disposal.

- (1) To prepare a comprehensive sewage disposal

Metropolitan
municipal
corporations.
Powers rela-
tive to
sewage
disposal.

and storm water drainage plan for the metropolitan area.

(2) To acquire by purchase, condemnation, gift, or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of metropolitan facilities for sewage disposal and storm water drainage within or without the metropolitan area, including trunk, interceptor and outfall sewers, whether used to carry sanitary waste, storm water, or combined storm and sanitary sewage, lift and pumping stations, sewage treatment plants, together with all lands, properties, equipment and accessories necessary for such facilities. Sewer facilities which are owned by a city or special district may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or special districts owning such facilities. Cities and special districts are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or special district and the metropolitan council, without submitting the matter to the voters of such city or district.

(3) To require counties, cities, special districts and other political subdivisions to discharge sewage collected by such entities from any portion of the metropolitan area into such metropolitan facilities as may be provided to serve such areas when the metropolitan council shall declare by resolution that the health, safety, or welfare of the people within the metropolitan area requires such action.

(4) To fix rates and charges for the use of metropolitan sewage disposal and storm water drainage facilities.

(5) To establish minimum standards for the construction of local sewer facilities and to approve

plans for construction of such facilities by component counties or cities or by special districts wholly or partly within the metropolitan area. No such county, city, or special district shall construct such facilities without first securing such approval.

Powers
relative to
sewage
disposal.

(6) To acquire by purchase, condemnation, gift, or grant, to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local collection of sewage or storm water in portions of the metropolitan area not contained within any city or sewer district and, with the consent of the legislative body of any city or sewer district, to exercise such powers within such city or sewer district and for such purpose to have all the powers conferred by law upon such city or sewer district with respect to such local collection facilities. All costs of such local collection facilities shall be paid for by the area served thereby.

SEC. 21. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan sewage disposal, the metropolitan council shall, prior to the effective date of the assumption of such function, cause a metropolitan sewer advisory committee to be formed by notifying the legislative body of each component city which operates a sewer system to appoint one person to serve on such advisory committee and the board of commissioners of each sewer district, any portion of which lies within the metropolitan area, to appoint one person to serve on such committee who shall be a sewer district commissioner. The metropolitan sewer advisory committee shall meet at the time and place provided in the notice and elect a chairman. The members of such committee shall serve at the pleasure of the appointing bodies and shall receive no compensation other than reimbursement for expenses actually incurred in the performance of their duties. The function of such advisory committee shall be to

Metropolitan
sewer
advisory
committee.

advise the metropolitan council in matters relating to the performance of the sewage disposal function.

Metropolitan
municipal
corporations.
Powers
relative to
water supply.

SEC. 22. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan water supply, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare a comprehensive plan for the development of sources of water supply, trunk supply mains and water treatment and storage facilities for the metropolitan area.

(2) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of metropolitan facilities for water supply within or without the metropolitan area, including buildings, structures, water sheds, wells, springs, dams, settling basins, intakes, treatment plants, trunk supply mains and pumping stations, together with all lands, property, equipment and accessories necessary to enable the metropolitan municipal corporation to obtain and develop sources of water supply. treat and store water and deliver water through trunk supply mains. Water supply facilities which are owned by a city or special district may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or special district owning such facilities. Cities and special districts are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or special district and the metropolitan council, without submitting the matter to the voters of such city or district.

(3) To fix rates and charges for water supplied by the metropolitan municipal corporation.

(4) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local distribution of water in portions of the metropolitan area not contained within any city or water district and, with the consent of the legislative body of any city or water district, to exercise such powers within such city or water district and for such purpose to have all the powers conferred by law upon such city or water district with respect to such local distribution facilities. All costs of such local distribution facilities shall be paid for by the area served thereby.

Powers
relative to
water supply.

SEC. 23. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan water supply, the metropolitan council shall, prior to the effective date of the assumption of such function, cause a metropolitan water advisory committee to be formed by notifying the legislative body of each component city which operates a water system to appoint one person to serve on such advisory committee and the board of commissioners of each water district, any portion of which lies within the metropolitan area, to appoint one person to serve on such committee who shall be a water district commissioner. The metropolitan water advisory committee shall meet at the time and place provided in the notice and elect a chairman. The members of such committee shall serve at the pleasure of the appointing bodies and shall receive no compensation other than reimbursement for expenses actually incurred in the performance of their duties. The function of such advisory committee shall be to advise the metropolitan council with respect to matters relating to the performance of the water supply function.

Metropolitan
water
advisory
committee.

SEC. 24. If a metropolitan municipal corporation shall be authorized to perform the function of metro-

Powers
relative to
transportation.

Metropolitan
municipal
corporations.
Powers
relative to
transportation.

politan transportation, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare and develop a comprehensive plan for public transportation service which will best serve the residents of the metropolitan area.

(2) To acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of metropolitan transportation facilities within or without the metropolitan area, including systems of surface, underground or overhead railways, tramways, busses, or any other means of local transportation except taxis, and including passenger terminal and parking facilities, together with all lands, rights of way, property, equipment and accessories necessary for such systems and facilities. Public transportation facilities which are owned by any city may be acquired or used by the metropolitan municipal corporation only with the consent of the city council of the city owning such facilities. Cities are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the city council of such city and the metropolitan council, without submitting the matter to the voters of such city.

(3) To fix rates and charges for the use of such facilities.

Other local
public pas-
senger trans-
portation
service pro-
hibited—
Agreements
—Purchase—
Condemna-
tion.

SEC. 25. Except in accordance with an agreement made as provided herein, upon the effective date on which the metropolitan municipal corporation commences to perform the metropolitan transportation function, no person or private corporation shall operate a local public passenger transportation service within the metropolitan area with the exception of taxis, busses owned or operated by a school district or private school, and busses owned or operated

by any corporation or organization solely for the purposes of the corporation or organization and for the use of which no fee or fare is charged.

An agreement may be entered into between the metropolitan municipal corporation and any person or corporation legally operating a local public passenger transportation service wholly within or partly within and partly without the metropolitan area and on said effective date under which such person or corporation may continue to operate such service or any part thereof for such time and upon such terms and conditions as provided in such agreement. Where any such local public passenger transportation service will be required to cease to operate within the metropolitan area, the commission may agree with the owner of such service to purchase the assets used in providing such service, or if no agreement can be reached, the commission shall condemn such assets in the manner provided herein for the condemnation of other properties.

Agreements—
Purchase—
Condemnation.

Wherever a privately owned public carrier operates wholly or partly within a metropolitan municipal corporation, the Washington Public Service Commission shall continue to exercise jurisdiction over such operation as provided by law.

SEC. 26. If a metropolitan municipal corporation shall be authorized to perform the metropolitan transportation function, it shall, upon the effective date of the assumption of such power, have and exercise all rights with respect to the construction, acquisition, maintenance, operation, extension, alteration, repair, control and management of passenger transportation which any component city shall have been previously empowered to exercise and such powers shall not thereafter be exercised by such component cities without the consent of the metropolitan municipal corporation: *Provided*, That any city owning and operating a public transportation

Transportation function
—Acquisition
of city
system.

system on such effective date may continue to operate such system within such city until such system shall have been acquired by the metropolitan municipal corporation and a metropolitan municipal corporation may not acquire such system without the consent of the city council of such city.

Metropolitan
municipal
corporations.
Metropolitan
transit
commission.

SEC. 27. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan transportation, a metropolitan transit commission shall be formed prior to the effective date of the assumption of such function. Except as provided in this section, the metropolitan transit commission shall exercise all powers of the metropolitan municipal corporation with respect to metropolitan transportation facilities, including but not limited to the power to construct, acquire, maintain, operate, extend, alter, repair, control and manage a local public transportation system within and without the metropolitan area, to establish new passenger transportation services and to alter, curtail, or abolish any services which the commission may deem desirable, to fix tolls and fares, so that the revenue of the system shall be sufficient to meet all operating transportation costs but not necessarily sufficient to meet the cost of construction or acquisition of new facilities and depreciation of facilities, unless the commission shall elect to do so.

The metropolitan transit commission shall authorize expenditures for transportation purposes within the budget adopted by the metropolitan council. Bonds of the metropolitan municipal corporation for public transportation purposes shall be issued by the metropolitan council as provided in this act.

The metropolitan transit commission shall consist of five members appointed by the metropolitan council. Three members of the first metropolitan transit commission shall be selected from the existing transit commission of the central city, if there be a transit

commission in such city. The terms of first appointees shall be for one, two, three, four and five years, respectively. Thereafter, commissioners shall serve for a term of four years. Compensation of transit commissioners shall be determined by the metropolitan council.

SEC. 28. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan garbage disposal, it shall have the following powers in addition to the general powers granted by this act:

Powers
relative to
garbage
disposal.

(1) To prepare a comprehensive garbage disposal plan for the metropolitan area.

(2) To acquire by purchase, condemnation, gift, or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of metropolitan facilities for garbage disposal within or without the metropolitan area, including garbage disposal sites, central collection station sites, structures, machinery and equipment for the operation of central collection stations and for the hauling and disposal of garbage by any means, together with all lands, property, equipment and accessories necessary for such facilities. Garbage disposal facilities which are owned by a city or county may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of the city or county owning such facilities. Cities and counties are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative body of such city or county and the metropolitan council, without submitting the matter to the voters of such city or county.

(3) To fix rates and charges for the use of metropolitan garbage disposal facilities.

(4) With the consent of any component city,

Metropolitan
municipal
corporations.
Power
relative to
garbage
disposal.

to acquire by purchase, condemnation, gift or grant and to lease, construct, add to, improve, replace, repair, maintain, operate and regulate the use of facilities for the local collection of garbage within such city, and for such purpose to have all the powers conferred by law upon such city with respect to such local collection facilities. Nothing herein contained shall be deemed to authorize the local collection of garbage except in component cities. All costs of such local collection facilities shall be paid for by the area served thereby.

Powers
relative to
parks and
parkways.

SEC. 29. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan parks and parkways, it shall have the following powers in addition to the general powers granted by this act:

(1) To prepare a comprehensive plan of metropolitan parks and parkways.

(2) To acquire by purchase, condemnation, gift or grant, to lease, construct, add to, improve, develop, replace, repair, maintain, operate and regulate the use of metropolitan parks and parkways, together with all lands, rights of way, property, equipment and accessories necessary therefor. A park or parkway shall be considered to be a metropolitan facility if the metropolitan council shall by resolution find it to be of use and benefit to all or a major portion of the residents of the metropolitan area. Parks or parkways which are owned by a component city or county may be acquired or used by the metropolitan municipal corporation only with the consent of the legislative body of such city or county. Cities and counties are hereby authorized to convey or lease such facilities to metropolitan municipal corporations or to contract for their joint use on such terms as may be fixed by agreement between the legislative bodies of such city or county and the metropolitan council, without submitting the

matter to the voters of such city or county. If parks or parkways which have been acquired or used as metropolitan facilities shall no longer be used for park purposes by the metropolitan municipal corporation, such facilities shall revert to the component city or county which formerly owned them.

(3) To fix fees and charges for the use of metropolitan park and parkway facilities.

SEC. 30. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan parks and parkways, a metropolitan park board shall be formed prior to the effective date of the assumption of such function. Except as provided in this section, the metropolitan park board shall exercise all powers of the metropolitan municipal corporation with respect to metropolitan park and parkway facilities.

Metropolitan
park board.

The metropolitan park board shall authorize expenditures for park and parkway purposes within the budget adopted by the metropolitan council. Bonds of the metropolitan municipal corporation for park and parkway purposes shall be issued by the metropolitan council as provided in this act.

The metropolitan park board shall consist of five members appointed by the metropolitan council at least two of whom shall be residents of the central city. The terms of first appointees shall be for one, two, three, four and five years, respectively. Thereafter members shall serve for a term of four years. Compensation of park board members shall be determined by the metropolitan council.

SEC. 31. If a metropolitan municipal corporation shall be authorized to perform the function of metropolitan comprehensive planning, it shall have the following powers in addition to the general powers granted by this act:

Powers
relative to
planning.

(1) To prepare a recommended comprehensive

Metropolitan
municipal
corporations.
Powers
relative to
planning.

land use and capital facilities plan for the metropolitan area.

(2) To review proposed zoning ordinances and resolutions or comprehensive plans of component cities and counties and make recommendations thereon. Such proposed zoning ordinances and resolutions or comprehensive plans must be submitted to the metropolitan council prior to adoption and may not be adopted until reviewed and returned by the metropolitan council. The metropolitan council shall cause such ordinances, resolutions and plans to be reviewed by the planning staff of the metropolitan municipal corporation and return such ordinances, resolutions and plans, together with their findings and recommendations thereon within sixty days following their submission.

(3) To provide planning services for component cities and counties upon request and upon payment therefor by the cities or counties receiving such service.

Eminent
domain.

SEC. 32. A metropolitan municipal corporation shall have power to acquire by purchase and condemnation all lands and property rights, both within and without the metropolitan area, which are necessary for its purposes. Such right of eminent domain shall be exercised by the metropolitan council in the same manner and by the same procedure as is or may be provided by law for cities of the first class, except insofar as such laws may be inconsistent with the provisions of this act.

Powers exer-
cised with
relation to
public rights
of way
without
franchise—
Conditions.

SEC. 33. A metropolitan municipal corporation shall have power to construct or maintain metropolitan facilities in, along, on, under, over, or through public streets, bridges, viaducts, and other public rights of way without first obtaining a franchise from the county or city having jurisdiction over the same: *Provided*, That such facilities shall be constructed and maintained in accordance with the ordinances

Proviso.

and resolutions of such city or county relating to construction, installation and maintenance of similar facilities in such public properties.

SEC. 34. Except as otherwise provided herein, a metropolitan municipal corporation may sell, or otherwise dispose of any real or personal property acquired in connection with any authorized metropolitan function and which is no longer required for the purposes of the metropolitan municipal corporation in the same manner as provided for cities of the first class. When the metropolitan council determines that a metropolitan facility or any part thereof which has been acquired from a component city or county without compensation is no longer required for metropolitan purposes, but is required as a local facility by the city or county from which it was acquired, the metropolitan council shall by resolution transfer it to such city or county.

Disposition
of unneeded
property.

SEC. 35. All the powers and functions of a metropolitan municipal corporation shall be vested in the metropolitan council unless expressly vested in specific officers, boards, or commissions by this act. Without limitation of the foregoing authority, or of other powers given it by this act, the metropolitan council shall have the following powers:

Powers of
metropolitan
council.

(1) To establish offices, departments, boards and commissions in addition to those provided by this act which are necessary to carry out the purposes of the metropolitan municipal corporation, and to prescribe the functions, powers and duties thereof.

(2) To appoint or provide for the appointment of, and to remove or to provide for the removal of, all officers and employees of the metropolitan municipal corporation except those whose appointment or removal is otherwise provided for by this act.

(3) To fix the salaries, wages and other compensation of all officers and employees of the metro-

politan municipal corporation unless the same shall be otherwise fixed in this act.

(4) To employ such engineering, legal, financial, or other specialized personnel as may be necessary to accomplish the purposes of the metropolitan municipal corporation.

Metropolitan
municipal
corporations.
Rules and
regulations—
Penalties—
Enforcement.

SEC. 36. A metropolitan municipal corporation shall have power to adopt by resolution such rules and regulations as shall be necessary or proper to enable it to carry out authorized metropolitan functions and may provide penalties for the violation thereof. Actions to impose or enforce such penalties may be brought in the superior court of the state of Washington in and for the central county.

Merit
system.

SEC. 37. The metropolitan council shall establish and provide for the operation and maintenance of a personnel merit system for the employment, classification, promotion, demotion, suspension, transfer, layoff and discharge of its appointive officers and employees solely on the basis of merit and fitness without regard to political influence or affiliation. The person appointed or body created for the purpose of administering such personnel system shall have power to make, amend and repeal rules and regulations as are deemed necessary for such merit system. Such rules and regulations shall provide:

(1) That the person to be discharged or demoted must be presented with the reasons for such discharge or demotion specifically stated; and

(2) That he shall be allowed a reasonable time in which to reply thereto in writing and that he be given a hearing thereon within a reasonable time.

Retention of
existing
personnel.

SEC. 38. A metropolitan municipal corporation shall offer to employ every person who on the date such corporation acquires a metropolitan facility is employed in the operation of such facility by a component city or county or by a special district.

SEC. 39. Where a metropolitan municipal corporation employs a person employed immediately prior thereto by a component city or county, or by a special district, such employee shall be deemed to remain an employee of such city, county, or special district for the purposes of any pension plan of such city, county, or special district, and shall continue to be entitled to all rights and benefits thereunder as if he had remained as an employee of the city, county, or special district, until the metropolitan municipal corporation has provided a pension plan and such employee has elected, in writing, to participate therein.

Prior employees pension rights preserved.

Until such election, the metropolitan municipal corporation shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the plan of such city, county, or special district and the metropolitan municipal corporation shall pay to the city, county, or special district any amounts required to be paid under the provisions of such plan by employer or employee.

SEC. 40. Where a metropolitan municipal corporation employs a person employed immediately prior thereto by a component city or county or by a special district, the employee shall be deemed to remain an employee of such city, county, or special district for the purposes of any sick leave credit plan of the component city, county, or special district until the metropolitan municipal corporation has established a sick leave credit plan for its employees, whereupon the metropolitan municipal corporation shall place to the credit of the employee the sick leave credits standing to his credit in the plan of such city, county, or special district.

Prior employees sick leave and vacation rights preserved.

Where a metropolitan municipal corporation employs a person theretofore employed by a component city, county, or by a special district, the metropolitan

municipal corporation shall, during the first year of his employment by the metropolitan municipal corporation, provide for such employee a vacation with pay equivalent to that which he would have been entitled if he had remained in the employment of the city, county, or special district.

Metropolitan
municipal
corporations.
Budget—
Expenditures
—“Supple-
mental
income”
designated.

SEC. 41. On or before the third Monday in June of each year, each metropolitan municipal corporation shall adopt a budget for the following calendar year. Such budget shall include a separate section for each authorized metropolitan function. Expenditures shall be segregated as to operation and maintenance expenses and capital and betterment outlays. Administrative and other expense general to the corporation shall be allocated between the authorized metropolitan functions. The budget shall contain an estimate of all revenues to be collected during the following budget year, including any surplus funds remaining unexpended from the preceding year. The remaining funds required to meet budget expenditures, if any, shall be designated as “supplemental income” and shall be obtained from the component cities and counties in the manner provided in this act. The metropolitan council shall not be required to confine capital or betterment expenditures made from bond proceeds or emergency expenditures to items provided in the budget. The affirmative vote of three-fourths of all members of the metropolitan council shall be required to authorize emergency expenditures.

Supplemental
income pay-
ments by
component
city and
county.

SEC. 42. Each component city shall pay such proportion of the supplemental income of the metropolitan municipal corporation as the assessed valuation of property within its limits bears to the total assessed valuation of taxable property within the metropolitan area. Each component county shall pay such proportion of such supplemental income as the assessed valuation of the property within the unin-

corporated area of such county lying within the metropolitan area bears to the total assessed valuation of taxable property within the metropolitan area. In making such determination, the metropolitan council shall use the last available assessed valuations. The metropolitan council shall certify to each component city and county, prior to the fourth Monday in June of each year, the share of the supplemental income to be paid by such component city or county for the next calendar year. The latter shall then include such amount in its budget for the ensuing calendar year, and during such year shall pay to the metropolitan municipal corporation, in equal quarterly installments, the amount of its supplemental income share from whatever sources may be available to it.

SEC. 43. The treasurer of each component county shall create a separate fund into which shall be paid all money collected from taxes levied by the metropolitan municipal corporation on property in such county and such money shall be forwarded quarterly by the treasurer of each such county to the treasurer of the central county as directed by the metropolitan council. The treasurer of the central county shall act as the treasurer of the metropolitan municipal corporation and shall establish and maintain such funds as may be authorized by the metropolitan council. Money shall be disbursed from such funds upon warrants drawn by the auditor of the central county as authorized by the metropolitan council. The central county shall be reimbursed by the metropolitan municipal corporation for services rendered by the treasurer and auditor of the central county in connection with the receipt and disbursement of such funds. The expense of all special elections held pursuant to this act shall be paid by the metropolitan municipal corporation.

Funds—Dis-
bursements—
Treasurer—
Expenses.
Election
expenses.

Metropolitan
municipal
corporations.
County asses-
sor's duties.

SEC. 44. It shall be the duty of the assessor of each component county to certify annually to the metropolitan council the aggregate assessed valuation of all taxable property in his county situated in any metropolitan municipal corporation as the same appears from the last assessment roll of his county.

General
obligation
bonds—Issu-
ance, sale,
form, term,
election,
payment.

SEC. 45. A metropolitan municipal corporation shall have power to issue general obligation bonds and to pledge the full faith and credit of the corporation to the payment thereof, for any authorized capital purpose of the metropolitan municipal corporation: *Provided*, That a proposition authorizing the issuance of such bonds shall have been submitted to the electors of the metropolitan municipal corporation at a special election and assented to by three-fifths of the persons voting on said proposition at said election at which such election the total number of persons voting on such bond proposition shall constitute not less than forty percent of the total number of votes cast within the area of said metropolitan municipal corporation at the last preceding state general election. Both principal of and interest on such general obligation bonds shall be payable from annual tax levies to be made upon all the taxable property within the metropolitan municipal corporation in excess of the forty mill tax limit.

General obligation bonds shall bear interest at a rate of not to exceed six percent per annum. The various annual maturities shall commence not more than five years from the date of issue of the bonds and shall as nearly as practicable be in such amounts as will, together with the interest on all outstanding bonds of such issue, be met by equal annual tax levies.

Such bonds shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature and the seal of the metropolitan corporation

shall be impressed thereon. Each of the interest coupons shall be signed by the facsimile signatures of said officials. General obligation bonds shall be sold at public sale as provided by law for sale of general obligation bonds of cities of the first class and at a price not less than par and accrued interest.

SEC. 46. A metropolitan municipal corporation may issue revenue bonds to provide funds to carry out its authorized metropolitan sewage disposal, water supply, garbage disposal or transportation purposes, without submitting the matter to the voters of the metropolitan municipal corporation. The metropolitan council shall create a special fund or funds for the sole purpose of paying the principal of and interest on the bonds of each such issue, into which fund or funds the metropolitan council may obligate the metropolitan municipal corporation to pay such amounts of the gross revenue of the particular utility constructed, acquired, improved, added to, or repaired out of the proceeds of sale of such bonds, as the metropolitan council shall determine. The principal of, and interest on, such bonds shall be payable only out of such special fund or funds, and the owners and holders of such bonds shall have a lien and charge against the gross revenue of such utility.

Revenue bonds—Issuance, sale, form, term, payment, reserves, actions.

Such revenue bonds and the interest thereon issued against such fund or funds shall be a valid claim of the holders thereof only as against such fund or funds and the revenue pledged therefor, and shall not constitute a general indebtedness of the metropolitan municipal corporation.

Each such revenue bond shall state upon its face that it is payable from such special fund or funds, and all revenue bonds issued under this act shall be negotiable instruments within the provisions of the negotiable instruments law of this state. Such revenue bonds may be registered either as to principal

Metropolitan
municipal
corporations.
Revenue
bonds—Issu-
ance, sale,
form, term,
payment,
reserves,
actions.

only or as to principal and interest, or may be bearer bonds, shall be in such denominations as the metropolitan council shall deem proper; shall be payable at such time or times and at such places as shall be determined by the metropolitan council; shall bear interest at such rate or rates as shall be determined by the metropolitan council, shall be signed by the chairman and attested by the secretary of the metropolitan council, one of which signatures may be a facsimile signature, and the seal of the metropolitan municipal corporation shall be impressed thereon; each of the interest coupons shall be signed by the facsimile signatures of said officials.

Such revenue bonds shall be sold in such manner as the metropolitan council shall deem to be for the best interests of the metropolitan municipal corporation, either at public or private sale. The aggregate interest cost to maturity of the money received for such revenue bonds shall not exceed seven per cent per annum.

The metropolitan council may at the time of the issuance of such revenue bonds make such covenants with the purchasers and holders of said bonds as it may deem necessary to secure and guarantee the payment of the principal thereof and the interest thereon, including but not being limited to covenants to set aside adequate reserves to secure or guarantee the payment of such principal and interest, to maintain rates sufficient to pay such principal and interest and to maintain adequate coverage over debt service, to appoint a trustee or trustees for the bondholders to safeguard the expenditure of the proceeds of sale of such bonds and to fix the powers and duties of such trustee or trustees and to make such other covenants as the metropolitan council may deem necessary to accomplish the most advantageous sale of such bonds. The metropolitan council may also provide that revenue bonds payable out

of the same source may later be issued on a parity with revenue bonds being issued and sold.

Revenue
bonds—
Payment,
reserves,
actions.

The metropolitan council may include in the principal amount of any such revenue bond issue an amount for working capital and an amount necessary for interest during the period of construction of any such metropolitan facilities plus six months. The metropolitan council may, if it deems it to the best interest of the metropolitan municipal corporation, provide in any contract for the construction or acquisition of any metropolitan facilities or additions or improvements thereto or replacements or extensions thereof that payment therefor shall be made only in such revenue bonds at the par value thereof.

If the metropolitan municipal corporation shall fail to carry out or perform any of its obligations or covenants made in the authorization, issuance and sale of such bonds, the holder of any such bond may bring action against the metropolitan municipal corporation and compel the performance of any or all of such covenants.

SEC. 47. The metropolitan council may, by resolution, without submitting the matter to the voters of the metropolitan municipal corporation, provide for the issuance of funding or refunding general obligation bonds to refund any outstanding general obligation bonds or any part thereof at maturity, or before maturity if they are by their terms or by other agreement subject to prior redemption, with the right in the metropolitan council to combine various series and issues of the outstanding bonds by a single issue of funding or refunding bonds, and to issue refunding bonds to pay any redemption premium payable on the outstanding bonds being refunded. The funding or refunding general obligation bonds shall, except as specifically provided in this section, be issued in accordance with the provisions of this act with respect to general obligation bonds.

Funding,
refunding
bonds.

Metropolitan
municipal
corporations.
Funding,
refunding
bonds.

The metropolitan council may, by resolution, without submitting the matter to the voters of the metropolitan municipal corporation, provide for the issuance of funding or refunding revenue bonds to refund any outstanding revenue bonds or any part thereof at maturity, or before maturity if they are by their terms or by agreement subject to prior redemption, with the right in the metropolitan council to combine various series and issues of the outstanding bonds by a single issue of refunding bonds, and to issue refunding bonds to pay any redemption premium payable on the outstanding bonds being refunded. The funding or refunding revenue bonds shall be payable only out of a special fund created out of the gross revenue of the particular utility, and shall be a valid claim only as against such special fund and the amount of the revenue of the utility pledged to the fund. The funding or refunding revenue bonds shall, except as specifically provided in this section, be issued in accordance with the provisions of this act with respect to revenue bonds.

The net interest cost to maturity on funding or refunding bonds issued under this act shall not exceed seven percent per annum. The amount of premium, if any, to be paid on the redemption of such funding or refunding bonds prior to the maturity thereof shall not be considered in determining such net interest cost. The metropolitan council may exchange the funding or refunding bonds at par for the bonds which are being funded or refunded, or it may sell them in such manner as it deems for the best interest of the metropolitan municipal corporation.

Borrowing
money from
component
city or
county.

SEC. 48. A metropolitan municipal corporation shall have the power when authorized by a majority of all members of the metropolitan council to borrow money from any component city or county and such cities or counties are hereby authorized to make

such loans or advances on such terms as may be mutually agreed upon by the legislative bodies of the metropolitan municipal corporation and any such component city or county to provide funds to carry out the purposes of the metropolitan municipal corporation.

SEC. 49. If a metropolitan municipal corporation shall have been authorized to levy a general tax on all taxable property located within the metropolitan municipal corporation in the manner provided in this act, either at the time of the formation of the metropolitan municipal corporation or subsequently, the metropolitan council shall have the power to authorize the issuance of interest bearing warrants on such terms and conditions as the metropolitan council shall provide, same to be repaid from the proceeds of such tax when collected.

Interest
bearing
warrants.

SEC. 50. The metropolitan municipal corporation shall have the power to levy special assessments payable over a period of not exceeding twenty years on all property within the metropolitan area specially benefited by any improvement, on the basis of special benefits conferred, to pay in whole, or in part, the damages or costs of any such improvement, and for such purpose may establish local improvement districts and enlarged local improvement districts, issue local improvement warrants and bonds to be repaid by the collection of local improvement assessments and generally to exercise with respect to any improvements which it may be authorized to construct or acquire the same powers as may now or hereafter be conferred by law upon cities of the first class. Such local improvement districts shall be created and such special assessments levied and collected and local improvement warrants and bonds issued and sold in the same manner as shall now or hereafter be provided by law for cities of the first class. The duties imposed upon the city trea-

Local
improvement
districts—
Utility local
improvement
districts.

Metropolitan municipal corporations. Local improvement districts—Utility local improvement districts.

sureur under such acts shall be imposed upon the treasurer of the county in which such local improvement district shall be located.

A metropolitan municipal corporation may provide that special benefit assessments levied in any local improvement district may be paid into such revenue bond redemption fund or funds as may be designated by the metropolitan council to secure the payment of revenue bonds issued to provide funds to pay the cost of improvements for which such assessments were levied. If local improvement district assessments shall be levied for payment into a revenue bond fund, the local improvement district created therefor shall be designated a utility local improvement district.

Obligations of corporation are legal investments and security for public deposits.

SEC. 51. All banks, trust companies, bankers, savings banks, and institutions, building and loan associations, savings and loan associations, investment companies and other persons carrying on a banking or investment business, all insurance companies, insurance associations, and other persons carrying on an insurance business, and all executors, administrators, curators, trustees and other fiduciaries, may legally invest any sinking funds, moneys, or other funds belonging to them or within their control in any bonds or other obligations issued by a metropolitan municipal corporation pursuant to this act. Such bonds and other obligations shall be authorized security for all public deposits. It is the purpose of this section to authorize any persons, political subdivisions and officers, public or private, to use any funds owned or controlled by them for the purchase of any such bonds or other obligations. Nothing contained in this section with regard to legal investments shall be construed as relieving any person of any duty of exercising reasonable care in selecting securities.

SEC. 52. A metropolitan municipal corporation shall have the power to invest its funds held in reserves or sinking funds or any such funds which are not required for immediate disbursement, in property or securities in which mutual savings banks may legally invest funds subject to their control.

Legal invest-
ments for cor-
porate funds.

SEC. 53. Territory annexed to a component city after the establishment of a metropolitan municipal corporation shall by such act be annexed to such corporation. Any other territory adjacent to a metropolitan municipal corporation may be annexed thereto by vote of the qualified electors residing in the territory to be annexed, in the manner provided in this act. An election to annex such territory may be called pursuant to a petition or resolution in the following manner:

Annexation—
Requirements,
procedure.

(1) A petition calling for such an election shall be signed by at least four percent of the qualified voters residing within the territory to be annexed and shall be filed with the auditor of the central county.

(2) A resolution calling for such an election may be adopted by the metropolitan council.

Any resolution or petition calling for such an election shall describe the boundaries of the territory to be annexed, and state that the annexation of such territory to the metropolitan municipal corporation will be conducive to the welfare and benefit of the persons or property within the metropolitan municipal corporation and within the territory proposed to be annexed.

Upon receipt of such a petition, the auditor shall examine the same and certify to the sufficiency of the signatures thereon. For the purpose of examining the signatures on such petition, the auditor shall be permitted access to the voter registration books of each city within the territory proposed to be annexed and of each county a portion of which shall be

located within the territory proposed to be annexed. No person may withdraw his name from a petition after it has been filed with the auditor. Within thirty days following the receipt of such petition, the auditor shall transmit the same to the metropolitan council, together with his certificate as to the sufficiency thereof.

Metropolitan
municipal
corporations.
Annexation.
Hearings—
Inclusion,
exclusion of
territory—
Boundaries—
—Calling
election.

SEC. 54. Upon receipt of a duly certified petition calling for an election on the annexation of territory to a metropolitan municipal corporation, or if the metropolitan council shall determine without a petition being filed, that an election on the annexation of any adjacent territory shall be held, the metropolitan council shall fix a date for a public hearing thereon which shall be not more than sixty nor less than forty days following the receipt of such petition or adoption of such resolution. Notice of such hearing shall be published once a week for at least four consecutive weeks in one or more newspapers of general circulation within the territory proposed to be annexed. The notice shall contain a description of the boundaries of the territory proposed to be annexed and shall state the time and place of the hearing thereon and the fact that any changes in the boundaries of such territory will be considered at such time and place. At such hearing or any continuation thereof, any interested person may appear and be heard on all matters relating to the proposed annexation. The metropolitan council may make such changes in the boundaries of the territory proposed to be annexed as it shall deem reasonable and proper, but may not delete any portion of the proposed area which will create an island of included or excluded lands and may not delete a portion of any city. If the metropolitan council shall determine that any additional territory should be included in the territory to be annexed, a second hearing shall be held and notice given in the same manner as for the

original hearing. The metropolitan council may adjourn the hearing on the proposed annexation from time to time not exceeding thirty days in all. At the next regular meeting following the conclusion of such hearing, the metropolitan council shall, if it finds that the annexation of such territory will be conducive to the welfare and benefit of the persons and property therein and the welfare and benefit of the persons and property within the metropolitan municipal corporation, adopt a resolution fixing the boundaries of the territory to be annexed and calling a special election on such annexation to be held not more than one hundred twenty days nor less than sixty days following the adoption of such resolution.

Annexation. Boundaries— Calling election.

SEC. 55. An election on the annexation of territory to a metropolitan municipal corporation shall be conducted and canvassed in the same manner as provided for the conduct of an election on the formation of a metropolitan municipal corporation except that notice of such election shall be published in one or more newspapers of general circulation in the territory proposed to be annexed and the ballot proposition shall be in substantially the following form:

Annexation. Election— Favorable vote.

ANNEXATION TO (here insert name of metropolitan municipal corporation).

“Shall the territory described in a resolution of the metropolitan council of (here insert name of metropolitan municipal corporation) adopted on theday of....., 19....., be annexed to such incorporation?

YES

NO

If a majority of those voting on such proposition vote in favor thereof, the territory shall thereupon be annexed to the metropolitan municipal corporation.

Metropolitan
municipal
corporations.
Liberal
construction.

SEC. 56. The rule of strict construction shall have no application to this act, but the same shall be liberally constructed in all respects in order to carry out the purposes and objects for which this act is intended.

Severability.

SEC. 57. 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.

Vetoed.

SEC. 58. The provisions of this act shall apply only to class AA counties and areas immediately adjacent thereto. Notwithstanding any other provision of this act, before a metropolitan district shall have the power to perform any of the functions in section 5, subsections (2) through (6), such adjacent areas shall first approve the exercise of such power or powers by a majority vote of the electorate residing therein. If the electorate of such area fail to approve the exercise of such power or powers then the members of the metropolitan council representing such area shall not function in the exercise of such powers by the council.

Passed the Senate March 12, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957, with the exception of the last unnumbered item of subsection 2 of section 7, and section 58, which are vetoed.

Veto message,
excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"Senate Bill 136 provides for a comprehensive metropolitan municipal corporation designed to allow cities and counties to act jointly in providing essential public services such as sewage disposal, water, garbage, park and transportation. One of its principal purposes is to coordinate the sewage disposal functions of the various municipalities and sewer districts serving the Lake Washington drainage area. This area is located in more than one county, the major portion of which, however, is in the county of King. The last unnumbered item in section 7, subsection (2) reading as follows: "Provided, That such resolution or resolutions shall be approved by appropriate affirmative resolution of the board of county commissioners of each county, the area of which is affected by said resolution or resolutions" was inserted as an amendment to the bill and apparently was designed to permit the county commissioners of a component county to determine whether or not their county should become part of the metropolitan municipal corporation. However, the proviso is so broad that it, in effect, would permit the county commissioners of a

component county to veto all operations of the metropolitan municipal corporation in the central county and central city. This would have the effect of permitting the county commissioners representing a small portion of the entire metropolitan municipal corporation to control the activities of the entire corporation.

"For the foregoing reason this item is vetoed.

"Section 58 of Senate Bill 136 is likewise an amendment to the bill. It confines the provisions of the act to class AA counties and areas immediately adjacent thereto. It provides that before a metropolitan district shall have the power to perform any of the functions in section 5, subsection (2) through (6), that the electorate in such adjacent areas shall first approve the exercise of such power or powers.

"It was apparently the intent of this section to give the electorate in the adjacent areas the right to determine whether or not such areas should be included in the metropolitan municipal corporation when such powers were to be exercised. However, the wording of section 58 is so broad that it would thwart operation of the metropolitan municipal corporation in its desire to exercise the functions set forth in subsections (2) through (6) of section 5 in the central city and central county.

"For this reason section 58 is vetoed. The remainder of the bill is approved."

Veto message, excerpt from.

CHAPTER 214.

[S. B. 173.]

MATERIALMEN'S LIENS.

AN ACT relating to materialmen's liens; prescribing time and manner of giving notice of lien to property owners; and amending section 1, chapter 77, Laws of 1911 and RCW 60.04.020.

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

Section 1. Section 1, chapter 77, Laws of 1911 and RCW 60.04.020 are each hereby amended to read as follows:

RCW 60.04.020 amended.

Every person, firm or corporation furnishing materials or supplies to be used in the construction, alteration or repair of any mining claim, building, wharf, bridge, ditch, dyke, flume, tunnel, well, fence, machinery, railroad, street railway, wagonroad, aqueduct to create hydraulic power, or any other building, or any other structure, or mining claim or stone quarry, shall, not later than sixty days after the date of the first delivery of such materials or supplies to any contractor or agent, give to the owner or reputed owner of the property on, upon or about which such materials or supplies were used, a notice in writing, stating in substance and effect that such person,

Notice of lien.

Materialmen's
liens. Notice
of lien.

firm or corporation has furnished materials and supplies for use thereon, with the name of the contractor or agent ordering the same, and that a lien may be claimed for all materials and supplies furnished by such person, firm or corporation for use thereon, which notice shall be given by mailing the same by registered or certified mail in an envelope addressed to the owner or reputed owner at his place of residence or reputed residence: *Provided, however,* That with respect to materials or supplies used in construction, alteration or repair of any single family residence or garage such notice must be given not later than ten days after the date of the first delivery of such materials or supplies. No materialmen's lien shall be enforced unless the provisions of this section have been complied with.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 215.

[S. B. 282.]

DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT.

AN ACT relating to state government; establishing a department of commerce and economic development; abolishing the division of progress and industry development of the department of conservation and development; prescribing and transferring rights, powers and duties of certain officers and departments; amending section 1, chapter 174, Laws of 1953 as amended by section 2, chapter 285, Laws of 1955, and RCW 43.17.010; amending section 2, chapter 174, Laws of 1953 as amended by section 3, chapter 285, Laws of 1955, and RCW 43.17.020; amending section 61, chapter 7, Laws of 1921 as last amended by section 1, chapter 57, Laws of 1951 and section 1, chapter 173, Laws of 1945 as last amended by section 1, chapter 57, Laws of 1951, and RCW 43.21.010; amending section 3, chapter 54, Laws of 1933 extraordinary session and RCW 43.21.190; amending section 4, chapter 54, Laws of 1933 extraordinary session and RCW 43.21.200; repealing section 3, chapter 173, Laws

of 1945 and RCW 43.21.170; and section 2, chapter 173, Laws of 1945, section 2, chapter 54, Laws of 1933 extraordinary session, section 3, chapter 134, Laws of 1937 and RCW 43.21.180; making appropriations; and declaring an emergency.

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

Section 1. It is hereby declared to be the public policy of the legislature of the state of Washington to continue, and to accelerate the orderly growth of the economy of the state; not only to preserve, but also to increase the economic well-being of its citizens and its commerce: The legislature thereby determines that it is in the public interest, for the public good and the general welfare of the citizens of the state to establish a department of commerce and economic development. Through research and promotion the department shall foster the most desirable growth and diversification of industry and commerce possible, and the attraction of visitors to the state.

Declaration of purpose.

Sec. 2. There is established a department of state government to be known as the department of commerce and economic development.

Department established.

SEC. 3. The executive head of the department shall be the director of commerce and economic development. He shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. He shall be paid a salary fixed by the governor, which may reach but shall not exceed the sum of eighteen thousand dollars per annum.

Director. Appointment.—Term.—Salary.

SEC. 4. The department of commerce and economic development shall be organized into divisions, including (1) the industrial development division, (2) the tourist promotion division, (3) the research division, and others as required.

Divisions of department.

The director of commerce and economic devel-

opment may appoint such division supervisors, and clerical supervisors and other assistants as may be necessary for the general administration of the department.

Department
of commerce
and economic
development.
Duties of
director
through
division of
tourist
promotion.

SEC. 5. The director of commerce and economic development, through the tourist promotion division shall:

(1) Conduct promotion of the state, other than that carried on or planned by the various departments or other political subdivisions within the state, for the purpose of attracting visitors to the state, and encouraging tourist expansion in the state;

(2) Formulate, supervise, and carry out a continuous factual information program for the promotion of the state;

(3) Assemble and distribute such data, statistics, information, and exhibits as will publicize and popularize the advantages of the state;

(4) Take active steps by sending representatives to other areas and by inviting representatives from other areas for the purpose of attracting visitors, inviting conferences and conventions, and sportsmen and tourists to the state of Washington.

(5) The department of commerce and economic development may publish or encourage the private publication of a magazine named by it and shall also publish maps, pamphlets and other descriptive material designed to carry out the purposes of this act. The department of commerce and economic development shall fix the price to be paid for annual subscriptions to, for single copies of, and the discount to be allowed dealers of the magazine. The publication may be distributed free of charge to libraries, schools, chambers of commerce and to such hotels, tourist agencies, visitors and prospective visitors and to such other persons or agencies, and in such quantities, as the department deems beneficial in carrying out the purposes of this act. In no case shall the

number of free copies each month exceed ten percent of the total number of paid subscriptions.

SEC. 6. The director of commerce and economic development, through the industrial development division, shall:

Duties of director through division of industrial development.

(1) Gather, maintain and disseminate available information concerning plant industrial sites throughout the state and the advantages of locating industries within the state;

(2) Serve local communities in planning for and acquiring a greater industrial development;

(3) Act as the state's official liaison agency between persons interested in locating business firms in Washington, and state and local groups seeking new business (in such capacity, the division shall maintain the confidential nature of the negotiations it conducts as requested by the persons contemplating location in this state);

(4) Conduct an active program, by sending representatives to other areas, of providing information on industrial and business sites, contacting potential new business and industry, and in other ways to expand the business and industrial base of the state of Washington.

SEC. 7. The director of commerce and economic development through the division of research shall initiate, conduct, and maintain research for the purpose of guiding and accomplishing a coordinated and economically farsighted development of the state. He shall establish a research reference service to collate and coordinate information available from private and governmental sources, to undertake market feasibility studies on existing products and byproducts which are or could be developed in the state. He shall assist in creating and maintaining a shelf of public work projects to aid the state in case of an economic recession.

Duties of director through division of research.

Department of
commerce and
economic
development.
General
grant of
powers to
director.

SEC. 8. Notwithstanding any duties and powers specifically enumerated in sections 5, 6, and 7 of this chapter, the director is authorized, empowered, and directed to do any and all other acts necessary to accomplish the purposes of this chapter as specified in section 1 hereof.

Advisory
council.
Appointment—
Terms—
Vacancies—
Expenses.

SEC. 9. To aid and advise the director in the performance of his functions as specified in this act, an advisory council shall be appointed by the governor, such council to be composed of not more than eleven members, all of whom shall be residents of this state, representing such geographical and economic areas as the governor shall determine will best further the purposes of this act. Terms of council members shall not exceed two years and shall continue until their successors are appointed. Vacancies shall be filled in the same manner as original appointments. Members shall receive no per diem but shall receive reimbursement for actual subsistence and traveling expenses incurred in the performance of their duties.

Duties of
advisory
council.

SEC. 10. The advisory council shall receive reports periodically from the department and shall meet to advise, guide and assist the director in establishing the policies of the department.

Additional
advisory
groups. Ap-
pointment—
Terms—
Vacancies—
Expenses.

SEC. 11. The director may from time to time establish such additional advisory groups as in his discretion are necessary for the carrying out of this act. Members of and vacancies in, such advisory groups, shall be filled by appointments by the director. Members shall receive no per diem but shall receive reimbursement for actual subsistence and traveling expenses incurred in the performance of their duties.

Other
agencies to
cooperate—
Reimburse-
ment.

SEC. 12. The director is authorized to request information and assistance from all other agencies, departments and officials of the state and may reim-

burse such agencies, departments or officials when any such request imposes any additional expenses upon any such agency, department or official.

SEC. 13. The director and the supervisor of any division may travel throughout the state or other states and may contact other states and agencies in the performance of their duties. The director and supervisors shall receive no per diem, but shall receive reimbursement for subsistence and traveling expenses incurred while away from their respective places of abode, in lieu of other provisions made by law for reimbursement of their expenses as such state employees, not to exceed twenty-five dollars per day. The director is authorized to delegate similar authority to other members of his staff who shall then be reimbursed for their expenses in the same manner as herein provided for the director and division supervisors.

Participation with other states—Subsistence and travel expense.

SEC. 14. In furthering the purposes of this act, the director may accept contributions, grants or gifts in cash or otherwise from persons, associations, or corporations, such contributions to be disbursed in the same manner as money appropriated by the legislature: *Provided*, That the donor of such gifts may stipulate the purpose for which they shall be expended.

Director may receive gifts and grants.

Proviso.

SEC. 15. The department of commerce and economic development may accept and disburse federal grants or federal matching or other funds or donations from any source when made, granted or donated for a purpose covered by this act.

Department may accept and disburse federal funds.

SEC. 16. The director shall submit to the governor and the legislature a biennial report on the activities, growth, progress, problems and costs of the programs of the department and its divisions, and on recommendations for future program and needed

Biennial report of director.

legislation including legislation designed to encourage investment of risk venture capital in this state.

Division of progress and industry development abolished.

SEC. 17. From and after the first day of April, 1957, the division of progress and industry development of the department of conservation and development is abolished and the director of the department of commerce and economic development shall exercise all the powers, duties and functions theretofore vested in and required to be exercised by the supervisor of progress and industry development of the department of conservation and development.

Department of commerce and economic development. Transfer of records, property and duties.

SEC. 18. Upon the taking effect of this act, the director of conservation and development shall immediately deliver to the director of commerce and economic development all books, documents, records, papers, files, or other writings, all cabinets, furniture, office equipment, and other tangible property, and all funds in his custody or under his control used or held by the division of progress and industry development of the department of conservation and development. Neither the abolition of the division of progress and industry development of the department of conservation and development nor the transfer of powers and duties as provided in this act to the director of commerce and economic development shall affect the validity of any acts performed by such agency or any officer or employee thereof before taking effect of this act. All matters relating to functions transferred under the provisions of this act from the division of progress and industry development of the department of conservation and development to the department of commerce and economic development which at the time of transfer have not been completed may be undertaken and completed by the director of commerce and economic development, who is authorized, empowered, and directed to promulgate any and all orders, rules, and regulations necessary to accomplish this purpose.

SEC. 19. Section 1, chapter 174, Laws of 1953 as amended by section 2, chapter 285, Laws of 1955, and RCW 43.17.010 are each amended to read as follows:

RCW 43.17.010
amended.

There shall be departments of the state government which shall be known as (1) the department of public assistance, (2) the department of institutions, (3) the department of health, (4) the department of conservation, (5) the department of labor and industries, (6) the department of agriculture, (7) the department of licenses, (8) the department of fisheries, (9) the department of game, (10) the department of highways, (11) the department of general administration and (12) the department of commerce and economic development, which shall be charged with the execution, enforcement, and administration of such laws, and invested with such powers and required to perform such duties, as the legislature may provide.

Departments
created.

SEC. 20. Section 2, chapter 174, Laws of 1953 as amended by section 3, chapter 285, Laws of 1955, and RCW 43.17.020 are each amended to read as follows:

RCW 43.17.020
amended.

There shall be a chief executive officer of each department to be known as: (1) The director of public assistance, (2) the director of institutions, (3) the director of health, (4) the director of conservation, (5) the director of labor and industries, (6) the director of agriculture, (7) the director of licenses, (8) the director of fisheries, (9) the director of game, (10) the director of highways, (11) the director of general administration and (12) the director of commerce and economic development.

Chief execu-
tive officers—
Appointment.

Such officers, except the director of highways, shall be appointed by the governor, with the consent of the senate, and hold office at the pleasure of the governor. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when he shall present to that body his nomination for the

office. The director of highways shall be appointed by the state highway commission.

RCW 43.21.010
amended.

SEC. 21. Section 61, chapter 7, Laws of 1921 as last amended by section 1, chapter 57, Laws of 1951 and section 1, chapter 173, Laws of 1945 as last amended by section 1, chapter 57, Laws of 1951 (heretofore combined and codified as RCW 43.21-.010) are each amended to read as follows:

Divisions.

(RCW 43.21.010) The department of conservation shall be organized into six divisions, to be known as, (1) the division of forestry, (2) the division of geology, (3) the division of mines, (4) the division of reclamation, (5) the division of water resources, and (6) the division of flood control.

Note: See also section 1, chapter 284, Laws of 1957.

RCW 43.21.190
amended.

SEC. 22. Section 3, chapter 54, Laws of 1933 extraordinary session and RCW 43.21.190 are each amended to read as follows:

Master plan
of develop-
ment.

The director shall prepare and perfect from time to time a state master plan for flood control, state public reservations, financed in whole or in part from moneys collected by the state, sites for state public buildings and for the orderly development of the natural and agricultural resources of the state. The plan shall be a guide in making recommendations to the officers, boards, commissions, and departments of the state.

Whenever an improvement is proposed to be established by the state, the state agency having charge of the establishment thereof shall request of the director a report thereon, which shall be furnished within a reasonable time thereafter. In case an improvement is not established in conformity with the report, the state agency having charge of the establishment thereof shall file in its office and with the director a statement setting forth its reasons for rejecting or varying from such report which shall be open to public inspection.

The director shall insofar as possible secure the cooperation of adjacent states, and of counties and municipalities within the state in the coordination of their proposed improvements with such master plan.

SEC. 23. Section 4, chapter 54, Laws of 1933 extraordinary session and RCW 43.21.200 are each amended to read as follows: RCW 43.21.200 amended.

The director may hold public hearings, in connection with any duty prescribed in RCW 43.21.190 and may compel the attendance of witnesses and the production of evidence. Public hearings.

SEC. 24. Section 3, chapter 173, Laws of 1945 and RCW 43.21.170 and section 2, chapter 173, Laws of 1945, section 2, chapter 54, Laws of 1933 extraordinary session, section 3, chapter 134, Laws of 1937 and RCW 43.21.180 are each repealed. Repeal.

Note: See also section 4, chapter 157, Laws of 1957.

SEC. 25. There is appropriated from the general fund to the department of commerce and economic development the sum of one million five hundred thousand dollars. Appropriation for department.

SEC. 26. 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 on April 1, 1957. Emergency.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 216.

[S. B. 423.]

FISHERIES PATROL OFFICERS—DISABILITY
COMPENSATION.

AN ACT relating to disability of and compensation of fish patrol enforcement officers and adding a new section to chapter 207, Laws of 1953, and to chapter 43.25 RCW.

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

New section.

[SECTION 1.] There is added to chapter 207, Laws of 1953, and to chapter 43.25 RCW, a new section to read as follows:

Release from active duty of fisheries patrol officers when injured—Compensation.

The director shall, and he is hereby authorized to, relieve from active duty fisheries patrol officers who, while in the performance of their official duties, have been injured or may hereafter be injured to such an extent as to be incapable of active service. Such employees shall receive one-half (1/2) of their compensation at the existing wage, during the time such disability continues in effect, less any compensation received through the provisions of RCW 4.40-.200 [41.40.200], RCW 41.40.220 and RCW 43.25.047.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 217.

[H. B. 646.]

DEPARTMENT OF INSTITUTIONS—PURCHASE OF
FORT WORDEN.

AN ACT relating to the department of institutions; authorizing the purchase of certain lands, buildings and equipment situate at Fort Worden, Jefferson county, for the institutionalization of children and youth, and declaring an emergency.

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

SECTION 1. There is hereby established under the supervision and control of the department of institutions, an institution for the care and custody of children and youth, to be located at Fort Worden, near Port Townsend, in Jefferson county.

Fort Worden institution established.

SEC. 2. The director of the department of institutions is hereby authorized to enter into a contract with the commissioners of the port of Port Townsend for the purchase of, and to accept a deed in the name of the state of Washington, subject to the approval as to form by the attorney general, of certain lands, buildings and equipment situate at Port Townsend in Jefferson county, and known as Fort Worden, a former United States military installation.

Authorization to contract for purchase of site and buildings.

SEC. 3. The director of the department of institutions, upon the acquisition of the land, buildings and equipment at Fort Worden, may cause plans, specifications and estimates of cost to be prepared for the remodeling and alteration of said buildings for the institutionalization of children and youth, and for this purpose the director is authorized to employ the services of architects.

Plans for remodeling and alteration authorized.

SEC. 4. The director of the department of institutions shall have authority to transfer children and youth to Fort Worden who are now confined at, or who may hereafter be committed to, any other fa-

Transfer from other institutions authorized.

cility under the supervision of the department of institutions for the custody of children and youth.

Fort Worden.
Superintendent—Em-
ployees.

SEC. 5. The director of the department of institutions is hereby authorized to appoint a superintendent and such other officers and employees as are deemed necessary for the proper operation of the institutions and facilities authorized by this act.

Emergency.

SEC. 6. 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 February 27, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 218.

[Sub. H. B. 291.]

MOTOR VEHICLE FUEL TAX.

AN ACT relating to the motor vehicle fuel tax; amending section 1, chapter 157, Laws of 1953 and RCW 82.36.200; section 4, chapter 81, Laws of 1923, section 18, chapter 58, Laws of 1933, section 2, chapter 109, Laws of 1935, section 2, chapter 219, Laws of 1937, section 5, chapter 84, Laws of 1943, section 1, chapter 38, Laws of 1945, as last amended by section 1, chapter 263, Laws of 1951 and section 1, chapter 90, Laws of 1955 and RCW 82.36.270 through 82.36.370; and adding four new sections to chapter 82.36 RCW.

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

RCW 82.36.200
amended.

SECTION 1. Section 1, chapter 157, Laws of 1953 and RCW 82.36.200 are each amended to read as follows:

Monthly
reports by
carriers.

On or before the twenty-fifth day of each month, all persons operating trucks, pipe lines, and other conveyances in the transportation of motor vehicle fuel into this state shall report under oath to the

director on forms prescribed by him, all such deliveries of motor vehicle fuel in bulk during the preceding calendar month: *Provided*, That a duly licensed distributor shall be exempt from reporting except when acting as a carrier for others. Upon written request by the director, a report shall also be made in the same manner as herein prescribed for all other deliveries of motor vehicle fuel.

Monthly reports by carriers.

Proviso.

Such reports shall show the name and address of the seller or consignor and the name of the purchaser or consignee to whom each delivery has been made; the point of shipment, point of delivery, and date of delivery; the name, initials and number of each tank car and the number of gallons contained therein, if shipped by rail; the name of the boat, barge, or vessel, and the number of gallons contained therein, if shipped by water; the vehicle license number and the motor vehicle fuel transport license number of each vehicle, and the number of gallons contained therein, if transported by motor truck; if delivered by other means, the manner in which each delivery is made, and the number of gallons so delivered; and such other additional information relative to shipment or delivery of motor vehicle fuel as the director may require.

The director or his authorized agents may at any time during normal business hours examine the records, stocks, facilities and equipment of any person engaged in the transportation of motor vehicle fuel within the state of Washington for the purpose of checking shipments or use of motor vehicle fuel, detecting diversions thereof or evasion of taxes on same in enforcing the provisions of this section or of this chapter.

SEC. 2. Section 4, chapter 81, Laws of 1923, section 18, chapter 58, Laws of 1933, section 2, chapter 109, Laws of 1935, section 2, chapter 219, Laws of 1937, section 5, chapter 84, Laws of 1943, section 1,

Division and amendment.

Motor vehicle
fuel tax.

chapter 38, Laws of 1945, as last amended by section 1, chapter 263, Laws of 1951 and section 1, chapter 90, Laws of 1955 (heretofore divided and codified as RCW 82.36.270 through 82.36.370) are amended to read as set forth in sections 3 through 13 of this act.

RCW 82.36.270
amended.
Refund
permit.

SEC. 3. (RCW 82.36.270) Any person desiring to claim a refund shall obtain a permit from the director by application therefor on such form as he shall prescribe, which application shall contain, among other things, the name and address of the applicant, the nature of the business and a sufficient description for identification of the machines or equipment in which the motor vehicle fuel is to be used, for which refund may be claimed under the permit. The permit shall bear a permit number and all applications for refund shall bear the number of the permit under which it is claimed. The director shall keep a permanent record of all permits issued and a cumulative record of the amount of refund claimed and paid thereunder. Such permit shall be obtained before or at the time that the first application for refund is made under the provisions of this chapter. At the time of filing an application for a refund permit, the applicant shall pay to the director a permit fee of one dollar, which shall be deposited in the motor vehicle fund. All permits shall expire on the thirty-first day of March of every even-numbered year.

RCW 82.36.280
enacted
without
amendment.

SEC. 4. (RCW 82.36.280) Any person who uses any motor vehicle fuel for the purpose of operating any internal combustion engine not used on or in conjunction with any motor vehicle licensed to be operated over and along any of the public highways, and as the motive power thereof, upon which motor vehicle fuel excise tax has been paid, shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such

motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price of such fuel. No refund shall be made for motor vehicle fuel consumed in any motor vehicle as herein defined licensed to be operated over and along any public highway except that a refund shall be allowed for motor vehicle fuel consumed in a motor vehicle owned by the United States and operated off the public highways for the official use thereof.

SEC. 5. (RCW 82.36.290) Every person who purchases and uses any motor vehicle fuel as an ingredient for manufacturing or for cleaning or dyeing or for some other similar purpose and upon which the motor vehicle fuel excise tax has been paid shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price of such fuel.

RCW 82.36.290
enacted
without
amendment.

SEC. 6. (RCW 82.36.300) Every person who shall export any motor vehicle fuel for use outside of this state and who has paid the motor vehicle fuel excise tax upon such motor vehicle fuel shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so exported. Any motor vehicle fuel carried from this state in the fuel tank of a motor vehicle shall not be considered as exported from this state.

RCW 82.36.300
enacted
without
amendment.

SEC. 7. (RCW 82.36.310) Any person claiming a refund for motor vehicle fuel used or exported as in this chapter provided shall not be entitled to receive such refund until he presents to the director a claim upon forms to be provided by the director with such

RCW 82.36.310
amended.
Claim of
refund.

Motor vehicle
fuel tax.
Claim of
refund.

information as the director shall require, which claim to be valid shall in all cases be accompanied by the invoice or invoices issued to the claimant at the time of the purchases of the motor vehicle fuel, approved as to invoice form by the director. Any person claiming refund by reason of exportation of motor vehicle fuel shall in addition to the invoices required furnish to the director the export certificate therefor, and the signature on the exportation certificate shall be certified by a notary public. In all cases the claim shall be signed by the person claiming the refund, or if it is a corporation, by some proper officer thereof.

RCW 82.36.320
amended.
Information
may be
required.

SEC. 8. (RCW 82.36.320) Any person claiming refund on motor vehicle fuel used other than in motor vehicles as herein provided, and any person purchasing motor vehicle fuel from a dealer who is claiming refund on account of the sale of such fuel under section 16 of this amendatory act may be required by the director to also furnish information regarding the amount of motor vehicle fuel purchased from other sources or for other purposes during the period reported for which no refund is claimed.

RCW 82.36.330
amended.
Payment of
refunds.

SEC. 9. (RCW 82.36.330) Upon the approval of the director of the claim for refund, the state auditor shall draw his warrant upon the state treasurer for the amount of the claim in favor of the person making such claim and the warrant shall be paid from the excise tax collected on motor vehicle fuel. Applications for refunds of excise tax shall be filed in the office of the director not later than the close of the last business day of a period thirteen months from the date of purchase of such motor fuel, and if not filed within this period the right to refund shall be forever barred. Any person or the member of any firm or the officer or agent of any corporation who makes any false statement in any claim re-

quired for the refund of excise tax, as provided in this chapter, or who collects or causes to be repaid to him or to any other person any such refund without being entitled to the same under the provisions of this chapter shall be guilty of a gross misdemeanor.

SEC. 10. (RCW 82.36.340) The director may in order to establish the validity of any claim for refund require the claimant, or, in the case of a dealer filing a claim for refund as provided by section 16 of this amendatory act, the person to whom such fuel was sold, to furnish such additional proof of the validity of the claim as the director may determine, and may examine the books and records of the claimant or said person to whom the fuel was sold for such purpose. The records shall be sufficient to substantiate the accuracy of the claim and shall be in such form and contain such information as the director may require. The failure to maintain such records or to accede to a demand for an examination of such records may be deemed by the director as sufficient cause for denial of all right to the refund claimed on account of the transaction in question.

RCW 82.36.340
amended.
Examination
of books and
records.

SEC. 11. (RCW 82.36.350) If upon investigation the director determines that any claim has been supported by an invoice or invoices fraudulently made or altered in any manner to support the claim, he may suspend the pending and all further refunds to any such person making the claim for a period not to exceed one year.

RCW 82.36.350
enacted
without
amendment.

SEC. 12. (RCW 82.36.360) When motor vehicle fuel is sold to a person who claims to be entitled to a refund of the tax, the seller of such motor vehicle fuel shall make and deliver at the time of sale separate invoices for each purchase on invoice forms approved by the director showing the name and address of the seller, the name and address of the purchaser, the number of gallons of motor vehicle fuel

RCW 82.36.360
amended.
Separate
invoices for
nontaxed
fuel.

Motor vehicle fuel tax.

so sold, and the date of such purchase. All invoices shall be legibly written and shall be void if any corrections or erasures appear on the face thereof.

RCW 82.36.370 enacted without amendment.

SEC. 13. (RCW 82.36.370) A refund shall be made in the manner provided in this chapter or a credit given allowing for the excise tax paid or accrued on all motor vehicle fuel which, after shipment or receipt, is destroyed by fire, lightning, flood, wind storm, or explosion, but such destruction must be proved to the complete satisfaction of the director.

New section.

SEC. 14. There is added to chapter 82.36 RCW a new section to read as follows:

Credit in lieu of collection and refund, use by distributor.

In lieu of the collection and refund of the tax on motor vehicle fuel used by a distributor in such a manner as would entitle a purchaser to claim refund under this chapter, credit may be given the distributor upon his tax return in the determination of the amount of his tax.

New section.

SEC. 15. There is added to chapter 82.36 RCW a new section to read as follows:

Fuel used for marine use excluded from taxation—Exemption certificate—Records.

The provisions of this chapter requiring the payment of taxes shall not apply to motor vehicle fuel delivered exclusively for marine use by a distributor directly into the fuel tanks connected to the engine of any marine vessel (excluding any amphibious vehicle) owned or operated by the purchaser of the fuel: *Provided*, That such purchaser holds at the time of the delivery a permit issued pursuant to the provisions of RCW 82.36.270. Each invoice covering such sale shall have the statement "Ex Washington Motor Vehicle Fuel Tax" clearly marked thereon.

Proviso.

In support of the aforementioned exemption the distributor shall obtain from the person so purchasing the motor vehicle fuel, and retain in his possession, an exemption certificate in such form and detail as the director may require. The certificate shall contain a statement signed by the purchaser of the fuel to the effect that the fuel so purchased will be

used solely for marine use. The distributor may either obtain a separate exemption certificate from the purchaser for each delivery of fuel thereto or he may obtain one certificate covering all deliveries made to such purchaser during any given calendar month.

Sections 8 and 10 of this amendatory act relating to records and the examination of records shall also apply to the exemption claimed by any person who purchases motor vehicle fuel under the provisions of this section.

SEC. 16. There is added to chapter 82.36 RCW a New section. new section to read as follows:

Any dealer who delivers motor vehicle fuel exclusively for marine use into the fuel tanks connected to the engine of any marine vessel (excluding any amphibious vehicle) owned or operated by the purchaser of the fuel, said dealer having paid the tax on such fuel levied or directed to be paid as provided in this chapter, either directly by the collection of such tax by the vendor from the dealer or indirectly by the adding of the amount of the tax to the price of such fuel, shall be entitled to and shall be refunded the amount of the tax so paid. The refund shall be applicable only if the person to whom the dealer sold the fuel holds a permit issued pursuant to the provisions of RCW 82.36.270 at the time of sale. Each invoice covering such sale shall have the statement, "Ex Washington Motor Vehicle Fuel Tax," clearly marked thereon.

Refund to distributors on fuel used for marine use—Procedure—Certificate.

In addition to the claim to be filed under RCW 82.36.310 the dealer shall also file a certificate supporting such refund in such form and detail as the director may require. The certificate shall contain a statement signed by the purchaser of the fuel to the effect that the fuel so purchased will be used solely for marine use. The dealer may either file a separate certificate obtained from the purchaser for each

Motor vehicle
fuel tax.

delivery of fuel thereto or he may file one certificate covering all deliveries made to such purchaser during any given calendar month.

New section.

SEC. 17. There is added to chapter 82.36 RCW a new section to read as follows:

Liability
when fuel
not used for
marine use—
Rules and
regulations to
enforce act.

If any person who purchases motor vehicle fuel exclusive of tax under the provisions of sections 15 and 16 of this amendatory act uses or permits such fuel to be used for purposes other than marine use as set forth in this chapter, he shall immediately become liable for the motor vehicle fuel tax imposed thereon and shall for a period of five years thereafter become ineligible for any permit under RCW 82.36.270. The foregoing remedies shall be cumulative and no action taken pursuant thereto shall relieve any person from the penal provisions of this chapter.

The director is hereby empowered with full authority to promulgate rules and regulations and to prescribe forms necessary for the enforcement of the provisions relating to such sales and use of motor vehicle fuel. This shall include authority to require distributors and dealers to color motor vehicle fuel so sold with a coloring matter to be prescribed and furnished without cost by the director. It shall be unlawful to use or to permit the use of the fuel so colored for any purpose other than that provided under sections 15 and 16 of this amendatory act. The director, in order to ascertain whether the fuel so colored has been unlawfully used, may take samples of fuel from fuel tanks of motor vehicles and conduct such other examinations as he may deem necessary.

Section 3,
effective date.

SEC. 18. Section 3 of this amendatory act shall be in force and take effect on April 1, 1958.

SEC. 19. This amendatory act, with the exception of section 3, shall be in force and take effect on July 1, 1957.

Effective date.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 219.

[Sub. H. B. 400.]

COUNTY OFFICERS, DEPUTIES, EMPLOYEES—SALARIES.

AN ACT relating to county officers, deputies and employees; and amending sections 2716, 2741 and 2767, Code 1881, section 1, page 174, Laws of 1886, sections 1, 2 and 3, chapter 60, Laws of 1905, section 2, chapter 168, Laws of 1919, sections 1 and 2, chapter 184, Laws of 1921, section 6, chapter 148, Laws of 1925 extraordinary session, section 3, chapter 197, Laws of 1937, section 1, chapter 260, Laws of 1943, section 1, chapter 200, Laws of 1949 as last amended by section 1, chapter 264, Laws of 1953, and RCW 36.16.070, 36.17.020, 36.17.030 and 36.28.020; and amending section 1, chapter 215, Laws of 1953 and RCW 36.17.025.

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

SECTION 1. Sections 2716, 2741 and 2767, Code 1881, section 1, page 174, Laws of 1886, sections 1, 2 and 3, chapter 60, Laws of 1905, section 2, chapter 168, Laws of 1919, sections 1 and 2, chapter 184, Laws of 1921, section 6, chapter 148, Laws of 1925 extraordinary session, section 3, chapter 197, Laws of 1937, section 1, chapter 260, Laws of 1943, section 1, chapter 200, Laws of 1949 as last amended by section 1, chapter 264, Laws of 1953 (heretofore divided, combined and codified as RCW 36.16.070, 36.17.020, 36.17.030 and 36.28.020) are divided and amended to read as set forth in sections 2 through 5 of this act.

Combination,
division and
amendment.

SEC. 2. (RCW 36.16.070) In all cases where the duties of any county office are greater than can be

RCW 36.16.070
amended.

Deputies and employees.

performed by the person elected to fill it, the officer may employ deputies and other necessary employees with the consent of the board of county commissioners. The board shall fix their compensation and shall require what deputies shall give bond and the amount of bond required from each. The sureties on deputies' bonds must be approved by the board and the premium therefor is a county expense.

A deputy may perform any act which his principal is authorized to perform. The officer appointing a deputy or other employee shall be responsible for the acts of his appointees upon his official bond and may revoke each appointment at pleasure.

RCW 36.17.020 amended. County officers. Schedule of salaries.

SEC. 3. (RCW 36.17.020) The salaries of county officers of class A counties and counties of the first, second, third, fourth, fifth, sixth, seventh, eighth, and ninth classes, as determined by the last preceding federal census, or as may be determined under the provisions of RCW 36.13.020 to 36.13.070, inclusive, shall be per annum respectively as follows:

Class A counties: Auditor, clerk, treasurer, sheriff, assessor, superintendent of schools, members of board of county commissioners, coroner, nine thousand two hundred dollars; prosecuting attorney, ten thousand eight hundred dollars;

Counties of the first class: Auditor, clerk, treasurer, sheriff, assessor, superintendent of schools, members of board of county commissioners, eight thousand three hundred dollars; prosecuting attorney, nine thousand eight hundred dollars; coroner, four thousand one hundred dollars;

Counties of the second class: Auditor, clerk, treasurer, sheriff, assessor, superintendent of schools, member of board of county commissioners, seven thousand dollars; prosecuting attorney, seven thousand four hundred dollars; coroner, two thousand four hundred dollars;

Counties of the third class: Auditor, clerk, treasurer, assessor, sheriff, superintendent of schools, members of board of county commissioners, prosecuting attorney, six thousand three hundred dollars; and coroner, one thousand six hundred dollars;

County of-
ficers. Sched-
ule of salaries.

Counties of the fourth class: Auditor, clerk, treasurer, assessor, sheriff, superintendent of schools, five thousand six hundred dollars; members of the board of county commissioners and prosecuting attorney, five thousand one hundred dollars;

Counties of the fifth class: Auditor, clerk, treasurer, sheriff, assessor, superintendent of schools, five thousand one hundred dollars; members of the board of county commissioners and prosecuting attorney four thousand four hundred dollars;

Counties of the sixth class: Auditor, clerk, treasurer, assessor, sheriff, superintendent of schools, four thousand six hundred dollars; prosecuting attorney, two thousand eight hundred dollars; members of the board of county commissioners, one thousand five hundred dollars and twelve dollars per diem for expenses;

Counties of the seventh class: Auditor, clerk, treasurer, assessor, sheriff, superintendent of schools, four thousand five hundred dollars; prosecuting attorney, two thousand eight hundred dollars; members of the board of county commissioners, one thousand five hundred dollars and twelve dollars per diem for expenses;

Counties of the eighth class: Auditor, treasurer, assessor, sheriff, four thousand dollars; clerk, two thousand eight hundred dollars; superintendent of schools, two thousand six hundred dollars; prosecuting attorney, two thousand four hundred dollars; members of board of county commissioners, one thousand two hundred dollars and ten dollars per diem for expenses;

County of-
ficers. Sched-
ule of salaries.

Counties of the ninth class: Auditor-clerk, sheriff, treasurer, assessor, three thousand seven hundred dollars; superintendent of schools, two thousand two hundred dollars; prosecuting attorney, one thousand seven hundred dollars; members of the board of county commissioners, twelve dollars per diem.

The salaries of county officers in counties with a population over five hundred thousand shall be per annum respectively as follows: Auditor, clerk, treasurer, sheriff, assessor, superintendent of schools, members of board of county commissioners, coroner, twelve thousand dollars; prosecuting attorney, thirteen thousand five hundred dollars.

County
auditor-
county clerk,
authorized,
eighth class
counties—
Salary.

SEC. 4. The office of county auditor may be combined with the office of county clerk in counties of the eighth class by unanimous resolution of the board of county commissioners passed thirty days or more prior to the first day of filing for the primary election for county offices. The salary of such office of county clerk combined with the office of county auditor shall be four thousand five hundred dollars.

Passed the House March 6, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 220.

[S. B. 186.]

ARBOR DAY.

AN ACT designating the second Wednesday in April of each year as Arbor Day.

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

SECTION 1. The second Wednesday in April of each year is designated as Arbor Day. Arbor Day designated.

Passed the Senate February 14, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 221.

[S. B. 349.]

TRADING STAMPS.

AN ACT relating to stamps, coupons, tickets, certificates, cards, and other similar devices issued; in connection with the sale of goods, wares, or merchandise; and amending section 1, chapter 31, Laws of 1939 and RCW 36.91.030 and 36.91.040.

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

SECTION 1. Section 1, chapter 31, Laws of 1939 (heretofore divided and codified as RCW 36.91.030 and 36.91.040) is divided and amended as set forth in sections 2 and 3 of this act. Division and amendment.

SEC. 2. (RCW 36.91.030) No person shall furnish or sell to another for use, in, with, or for the sale of any goods, any trading stamps, coupons, tickets, certificates, cards, or other similar devices to be used in any county, city or town in this state other than that in which such furnishing or selling shall take place. RCW 36.91.030 enacted without amendment.

SEC. 3. (RCW 36.91.040) Nothing in this chapter, or in any other statute or ordinance of this state, RCW 36.91.040 amended.

Trading stamp licenses. Coupons of manufacturers contained in original packages exempt—Exception.

shall apply to the issuance and direct redemption by a manufacturer of a premium coupon, certificate, or similar device; or prevent him from issuing and directly redeeming such premium coupon, certificate, or similar device, which, however, shall not be issued, circulated or distributed by retail vendors except when contained in or attached to an original package. The term "manufacturer," as used in this section means any vendor of an article of merchandise which is put up by or for him in an original package and which is sold under his or its trade name, brand or mark: *Provided*, That no premium coupon, certificate or similar device shall be issued in connection with the sale of eggs, poultry, and the products thereof, or milk and the products thereof.

Proviso.

Passed the Senate February 23, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 222.

[S. B. 305.]

STATE EMPLOYEES' RETIREMENT SYSTEM—FEDERAL SOCIAL SECURITY.

AN ACT relating to the covering of state employee members of the state employees' retirement system under the old age and survivor insurance provisions of Title II of the federal social security act as amended; approving a plan for such coverage as presented to and approved by the governor of the state of Washington; establishing an effective date; and declaring an emergency.

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

State employees OASI plan approved.

SECTION 1. The plan for covering the state employee members of the state employees' retirement system under the old age and survivorship provisions of Title II of the federal social security act as amended, required by RCW 41.48.050 as amended

by section 5, chapter 4, Laws of the extraordinary session of 1955, approved by the state employees' retirement board of the state employees' retirement system on the 1st day of August, 1955, and approved by the governor of the state of Washington on the 16th day of August, 1955, is hereby approved.

SEC. 2. The terms and provisions of the plan are as follows: Terms and provisions.

(1) Each political subdivision of the state employing members of the state employees' retirement system, and such employees, after approval of this plan by its governing body as provided in RCW 41.48.030 (4) (f) and after approval by its eligible employees through referendum as provided in RCW 41.48.030 (3) and (4), and the state itself as such a subdivision, and its employees, after approval of this plan by the legislature as provided in RCW 41.48.050 (d) and RCW 41.48.030 (4) (f) and after approval by its eligible employees through referendum as provided in RCW 41.48.030 (3) and (4), shall be deemed to have accepted and agreed to be bound by the following terms and conditions in consideration of extension of the existing agreement between the secretary of health, education and welfare and the governor to make the protection of the federal old age and survivors insurance program available and applicable to such employees.

(2) As used in this plan the terms quoted below shall have the meanings assigned thereto in this subsection. Definitions.

"Political subdivision" means any political subdivision, or instrumentality of one or more such subdivisions, or proprietary enterprise acquired, purchased or originated by one or more such subdivisions after December, 1950, which employs members of the state employees' retirement system. The state, its agencies, instrumentalities and institutions of "Political subdivision."

Definitions. higher learning shall be grouped and considered as a single political subdivision.

"Employee." "Employee" means any person who is a member of the state employees' retirement system and is employed by a political subdivision, except persons serving in policeman's or fireman's positions and officials compensated on a fee basis.

"Wages." "Wages" shall have the meaning given in RCW 41.48.020 (1) and section 209 of the social security act (42 U.S.C.A. Sec. 409); and refers to the first four thousand two hundred dollars paid to any employee in any calendar year.

"State." "State", where not otherwise clearly indicated by the context, means the commissioner of employment security or other officer designated by the governor to administer the plan at the state level for all participating political subdivisions.

State employees, OASI plan. Terms and provisions.

(3) The terms and conditions of this plan are intended and shall be construed to be in conformity with the requirements of the federal social security act as amended and with the requirements of chapter 41.48 RCW, and particularly RCW 41.48.050, as amended by chapter 4, Laws of the extraordinary session of 1955.

(4) The rights and benefits accruing to employees from membership in the state employees' retirement system shall in no way be altered or impaired by this plan or by the additional and supplementary OASI coverage which such employees may receive hereunder. Nothing herein shall be construed to alter in any way the obligations of any political subdivision or its employees to the retirement system.

(5) There shall be no additional cost to or involvement of the state with respect to OASI coverage for state employee members of the state employees' retirement system until this plan has been approved by the legislature.

(6) OASI coverage shall be applicable to all services performed by its employees for a political subdivision which has approved this plan.

(7) Each employee to whom OASI coverage is made applicable under this plan pursuant to an extension or modification under RCW 41.48.030 of the existing agreement between the secretary of health, education and welfare and the governor shall be required to pay into the OASI contribution fund established by RCW 41.48.060 during the period of such coverage contributions with respect to his wages in an amount equal to the employee tax imposed by the federal insurance contributions act (section 3101, Internal Revenue Code of 1954), in consideration of the employee's retention in service by the political subdivision. The subdivision shall withhold such contributions from the wages paid to the employee; and shall remit the contributions so withheld in each calendar quarter to the state for deposit in the contribution fund not later than the twentieth calendar day of the month following that quarter.

(8) Each political subdivision shall pay into the contribution fund with respect to the wages of its employees during the period of their OASI coverage pursuant to this plan contributions in an amount equal to the employer tax imposed by the federal insurance contributions act (section 3111, Internal Revenue Code of 1954), from the fund of the subdivision from which such employees' wages are paid. The subdivision shall remit such contributions to the state for deposit in the contribution fund on a quarterly basis, not later than the twentieth calendar day of the month following each calendar quarter.

(9) If any political subdivision other than that comprising the state, its agencies, instrumentalities and institutions of higher learning fails to remit as provided herein employer contributions or employee contributions, or any part of either, such delinquent

State em-
ployees, OASI
plan. Terms
and pro-
visions.

contributions may be recovered with interest at the rate of six percent per annum by action in a court of competent jurisdiction against the political subdivision; or such delinquent contributions may at the request of the governor be deducted from any moneys payable to such subdivision by the state.

(10) Each political subdivision shall be charged with a share of the cost of administration of this plan by the state, to be computed as that proportion of the overall cost of administration which its total annual contributions bear to the total annual contributions paid by all subdivisions on behalf of employees covered by the plan. The state shall compute the share of cost allocable to each subdivision and bill the subdivision therefor at the end of each fiscal year. The subdivision shall within ninety days thereafter remit its share of the cost to the state for deposit in the general fund of the state.

(11) Each political subdivision shall submit to the state, through the employment security department, P. O. Box 367, Olympia, Washington, or such other officer or agency as the governor may subsequently designate, on forms furnished by the state, not later than the twentieth calendar day of the month following the end of each calendar quarter, the following information:

A. the social security account number of each employee;

B. the name of each employee;

C. the amount of wages subject to contributions as required hereunder paid to each employee during the quarter;

D. the total amount of wages subject to contributions paid to all employees during the quarter;

E. the total amount of employee contributions withheld and remitted for the quarter; and

F. the total amount of employer contributions paid by the subdivision for the quarter.

(12) Each political subdivision shall furnish in the same manner as provided in subsection (11), upon reasonable notice, such other and further reports or information as the governor may from time to time require. Each subdivision shall comply with such requirements as the secretary of health, education and welfare or the governor may from time to time establish with respect to any or all of the reports or information which are or may be provided for under subsection (11) or this subsection in order to assure the correctness and verification thereof.

Terms and provisions.

(13) The governing body of each political subdivision shall designate an officer of the subdivision to administer such accounting, reporting and other functions as will be required for the effective operation of this plan within the subdivision, as provided herein. The commissioner of employment security, or such other officer as the governor may designate, shall perform or supervise those functions with respect to employees of the subdivision comprising the state, its agencies, instrumentalities and institutions of higher learning; and shall serve as the representative of the participating political subdivisions in the administration of this plan with the secretary of health, education and welfare.

(14) OASI coverage may be made applicable as provided herein to employees of any political subdivision regardless of the approval or disapproval of this plan by any other subdivision.

(15) Each political subdivision, with the approval of a majority of its employees as indicated by vote thereon in conjunction with the referendum to be held pursuant to RCW 41.48.030 (3) and (4), may designate the first day of any month beginning with January of 1955 as the effective date of OASI coverage for such employees; except that after January 1, 1958, a subdivision may not so designate an

State em-
ployees, OASI
plan. Terms
and pro-
visions.

effective date prior to the first day of the current calendar year.

(16) The governor may terminate the operation of this plan in its entirety with respect to any political subdivision, in his discretion, if he finds that the subdivision has failed to comply substantially with any requirement or provision of this plan. The plan shall not be so terminated until reasonable notice and opportunity for hearing thereon have been given to the subdivision under such conditions, consistent with the provisions of the social security act, as shall have been established in regulations by the governer.

Effective date,
provisional.

SEC. 3. The effective date of OASI coverage for state employee members of the state employees retirement system shall be the 1st day of July, 1957; provided the terms and conditions set forth in RCW 41.48.030 (3) have been fulfilled.

Severability.

SEC. 4. 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.

Emergency.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the governor March 22, 1957.

CHAPTER 223.

[S. B. 357.]

VOCATIONAL REHABILITATION.

AN ACT relating to vocational rehabilitation; amending sections 1, 2 and 3, chapter 176, Laws of 1933 and RCW 28.10.010, 28.10.020 and 28.10.030; and section 5, chapter 176, Laws of 1933 as amended by section 1, chapter 371, Laws of 1955 and RCW 28.10.050 and adding a new section to chapter 176, Laws of 1933 and chapter 28.10 RCW.

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

SECTION 1. Section 2, chapter 176, Laws of 1933 and RCW 28.10.010 are each amended to read as follows:

RCW 28.10.010 amended.

“Physically disabled person” means a person who is or may be expected to be totally or partially incapacitated for remunerative occupation.

Definitions. “Physically disabled person.”

“Vocational rehabilitation” means the rendering of a physically disabled person fit for a remunerative occupation.

“Vocational rehabilitation.”

“A person eligible for rehabilitation” means a vocationally handicapped person of fourteen years of age or over susceptible of rehabilitation.

“A person eligible for rehabilitation.”

“Self-care” shall mean a reasonable degree of restoration from dependency upon others for personal needs and care and includes but is not limited to ability to live in own home, rather than requiring nursing home care and care for self rather than requiring attendant care.

“Self-care.”

SEC. 2. Section 1, chapter 176, Laws of 1933 and RCW 28.10.020 are each amended to read as follows:

RCW 28.10.020 amended.

There is established, under the direction and control of the state board for vocational education, a division designated as the division of vocational rehabilitation, for the vocational rehabilitation and placement in remunerative employment of persons whose capacity to earn a living has been destroyed

Creation of division.

or impaired and to render necessary services to enable persons lacking social competence or mobility to attain and maintain self-care and self-support.

RCW 28.10.030 amended.

SEC. 3. Section 3, chapter 176, Laws of 1933 and RCW 28.10.030 are each amended to read as follows:

Vocational rehabilitation.
Duties of state board for vocational rehabilitation.

The division of vocational rehabilitation shall:

(1) Disburse all funds provided by law and funds from private sources unconditionally offered for the rehabilitation of disabled persons;

(2) Appoint and fix the compensation of the necessary personnel;

(3) Vocationally rehabilitate, and place in remunerative occupations, eligible persons;

(4) Make necessary rules and regulations;

(5) Report annually to the governor on the administration of this chapter.

New section.

SEC. 4. There is added to chapter 176, Laws of 1933 and chapter 28.10 RCW a new section to read as follows:

Services to aid in self-support and self-care.

The division of vocational rehabilitation shall render to persons lacking social competence or mobility necessary services to enable them to obtain and maintain the maximum degree of self-support and self-care. This shall include continuing services including supervisory services to maintain their maximum degree of self-support and self-care.

RCW 28.10.050 amended.

SEC. 5. Section 5, chapter 176, Laws of 1933, as amended by section 1, chapter 371, Laws of 1955, and RCW 28.10.050 are each amended to read as follows:

The state of Washington does hereby:

Acceptance of federal aid.

(1) Accept the provisions and benefits of the act of congress entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment," approved June 2, 1920, as

amended June 5, 1924, and June 9, 1930; also as amended on August 3, 1954, by the "vocational rehabilitation amendments of 1954," or other federal acts which provide benefits for the purposes of this chapter;

Acceptance of federal aid.

(2) Designate the state treasurer as custodian of all moneys received by the state from appropriations made by the congress of the United States for vocational rehabilitation of persons disabled in industry or otherwise, and authorize the state treasurer to make disbursements therefrom upon the order of the division of vocational rehabilitation; and

(3) Empower and direct the division of vocational rehabilitation to cooperate with the federal government in carrying out the provisions of the federal civilian vocational rehabilitation act.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 22, 1957.

CHAPTER 224.

[S. B. 35.]

MUNICIPAL CORPORATIONS—CLAIMS FOR DAMAGES.

AN ACT relating to municipal corporations; and amending section 36, chapter 241, Laws of 1907 and RCW 35.23.340, and section 1, chapter 83, Laws of 1909 and RCW 35.31.010, and section 1, chapter 96, Laws of 1917 and RCW 35.31.020, and section 2, chapter 148, Laws of 1915 and RCW 35.31.040; and amending section 1, chapter 121, Laws of 1893 and RCW 36.32.330, and section 1, chapter 149, Laws of 1919 and RCW 36.45.010, 36.45.020 and 36.45.030.

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

SECTION 1. Section 36, chapter 241, Laws of 1907 and RCW 35.23.340 are each amended to read as follows:

RCW 35.23.340 amended.

Second class cities—Damage claims—Allowance of—Filing.

Proviso.

All claims for damages against a second class city must be filed with the city clerk within ninety days from the date the damage occurred or the injury was sustained: *Provided*, That claims for damages arising from an alleged defective sidewalk must be filed within thirty days from the date the damage occurred or the injury was sustained. No action for any claim for damages shall be maintained against a city of the second class until it has been presented to the council and until sixty days have elapsed after such presentation. The allowance of any damage claim against the city must be by ordinance and not otherwise.

RCW 35.31.010 amended.

SEC. 2. Section 1, chapter 83, Laws of 1909 and RCW 35.31.010 are each amended to read as follows:

First class cities—Damage claims—Statement of residence required.

Whenever a claim for damages sounding in tort against any city of the first class is presented to and filed with the city clerk or other proper officer of the city, in compliance with valid charter provisions thereof, such claim must contain, in addition to the valid requirements of the city charter relating thereto, a statement of the actual residence of the claimant, by street and number, at the date of presenting and filing such claim; and also a statement of the actual residence of the claimant for six months immediately prior to the time the claim for damages accrued.

Filing.

All claims for damages against any city of the first class must be filed with the city clerk or other proper officer within ninety days from the date that the damage occurred or the injury was sustained: *Provided*, That claims for damages arising from an alleged defective sidewalk must be filed within thirty days from the date the damage occurred or the injury was sustained.

Proviso.

RCW 35.31.020 amended.

SEC. 3. Section 1, chapter 96, Laws of 1917 and RCW 35.31.020 are each amended to read as follows:

Nothing herein shall be construed as in anywise modifying, limiting or repealing any valid provision of the charter of any first class city relating to such claims for damages, except as provided in RCW 35.31.010 and this section, but the provisions hereof shall be in addition to such charter provisions, and such claims for damages, in all other respects, shall conform to and comply with such charter provisions. All claims for damages against a city of the first class shall be filed within ninety days from the date that the damage occurred or the injury was sustained: *Provided*, That claims for damages arising from an alleged defective sidewalk must be filed within thirty days from the date the damage occurred or the injury was sustained: *Provided further*, That if the claimant is incapacitated from verifying and filing his claim for damages within the time prescribed, or if the claimant is a minor, or in case the claim is for damages to real or personal property, and if the owner of such property is a nonresident of such city or is absent therefrom during the time within which a claim for damages to said property is required to be filed, then the claim may be verified and presented on behalf of the claimant by any relative or attorney or agent representing the injured person, or in case of damages to property, representing the owner thereof.

First class cities—Damage claims—Provisions cumulative—Presentation by relative or agent.

Filing.

Proviso.

Proviso.

SEC. 4. Section 2, chapter 148, Laws of 1915 and RCW 35.31.040 are each amended to read as follows:

RCW 35.31.040 amended.

All claims for damages against any city of the second or third class or town must be presented to the city or town council and filed with the city or town clerk within ninety days from the date that the damage occurred or the injury was sustained: *Provided*, That claims for damages arising from an alleged defective sidewalk must be filed within thirty days from the date the damage occurred or the injury was sustained: *Provided further*, That if the

Other than first class cities—Damage claims—Filing.

Proviso.

Proviso.

Other than first class cities—Damage claims—Presentation of claim—Verification—Report—Requisites of claim.

claimant is incapacitated from verifying and filing his claim for damages within said time limitation, or if the claimant is a minor, then the claim may be verified and presented on behalf of the claimant by any relative or attorney or agent representing the injured person.

No ordinance or resolution shall be passed allowing such claim or any part thereof, or appropriating any money or other property to pay or satisfy the same or any part thereof, until the claim has first been referred to the proper department or committee, nor until such department or committee has made its report to the council thereon pursuant to such reference.

All such claims for damages must accurately locate and describe the defect that caused the injury, reasonably describe the injury and state the time when it occurred, give the residence for six months last past of claimant, contain the items of damages claimed and be sworn to by the claimant or a relative, attorney or agent of the claimant.

No action shall be maintained against any such city or town for any claim for damages until the same has been presented to the council and sixty days have elapsed after such presentation.

RCW 36.32.330 amended.

SEC. 5. Section 1, chapter 121, Laws of 1893 and RCW 36.32.330 are each amended to read as follows:

County commissioners. Appeals from board's action.

Any person may appeal to the superior court from any decision or order of the board of county commissioners. Such appeal shall be taken within twenty days after the decision or order, and the appellant shall within that time serve notice of appeal on the county commissioners. The notice shall be in writing and shall be delivered to at least one of the county commissioners personally, or left with the county auditor. The appellant shall, within ten days after service of the notice of appeal give a bond to the county with one or more sureties, to be approved

by the county auditor, conditioned for the payment of all costs which shall be adjudged against him on such appeal in the superior court. The practice regulating appeals from and writs of certiorari to justice's courts shall, insofar as applicable, govern in matters of appeal from a decision or order of the board of county commissioners.

Appeals from board's action.

Nothing herein contained shall be construed to prevent a party having a claim against any county in this state from enforcing the collection thereof by civil action in any court of competent jurisdiction after the same has been presented to and filed as provided by law and disallowed in whole or in part by the board of county commissioners of the proper county. Such action must, however, be commenced within the time limitation provided in RCW 36.45.030.

Civil actions.

SEC. 6. Section 1, chapter 149, Laws of 1919 (heretofore divided and codified as RCW 36.45.010, 36.45.020 and 36.45.030) is divided and amended to read as set forth in sections 7, 8 and 9 of this amendatory act.

Division and amendment.

SEC. 7. (RCW 36.45.010) All claims for damages against any county must be presented before the board of county commissioners and filed with the clerk thereof within ninety days from the date that the damage occurred or the injury was sustained.

RCW 36.45.010 amended. Counties—Damage claims—Time for filing.

SEC. 8. (RCW 36.45.020) All such claims for damages must locate and describe the defect which caused the injury, describe the injury, and contain the amount of damages claimed, together with a statement of the actual residence of the claimant at the time of presenting and filing the claim and for a period of six months immediately prior to the time the claim accrued and be sworn to by the claimant: *Provided*, That if the claimant is incapacitated from verifying and filing his claim for damages within the time prescribed, or if the claimant is a minor,

RCW 36.45.020 enacted without amendment.

or in case the claim is for damages to real or personal property, and the owner of the property is a nonresident of the county or is absent therefrom during the time within which a claim for damages is required to be filed, the claim may be verified and presented on behalf of the claimant by any relative or attorney or agent representing the injured person or, in case of damages to property, representing the owner thereof.

RCW 36.45.030
amended.

SEC. 9. (RCW 36.45.030) No action shall be maintained on any claim for damages until it has been presented to the board of county commissioners and sixty days have elapsed after such presentation, but such action must be commenced within three months after the sixty days have elapsed.

Counties—
Time for
commence-
ment of action
on damage
claims.

"District"
defined.

SEC. 10. As used in section 11 the term "district" includes all municipal corporations having a governing body, such as port, school, independent highway, water, fire protection, sewer, public utility, and all other districts of similar organization but does not include any city, town, county, or township.

Presentation
of claim—
filing date.

SEC. 11. All claims for damages against any district as defined in section 10 must be presented to the governing body of such district and filed with the clerk or proper officer thereof within one year from the date the damage occurred or the injury was sustained or such claim shall be disallowed.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 225.

[S. B. 79.]

STATE INSTITUTIONS—PROCURING ESCAPE.

AN ACT relating to state institutions; amending section 20, chapter 198, Laws of 1949 and RCW 71.12.620; and providing penalties.

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

SECTION 1. Section 20, chapter 198, Laws of 1949 and RCW 71.12.620 are each amended to read as follows:

RCW 71.12.620 amended.

Any person who procures the escape of any inmate of any mental hospital, school for mental defectives or institutions for psychopaths to which a person is committed under any of the provisions of this chapter, or who advises, connives at, aids, or assists in such escape or conceals any such escape, is guilty of a felony and shall be punished by imprisonment in a state penal institution for a term of not more than five years or by a fine of not more than five hundred dollars or by both imprisonment and fine.

Escape of inmate—
Penalty for assisting.

Passed the Senate March 3, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 226.

[S. B. 381.]

UNITED STATES VOCATIONAL EDUCATION ACCOUNT—
ABOLISHED.

AN ACT transferring certain moneys in and to be paid into the state treasury; abolishing the United States vocational education account; defining the duties and powers of the state treasurer in connection therewith; and adding four new sections to chapter 43.79 RCW.

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

New section.

SECTION 1. There is added to chapter 43.79 RCW a new section to read as follows:

Moneys transferred to general fund.

All moneys in the state treasury to the credit of the United States vocational education account in the general fund on August 1, 1957, and all moneys thereafter paid into the state treasury for or to said account, shall be and are hereby transferred to and placed in the general fund.

New section.

SEC. 2. There is added to chapter 43.79 RCW a new section to read as follows:

Appropriations to be paid out of general fund.

From and after the first day of July, 1957, all appropriations made by the thirty-fifth legislature from the United States vocational education account shall be paid out of moneys in the general fund.

New section.

SEC. 3. There is added to chapter 43.79 RCW a new section to read as follows:

United States vocational educational account abolished.

From and after the first day of August, 1957, the United States vocational education account in the general fund is abolished.

New section.

SEC. 4. There is added to chapter 43.79 RCW a new section to read as follows:

Warrants to be paid from general fund.

From and after the first day of August, 1957, all warrants drawn on the United States vocational education account in the general fund and not presented for payment shall be paid from the general fund, and it shall be the duty of the state treasurer and he is hereby directed to pay such warrants when presented from the general fund.

Effective date.

SEC. 5. This act is necessary for the support of the state government and its existing public institutions and shall take effect July 1, 1957.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 227.

[S. B. 76.]

CRIMES AND PUNISHMENT—SENTENCES—PROBATION.

AN ACT relating to crimes and punishment; amending section 1, chapter 76, Laws of 1949 and RCW 9.92.060, and section 1, chapter 125, Laws of 1939 and section 1, chapter 59, Laws of 1949 and section 1, chapter 77, Laws of 1949 and RCW 9.95.200; enacting RCW 9.95.210 through 9.95.250; and providing penalties.

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

SECTION 1. Section 1, chapter 76, Laws of 1949 and RCW 9.92.060 are each amended to read as follows:

RCW 9.92.060 amended.

Whenever any person shall be convicted of any crime except murder, burglary in the first degree, arson in the first degree, robbery, carnal knowledge of a female child under the age of ten years, or rape, the court may in its discretion, at the time of imposing sentence upon such person, direct that such sentence be stayed and suspended until otherwise ordered by such court, and that the sentenced person be placed under the charge of a parole or peace officer during the term of such suspension, upon such terms as the court may determine: *Provided*, That as a condition to suspension of sentence, the court may require the convicted person to make such monetary payments, on such terms as the court deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay any fine imposed and not suspended and the court or other costs incurred in the prosecution of the case, including reimbursement of the state for costs of extradition if return to this state by extradition was required. In no case

Punishment. Suspending sentences.

Proviso.

Crimes and punishment—
Sentences—
Probation.
Suspended sentences.

shall a sentence be suspended under the provisions of this section unless the prisoner if sentenced to confinement in a penal institution be placed under the charge of a parole officer, who is a duly appointed and acting officer of the institution to which the person is sentenced.

Division and amendment.

SEC. 2. Section 1, chapter 125, Laws of 1939 as last amended by section 1, chapter 59, Laws of 1949 and section 1, chapter 77, Laws of 1949 (heretofore divided and codified as RCW 9.95.200 through 9.95.250) are amended and enacted as set forth in sections 3 through 8 of this amendatory act.

RCW 9.95.200 amended.

SEC. 3. (RCW 9.95.200) After conviction by plea or verdict of guilty of any crime, the court upon application or its own motion, may summarily grant or deny probation, or at a subsequent time fixed may hear and determine, in the presence of the defendant, the matter of probation of the defendant, and the conditions of such probation, if granted. The court may, in its discretion, prior to the hearing on the granting of probation refer the matter to the board of prison terms and paroles or such officers as the board may designate for investigation and report to the court at a specified time, upon the circumstances surrounding the crime and concerning the defendant, his prior record, and his family surroundings and environment. In case there are no regularly employed parole officers working under the supervision of the board of prison terms and paroles in the county or counties wherein the defendant is convicted by plea or verdict of guilty, the court may, in its discretion, refer the matter to the prosecuting attorney or sheriff of the county for investigation and report.

Prison terms, paroles, probation. Probation by court—Board to investigate.

RCW 9.95.210 enacted without amendment.

SEC. 4. (RCW 9.95.210) The court in granting probation, may suspend the imposing or the execution of the sentence and may direct that such suspension may continue for such period of time, not

exceeding the maximum term of sentence, except as hereinafter set forth and upon such terms and conditions as it shall determine.

The court in the order granting probation and as a condition thereof, may in its discretion imprison the defendant in the county jail for a period not exceeding one year or may fine defendant any sum not exceeding one thousand dollars plus the costs of the action, and may in connection with such probation impose both imprisonment in the county jail and fine and court costs. The court may also require the defendant to make such monetary payments, on such terms as it deems appropriate under the circumstances, as are necessary (1) to comply with any order of the court for the payment of family support, (2) to make restitution to any person or persons who may have suffered loss or damage by reason of the commission of the crime in question, and (3) to pay such fine as may be imposed and court costs, including reimbursement of the state for costs of extradition if return to this state by extradition was required, and may require bonds for the faithful observance of any and all conditions imposed in the probation. The court shall order the probationer to report to the board of prison terms and paroles or such officer as the board may designate and as a condition of said probation to follow implicitly the instructions of the board of prison terms and paroles. The board of prison terms and paroles will promulgate rules and regulations for the conduct of such person during the term of his probation.

SEC. 5. (RCW 9.95.220) Whenever the state parole officer or other officer under whose supervision the probationer has been placed shall have reason to believe such probationer is violating the terms of his probation, or engaging in criminal practices, or is abandoned to improper associates, or living a

RCW 9.95.220
enacted
without
amendment.

Crimes and
punishment—
Sentences—
Probation.

vicious life, he shall cause the probationer to be brought before the court wherein the probation was granted. For this purpose any peace officer or state parole officer may rearrest any such person without warrant or other process. The court may thereupon in its discretion without notice revoke and terminate such probation. In the event the judgment has been pronounced by the court and the execution thereof suspended, the court may revoke such suspension, whereupon the judgment shall be in full force and effect, and the defendant shall be delivered to the sheriff to be transported to the penitentiary or reformatory as the case may be. If the judgment has not been pronounced, the court shall pronounce judgment after such revocation of probation and the defendant shall be delivered to the sheriff to be transported to the penitentiary or reformatory, in accordance with the sentence imposed.

RCW 9.95.230
enacted
without
amendment.

SEC. 6. (RCW 9.95.230) The court shall have authority at any time during the course of probation to (1) revoke, modify, or change its order of suspension of imposition or execution of sentence; (2) it may at any time, when the ends of justice will be subserved thereby, and when the reformation of the probationer shall warrant it, terminate the period of probation, and discharge the person so held.

RCW 9.95.240
enacted
without
amendment.

SEC. 7. (RCW 9.95.240) Every defendant who has fulfilled the conditions of his probation for the entire period thereof, or who shall have been discharged from probation prior to the termination of the period thereof, may at any time prior to the expiration of the maximum period of punishment for the offense for which he has been convicted be permitted in the discretion of the court to withdraw his plea of guilty, and enter a plea of not guilty, or if he has been convicted after a plea of not guilty, the court may in its discretion set aside the verdict of guilty; and in either case, the court may thereupon

dismiss the information or indictment against such defendant, who shall thereafter be released from all penalties and disabilities resulting from the offense or crime of which he has been convicted. The probationer shall be informed of this right in his probation papers: *Provided*, That in any subsequent prosecution, for any other offense, such prior conviction may be pleaded and proved, and shall have the same effect as if probation had not been granted, or the information or indictment dismissed.

Proviso.

SEC. 8. (RCW 9.95.250) In order to carry out the provisions of this chapter the state parole officers working under the supervision of the board of prison terms and paroles shall be known as state parole and probation officers.

RCW 9.95.250
enacted
without
amendment.

Passed the Senate March 3, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 228.

[S. B. 196.]

STATE PARKS.

AN ACT relating to state parks and recreation, and making appropriations.

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

SECTION 1. There is hereby appropriated from the parks and parkways account of the general fund, to the state parks and recreation commission, for the biennium beginning July 1, 1957, the sum of one million three hundred seventy-three thousand dollars, or so much thereof as shall be found necessary for the purchase, condemnation and improvement of land and construction of buildings and other improvements, including necessary salaries and wages incident thereto allocated as follows:

Appropriation
to state parks
and recrea-
tion commis-
sion.

Individual allocation.	Birch Bay State Park.....(Whatcom)	\$50,000
	Brooks Memorial State Park.....(Klickitat)	25,000
	Brown Point-Ocean City Vicinity (new)	(Grays Harbor) ... 100,000
	Belfair State Park	(Mason)
	Camano Island State Park (new part). (Island)	70,000
	Field Spring State Park.....(Asotin)	15,000
	Curlew Lake Vicinity (new).....(Ferry)	40,000
	Duckabush-Brinnon Vicinity (Hood Canal) (new)	(Jefferson)
	East Fork Lewis River Vicinity (new). (Clark)	80,000
	Upper Lewis Park Site.....(Cowlitz)	3,000
	Fort Okanogan and Chief Joseph Dam Vicinity (Historical Museum and Park)	125,000
	Ginkgo State Park	(Kittitas)
	Lake Chelan-Lake Wenatchee State Parks	(Chelan)
	Lake Sammamish-Saltwater State Parks (and acquiring new park sites)	(King)
	Ledbetter Point Vicinity (new).....(Pacific)	60,000
	Moran-Rockport State Parks.....(Skagit)	30,000
	Mount Pilchuck State Park.....(Snohomish)	50,000
	Mount Spokane State Park.....(Spokane)	30,000
	Mukilteo State Park.....(Snohomish)	30,000
	Penrose Point-Horsehead Bay State Parks	(Pierce)
	Riverside State Park.....(Spokane)	20,000
	Sacajawea State Park.....(Franklin)	20,000
	Sequim Bay State Park.....(Clallam)	20,000
	Sun Lakes State Park (new part).....(Grant)	70,000
	Walla Junction State Park.....(Walla Walla)	20,000
		\$1,373,000

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 229.

[S. B. 204.]

STATE CENSUS BOARD—STUDENT ENROLLMENT
FORECASTS.

AN ACT relating to the state census board; providing for enrollment forecasts of Washington schools; adding a new section to chapter 96, Laws of 1951 and to chapter 43.62 RCW; and making an appropriation.

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

New section.

SECTION 1. There is added to chapter 96, Laws of 1951 and to chapter 43.62 RCW a new section to read as follows:

The board shall develop and maintain student enrollment forecasts of Washington schools, including both public and private, elementary schools, junior high schools, high schools, colleges and universities. The board shall submit its initial report on such forecasts to the legislative budget committee on or before December 1, 1958, and shall submit such subsequent reports to that committee biennially thereafter.

Student enrollment forecasts to be maintained—
Report to legislative budget committee.

SEC. 2. There is hereby appropriated from the general fund to the state census board the sum of ten thousand dollars or so much thereof as may be necessary to carry out the provisions of this act for the biennium ending June 30, 1959.

Appropriation.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 230.

[S. B. 438.]

TOLL BRIDGE AUTHORITY—BONDS—SETTING ASIDE FUNDS.

AN ACT relating to revenue bonds issued by the Washington toll bridge authority; and amending section 1, chapter 21, Laws of 1955 and RCW 47.60.070.

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

SECTION 1. Section 1, chapter 21, Laws of 1955 and RCW 47.60.070 are each amended to read as follows:

RCW 47.60.070 amended.

Any resolution of the Washington toll bridge authority providing for the issuance of revenue bonds shall provide for setting aside the necessary amounts for the reasonable and proper operation, maintenance, and repair expenses, and shall fix and determine the amounts to be set apart and applied

Bond resolution to provide for setting aside funds.

Puget Sound
ferry system.
Bond resolu-
tion to pro-
vide for setting
aside funds.

to the payment of the interest on and retirement of the revenue bonds, and the amounts to be set apart and paid into any special funds for renewals, replacements, rebuilding, enlarging, or improving the system. Each such resolution made hereafter shall provide for proceeds of the sale of revenue bonds to be placed in the "authority revolving fund," as established by RCW 47.60.180 as follows: Three-fourths of one percent on the first five million dollars or part thereof; five-eighths of one percent on the amount over five million dollars to and including ten million dollars; one-half of one percent on the amount over ten million dollars to and including twenty-five million dollars; three-eighths of one percent on the amount over twenty-five million dollars to and including fifty million dollars; one-quarter of one percent on the amount over fifty million dollars to and including seventy-five million dollars; and one-eighth of one percent on all amounts over seventy-five million dollars: *Provided*, That no such payments shall be made to the authority revolving fund from proceeds derived from the sale of bonds for the construction, maintenance, and operation of facilities between the state of Washington and any other state, territory, or province, where such other state, territory, or province, or any political subdivision thereof, joins with the state of Washington in the construction or operation of such facility: *Provided further*, That no such payments shall be made into the authority revolving fund from the proceeds of bonds sold for the purpose of refunding outstanding revenue bonds of the Washington toll bridge authority.

Proviso.

Proviso.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 231.

[S. B. 387.]

STATE EMPLOYEES' RETIREMENT SYSTEM.

AN ACT relating to state employees' retirement; and amending section 1, chapter 277, Laws of 1955 and RCW 41.40.010; and section 2, chapter 277, Laws of 1955 and RCW 41.40.120; repealing section 18, chapter 200, Laws of 1953 and RCW 41.40.360; and adding a new section to chapter 274, Laws of 1947 and to chapter 41.40 RCW.

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

SECTION 1. Section 1, chapter 277, Laws of 1955 and RCW 41.40.010 are each amended to read as follows: RCW 41.40.010 amended.

As used in this chapter, unless a different meaning is plainly required by the context: Definitions.

(1) "Retirement system" means the state employees' retirement system provided for in this chapter. "Retirement system."

(2) "Retirement board" means the board provided for in this chapter to administer said retirement system. "Retirement board."

(3) "State treasurer" means the treasurer of the state of Washington. "State treasurer."

(4) "Employer" means every branch, department, agency, commission, board, and office of the state and any political subdivision of the state admitted into the retirement system. "Employer."

(5) "Member" means any employee included in the membership of the retirement system, as provided for in RCW 41.40.120. "Member."

(6) "Original member" of this retirement system means: "Original member."

(a) Any person who became a member of the system prior to April 1, 1949;

(b) Any person who becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, and prior to April 1, 1951;

State employees' retirement system.
 Definitions.
 "Original member."

(c) Any person who first becomes a member by securing employment with an employer prior to April 1, 1951, provided he has rendered at least one or more years of service to any employer prior to October 1, 1947;

(d) Any person who first becomes a member through the admission of an employer into the retirement system on or after April 1, 1951, provided, such person has been in the regular employ of the employer for at least six months of the twelve months period preceding the said admission date;

(e) Any member who has restored all his contributions that may have been withdrawn by him as provided by RCW 41.40.150 and who on the effective date of his retirement becomes entitled to be credited with ten years or more of membership service except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190 (4) shall not apply to the member;

(f) Any member who has been a contributor under the system for two or more years, after restoring all contributions previously withdrawn, if any, and who has rendered eight or more years of service for the state or any political subdivision thereof prior to the time of the admission of the employer into the system; except that the provisions relating to the minimum amount of retirement allowance for the member upon retirement at age seventy as found in RCW 41.40.190 (4) shall not apply to the member.

"New member."

(7) "New member" means a person who becomes a member on or after April 1, 1949, except as otherwise provided in this section.

"Compensation earnable."

(8) "Compensation earnable" means salaries or wages earned during a payroll period for personal services and where the compensation is not all paid in money maintenance compensation shall be in-

cluded upon the basis of the schedules established by the member's employer. Definitions.

(9) "Service" means periods of employment rendered to any employer for which compensation is paid, and includes time spent in office as an elected or appointed official of an employer. Full time work for ten days or more or an equivalent period of work in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits. Service by a state employee officially assigned by the state on a temporary basis to assist another public agency, shall be considered as service as a state employee: *Provided*, That service to any other public agency shall not be considered service as a state employee if such service has been used to establish benefits in any other public retirement system. "Service."

(10) "Prior service" means all service of an original member rendered to any employer prior to October 1, 1947. Proviso.

(11) "Membership service" means: "Prior service."

(a) In the case of any person who first becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, all service rendered after October 1, 1947;

(b) In the case of all other members, all service as a member. "Membership service."

(12) "Beneficiary" means any person in receipt of a retirement allowance, pension or other benefit provided by this chapter. "Beneficiary."

(13) "Regular interest" means such rate as the retirement board may determine, such rate not to "Regular interest."

State employees' retirement system.

be lower than one percent per annum nor more than four percent per annum compounded annually.

Definitions. "Accumulated contributions."

(14) "Accumulated contributions" means the sum of all contributions for the purchase of annuities standing to the credit of a member in his individual account together with regular interest thereon.

"Average final compensation."

(15) "Average final compensation" means the annual average of the greatest compensation earnable by a member during any consecutive five year period of service for which service credit is allowed; or if he has less than five years of service then the annual average compensation earnable during this total years of service for which service credit is allowed.

"Final compensation."

(16) "Final compensation" means the annual rate of compensation earnable by a member at the time of termination of his employment.

"Annuity."

(17) "Annuity" means payments for life derived from accumulated contributions of a member. All annuities shall be paid in monthly installments.

"Pension."

(18) "Pension" means payments for life derived from contributions made by the employer. All pensions shall be paid in monthly installments.

"Retirement allowance."

(19) "Retirement allowance" means the sum of the annuity and the pension.

"Annuity reserve."

(20) "Annuity reserve" means the present value, computed upon the basis of such mortality, and other tables, as shall be adopted by the retirement board, of all payments to be made on account of any annuity or benefits in lieu of any annuity granted to a member under the provisions of this chapter.

"Pension reserve."

(21) "Pension reserve" means the present value, computed upon the basis of such mortality, and other tables, as shall be adopted by the retirement board, of all payments to be made on account of any pension, or benefits in lieu of any pension, granted to a member under the provisions of this chapter.

(22) "Employee" means any person who may become eligible for membership under this chapter, as set forth in RCW 41.40.120.

Definitions.
"Employee."

(23) "Contributions for the purchase of annuities" means amounts deducted from the compensation of a member, under the provisions of RCW 41.40.330, other than contributions to the retirement system expense fund.

"Contributions for the purchase of annuities."

(24) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of such mortality and other tables as may be adopted by the retirement board.

"Actuarial equivalent."

(25) "Retirement" means withdrawal from active service with a retirement allowance as provided by this chapter.

"Retirement."

(26) "Eligible position" means:

"Eligible position."

(a) Any position which normally requires five or more uninterrupted months of service a year for which regular compensation is paid to the occupant thereof;

(b) Any position occupied by an elected official or person appointed directly by the governor for which compensation is paid.

(27) "Ineligible position" means any position which does not conform with the requirements set forth in section (26) [Subdivision (26)].

"Ineligible position."

(28) "Leave of absence" means the period of time a member is authorized by the employer to be absent from service without being separated from membership.

"Leave of absence."

SEC. 2. Section 2, chapter 277, Laws of 1955 and RCW 41.40.120 are each amended to read as follows:

RCW 41.40.120 amended.

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers as defined in this chapter who have served at least six months without interruption, with the following exceptions:

Membership.

(1) Persons in ineligible positions;

State employees' retirement. Membership.

(2) Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee;

Proviso.

(3) Persons holding elective offices or persons appointed directly by the governor: *Provided*, That such persons shall have the option of applying for membership and to be accepted by the action of the retirement board, such membership may become effective at the start of the initial or successive terms of the office held by the person at the time application is made: *And provided further*, That any such persons previously denied service credit because of any prior laws excluding membership which have subsequently been repealed, shall nevertheless be allowed to recover or regain such service credit denied or lost because of the previous lack of authority;

Proviso.

(4) Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency or the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan: *Provided, however*, In any case where the state employees' retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, such an employee shall be allowed membership rights should the agreement so provide: *And provided further*, That an employee shall be allowed membership if otherwise eligible while receiving survivor's benefits as secondary payee under the optional retirement allowances as provided by RCW 41.40.290;

Proviso.

Proviso.

(5) Patient and inmate help in state charitable, penal and correctional institutions;

(6) "Members" of a state veterans' home or state soldiers' home; Membership.

(7) Persons employed by an employer or serving in an institution operated by an employer, primarily as an incident to and in furtherance of their education or training;

(8) Employees of the University of Washington and the State College of Washington during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

(9) Persons rendering professional services to an employer on a fee, retainer or contract basis or as an incident to the private practice of a profession.

SEC. 3. Section 18, chapter 200, Laws of 1953 and RCW 41.40.360 are each repealed. Repeal.

SEC. 4. There is added to chapter 274, Laws of 1947 and to chapter 41.40 RCW a new section to read as follows: New section.

(1) For the purpose of this section, the "fundable employer liability" at any date shall be the present value of "Fundable employer liability" defined—Contributions by employer enumerated.

(a) all future pension benefits payable in respect of all members in the retirement system at that date, and

(b) all future benefits in respect of beneficiaries then receiving retirement allowances or pensions.

(2) The contributions by the employer for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the "normal contribution", a percentage of such compensation to be known as the "unfunded liability contribution" and in the case of employers admitted to the retirement system after April 1, 1949, a percentage of such compensation to be known as the "additional contribution". The rates of such contributions shall be determined by the

State em-
ployees' retire-
ment.

retirement board on the basis of assets and liabilities as shown by actuarial valuation.

Normal
contribution
rate deter-
mined.

(3) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the normal contribution rate and such contribution rate shall become effective in the ensuing biennium. Until the unfunded liability contribution shall have been discontinued, such normal contribution rate shall be computed to be sufficient, when applied to the present value of the future compensation of the average new member entering the system, to provide for the payment of all prospective pension benefits in respect of such member. After the unfunded liability contributions have been discontinued, such normal contribution rate shall be determined as the uniform and constant percentage of the prospective compensation of all members of the retirement system at the date of such valuation which is equivalent to the excess of the fundable employer liability over the amount of funds currently standing to the credit of the benefit account fund.

Unfunded
liability
contribution
determined.

(4) After the completion of each actuarial valuation subsequent to the first actuarial valuation of June 30, 1953, the retirement board shall determine the unfunded liability contribution, and such rate shall become effective in the ensuing biennium. The unfunded liability contribution rate shall not be less than that percentage of annual compensation of all members in the retirement system at the date of such subsequent valuation which is equivalent to four percent of the unfunded liability of the system. The unfunded liability shall be determined at such date as the excess of the fundable employer liability over the sum of the present value of the future normal contributions payable in respect of all members in the retirement system at that date, and the amount of all funds currently standing to the credit

of the benefit account fund. The unfunded liability contributions shall continue until there remains no unfunded liability.

(5) Any employer admitted to the retirement system after April 1, 1949, shall make an additional contribution at a rate equal to not less than twenty-five percent of the sum of the normal contribution rate and the unfunded liability contribution rate until such time as the sum of such additional contributions equals the amount of contributions which such employer would have been required to contribute between April 1, 1949, and the date of such employer's admission to the retirement system: *Provided*, All additional contributions hereunder and under the provisions of RCW 41.40.160 (2) must be completed within ten years from the date of the employer's admission.

Additional
contribution
for employers
admitted after
March, 1949.

Passed the Senate March 13, 1957.

Passed the House March 13, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 232.

[S. B. 160.]

AIR POLLUTION CONTROL DISTRICTS.

AN ACT relating to the control and prevention of air pollution; authorizing the creation of air pollution control districts and prescribing powers and duties for certain officers and individuals.

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

SECTION 1. It is the public policy of the state to maintain the highest practical standards of purity of the air in order to promote public enjoyment of the state's natural scenic and outdoor recreational resources, to foster and develop public health, and to facilitate the growth of desirable natural and

Declaration
of policy.

agricultural plant and animal life, all consistent with maximum employment and full industrial development of the state. It is necessary to the health, safety, and welfare of the people of the state to provide means for control and prevention of air pollution.

Air pollution control districts. Declaration of purpose.

SEC. 2. Air pollution is affected by the weather, topography, population, transportation, and agricultural and industrial development, which factors vary greatly from area to area, and cause problems of control and prevention to be primarily regional in nature. This chapter is enacted to provide for creation of separate districts to control and prevent air pollution in each area where it may exist, or is likely to occur.

Definitions.

SEC. 3. As used in this title:

"Air pollution."

(a) "Air pollution" is the presence in the outdoor atmosphere of substances put there by man in concentrations sufficient to cause an unreasonable interference with the comfort, safety, or health of man; or the reasonable use and enjoyment of his property.

"Person."

(b) "Person" means and includes an individual, firm, public or private corporation, association, partnership, political subdivision, municipality or government agency.

"District."

(c) "District" as used in this chapter means any Air Pollution Control District comprised of two or more cities, towns, and, or, counties which have entered into agreements for the control of air pollution.

"Board."

(d) "Board" means the Board of Directors of a district.

"Control officer."

(e) "Control Officer" means the air pollution control officer of any city, town, county, or district.

SEC. 4. Except where specified in a variance

permit, as provided in Sec. 17 [Sec. 18], it shall be unlawful for any person knowingly to cause air pollution or knowingly permit it to be caused in violation of this act, or of any ordinance, resolution, rule or regulation validly promulgated hereunder.

Air pollution
unlawful—
Exception.

SEC. 5. Any city, town or county is authorized to conduct tests and surveys to determine the degree of purity of the air within its jurisdiction. Such tests and surveys may be made in cooperation with the director of health. The director of health may suggest, advise, recommend, and cooperate with the governing body of any city, town or county as to the need and procedure for such tests and surveys. The director of health may then make recommendations as to appropriate measures, including appropriate areas and territories, for the control and prevention of air pollution. If such tests and surveys indicate to the governing body of such city, town, or county, that air pollution exists or is likely to occur within its jurisdiction, the governing body may conduct a public hearing in accordance with RCW 42.32, after ten day notice for the purpose of considering the results of such tests and surveys and appropriate measures, if any, to be adopted to control and prevent air pollution, together with any pertinent evidence, information, or facts which may be presented by interested persons or other members of the public. Upon the conclusion of the hearing, if the governing body finds it necessary for the protection of the public health and welfare, it shall so declare by resolution, and thereafter may adopt and enforce ordinances or resolutions for the control and prevention of air pollution within the jurisdiction of such city, town or county, as hereinafter provided.

Air purity
tests author-
ized in cities,
towns and
counties—
Procedure—
Director of
health to
cooperate.

SEC. 6. Any city, town, or county may, pursuant to ordinance or resolution adopted after hearing as provided in Sec. 5, join with any other city,

Formation of
district
authorized.

town, county, or combination thereof in the formation of a district for the control of air pollution.

Air pollution control districts. Ordinance, resolution forming district. Contents—Filing—Effective date of operation.

SEC. 7. The ordinances and resolutions of cities, towns and counties forming a district shall specify the name of the district and participating political bodies; the district's principal place of business; the territory included within it; the period of time for which it shall operate; and the effective date upon which such district shall begin to transact business and exercise its powers. In addition, such ordinance or resolution may specify the amount of money to be contributed annually by each political subdivision, or a method of dividing expenses of the air pollution control program. Upon the adoption of an ordinance or resolution by cities, towns or counties calling for the formation of a district, the governing body of each such city, town or county shall cause a certified copy of each such ordinance or resolution to be filed in the office of the secretary of state of the state of Washington. From and after the date of filing with the secretary of state of a certified copy of each such ordinance or resolution, or the date specified in such ordinances or resolutions, whichever is later, the district may begin to function and may exercise its powers within such district.

Powers and duties of district, county commissioners, county and district treasurers—Tax levies.

SEC. 8. A district shall be deemed a political corporate body; have right to perpetual succession; adopt and use a seal; may sue and be sued in the name of the district; may receive, account for, and disburse funds, employ personnel, and acquire or dispose of any interest in real or personal property within or without the district in the furtherance of its purposes; and may prepare a budget of financial requirements, certify the same and deliver it to the board of county commissioners in ample time for such board to levy district taxes. At the time of making general tax levies in each year, the board of county commissioners shall levy taxes required for

district purposes against the real and personal property in the district in accordance with the equalized valuation thereof for general tax purposes, and as a part of said general taxes. Such levies shall be part of the general tax roll and be collected as a part of general taxes against the property in the district. The treasurers of the several counties within the district shall pay into the appropriate district treasury all funds held by them to the credit of the district. The district treasury shall be in the custody of the county treasurer of a county in the district designated by the board and such treasurer shall be the district treasurer.

SEC. 9. A city, town, county or district may levy a tax on all taxable property in accordance with the development of a comprehensive plan and program prescribed in Sec. 14 (d) and in an amount and for a period as may be authorized when a proposition therefor receives an affirmative vote of three-fifths of those voting at any general or special election therefor; provided that at such election the number of persons voting shall constitute not less than forty percent of the voters in said city, town, county or district who voted at the last preceding general state election.

Tax levy
authorized—
Vote.

SEC. 10. The governing body of each district shall be known as the board of directors and shall be comprised of an appointee of the city selection committee of each county as hereinafter provided and one county commissioner from each county to be designated by the board of county commissioners of each county included in a district. In the event a district is formed from a combination of cities or towns only, the members of the board shall be composed of one appointee of each town or city included in such district. If the board otherwise would consist of an even number, the members selected as above provided shall agree upon and elect an additional

Board of
directors of
district.
Composition
—Terms.

Air pollution control districts.

member who shall be either a member of the governing body of one of the towns, cities or counties comprising the district, or a private citizen residing in the district. All board members shall hold office at the pleasure of the appointing body.

City selection committees. Membership—Quorum.

SEC. 11. There shall be a separate and distinct city selection committee for each county included within a district. The membership of such committee shall consist of the mayor of each city and town within such county. A majority of the members of each city selection committee shall constitute a quorum.

Meetings, notice—Recording officer.

SEC. 12. The city selection committee of each county which is included within a district shall meet within one month after the creation of such district for the purpose of making its initial appointment to the board of such district and thereafter whenever necessary for the purpose of making succeeding appointments. All meetings shall be held upon at least two weeks written notice given by the county auditor to each member of the city selection committee of each county and he shall give such notice upon request of any member of such committee. A similar notice shall be given to the general public by a publication of such notice in a newspaper of general circulation in such district. The county auditor shall act as recording officer, maintain its records and give appropriate notice of its proceedings and actions.

Board of directors. Powers, quorum, officers, compensation.

SEC. 13. The board shall exercise all powers of the district except as otherwise provided. A majority of the board shall constitute a quorum for the transaction of business and may act for the board. The board shall elect from its members a chairman and such other officers as may be necessary. Each member of the board shall receive from the district twenty-five dollars per day compensation (but not to exceed one thousand dollars per year) for each full day spent in the performance of his duties under

this chapter, plus the actual and necessary expenses incurred by him in such performance. The board may appoint an executive secretary, a control officer, and any other personnel, and shall determine their salaries, and pay same, together with any other proper indebtedness, from district funds.

SEC. 14. Any city, town, county or district may for the purpose of controlling and preventing air pollution:

Powers of city, town, county, district in controlling, preventing air pollution.

(a) Advise, consult, cooperate and contract with other agencies and educational institutions of the state, political subdivisions, industries, other states, the federal government, or other affected groups and individuals.

(b) Encourage and conduct studies, investigations and research relating to air pollution, its causes, control and prevention.

(c) Receive monies from any source and use and disburse such funds for the study, dissemination of educational information, and control and prevention of air pollution.

(d) Develop a comprehensive plan and program for the prevention and control of all new and existing sources of air pollution within its jurisdiction.

SEC. 15. The ordinances of a city or town, or the resolutions of a county, referred to in Sec. 5, or the rules and regulations of a district, adopted after consideration at a public hearing in accordance with RCW 42.32 of which there has been ten days notice, may, within the provisions and general standards hereof, specify the particular properties, types, names, or rates of discharge, of solids, liquids or gases, or combinations thereof, and the locations, circumstances, conditions or times that their discharge into the air will cause air pollution or make it likely to occur.

Permissive contents of ordinances, resolutions, rules.

In so determining what causes air pollution or will make it likely to occur, the governing body of

Air pollution control districts. Considerations in determining causes of air pollution.

each such city, town, county, or district shall take into consideration all of the facts and circumstances bearing upon the reasonableness of the activity involved and the regulations proposed to control it, including:

(a) The character and degree of injury to, or interference with, comfort, safety, health, or the reasonable use and enjoyment of property which is caused or threatened to be caused;

(b) The social and economic value of the activity involved;

(c) The suitability or unsuitability of such activity to the area in which it is located; and

(d) The practicability, both scientific and economic, of reducing or eliminating the discharge resulting from such activity.

Enforcement of ordinances, resolutions, rules.

SEC. 16. Ordinances of cities or towns pertaining to control and prevention of air pollution shall be enforced in the same manner as other similar ordinances. Resolutions of a county and valid rules and regulations of a district pertaining to the control or prevention of air pollution shall have within the jurisdiction of the county or district the force and effect of a state statute and any violation of either, not permitted by an existing variance order, may be enjoined in a civil action brought in the name of the state of Washington by the prosecuting attorney of the county in which the violation occurred.

Control officer.

SEC. 17. Any city, town, county, or district which has adopted an ordinance, resolution, or valid rules and regulations as provided herein for the control and prevention of air pollution may appoint a control officer, who shall observe and enforce the provisions of this chapter and all orders, ordinances, resolutions, or rules and regulations of such city, town, county or district pertaining to the control and prevention of air pollution.

SEC. 18. The governing body of a city, town, or county, or the board of a district, on its own motion may, or upon petition of an interested person shall hold a hearing to determine to what extent, if any, and under what conditions a variance from the requirements established herein, or by any ordinance, resolution, rules and regulations, or order of a city or town, county, or district is necessary and will be permitted. Ten days notice of the time and place of the hearing shall be given to the petitioner and to the control officer, if any. If the governing body or board finds that because of conditions beyond control, compliance with requirements established herein or the body's or board's resolutions, rules and regulations or orders would result in an arbitrary and unreasonable taking of property, or in the practical closing or elimination of any lawful business, occupation, or activity, in either case without sufficient corresponding benefit or advantage to the public in the control or prevention of air pollution, it shall prescribe other and different requirements applicable to plants and equipment operated by named classes of industries or persons, or separate persons.

Variations.
When
permitted.

SEC. 19. In determining under what conditions and to what extent a variance is necessary and will be permitted, the body or court hearing the petition shall exercise a wide discretion in weighing the equities involved and the advantages and disadvantages to the residents of the area and to any lawful business, occupation or activity involved resulting from requiring compliance with the specified requirements or resulting from granting a variance. In the event of a change in conditions, resulting in a substantial change in the equities involved and in the advantages and disadvantages existing at the time of granting a variance, the governing body may revoke or modify the order permitting

Balancing
equities—
Revocation,
modification.

the variance by written order after a public hearing held upon thirty days notice to the persons or classes affected.

Air pollution control districts. Control officer's right of entry— Investigation results confidential.

SEC. 20. For the purpose of investigating conditions relating to air pollution, a control officer or his duly authorized representatives, shall have the power to enter at reasonable times upon any private or public property, excepting private dwellings housing four families or less. The result of any investigation shall be confidential and shall not be disclosed without the written permission of affected parties.

Violations of provisions controlling air pollution— Notice—Order to remedy.

SEC. 21. Whenever, in the opinion of a control officer, a person is violating in his jurisdiction any provision of this chapter or any valid ordinance, resolution, rule or regulation relating to the control or prevention of air pollution, he shall notify such person of his determination by registered mail. Within fifteen days from the receipt of this notice, the person shall file with the control officer a full report stating what steps have been and are being taken to control or prevent the alleged air pollution. The control officer may then issue an order setting forth the particulars wherein such person in his opinion is failing to comply with such ordinance, resolution, rule or regulation, and ordering such person to remedy such failure within a stated time. Said order shall be submitted to the person affected by registered mail.

Hearing on and appeal from control officer's order.

SEC. 22. The governing body of any city, town or county or the board shall grant a hearing to any person who feels aggrieved by any order issued by the control officer upon petition filed within fifteen days from the receipt thereof. At such hearing the petitioner may appear, present witnesses, and submit evidence. Following the hearing the governing body or board shall enter its order affirming, reversing or modifying the order of the control officer. Unless appeal is taken from such order of the governing

body or board, it shall be final. Such order shall be subject to review and trial de novo as a cause in equity, upon petition filed within fifteen days after the issuance of the order in the superior court of the county in which the violation is alleged to have occurred or be likely to occur. Any order shall be stayed pending final determination of any appeal taken in accordance with the provisions herein, unless after notice and hearing, the superior court shall determine that an emergency exists which is of such nature as to require that such order be in effect during the pendency of such hearing or appeal.

SEC. 23. The rules and regulations hereafter adopted by a district under the provisions of this chapter shall supersede the existing rules, regulations, resolutions and ordinances of any of the component bodies forming said district in all matters relating to the control and enforcement of air pollution as contemplated by this act; *Provided, however,* That nothing herein shall be construed to supersede any local county, or city ordinance or resolution, or any provision of the statutory or common law pertaining to nuisance; nor to affect any aspect of employer-employee relationship, including without limitation, statutes, rules or regulations governing industrial health and safety standards.

District rules
and regulations
supersede
local—
Exceptions.

Proviso.

SEC. 24. The governing body of any city, town or county appointing a control officer, or the board of any district, shall appoint an air pollution control advisory council to advise and consult with such body or board, and the control officer in effectuating the purposes of this chapter. The council shall consist of five members who are residents of the city, town, county or district and who are preferably skilled and experienced in the field of air pollution, two of whom shall serve as representatives of industry. The mayor of such city, or town, the chairman of the board of county commissioners of any such county, or the

Air pollution
control advis-
ory council.

Air pollution control districts. Advisory council.

chairman of the board of any such district, as the case may be, shall serve as ex officio member of the council and be its chairman. Council members shall serve without compensation but may be allowed actual expenses incurred in the discharge of their duties.

Exemptions from chapter.

SEC. 25. This act does not apply to smoke from fires set by or permitted by any public officer if such fire is set or permission given in the performance of the official duty of such officer, for the purpose of weed abatement, the prevention of a fire hazard, or the instruction of public employees in the methods of fighting fires which is, in the opinion of such officer, necessary, or from fires set pursuant to permit on property used for industrial purposes for the purpose of instruction of employees in methods of fighting fire.

This act does not apply to smoke from agricultural fires set by, or permitted by, the county agricultural agent of any county, if such fire is set or permission given in the performance of the official duty of such county agricultural agent for the purpose of disease prevention; or to such fires which are set in the course of any agricultural or forest harvest operation.

Dissolution of district.

SEC. 26. A district may be dissolved prior to the term provided in the original or subsequent agreement by the participating cities, towns and counties upon the adoption by the board, following a hearing held upon ten days notice, to said cities, towns, and counties, of a resolution of the board for dissolution and the approval by the governing body of each city or town and the Board of County Commissioners of each county comprising the district. In such event, the board shall proceed to wind up the affairs of the district and pay all indebtedness thereof. Any surplus of funds shall be paid over to the cities, towns or counties comprising the district in proportion to their last contribution. Upon the completion of the

process of closing the affairs of the district, the board shall by resolution entered in its minutes declare the district dissolved and a certified copy of such resolution shall be filed with the secretary of state and the district thereupon be deemed dissolved.

SEC. 27. If any section, subsection or clause of this act shall be adjudged unconstitutional, such adjudication shall not affect the validity of the act as a whole or of any section, subsection, sentence or clause hereof not adjudged unconstitutional. Severability.

Passed the Senate March 13, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 233.

[S. B. 255.]

SANITARY CONTROL OF SHELLFISH.

AN ACT pertaining to the sanitary control of shellfish; and making an appropriation.

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

SECTION 1. There is hereby appropriated from the general fund to the state department of health, the sum of forty thousand dollars, or so much thereof as may be necessary for the purpose of establishing, operating and conducting a research and investigation laboratory to study the sanitary bacteriology of oysters and clams in the state of Washington, to the end that adequate sanitary standards may be established and maintained for such shellfish used for human consumption.

Appropriation
to department
of health.

Passed the Senate March 9, 1957.

Passed the House March 13, 1957. ·

Approved by the Governor March 23, 1957.

CHAPTER 234.

[S. B. 311.]

PUBLIC SCHOOL PLANT FACILITIES—FINANCING.

AN ACT relating to education; providing funds for the construction of public school plant facilities; authorizing the issuance and sale of limited obligation bonds of the state and providing ways and means to pay said bonds; continuing the imposition of taxes; prescribing the powers and duties of certain officers; making an appropriation; and declaring an emergency.

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

Bond issue for construction of school plant facilities. Authorization—Form, term, etc.—Continuation of levy.

SECTION 1. For the purpose of furnishing funds for state assistance in providing public school plant facilities, there shall be issued and sold, at any time prior to April 1, 1961, limited obligation bonds of the state of Washington in the sum of fifty-two million dollars to be paid and discharged not more than thirty years after the date of issuance. The issuance, sale, and retirement of said bonds shall be under the general supervision and control of the state finance committee.

The state finance committee is authorized to prescribe the forms of such bonds; the provisions of sale of all or any portion or portions of such bonds; the terms, provisions, and covenants of said bonds; and the sale, issuance, and redemption thereof. None of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of four percent per annum. Such bonds shall state distinctly that they shall not be a general obligation of the state of Washington, but shall be payable in the manner and from the proceeds of motor vehicle excise taxes and excise taxes upon the sale, use, consumption, handling or distribution of cigarettes as in this act provided. As a part of the contract of sale of the aforesaid bonds, the state undertakes to con-

tinue to levy the taxes referred to herein and to fix and maintain said taxes in such amounts as will provide sufficient funds to pay said bonds and interest thereon until all such obligations have been paid in full.

The committee may provide that the bonds, or any of them, may be called prior to the maturity date thereof under such terms, conditions, and provisions as it may determine and may authorize the use of facsimile signatures in the issuance of such bonds and upon any coupons attached thereto. Such bonds shall be payable at such places as the state finance committee may provide.

SEC. 2. The proceeds from the sale of the bonds authorized herein shall be deposited in the public school building construction account of the general fund.

Proceeds from
bond sale—
Deposit.

SEC. 3. The state finance committee shall, on or before June thirtieth of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet interest payments on and retirement of bonds authorized by this act. The state treasurer shall thereupon deposit in the public school building bond redemption fund—1957, a fund hereby created in the state treasury as the depository for revenues provided by this act to meet interest payments on and retirement of bonds authorized by this act, the sum of two million two hundred fifty thousand dollars from that portion of receipts from the motor vehicle excise tax allocable to the state school equalization fund under RCW 82.44.150 which is not required to meet interest payments on and retirement of bonds heretofore issued. The amount certified to the state treasurer by the state finance committee as aforesaid shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued, against all motor vehicle

Public school
building bond
redemption
fund—1957,
created—
Bonds payable
from motor
vehicle excise
tax and ciga-
rette tax.

Bond issue for
construction of
school plant
facilities.
Payment.

excise tax revenues of the state allocable to the state equalization fund, which amounts so allocable shall never be less than seventy percent of said excise tax revenues. In addition, the state treasurer shall transfer to the bond redemption fund created by this act all revenues accruing to the public schools building bond redemption fund in conformity with the requirements of RCW 28.47.440 enacted by the 1955 legislature whenever such revenues from all sources during any one year exceed two million two hundred fifty thousand dollars, said sum being the amount required to be retained in the aforesaid public schools building bond redemption fund under the provisions of RCW 28.47.440. The amounts so deposited in and transferred to the bond redemption fund created by this act shall be devoted exclusively to the payment of interest on and to the retirement of bonds authorized by this act: *Provided*, That whenever the receipts into said bond redemption fund from all sources during any one year exceed the amount needed during that year to meet interest payments on and retirement of bonds authorized by this act, all receipts above said amount shall be transferred by the state treasurer to the state general fund.

Proviso.

Legislature
may provide
additional
means of
revenue.

SEC. 4. The legislature may provide additional means for raising funds for the payment of the interest and principal of the bonds authorized by this act and this act shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the state of Washington.

SEC. 5. The bonds herein authorized shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations.

and shall be legal security for all state, county, and municipal deposits.

SEC. 6. The sum of fifty-two million dollars, or so much thereof as may be necessary, is appropriated from the public school building construction account of the general fund to the state finance committee to be expended by the committee for the payment of expenses incident to the sale and issuance of the bonds authorized herein and through allotments made to the state board of education at the direction of the state board of education for the purpose of carrying out the provision of this act: *Provided*, That no part of the aforesaid fifty-two million dollars shall be allotted to a school district for the purpose aforesaid until such district has provided funds for school building construction purposes through the issuance of bonds or through the authorization of excess tax levies or both in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education: *Provided, further*, That the state board of education shall prescribe and make effective such rules and regulations as are necessary to equate insofar as possible the efforts made by school districts to provide capital funds by the means aforesaid.

Appropriation from public school building construction account—Purpose—Local responsibility.

Proviso.

Proviso.

SEC. 7. In allotting the state funds provided by this act, the state board of education shall:

Allocation of funds. Duties of state board of education.

(1) Prescribe rules and regulations governing the administration, control, terms, conditions, and disbursement of allotments to school districts to assist them in providing school plant facilities;

(2) Approve, whenever the board deems such action advisable, allotments to districts that apply for state assistance;

(3) Authorize the payment of approved allotments by warrant of the state auditor; and

(4) In the event that the amount of state assistance applied for pursuant to the provisions hereof

Bond issue for construction of school plant facilities.

exceeds the funds available for such assistance during any biennium, make allotments on the basis of the urgency of need for school facilities in the districts that apply for assistance or prorate allotments among such districts in conformity with procedures and regulations applicable thereto which shall be established by the board.

Allocation of funds. Basis of state aid for school plants.

SEC. 8. Allocations to school districts of state funds provided by this act shall be made by the state board of education and the amount of state assistance to a school district in financing a school plant project shall be determined in the following manner:

(1) The board of directors of the district shall determine the total cost of the proposed project, which cost may include the cost of acquiring and preparing the site, the cost of constructing the building or of acquiring a building and preparing the same for school use, the cost of necessary equipment, taxes chargeable to the project, necessary architect's fees, and a reasonable amount for contingencies and for other necessary incidental expenses: *Provided*, That the total cost of the project shall be subject to review and approval by the state board of education.

(2) The state board of education shall compute the ratio of the assessed valuation of the district, adjusted in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county to which the district belongs, to the number of educational units approved for allotment to the district of current state school funds: *Provided*, That this number of units may be increased by the state board of education for the use thereof specified in this act, upon the finding of said board that completion of the proposed project will provide facilities for additional

Proviso.

units and that such additional units will be needed to serve the school population of the district.

Basis of state aid for school plants.

(3) The ratio of the adjusted valuation of the district to the number of educational units thereof, computed in the manner hereinabove provided for, shall then be used in determining the percentage of state assistance for the district in accordance with the following table:

Ratio of adjusted valuation to number of educational units	Percentage of state assistance
\$10,520 or less to 1	90.0%
15,000 to 1	86.0
20,000 to 1	81.8
25,000 to 1	77.7
28,570 to 1	75.0
30,000 to 1	73.9
35,000 to 1	70.2
40,000 to 1	66.7
45,000 to 1	63.3
50,000 to 1	60.0
55,000 to 1	56.9
60,000 to 1	53.8
65,000 to 1	50.9
70,000 to 1	48.1
75,000 to 1	45.5
80,000 to 1	42.9
85,000 to 1	40.4
90,000 to 1	37.9
95,000 to 1	35.6
100,000 to 1	33.3
105,000 to 1	31.1
110,000 to 1	29.0
115,000 to 1	27.0
120,000 to 1	25.0
130,000 to 1	21.2
140,000 to 1	17.6
150,000 to 1	14.3

Bond issue for construction of school plant facilities.	160,000 to 1.....	11.1
	170,000 to 1.....	8.1
Allocation of funds. Basis of state aid for school plants.	180,000 to 1.....	5.3
	190,000 to 1.....	2.6
	200,000 to 1.....	.....

(4) The approved cost of the project determined in the manner herein prescribed times the percentage of state assistance derived as provided for herein shall be the amount of state assistance to the district for the financing of the project: *Provided*, That need therefor has been established to the satisfaction of the state board of education: *Provided, further*, That additional state assistance may be allowed if it is found by the state board of education that such assistance is necessary in order to meet (a) a school housing emergency resulting from the destruction of a school building by fire, the condemnation of a school building by properly constituted authorities, a sudden and excessive past or clearly foreseeable future increase in school population, or other conditions similarly emergent in nature; or (b) a special school housing burden imposed by virtue of the admission of nonresident students into educational programs established, maintained and operated in conformity with the requirements of law; or (c) a deficiency in the capital funds of the district resulting from financing, subsequent to April 1, 1957, and without benefit of the state assistance provided by prior state assistance programs, the construction of a needed school building project or projects approved in conformity with the requirements of such programs, after having first applied for and been denied state assistance because of the inadequacy of state funds available for the purpose; or (d) conditions similar to those defined under (a), (b), and (c) hereinabove, creating a like emergency: *Provided, further*, That, in the event that federal assistance in an amount in excess of six million dollars

Proviso.

Proviso.

Proviso.

is made available to the state of Washington to be allocated to school districts by the state board of education for public school construction purposes during the 1957-59 biennium, the minimum percentage of state assistance to any district eligible under provisions of this act shall not be less than fifteen percent.

SEC. 9. If a school district which has qualified for an allotment of state funds under the provisions of this act for school building construction is found by the state board of education to have a school housing emergency requiring an allotment of state funds in excess of the amount allocable under section 9 [8] of this act, an additional allotment may be made to such district: *Provided*, That the total amount allotted shall not exceed ninety percent of the total cost of the project which may include the cost of the site and equipment. At any time thereafter when the state board of education finds that the financial position of such school district has improved through an increase in its taxable valuation or through retirement of bonded indebtedness or through a reduction in school housing requirements or for any of these reasons, the amount of such additional allotment, or any part of such amount as the state board of education determines, shall be deducted, under terms and conditions prescribed by the board, from any state school building construction funds which might otherwise be provided to such district.

Additional allotment authorized—Effect on future disbursements to district.

Proviso.

SEC. 10. In determining the eligibility of a union high school district for state assistance in providing high school facilities and facilities for the operation of thirteenth and fourteenth year programs authorized by RCW 28.84.120 through 28.84.150, the requirements of this act respecting the amount of funds to be provided by a school district in order to qualify for an allotment of state funds shall be deemed to have been met if the total amount of funds provided

Union high school districts.

Bond issue for construction of school plant facilities. Allocation of funds. Union high school district.

Proviso.

by the union high school district and by the elementary school district components thereof for school building construction purposes is equivalent to ten percent of the taxable valuation of the union high school district plus such further amount as may be required by the state board of education: *Provided*, That nothing herein shall relieve any such school district from compliance with the provisions of section 9 of this act. For the purpose of providing funds for financing the construction and equipment of facilities of the type hereinbefore designated the board of directors of the union high school district and the board of directors of each elementary school district component thereof may submit to the voters of the district a proposal or proposals for providing capital funds through the issuance of bonds or through authorization of an excess tax levy. The proceeds of any such bond issue or excess tax levy shall be credited to the building fund of the union high school district and shall be expended to pay the cost of constructing and equipping facilities of the type aforesaid and not otherwise.

An elementary school district component of a union high school district shall be deemed to have met the requirements of this act, if such elementary school district has provided funds for both union high school district and elementary school district construction purposes in an amount equivalent to ten percent of its taxable valuation plus such further amount as may be required by the state board of education.

Modifiable basic or standard plans for school buildings.

SEC. 11. Whenever in the judgment of the state board of education economies may be effected without impairing the usefulness and adequacy of school buildings, said board may prescribe rules and regulations and establish procedures governing the preparation and use of modifiable basic or standard plans for school building construction projects for

which state assistance funds provided by this act are allocated.

SEC. 12. If any section, paragraph, sentence, clause, phrase or word of this act should be held to be invalid or unconstitutional, such act shall not affect or impair the validity or constitutionality of any other section, paragraph, sentence, clause, phrase or word of this act. It is hereby declared that had any section, paragraph, sentence, clause, phrase or word as to which this act is declared invalid been eliminated from the act at the time the same was considered, the act would have nevertheless been enacted with such portions eliminated. Severability.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety, and for the support of state government and its existing public institutions, and shall take effect immediately. Emergency.

Passed the Senate March 13, 1957.

Passed the House March 13, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 235.

[S. B. 352.]

HIGHWAYS—LIMITED ACCESS FACILITIES THROUGH CITIES.

AN ACT relating to limited access facilities extending through cities and towns; amending section 2, chapter 202, Laws of 1947, as last amended by section 1, chapter 30, Laws of 1953 and section 5, chapter 167, Laws of 1951 and RCW 47.52.020 and 47.52.025; adding seven new sections to chapter 202, Laws of 1947 and to chapter 47.52 RCW; and declaring an emergency.

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

SECTION 1. Section 2, chapter 202, Laws of 1947, as last amended by section 1, chapter 30, Laws of 1953 Division and amendment.

and section 5, chapter 167, Laws of 1951 (heretofore divided and codified as RCW 47.52.020 and 47.52.025) are divided and amended as set forth in sections 2 and 3 of this act.

RCW 47.52.020 amended. Limited access facilities. Powers of highway authorities— State facility, county road crossings.

SEC. 2. (RCW 47.52.020) The highway authorities of the state, counties, and incorporated cities and towns, acting alone or in cooperation with each other, or with any federal, state, or local agency, or any other state having authority to participate in the construction and maintenance of highways, may plan, designate, establish, regulate, vacate, alter, improve, construct, maintain, and provide limited access facilities for public use wherever such authority or authorities are of the opinion that traffic conditions, present or future, will justify such special facilities: *Provided*, That upon county roads within counties, such state or county authorities shall be subject to the consent of the board of county commissioners, except that where a state limited access facility crosses a county road the state highway commission may, without the consent of the board of county commissioners, close off such county road so that it will not intersect such limited access facility.

The state highway commission may, in constructing or relocating any state highway, cross any county road at grade without obtaining the consent of the board of county commissioners, and in so doing may revise the alignment of such county road to the extent that the state highway commission finds necessary for reasons of traffic safety or practical engineering considerations.

RCW 47.52.025 enacted without amendment.

SEC. 3. (RCW 47.52.025) Such highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respec-

tive jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by the various classes of vehicles or traffic in a manner consistent with RCW 47.52.010.

SEC. 4. Section 8, chapter 202, Laws of 1947 and RCW 47.52.090 are each amended to read as follows:

The highway authorities of the state, counties and incorporated cities and towns are authorized to enter into agreements with each other, or with the federal government, respecting the financing, planning, establishment, improvement, construction, maintenance, use, regulation, or vacation of limited access facilities in their respective jurisdictions to facilitate the purposes of this chapter: *Provided*, That within incorporated cities and towns the title to such facility, after purchase and construction by the state alone, shall vest in the state, and the Washington state highway commission shall exercise full jurisdiction, responsibility and control to, and over, such facility: *Provided further*, That:

(1) Cities and towns shall regulate all traffic restrictions on such facilities except as provided in RCW 46.48.041 and all regulations adopted shall be subject to approval of the state highway commission before becoming effective. Nothing herein shall preclude the state patrol, any county, or city or town from enforcing any traffic regulations and restrictions prescribed by state law, county resolution, or municipal ordinance.

(2) The city or town or franchise holder shall at its own expense maintain its underground facilities beneath the surface across the highway and shall have the right to construct such additional facilities underground or beneath the surface of the facility or necessary overcrossings of power lines and other utilities as may be necessary insofar as such facilities do not interfere with the use of the right of way for limited access highway purposes, and the

RCW 47.52.090 amended.

Cooperative agreements.

Proviso.

Title to facility.

Proviso.

Traffic regulations.

Underground facilities, utilities.

Limited access facilities. Cooperative agreements.

city or town shall have the right to maintain any municipal utility and the right to open the surface of such highway, and the construction, maintenance until permanent repair is made, and permanent repair of such facilities shall be done in a time and manner authorized by permit to be issued by the state highway commission or its authorized representative, except to meet emergency conditions for which no permit will be required, but any damage occasioned thereby shall promptly be repaired by the city or town itself, or at its direction. Where a city or town is required to relocate overhead facilities within the corporate limits of a city or town as a result of the construction of a limited access facility, the cost of such relocation shall be paid by the state.

Franchises.

(3) Cities and towns shall have the right to grant utility franchises crossing the facility underground and beneath its surface insofar as such franchises are not inconsistent with the use of the right of way for limited access facility purposes: *Provided*, That such franchises are not in conflict with state laws: *Provided further*, That the state highway commission shall be authorized to enforce, in an action brought in the name of the state, any condition of any franchise which a city or town shall have granted: *And provided further*, That no franchise for transportation of passengers in motor vehicles shall be granted on such highways without the approval of the state highway commission, except cities and towns shall not be required to obtain a franchise for the operation of municipal vehicles or vehicles operating under franchises from the city or town operating within the corporate limits of a city or town and within a radius not to exceed eight miles outside of such corporate limits for public transportation on such facilities, but such vehicles may not stop on the limited access portion of such facility to receive or to discharge passengers.

Proviso.

Proviso.

Proviso.

Passenger transportation.

Every franchise or permit granted any person by a city or town for use of any portion of a limited access facility shall require the grantee or permittee to restore, permanently repair and replace to its original condition any portion if the highway damaged or injured by it. Except to meet emergency conditions, the construction and permanent repair of any limited access facility by the grantee of a franchise shall be in a time and manner authorized by permit to be issued by the state highway commission, or its authorized representative.

(4) The state highway commission shall have the right to utilize all storm sewers which are adequate and available for the additional quantity of run-off proposed to be passed through such storm sewers.

Storm sewers.

(5) The construction and maintenance of city streets over and under crossings and surface intersections of the limited access facility shall be in accordance with the governing policy entered into between the state highway commission and the Association of Washington Cities on June 21, 1956, or as such policy may be amended by agreement between the Washington state highway commission and the Association of Washington Cities.

City street crossings.

SEC. 5. There is added to chapter 202, Laws of 1947 and to chapter 47.52. RCW a new section to read as follows:

New section.

When the state highway commission is planning a limited access facility through an incorporated city or town, the commission, or its staff, shall give careful consideration to available data as to the city's comprehensive plan, land use pattern, present and potential traffic volumes of city streets crossing the proposed facility, origin and destination traffic surveys, existing utilities and other pertinent surveys, and shall submit to the city officials for study a report showing how these factors have been taken into account and how the proposed plan for a limited

State facility through city or town. Report.

Limited access facility. Proposed facility through city or town. Conferences—Proposed plan, hearing, notice.

access facility will serve public convenience and necessity, together with the locations and access and egress plans, and over and under crossings under consideration.

Conferences shall be held on the merits of this state report and plans, recommended locations and the economic effects of the plan and any proposed modification or alternate proposal of the cities or towns, in order to attempt to reach an agreement between the state highway commission and the city officials. As a result of the conference, the proposed plan, together with any modifications thereof, shall be prepared by the state highway commission and presented to the city for approval at least thirty days before final approval thereof is desired. The highway commission shall hold a public hearing within the city or town to determine the desirability of the plan proposed by the commission, at which hearing any city official or person may appear and be heard even though such official or person is not an abutting property owner. Notice of such hearing shall be given by publication once each week for two weeks, the date of first publication to be not less than fifteen days nor more than twenty days prior to such hearing in one or more newspapers of general circulation within the city or town.

New section.

SEC. 6. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows:

Adoption of plan—Transmittal to mayor—Publication—Objections, request for hearing.

After said hearing has been held as provided in section 5 herein, the commission shall adopt a plan with such modifications, if any, as the commission deems proper and necessary. A copy of such plan shall be transmitted to the mayor of the city or town affected thereby, and a resume of such plan shall be published once each week for two weeks in one or more newspapers of general circulation within such city or town beginning not less than ten days after

receipt of such plan. Unless such plan shall be disapproved in writing filed with the state highway commission within thirty days after the mailing thereof to such mayor and if the city or town affected does not request in writing a hearing before a board of review, hereinafter referred to as the board, and file such request with the state highway commission within thirty days after mailing of such plan, such plan shall be final. Such request for hearing shall set forth the portions of the plan of the state highway commission to which the city or town objects, and shall include every issue to be considered by the board.

SEC. 7. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows: New section.

Upon request for a hearing before the board by any city or town, a board consisting of five members shall be appointed as follows: The mayor shall appoint two members of the board, subject to confirmation by the legislative body of the city or town; the state highway commission shall appoint two members of the board who shall not be members of such commission; and one member shall be selected by the four members thus appointed. Such fifth member shall be a licensed civil engineer or a recognized professional city or town planner, who shall be chairman of the board. Such board shall be appointed within thirty days after the next meeting of the state highway commission immediately following the receipt of such a request by the commission. In the event the state highway commission or a city or town shall not appoint members of the board or members thus appointed fail to appoint a fifth member of the board, either the state highway commission or the city or town may apply to the superior court of the county in which the city or town is situated Board of
review—Com-
position—
Appointment.

to appoint the member or members of the board in accordance with the provisions of this chapter.

New section.

SEC. 8. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows:

Limited access facility. Proposed facility through city or town. Hearing—Evidence by city or town—Determination.

The board shall fix a reasonable time not more than thirty days after the date of their appointment and shall indicate the time and place for the hearing, and shall give notice thereof to the city or town and to the state highway commission. At the time and place fixed for the hearing, the state and the city or town shall present all of their evidence with respect to the objections set forth in the request for the hearing before the board, and if either the state or the city or town fails to do so, the board may determine the issues upon such evidence as may be presented to it at said hearing.

New section.

SEC. 9. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows:

Procedure.

No witness's testimony shall be received unless he shall have been duly sworn, and the board may cause all oral testimony to be stenographically reported. Members of the board, its duly authorized representatives, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for, and to compel the attendance and testimony of witnesses, or the production of books, papers, documents and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do; to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of their office.

SEC. 10. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows:

New section.

At the conclusion of such hearing, the board shall consider the evidence taken and shall make specific findings with respect to the objections and issues within thirty days after the hearing, which findings shall approve, disapprove or modify the proposed plan of the state highway commission. Such findings shall be final and binding upon both parties.

Findings of board.

SEC. 11. There is added to chapter 202, Laws of 1947 and to chapter 47.52 RCW a new section to read as follows:

New section.

The board shall employ such assistance and clerical help as is necessary in the performance of its duties. The costs thereby incurred and incident to the conduct of the hearing, necessary expenses and fees, if any, of members of the board shall be borne equally by the city or town requesting the hearing and the state highway commission. When oral testimony is stenographically reported, the state highway commission shall provide a reporter at its expense.

Assistants—
Costs—
Reporter.

SEC. 12. 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.

Emergency.

Passed the Senate March 13, 1957

Passed the House March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 236.

[H. B. 124.]

PUBLIC EMPLOYEES—MILITARY LEAVE.

AN ACT relating to the granting of military leave to public employees; and amending section 1, chapter 113, Laws of 1939 and RCW 38.40.060.

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

RCW 38.40.060
amended.

SECTION 1. Section 1, chapter 113, Laws of 1939 and RCW 38.40.060 are each amended to read as follows:

Military
leaves for pub-
lic employees.

Every officer and employee of the state or of any county, city, or other political subdivision thereof who is a member of the Washington national guard or of the army, navy, air force, coast guard, or marine corps reserve of the United States, or of any organized reserve or armed forces of the United States shall be entitled to and shall be granted military leave of absence from such employment for a period not exceeding fifteen days during each calendar year. Such leave shall be granted in order that the person may take part in active training duty in such manner and at such time as he may be ordered to active training duty. Such military leave of absence shall be in addition to any vacation or sick leave to which the officer or employee might otherwise be entitled, and shall not involve any loss of efficiency rating, privileges, or pay. During the period of military leave, the officer or employee shall receive from the state, or the county, city, or other political subdivision, his normal pay.

Passed the House February 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 237.

[H. B. 217.]

FISHERIES—OYSTER MORTALITY STUDY.

AN ACT relating to a study of the causes of oyster mortality; and making an appropriation.

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

SECTION 1. The legislature (and its fisheries interim committee of 1955-56) hereby declares itself to be concerned with the apparent decline of the oyster industry of this state.

Declaration.

SEC. 2. The department of fisheries is hereby directed to conduct a research program, in cooperation with the school of oceanography of the University of Washington and other interested or affected parties, to determine all possible causes of mortality in the commercial oyster beds of the state. On the basis of this research, the department of fisheries shall recommend a program, consistent with the state's general economic welfare, to offset the oyster industry's apparent decline.

Oyster mortality research, program, to be made.

SEC. 3. The director of the department of fisheries shall make quarterly progress reports to the Washington state interim fisheries committee regarding this program, and shall also make a full report to the 1959 legislature.

Progress reports to be made.

SEC. 4. There is appropriated from the general fund to the department of fisheries the sum of seventy-five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Appropriation to department of fisheries.

Passed the House March 12, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 238.

[H. B. 253.]

FIRE PROTECTION DISTRICTS—COMMISSIONERS.

AN ACT relating to fire protection districts; and amending section 22, chapter 34, Laws of 1939 as amended by section 3, chapter 162, Laws of 1945, and RCW 52.12.010.

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

RCW 52.12.010 amended.

SECTION 1. Section 22, chapter 34, Laws of 1939 as amended by section 3, chapter 162, Laws of 1945, and RCW 52.12.010 are each amended to read as follows:

Fire protection districts. Commissioners. Number—Qualifications—Compensation—Duties.

The affairs of the district shall be managed by a board of fire commissioners composed of three resident electors of the district. The members shall receive no compensation for their services, but shall receive necessary expenses in attending meetings of the board or when otherwise engaged on district business: *Provided*, That in any district which has a fire department employing personnel on a full time, fully paid basis, fire commissioners, in addition to expenses as aforesaid, may each receive not to exceed ten dollars per day or thirty dollars per month for attendance at board meetings and for performance of other services in behalf of the district, to be fixed by resolution and entered in the minutes of the proceedings of the board.

Proviso.

The board shall fix the compensation to be paid the secretary and all other agents and employees of the district. The first commissioners shall serve until after the next general election for the selection of commissioners and until their successors have been elected or appointed and have qualified. When a district includes one or more cities of the fourth class the board shall have authority over all matters relating to fire prevention and fire protection and elimination of fire hazards and such authority shall

supersede all authority of the councils of such cities as to such matters.

Passed the House February 15, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 239.

[H. B. 295.]

CITIES AND TOWNS—ANNEXATION.

AN ACT relating to the annexation of unincorporated areas to cities and towns; amending section 5, chapter 245, Laws of 1907 and RCW 35.13.100 and 35.13.110; and amending sections 4 and 5, chapter 128, Laws of 1945 and RCW 35.13.150 and 35.13.160; and adding a new section to chapter 13, Laws of 1915 and to chapter 35.13 RCW.

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

SECTION 1. Section 5, chapter 245, Laws of 1907 (heretofore divided and codified as RCW 35.13.100 and 35.13.110) is divided and amended as set forth in sections 2 and 3 of this act.

Division and amendment.

SEC. 2. (RCW 35.13.100) Upon filing of the certified copy of the finding of the board of county commissioners, the clerk shall transmit it to the city or town council at the next regular meeting or as soon thereafter as practicable. If the council deems it wise or expedient to annex the proposed area, it shall adopt an ordinance providing for the annexation.

RCW 35.13.100 enacted without amendment.

SEC. 3. (RCW 35.13.110) Upon the date fixed in the ordinance of annexation, the area annexed shall become a part of the city or town. All property within the territory hereafter annexed shall, if the proposition approved by the people so provides after the effective date of this act, be assessed and taxed at the same rate and on the same basis as the property of such annexing city is assessed and taxed to

RCW 35.13.110 amended.

Unincorporated areas—Annexation. Election method. Effective date of annexation.

pay for any then outstanding indebtedness of the city or town to which said area is annexed, contracted prior to, or existing at, the date of annexation.

Combination, division and amendment.

SEC. 4. Sections 4 and 5, chapter 128, Laws of 1945 (heretofore divided, combined and codified as RCW 35.13.150 and 35.13.160) are amended to read as set forth in sections 5 and 6 of this act.

RCW 35.13.150 enacted without amendment.

SEC. 5. (RCW 35.13.150) Following the hearing, the council or commission shall determine by ordinance whether annexation shall be made. They may annex all or any portion of the proposed area but may not include in the annexation any property not described in the petition. Upon passage of the ordinance a certified copy shall be filed with the board of county commissioners of the county in which the annexed property is located.

RCW 35.13.160 amended.

Unincorporated areas—Annexation. Petition method—Effective date of annexation.

SEC. 6. (RCW 35.13.160) Upon the date fixed in the ordinance of annexation the area annexed shall become part of the city or town. All property within the territory hereafter annexed shall, if the proposition approved by the people so provides after the effective date of this act, be assessed and taxed at the same rate and on the same basis as the property of such annexing city is assessed and taxed to pay for any then outstanding indebtedness of the city or town to which said area is annexed, contracted prior to, or existing at, the date of annexation.

New section.

SEC. 7. There is added to chapter 13, Laws of 1915 and to chapter 35.13 RCW a new section to read as follows:

Annexation of federal areas.

Any unincorporated area contiguous to a first class city may be annexed thereto by an ordinance accepting a gift, grant, lease or cession of jurisdiction from the government of the United States of the right to occupy or control it.

Severability.

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 House February 27, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 240.

[H. B. 404.]

INDIANS—CRIMINAL AND CIVIL JURISDICTION OF STATE.

AN ACT providing for the assumption of criminal and civil jurisdiction over certain Indians and their reservations and lands as authorized by federal law; providing the time and method thereof, and the duty of the governor with respect thereto; and declaring an emergency.

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

SECTION 1. The state of Washington hereby obligates and binds itself to assume, as hereinafter provided, criminal and civil jurisdiction over Indians and Indian territory, reservation, country, and lands within this state in accordance with the consent of the United States given by the act of August 15, 1953 (Public Law 280, 83rd Congress, 1st Session).

Jurisdiction
over Indians,
Indian lands.
Assumption
by state.

SEC. 2. Whenever the governor of this state shall receive from the tribal council or other governing body of any Indian tribe, community, band, or group in this state a resolution expressing its desire that its people and lands be subject to the criminal and civil jurisdiction of the state of Washington to the extent authorized by federal law, he shall issue within sixty days a proclamation to the effect that such jurisdiction shall apply to all Indians and all Indian territory, reservation, country, and lands of the Indian body involved in accordance with the provisions of this act: *Provided*, That with respect to

Resolution of
request—Proc-
lamation by
governor.

the Colville, Spokane, or Yakima tribes or reservations, he shall not issue such proclamation unless the resolution of the tribal council has been ratified by a two-thirds majority of the adult enrolled members of the tribe voting in a referendum called for that purpose.

Jurisdiction
over Indians,
Indian lands.
Effective date
—Criminal
causes.

SEC. 3. Sixty days from the date of issuance of any proclamation of the governor as provided by section 2 of this act, the state of Washington shall assume jurisdiction over offenses committed by or against Indians in the lands prescribed in the proclamation to the same extent that this state has jurisdiction over offenses committed elsewhere within this state, and the criminal laws of this state shall have the same force and effect within such lands as they have elsewhere within this state.

Civil causes.

SEC. 4. Sixty days from the date of issuance of any proclamation of the governor as provided by section 2 of this act, the state of Washington shall assume jurisdiction over civil causes of action between Indians or to which Indians are parties which arise in the Indian lands prescribed in the proclamation to the same extent that this state has jurisdiction over other civil causes of action and those civil laws of this state that are of general application to private persons or private property shall have the same force and effect within such Indian lands as they have elsewhere within this state.

Limitation,
federal law.

SEC. 5. The jurisdiction assumed pursuant to this act shall be subject to the limitations and provisions of the federal act of August 15, 1953 (Public Law 280, 83rd Congress, 1st Session).

Act limited in
application.

SEC. 6. Nothing in this act shall authorize the alienation, encumbrance, or taxation of any real or personal property, including water rights, belonging to any Indian or any Indian tribe, band, or community that is held in trust by the United States or

is subject to a restriction against alienation imposed by the United States; or shall authorize regulation of the use of such property in a manner inconsistent with any federal treaty, agreement, or statute or with any regulation made pursuant thereto; or shall confer jurisdiction upon the state to adjudicate, in probate proceedings or otherwise, the ownership or right to possession of such property or any interest therein; or shall deprive any Indian or any Indian tribe, band, or community of any right, privilege, or immunity afforded under federal treaty, agreement, statute, or executive order with respect to hunting, trapping, or fishing or the control, licensing, or regulation thereof.

SEC. 7. Any tribal ordinance or custom heretofore or hereafter adopted by an Indian tribe, band, or community in the exercise of any authority which it may possess shall, if not inconsistent with any applicable civil law of the state, be given full force and effect in the determination of civil causes of action pursuant to this section.

Tribal ordinance, custom
—Effect in civil causes.

SEC. 8. This act is necessary for the immediate preservation of the public peace, health, and safety, and for the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the House February 26, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 241.

[H. B. 568.]

GAME FISH—IMPORTATION.

AN ACT relating to game fish; and repealing section 77.16.155, chapter 36, Laws of 1955 and RCW 77.16.155.

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

Repeal.

SECTION 1. Section 77.16.155, chapter 36, Laws of 1955 and RCW 77.16.155 are each repealed.

Passed the House March 9, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 242.

[H. B. 601.]

MOTOR VEHICLE OPERATOR'S LICENSES—MINORS.

AN ACT relating to motor vehicles and adding three new sections to chapter 46.20 RCW.

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

SECTION 1. There are added to chapter 46.20 RCW three new sections to read as set forth in sections 2 through 4 of this act.

New section. "Minor" designated on certain operator licenses.

SEC. 2. Any motor vehicle operator's license issued to a person under the age of twenty-one years shall bear the word "minor" indelibly stamped thereon in red letters not less than one-half inch in height, such lettering to be stamped diagonally across the face of said license.

New section. Substitute license free when twenty-one.

SEC. 3. A minor attaining the age of twenty-one years prior to the expiration date of his motor vehicle operator's license may upon proper application to the licensing agent have issued to him without fee a substitute license from which the word "minor" shall be deleted.

SEC. 4. Any officer authorized to issue motor vehicle operator's licenses in this state is empowered to require satisfactory evidence of the age of the applicant as a condition precedent to the issuance of any motor vehicle operator's license.

New section. Evidence of age prerequisite to obtaining license.

Passed the House March 5, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 243.

[H. B. 59.]

RETIREMENT OF SUPREME AND SUPERIOR COURT JUDGES.

AN ACT relating to supreme and superior court judges; providing in certain cases retirement benefits for widows of judges, increasing contributions from the state to the retirement fund, amending section 3, chapter 229, Laws of 1937, as last amended by section 1, chapter 79, Laws of 1951, and RCW 2.12.030; and amending section 6, chapter 229, Laws of 1937, as last amended by section 2, chapter 79, Laws of 1951, and RCW 2.12.060, and declaring an emergency.

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

SECTION 1. Section 3, chapter 229, Laws of 1937, as last amended by section 1, chapter 79, Laws of 1951, and RCW 2.12.030 are each amended to read as follows:

RCW 2.12.030 amended.

Every judge of the supreme or superior court of the state who retires from office under the provisions of this chapter shall be entitled to receive monthly during the period of his natural life, out of the fund hereinafter created, an amount equal to one-half of the monthly salary he was receiving as a judge at the time of his retirement, or at the end of the term immediately prior to his retirement if his retirement is made after expiration of his term. The widow of any judge who shall have heretofore retired or may hereafter retire, or of a judge who was heretofore

Amount and time of payment—Widow's benefit.

Retirement,
judges.
Amount and
time of pay-
ment—
Widow's
benefit.

or may hereafter be eligible for retirement at the time of his death, if she had been his wife continuously for ten years prior to his being eligible for retirement, shall be paid an amount equal to one-half of the retirement pay for her husband, as long as she remains unmarried. Payments to any widow shall be reduced by any amount received by her subsequent to her husband's death under social security, old age assistance, or other grant in aid under state and federal law. The retirement pay shall be paid monthly by the state treasurer on or before the tenth day of each month. The provisions of this section shall apply to the widow of any judge who dies while holding such office or dies after having retired under the provisions of this act and who at the time of his death had served ten or more years in the aggregate as a judge of the supreme or superior court or both and if such widow had been his wife continuously for ten years prior to his death.

RCW 2.12.060
amended.

SEC. 2. Section 6, chapter 229, Laws of 1937, as last amended by section 2, chapter 79, Laws of 1951 and RCW 2.12.060 are each amended to read as follows:

Fund, how
constituted—
Salary deduc-
tions—Aid.

For the purpose of providing moneys in said judges' retirement fund, concurrent monthly deductions from judges' salaries and portions thereof payable from the state treasury and withdrawals from the general fund of the state treasury shall be made as follows: Six and one-half percent shall be deducted from the monthly salary of each judge of the supreme court and six and one-half percent of the total salaries of each judge of the superior court shall be deducted from that portion of the salary of such judges payable from the state treasury; and a sum equal to six and one-half percent of the combined salaries of the judges of the supreme court and the judges of the superior court shall be withdrawn from the general fund of the state treasury. In consid-

eration of the contributions made by the judges to the judges' retirement fund, the state hereby undertakes to guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund of amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judges' retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judges' retirement fund shall become insufficient to meet the retirement payments. The deductions and withdrawals herein directed shall be made on or before the tenth day of each month and shall be based on the salaries of the next preceding calendar month. The state auditor shall issue warrants payable to the treasurer to accomplish the deductions and withdrawals herein directed, and shall issue the monthly salary warrants of the judges for the amount of salary payable from the state treasury after such deductions have been made. The treasurer shall cash the warrants made payable to him hereunder and place the proceeds thereof in the judges' retirement fund for disbursement as authorized in this chapter.

Salary deductions—Aid.

SEC. 3. 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.

Emergency.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 244.

[H. B. 131.]

COURT REPORTERS.

AN ACT relating to court reporters; amending section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 154, Laws of 1945, and RCW 2.32.180; amending section 3, chapter 126, Laws of 1913 as last amended by section 1, chapter 265, Laws of 1953, and RCW 2.32.210; amending section 2, chapter 24, Laws of 1945 as amended by section 2, chapter 210, Laws of 1951, and RCW 2.32.220; amending section 5, chapter 126, Laws of 1913 as amended by section 4, chapter 69, Laws of 1943, and RCW 2.32.240; and amending section 9, chapter 126, Laws of 1913 as amended by section 5, chapter 69, Laws of 1943, and RCW 2.32.280.

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

RCW 2.32.180 amended.

SECTION 1. Section 1, chapter 126, Laws of 1913 as last amended by section 1, chapter 154, Laws of 1945, and RCW 2.32.180 are each amended to read as follows:

Superior court reporters—Qualifications.

It shall be and is the duty of each and every superior court judge in counties or judicial districts in the state of Washington having a population of over thirty-five thousand inhabitants to appoint, or said judge may, in any county or judicial district having a population of over twenty-five thousand and less than thirty-five thousand, appoint a stenographic reporter to be attached to the court holden by him who shall have had at least three years' experience as a skilled, practical reporter, or who upon examination shall be able to report and transcribe accurately one hundred and seventy-five words per minute of the judge's charge or two hundred words per minute of testimony each for five consecutive minutes; said test of proficiency, in event of inability to meet qualifications as to length of time of experience, to be given by an examining committee composed of one judge of the superior court and two official reporters of the superior court of the state of Washington,

appointed by the president judge of the superior court judges association of the state of Washington. The initial judicial appointee shall serve for a period of six years; the two initial reporter appointees shall serve for a period of four years and two years, respectively, from September 1, 1957; thereafter on expiration of the first terms of service, each newly appointed member of said examining committee to serve for a period of six years. In the event of death or inability of a member to serve, the president judge shall appoint a reporter or judge, as the case may be, to serve for the balance of the unexpired term of the member whose inability to serve caused such vacancy. The examining committee shall grant certificates to qualified applicants. Administrative and procedural rules and regulations shall be promulgated by said examining committee, subject to approval by the said president judge.

Superior
court re-
porters—
Qualifications.

The stenographic reporter upon appointment shall thereupon become an officer of the court and shall be designated and known as the official reporter for the court or judicial district for which he is appointed: *Provided*, That in no event shall there be appointed more official reporters in any one county or judicial district than there are superior court judges in such county or judicial district; the appointments in each class AA county shall be made by the majority vote of the judges in said county acting en banc; the appointments in class A counties and counties of the first class may be made by each individual judge therein or by the judges in said county acting en banc. Each official reporter so appointed shall hold office during the term of office of the judge or judges appointing him, but may be removed for incompetency, misconduct or neglect of duty, and before entering upon the discharge of his duties shall take an oath to perform faithfully the duties of his office, and file a bond in the sum of two

Proviso.

thousand dollars for the faithful discharge of his duties. Such reporter in each court is hereby declared to be a necessary part of the judicial system of the state of Washington.

RCW 2.32.210
amended.

SEC. 2. Section 3, chapter 126, Laws of 1913 as last amended by section 1, chapter 265, Laws of 1953 and RCW 2.32.210 are each amended to read as follows:

Superior court
reporters.
Salaries—Ex-
penses in
joint dis-
tricts.

Each official reporter shall be paid compensation as follows:

(1) In judicial districts comprised of class AA counties, such salary as shall be fixed by the judges of said counties and approved by the board of county commissioners of said class AA counties;

(2) In judicial districts comprised of class A counties, six thousand dollars per annum;

(3) In judicial districts comprised of first class counties, five thousand seven hundred seventy-five dollars per annum;

(4) In judicial districts having a total population of seventy thousand and under one hundred twenty-five thousand, five thousand two hundred and twenty-five dollars per annum; in judicial districts having a total population of forty thousand and under seventy thousand, five thousand one hundred dollars per annum; in judicial districts having a total population of twenty-five thousand and under forty thousand, four thousand eight hundred dollars per annum.

Said compensation shall be paid out of the current expense fund of the county where court is held.

In judicial districts comprising more than one county the judge or judges thereof shall, on the first day of January of each year, or as soon thereafter as may be convenient, apportion the amount of the salary to be paid to the reporter by each county according and in proportion to the number of criminal and civil actions entered and commenced in superior court of the constituent

counties in the preceding year. In addition to the salary above provided, in judicial districts comprising more than one county, the reporter shall receive his actual and necessary expenses of transportation and living expenses when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto, said expense to be paid by the county to which he travels. If one trip includes two or more counties, the expense may be apportioned between the counties visited in proportion to the amount of time spent in each county on the trip. If an official reporter uses his own automobile for the purpose of such transportation, he shall be paid therefor at the same rate per mile as county officials are paid for use of their private automobiles. The sworn statement of the official reporter, when certified to as correct by the judge presiding, shall be a sufficient voucher upon which the county auditor shall draw his warrant upon the treasurer of the county in favor of the official reporter.

The salaries of official court reporters shall be paid upon sworn statements, when certified as correct by the judge presiding, as state and county officers are paid.

SEC. 3. Section 2, chapter 24, Laws of 1945 as amended by section 2, chapter 210, Laws of 1951, and RCW 2.32.220 are each amended to read as follows:

RCW 2.32.220
amended.

If the judge of the superior court in any judicial district having a total population of less than twenty-five thousand finds that the work in such district requires the services of an official court reporter he may appoint a person qualified under RCW 2.32.180.

Application
to lesser
judicial
districts.

SEC. 4. Section 5, chapter 126, Laws of 1913 as amended by section 4, chapter 69, Laws of 1943, and RCW 2.32.240 are each amended to read as follows:

RCW 2.32.240
amended.

Courts of record. Transcript of testimony—Fee—Forma Pauperis.

When shorthand notes have been taken in any cause as provided in RCW 2.32.180 through 2.32.320, if the court, or either party to the suit or action, or his attorney, request a transcript of the notes into longhand, the official reporter shall make, or cause to be made, with reasonable diligence, full and accurate typewritten transcript of the testimony and other proceedings, which shall, when certified to as hereinafter provided, be filed with the clerk of the court where such trial is had for the use of the court or parties to the action. The fees of the reporter for making such transcript shall be fixed in accordance with costs as allowed in cost bills in civil cases by the supreme court of the state of Washington, and when such transcript is ordered by any party to any suit or action, said fee shall be paid forthwith by the party ordering the same, and in all cases where a transcript is made as provided for under the provisions of RCW 2.32.180 through 2.32.320 the cost thereof shall be taxable as costs in the case, and shall be so taxed as other costs in the case are taxed: *Provided*, That when the defendant in any criminal case shall present to the judge presiding satisfactory proof by affidavit or otherwise that he is unable to pay for such transcript, the judge presiding, if in his opinion justice will thereby be promoted, may order said transcript to be made by the official reporter, which transcript fee therefor shall be paid out of the county treasury as other expenses of the court are paid.

Proviso.

RCW 2.32.280 amended.

SEC. 5. Section 9, chapter 126, Laws of 1913 as amended by section 5, chapter 69, Laws of 1943, and RCW 2.32.280 are each amended to read as follows:

To act as amanuensis in certain counties.

In all counties or judicial districts, except in class AA counties and class A counties and counties of the first class, such official reporter shall act as amanuensis to the court for which he is appointed.

Severability.

SEC. 6. All laws or parts of laws inconsistent

with or repugnant to the provisions of this act are hereby repealed.

Passed the House March 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 245.

[H. B. 195.]

STATE WEATHER MODIFICATION BOARD.

AN ACT relating to weather modification and control; establishing a board, defining powers and duties; making an appropriation; providing penalties; and declaring an emergency.

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

SECTION 1. As used in this act, unless the context Definitions. requires otherwise:

(1) "Board" means the Weather Modification "Board." Board;

(2) "Operation" means the performance of "Operation." weather modification and control activities pursuant to a single contract entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year; or, in case the performance of weather modification and control activities is to be undertaken individually or jointly by a person or persons to be benefited and not undertaken pursuant to a contract, "operation" means the performance of weather modification and control activities entered into for the purpose of producing, or attempting to produce, a certain modifying effect within one geographical area over one continuing time interval not exceeding one year;

(3) "Research and development" means theoretical analysis exploration and experimentation, and the extension of investigative findings and theories "Research and development."

Weather
modification
board.
Definitions.

of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials and processes;

"Weather
modification
and control."

(4) "Weather modification and control" means changing or controlling, or attempting to change or control, by artificial methods, the natural development of any or all atmospheric cloud forms or precipitation forms which occur in the troposphere.

Board estab-
lished—Mem-
bership—
Terms—Ex-
penses.

SEC. 2. (1) There is established a weather modification board to consist of the director of conservation and development, who shall be the chairman and four members all appointed by the governor, including a member of the faculty of the State College of Washington, a member of the faculty of the University of Washington, one member to be a person experienced in, and actually engaged in the commercial production of horticultural products, and one member to be a person experienced in, and actually engaged in the commercial production of other agricultural products. The term of office of each appointed member of the board shall be four years, except that the first terms of office of the four appointed members first taking office shall expire, as determined by the governor at the time of their appointment, one each at the end of the first, second, third and fourth years after the effective date of this act. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

(2) Members of the board shall receive no compensation for the performance of their duties under the provisions of this act; but each member shall be reimbursed, to the extent allowed by law and from funds available for the administration of this act,

for expenses necessarily incurred in the performance of his duties.

SEC. 3. In the performance of its functions the board may, in addition to any other acts authorized by law:

Powers
of board.

(1) Establish advisory committees to advise with and make recommendations to the board concerning legislation, policies, administration, research and other matters;

(2) Establish by regulation or order such standards and instructions to govern the carrying out of research or projects in weather modification and control as the board may deem necessary or desirable to minimize danger to health or property; and make such rules and regulations as are necessary in the performance of its powers and duties;

(3) Make such studies, investigations, obtain such information and hold such hearings as the board may deem necessary or proper to assist it in exercising its authority or in the administration or enforcement of this act or any regulations or orders issued thereunder;

(4) Subject to section 7, of this act, appoint and fix the compensation of such personnel, including specialists and consultants, as are necessary to perform its duties and functions;

(5) Acquire, in the manner provided by law, such materials, equipment and facilities as are necessary to perform its duties and functions;

(6) Cooperate with public or private agencies in the performance of the board's functions or duties and in furtherance of the purposes of this act;

(7) Represent the state in any and all matters pertaining to plans, procedures or negotiations for interstate compacts relating to weather modification and control.

SEC. 4. The board shall exercise its powers in such manner as to promote the continued conduct of

Weather modification board. Promotion of research and development activities.

research and development activities in the fields specified below by private or public institutions or persons and to assist in the acquisition of an expanding fund of theoretical and practical knowledge in such fields. To this end the board may conduct, and make arrangements, including contracts and agreements, for the conduct of, research and development activities relating to:

(1) The theory and development of methods of weather modification and control, including processes, materials and devices related thereto;

(2) Utilization of weather modification and control for agricultural, industrial, commercial and other purposes;

(3) The protection of life and property during research and operational activities.

Board hearings, powers relative thereto.

SEC. 5. In the case of hearings pursuant to section 18 of this act the board shall, and in other cases may, cause a record of the proceedings to be taken and filed with the board, together with its findings and conclusions. For any hearing, any member of the board or a representative designated by the board is authorized to administer oaths and affirmations, examine witnesses and issue, in the name of the board, notice of the hearing or subpoenas requiring any person to appear and testify, or to appear and produce documents, or both, at any designated place.

Board may receive gifts and grants, expend same.

SEC. 6. (1) The board may, subject to any limitations otherwise imposed by law, receive and accept for and in the name of the state any funds which may be offered or become available from federal grants or appropriations, private gifts, donations or bequests, or any other source, and may expend such funds, unless their use is restricted and subject to any limitations otherwise provided by law for the administration of this act and for the encouragement of research and development by a state, public

or private agency, either by direct grant, by contract or other cooperative means.

(2) There is established an account in the general fund to be known as the "weather modification board revolving account." All license and permit fees paid to the board shall be deposited in such account. Any accumulation in this account in excess of five thousand dollars shall revert to the state's general fund.

"Weather modification board-revolving account" established.

SEC. 7. (1) In administering the provisions of this act the board shall utilize, and the director of conservation and development shall furnish, such clerical and other staff services and materials and office space as are required by the board in the performance of its functions involving internal operations of the board. The director of conservation and development, however, shall not be obligated to incur any expense in complying with this subsection beyond the amount of funds lawfully available for the payment thereof.

Clerical, staff services, materials and office space of department of conservation and development to be utilized.

(2) The expense of complying with the requirements of subsection (1) of this section shall be paid only from the "weather modification board revolving account," hereby created, upon the presentation of a claim therefor approved by the director of conservation and development. Such claims shall be audited and paid in the same manner as other claims against the state.

SEC. 8. Except as provided in section 9 of this act, no person shall engage in activities for weather modification and control except under and in accordance with a license and a permit issued by the board authorizing such activities.

License and permit requirement.

SEC. 9. The board, to the extent it deems practical, shall provide by regulation for exempting from the license, permit and liability requirements, (1) research and development and experiments by state and federal agencies, institutions of higher learning

Exemptions from license and permit requirement authorized.

and bona fide nonprofit research organizations; (2) laboratory research and experiments; (3) activities of an emergent character for protection against fire, frost, sleet or fog; and (4) activities normally engaged in for purposes other than those of inducing, increasing, decreasing or preventing precipitation or hail.

Weather modification board. Licenses to engage in weather modification and control.

SEC. 10. (1) Licenses to engage in activities for weather modification and control shall be issued to applicants therefor who pay the license fee required and who demonstrate competence in the field of meteorology to the satisfaction of the board, reasonably necessary to engage in activities for weather modification and control. If the applicant is an organization, these requirements must be met by the individual or individuals who will be in control and in charge of the operation for the applicant.

(2) The board shall issue licenses in accordance with such procedures and subject to such conditions as it may by regulation establish to effectuate the provisions of this act. Each license shall be issued for a period to expire at the end of the calendar year in which it is issued and, if the licensee possesses the qualifications necessary for the issuance of a new license, shall upon application be renewed at the expiration of such period. A license shall be issued or renewed only upon the payment to the board of one hundred dollars for the license or renewal thereof.

Permits to engage in weather modification and control—Requisites for.

SEC. 11. The board shall issue permits in accordance with such procedures and subject to such conditions as it may by regulation establish to effectuate the provisions of this act only:

(1) If the applicant is licensed pursuant to this act;

(2) If a sufficient notice of intention is published and proof of publication is filed as required by section 14 of this act;

(3) If the applicant furnishes proof of financial responsibility, as provided in section 15 of this act, in an amount as may be determined by the board but not to exceed twenty thousand dollars.

(4) If the fee for a permit is paid as required by section 16 of this act.

SEC. 12. A separate permit shall be issued for each operation. Prior to undertaking any weather modification and control activities the licensee shall file with the board and also cause to be published a notice of intention. The licensee, if a permit is issued, shall confine his activities for the permitted operation substantially within the time and area limits set forth in the notice of intention, unless modified by the board; and his activities shall also substantially conform to any conditions imposed by the board upon the issuance of the permit or to the terms of the permit as modified after issuance.

Permits—Notice of intention to be filed—Activities confined.

SEC. 13. The notice of intention shall set forth at least all the following:

Notice of intention—Contents.

- (1) The name and address of the licensee;
- (2) The nature and object of the intended operation and the person or organization on whose behalf it is to be conducted;
- (3) The area in which and the approximate time during which the operation will be conducted;
- (4) The area which is intended to be affected by the operation;
- (5) The materials and methods to be used in conducting the operation.

SEC. 14. (1) The applicant shall cause the notice of intention, or that portion thereof including the items specified in section 13 of this act, to be published at least once a week for three consecutive weeks in a newspaper having a general circulation and published within any county in which the operation is to be conducted and in which the affected area is located, or, if the operation is to be conducted

Publication.

Weather modification board. Notice of intention. Publication.

in more than one county or if the affected area is located in more than one county or is located in a county other than the one in which the operation is to be conducted, then in a newspaper having a general circulation and published within each of such counties. In case there is no newspaper published within the appropriate county, publication shall be made in a newspaper having a general circulation within the county;

(2) Proof of publication, made in the manner provided by law, shall be filed by the licensee with the board within fifteen days from the date of the last publication of the notice.

Proof of financial responsibility—How shown.

SEC. 15. Proof of financial responsibility may be furnished by an applicant by his showing, to the satisfaction of the board, his ability to respond in damages for liability which might reasonably be attached to or result from his weather modification and control activities in connection with the operation for which he seeks a permit.

Permit fee, when due—Procedure upon failure to pay.

SEC. 16. The fee to be paid by each applicant for a permit shall be equivalent to one and one-half percent of the estimated cost of such operation, the estimated cost to be computed by the board from the evidence available to it. The fee is due and payable to the board as of the date of the issuance of the permit; however, if the applicant is able to give to the board satisfactory security for the payment of the balance, he may be permitted to commence the operation, and a permit may be issued therefor, upon the payment of not less than fifty percent of the fee. The balance due shall be paid within three months from the date of the termination of the operation as prescribed in the permit. Failure to pay a permit fee as required shall be grounds for suspension or revocation of the license of the delinquent permit holder and grounds for refusal to renew his license or to issue any further permits to such person.

SEC. 17. (1) Every licensee shall keep and maintain a record of all operations conducted by him pursuant to his license and each permit, showing the method employed, the type of equipment used, materials and amounts thereof used, the times and places of operation of the equipment, the name and post office address of each individual participating or assisting in the operation other than the licensee and such other general information as may be required by the board and shall report the same to the board at the time and in the manner required.

Licensees to maintain records—Open to public examination.

(2) The board shall require written reports in such manner as it provides but not inconsistent with the provisions of this act, covering each operation for which a permit is issued. Further, the board shall require written reports from such organizations as are exempted from license, permit and liability requirements as provided in section 9.

(3) The reports and records in the custody of the board shall be open for public examination.

SEC. 18. (1) The board may suspend or revoke any license or permit issued if it appears that the licensee no longer possesses the qualifications necessary for the issuance of a new license or permit. The board may suspend or revoke any license or permit if it appears that the licensee has violated any of the provisions of this act. Such suspension or revocation shall occur only after notice to the licensee and a reasonable opportunity granted such licensee to be heard respecting the grounds for the proposed suspension or revocation. The board may refuse to renew the license of, or to issue another permit to, any applicant who has failed to comply with any provision of this act.

Permits or licenses. Suspension or revocation. notice—Failure to renew or issue. grounds.

(2) The board may modify the terms of a permit after issuance thereof if the licensee is first given notice and a reasonable opportunity for a hearing respecting the grounds for the proposed modification

and if it appears to the board that it is necessary for the protection of the health or the property of any person to make the modification proposed.

Weather modification board. State, state officials exempt from liability.

SEC. 19. Nothing in this act shall be construed to impose or accept any liability or responsibility on the part of the state, the board or any state officials or employees for any weather modification and control activities of any private person or group, nor to affect in any way any contractual, tortious or other legal rights, duties or liabilities between any private persons or groups.

Violation—Penalty—Continuing violation.

SEC. 20. Any person violating any of the provisions of this act or any lawful regulation or order issued pursuant thereto, shall be guilty of a misdemeanor; and a continuing violation is punishable as a separate offense for each day during which it occurs.

Appropriation to director of conservation and development.

SEC. 21. There is appropriated to the director of conservation and development, for the biennium beginning July 1, 1957, out of the general fund in the state treasury, the sum of one thousand dollars for the purpose of paying expenses incurred by him in complying with subsection (1) of section 7 of this act.

Appropriation to board.

SEC. 22. There is appropriated to the state weather modification board, out of the general fund in the state treasury, the sum of one thousand dollars for the purpose of carrying out the provisions of this act.

Emergency.

SEC. 23. This act is necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House February 12, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 246.

[H. B. 220.]

PUBLIC RECORDS—STATE ARCHIVES.

AN ACT relating to public records; and repealing sections 1 through 7, chapter 38, Laws of 1909, section 1, chapter 160, Laws of 1929, sections 1 through 10, chapter 109, Laws of 1941, sections 1 through 6, chapter 145, Laws of 1951 and RCW 40.08.010 through 40.08.050 and RCW 40.12.010 through 40.12.110.

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

SECTION 1. As used in this act, the term "public records" shall include any paper, correspondence, form, book, photograph, film, sound recording, map drawing, or other document, regardless of physical form or characteristics, and including all copies thereof, that have been made by any agency of the state of Washington or received by it in connection with the transaction of public business.

"Public records" defined, classified.

For the purposes of this act, public records shall be classified as follows:

(1) Official public records shall include all original vouchers, receipts and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use and disposition of all public property and public income from all sources whatsoever; all agreements and contracts to which the state of Washington or any agency thereof may be a party; all fidelity, surety and performance bonds; all claims filed against the state of Washington or any agency thereof; all records or documents required by law to be filed with or kept by any agency of the state of Washington; and all other documents or records determined by the records committee, hereinafter created, to be official public records.

(2) Office files and memoranda shall include all records, correspondence, exhibits, books, booklets,

Public records classified.

drawings, maps, blank forms, or documents not above defined and classified as official public records; all duplicate copies of official public records filed with any agency of the state of Washington; all documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept with such agency; and all other documents or records, determined by the records committee, hereinafter created, to be office files and memoranda.

Division of archives and records management—Powers, functions, duties.

SEC. 2. All public records shall be and remain the property of the state of Washington. They shall be delivered by outgoing officials and employees to their successors and shall be preserved, stored, transferred, destroyed or disposed of, and otherwise managed, only in accordance with the provisions of this act. In order to insure the proper management and safeguarding of public records, the division of archives of the department of general administration is designated as the division of archives and records management, and, under the administration of the state archivist, who shall have reasonable access to all public records, wherever kept, for purposes of information, surveying, or cataloguing, shall undertake the following functions, duties, and responsibilities:

(1) To manage the archives of the state of Washington;

(2) To centralize the archives of the state of Washington, to make them available for reference and scholarship, and to insure their proper preservation;

(3) To inspect, inventory, catalog, and arrange retention and transfer schedules on all record files of all state departments and other agencies of state government;

(4) To insure the maintenance and security of

all state public records and to establish safeguards against unauthorized removal or destruction.

Division of
archives and
record man-
agement—
Powers, func-
tions, duties.

(5) To establish and operate such state record centers as may from time to time be authorized by appropriation, for the purpose of preserving, servicing, screening and protecting all state public records which must be preserved temporarily or permanently, but which need not be retained in office space and equipment.

(6) To gather and disseminate to interested agencies information on all phases of records management and current practices, methods, procedures and devices for efficient and economical management of records.

(7) To operate a central microfilming bureau which will microfilm, at cost, records approved for filming by the head of the office of origin and the archivist; to approve microfilming projects undertaken by state departments and all other agencies of state government; and to maintain proper standards for this work.

(8) To maintain necessary facilities for the review of records approved for destruction and for their economical disposition by sale or burning; directly to supervise such destruction of public records as shall be authorized by the terms of this act.

SEC. 3. All public records, not required in the current operation of the office where they are made or kept, and all records of every agency, commission, committee, or any other activity of state government which may be abolished or discontinued, shall be transferred to the state archives so that the valuable historical records of the state may be centralized, made more widely available, and insured permanent preservation: *Provided*, That this section shall have no application to public records approved for destruction under the subsequent provisions of this act.

Public rec-
ords to be
transferred to
state archives
—Procedure
upon transfer.

Proviso.

When so transferred, copies of the public records concerned shall be made and certified by the archivist, which certification shall have the same force and effect as though made by the officer originally in charge of them. Fees may be charged to cover the cost of reproduction. In turning over the archives of his office, the officer in charge thereof, or his successor, thereby loses none of his rights of access to them, without charge, whenever necessary.

Public records, transfer to state archives. Department records officer—Transfer schedules.

SEC. 4. Each department or other agency of the state government shall designate a records officer to supervise its records program and to represent the office in all contacts with the records committee, hereinafter created, and the division of archives and records management. The records officer and the archivist shall prepare transfer schedules for the transfer of public records to the records centers or to the archives. Transfer shall be made by requisition from the archivist upon the basis of such agreed transfer schedules. If a particular agency or department does not wish to transfer the requisitioned records at the time scheduled, the records officer shall, within thirty days, notify the archivist and request a change in the schedule, including his reasons therefor.

Records committee—Membership—Meetings, procedure.

SEC. 5. There is created a committee, to be known as the records committee, composed of the archivist, an appointee of the state auditor, and an appointee of the attorney general. Committee members shall serve without additional salary, but shall be entitled to traveling expenses incurred incident to committee records. Such expenses shall be paid from the appropriations made for operation of their respective departments or offices.

The records committee shall meet at least once every quarter or oftener as business dictates. Action by the committee shall be by majority vote and records shall be kept of all committee business.

It shall be the duty of the records committee to approve, modify or disapprove the recommendations on retention schedules of all files of public records and to act upon requests to destroy any public records: *Provided*, That any modification of a request or recommendation must be approved by the head of the agency originating the request or recommendation.

Duties.

Proviso.

The division of archives and records management shall provide forms, approved by the records committee, upon which it shall prepare recommendations to the committee in cooperation with the records officer of the department or other agency whose records are involved.

SEC. 6. Official public records shall not be destroyed until they are either photographed, microphotographed, photostated, or reproduced on film, or until they are ten years old, except on a showing of the department of origin, as approved by the records committee, that the retention of such records for a minimum of ten years is both unnecessary and uneconomical: *Provided*, That any lesser term of retention than ten years must have the additional approval of the director of the budget, the state auditor and the attorney general.

Destruction of records—Requisites for.

Proviso.

Recommendations for the destruction or disposition of office files and memoranda shall be submitted to the records committee upon approved forms prepared by the records officer of the agency concerned and the archivist. The committee shall determine the period of time that any office file or memorandum shall be preserved and may authorize the division of archives and records management to arrange for its destruction or disposition.

SEC. 7. County, municipal and other local government agencies may request authority to destroy noncurrent public records having no further administrative or legal value by submitting to the

Destruction of records of local governmental agencies—Requisites for.

Public records. Transfer to state archives. Destruction of records of local governmental agencies—Requisites for.

division of archives and records management, lists of such records, in triplicate, on forms prepared by the division. The archivist and the chief examiner of the division of municipal corporations of the office of the state auditor and a representative appointed by the attorney general shall review such lists, and either may veto the destruction of any or all items contained therein. No official public record of any local governmental unit shall be destroyed until it is either photographed, microphotographed, photostated, or reproduced on film, or until it is ten years old.

Records of county, municipal or other governmental agencies, designated by the archivist as of primarily historical interest, may be transferred to a recognized depository agency, selected by the archivist, in order to relieve local offices of the burden of housing them, to insure their preservation, and to make them available for reference or study.

Construction of act.

SEC. 8. The provisions of this act shall not be construed as repealing or modifying any other acts or parts of acts authorizing the destruction of public records save for those specifically named in section 9 of this act; nor shall this act affect the provisions of RCW 40.04.020 requiring the deposit of all state publications in the state library.

Repeal.

SEC. 9. Sections 1 through 7, chapter 38, Laws of 1909, section 1, chapter 160, Laws of 1929, sections 1 through 10, chapter 109, Laws of 1941, sections 1 through 6, chapter 145, Laws of 1951 and RCW 40.08.010 through 40.08.050 and RCW 40.12.010 through 40.12.110 are each repealed.

Passed the House February 9, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 247.

[H. B. 282.]

MOTOR VEHICLE FUEL TAX.

AN ACT relating to motor vehicle fuel; amending section 5, chapter 58, Laws of 1933 as last amended by section 1, chapter 207, Laws of 1955, and RCW 82.36.020; amending section 7, chapter 58, Laws of 1933, as last amended by section 1, chapter 84, Laws of 1943, and RCW 82.36.030; amending section 3, chapter 207, Laws of 1955 and RCW 82.36.040; amending section 1, chapter 135, Laws of 1947 and RCW 82.36.050; amending section 4, chapter 207, Laws of 1955 and RCW 82.36.070; amending section 5, chapter 177, Laws of 1939 as last amended by section 1, chapter 267, Laws of 1951, and RCW 82.36.100; amending section 11, chapter 58, Laws of 1933 and RCW 82.36.160; and amending section 17, chapter 58, Laws of 1933 as last amended by section 13, chapter 220, Laws of 1949 and section 1, chapter 150, Laws of 1953 and RCW 82.36.220, 82.36.230, 82.36.240, 82.36.250 and 82.36.260.

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

SECTION 1. Section 5, chapter 58, Laws of 1933 as last amended by section 1, chapter 207, Laws of 1955, and RCW 82.36.020 are each amended to read as follows:

RCW 82.36.020 amended.

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director of six and one-half cents for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: *Provided*, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax

Tax imposed
—Rate—Allo-
cation of
proceeds.

Proviso.

Motor ve-
hicle fuel tax.
Tax imposed
—Rate—Allo-
cation of
proceeds.

herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel. The invoice shall contain a statement that the distributor has assumed the tax thereon. The net gallonage, for purposes of tax distribution, shall be computed after deducting three-fourths of one percent therefrom. The proceeds of the amount deducted shall be paid into the motor vehicle fund. The proceeds of the net gallonage remaining shall be distributed as follows: Of the six and one-half cents collected as herein provided, five cents shall be distributed between the state, cities and counties under the provisions of RCW 46.68.090 and 46.68.100, and one-quarter cent shall be distributed to the counties directly and allocated between them as provided by RCW 46.68.120, and one and one-quarter cents shall be paid directly into the motor vehicle fund.

RCW 82.36.030
amended.

SEC. 2. Section 7, chapter 58, Laws of 1933 as last amended by section 1, chapter 84, Laws of 1943, and RCW 82.36.030 are each amended to read as follows:

Monthly gal-
lionage return
—Default as-
sessment—
Penalty.

Every distributor shall on or before the twenty-fifth day of each calendar month file, on forms furnished by the director, a statement signed by the distributor or his authorized agent showing the total number of gallons of motor vehicle fuel sold, distributed, or used by such distributor within this state during the preceding calendar month.

If any distributor fails to file such report, the director shall proceed forthwith to determine from the best available sources, the amount of motor vehicle fuel sold, distributed, or used by such distributor for the unreported period, and said determination shall be presumed to be correct for that period until proved by competent evidence to be otherwise. The director shall immediately assess the excise tax in the amount so determined, adding thereto a

penalty of ten percent for failure to report. Such penalty shall be cumulative of other penalties herein provided. All statements filed with the director, as required in this section, shall be public records.

SEC. 3. Section 3, chapter 207, Laws of 1955 and RCW 82.36.040 are each amended to read as follows:

The amount of excise tax for each month shall be paid to the director on or before the twenty-fifth day of the next month thereafter, and if not paid prior thereto, shall become delinquent at the close of business on that day, and a penalty of one percent of such excise tax must be added thereto for delinquency: *Provided*, That in no case shall the penalty be more than five hundred dollars. If such tax and penalty is not received on or before the close of business on the last day of the month in which the payment is due an additional penalty of ten percent must be added thereto in addition to penalty above provided for.

RCW 82.36.040 amended.

Payment of tax—Penalty for delinquency.

Any motor vehicle fuel tax, penalties, and interest payable under the provisions of this chapter shall bear interest at the rate of one-half of one percent per month, or fraction thereof, from the first day of the calendar month after the close of the monthly period for which the amount or any portion thereof should have been paid until the date of payment.

In any suit brought to enforce the rights of the state hereunder, the certificate of the director showing the amount of taxes, penalties, interest and cost unpaid by any distributor and that the same are due and unpaid to the state shall be prima facie evidence of the facts as shown.

SEC. 4. Section 1, chapter 135, Laws of 1947 and RCW 82.36.050 are each amended to read as follows:

When any application, report, notice, payment, or claim for credit or refund to be filed with or made to any officer, agent, or employee of the state under

RCW 82.36.050 amended.

Date of mailing deemed date of receipt.

Motor vehicle fuel tax. Date of mailing deemed date of receipt.

the provisions of this chapter has been deposited in the United States mail addressed to such officer, agent or employee, it shall be deemed filed or received on the date shown by the post office cancellation mark on the envelope containing it or on the date it was mailed if proof satisfactory to said officer, agent, or employee of the state establishes that the actual mailing occurred on an earlier date: *Provided, however,* That no penalty for delinquency shall attach, nor will the statutory period be deemed to have elapsed in the case of credit or refund claims, if it is established by competent evidence that such application, report, notice, payment, or claim for credit or refund was timely deposited in the United States mail properly addressed to said officer, agent, or employee of the state, even though never received if a duplicate of such document or payment is filed.

Proviso.

RCW 82.36.070 amended.

SEC. 5. Section 4, chapter 207, Laws of 1955 and RCW 82.36.070 are each amended to read as follows:

Issuance of license— Display— Renewal.

The application in proper form having been accepted for filing, the filing fee paid, and the bond or other security having been accepted and approved, the director shall issue to the applicant a license to transact business as a distributor in the state, and such license shall be valid until canceled or revoked.

The license so issued by the director shall not be assignable, and shall be valid only for the distributor in whose name issued.

The director shall keep and file all applications and bonds with an alphabetical index thereof, together with a record of all licensed distributors.

Each distributor shall be assigned a license number upon qualifying for a license hereunder, and the director shall issue to each such licensee a license certificate which shall be displayed conspicuously by the distributor at his principal place of business in this state. The director shall also issue separate

license cards for each bulk storage plant operated by such distributor. Such license cards shall indicate the number so assigned the distributor, the location of the storage plant for which the card is used, and such other information as the director may prescribe. The license card shall be conspicuously displayed at each bulk storage plant to which it is assigned, and it shall be unlawful for any distributor to operate or maintain a bulk storage plant in this state for the purpose of storing motor fuel without displaying such license card as herein provided. Bulk plant licenses shall be renewed annually before the first day of July of each year upon application to the department on forms prescribed by the director. A license fee of ten dollars shall accompany the renewal application. The distributor shall report on forms prescribed by the director any change in the number or capacity of bulk storage plants operated or maintained during the license year.

Issuance of
license—Dis-
play—Re-
newal.

In the event an application for a license to transact business as a distributor is filed by any person whose license has theretofore been canceled for cause by the director, or if the director is of the opinion that the application is not filed in good faith, or that the application is filed by some person as a subterfuge for the real person in interest whose license has theretofore been canceled for cause, the director, after a hearing, of which the applicant shall be given five days' notice in writing and at which the applicant may appear in person or by counsel and present testimony, may refuse to issue such a person a license to transact business as a distributor.

SEC. 6. Section 5, chapter 177, Laws of 1939 as last amended by section 1, chapter 267, Laws of 1951, and RCW 82.36.100 are each amended to read as follows:

RCW 82.36.100
amended.

Every person other than a distributor who ac-

Motor vehicle
fuel tax.
Tax required
of persons not
classed as dis-
tributors.

quires any motor vehicle fuel within this state upon which payment of tax is required under the provisions of this chapter, or imports such motor vehicle fuel into this state and sells, distributes, or in any manner uses it in this state shall, if the tax has not been paid, apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay a tax of six and one-half cents for each gallon thereof so sold, distributed, or used in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. However, a distributor licensed under the provisions of this chapter may deliver motor vehicle fuel to an importer in individual quantities of five hundred gallons or less and assume the liability for payment of the tax to this state. Under such conditions, the importer shall be exempt from the requirements of this section. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distributors. Nothing herein shall be construed as classifying such persons as distributors.

RCW 82.36.160
amended.

SEC. 7. Section 11, chapter 58, Laws of 1933 and RCW 82.36.160 are each amended to read as follows:

Records to be
preserved by
distributors
and dealers.

Every distributor shall maintain in the office of his principal place of business in this state, for a period of three years, records of motor vehicle fuel received, sold, distributed, or used by him, in such form as the director may prescribe, together with invoices, bills of lading, and other pertinent papers as may be required under the provisions of this chapter.

Every dealer purchasing motor vehicle fuel taxable under this chapter for the purpose of resale, shall maintain within this state, for a period of two years a record of motor vehicle fuels received, the amount of tax paid to the distributor as part of the purchase price, together with delivery tickets, invoices, and bills of lading, and such other records as the director shall require.

SEC. 8. Section 17, chapter 58, Laws of 1933 as last amended by section 13, chapter 220, Laws of 1949 and section 1, chapter 150, Laws of 1953 (heretofore divided and codified as RCW 82.36.220 through 82.36.260) are divided and amended as set forth in sections 9 through 13 of this amendatory act.

Division and amendment.

SEC. 9. (RCW 82.36.220) Every person who imports motor vehicle fuel into this state for his own use in equipment other than motor vehicles shall not, for that reason alone, be required to secure a distributor's license or to comply with any of the provisions of this chapter imposed upon a distributor or with the provisions of RCW 82.36.100; but such person shall make a report verified under oath and file the same with the director on or before the tenth day of the succeeding month, showing the number of gallons of motor vehicle fuel so imported and the number of gallons of such motor vehicle fuel used during the preceding month, the name of the person from whom the motor vehicle fuel was purchased, the date of purchase, the place of storage, and the manner of use or intended use together with a description of the equipment in which the same is used. These reports shall be filed upon blanks furnished by the director: *Provided*, That any person coming into this state in an aircraft or motor boat shall not be required to make such a report in respect to any motor vehicle fuel carried in the fuel tanks of such vehicle for the purpose of propelling such vehicle, and every person coming into

RCW 82.36.220 enacted without amendment.

this state in a motor vehicle may transport in the fuel tanks of such vehicle for the propulsion thereof not more than twenty gallons of motor vehicle fuel or other inflammable petroleum products without paying the tax, securing the license, or making any report herein provided, but if the motor vehicle fuel so brought into the state be removed from the fuel tanks of such vehicles or used for any purpose other than the propulsion of the vehicles, the person so importing motor vehicle fuel shall be subject to all the provisions of this chapter applying to distributors. The director shall have the right, in order to establish the validity of any exemption, to examine the books and records of the claimant for such purpose and the failure of the claimant to accede to the demand for such examination shall constitute a waiver of all rights to the exemption herein granted.

RCW 82.36.230 amended.
Motor vehicle fuel tax.
Exemptions—Imports, exports, federal sales, aviation gasoline—Export certificates—Reciprocity.

SEC. 10. (RCW 82.36.230) The provisions of this chapter requiring the payment of taxes shall not apply to motor vehicle fuel imported into the state in interstate or foreign commerce and intended to be sold while they are in interstate or foreign commerce, nor to motor vehicle fuel, exported from the state by a qualified distributor, nor to sales by a distributor of motor vehicle fuel in individual quantities of five hundred gallons or less for export to another state or country by the purchaser other than in the supply tank of a motor vehicle: *Provided*, That such distributor is licensed in the state of destination to collect and remit the applicable destination state taxes thereon, nor to any motor vehicle fuel sold by a qualified distributor to the armed forces of the United States for use exclusively in ships or aircraft or for export from this state, nor to motor vehicle fuel for use exclusively in the operation of aircraft engines, delivered to aviation fuel dealers and/or users as authorized by the director. The distributor shall report such imports, ex-

Proviso.

ports and sales to the director as hereinafter provided and at such times, on such forms, and in such detail as he may require, otherwise the exemption granted in this section shall be null and void, and all fuel shall be considered distributed in this state fully subject to the provisions of this chapter. Each invoice covering such exempt sales shall have the statement "Ex Washington Motor Vehicle Fuel Tax" clearly marked thereon.

Exemptions—
Export certifi-
cates—Reci-
procity.

To claim any exemption from taxes under this section on account of the exportation of motor vehicle fuel by a distributor other than deliveries in his own equipment, such distributor shall execute an export certificate in such form as shall be furnished by the director, containing a sworn statement, made by some person having actual knowledge of the fact of exportation, that the motor vehicle fuel has been exported from the state, and giving such details with reference to such shipment as the director may require. All export certificates must be completed and filed with the director within three months of the end of the calendar month in which the shipments to which they relate were made.

To claim any exemption from taxes under this section on account of sales of motor vehicle fuel to the armed forces of the United States, the distributor shall be required to execute an exemption certificate in such form as shall be furnished by the director, containing a certified statement by an authorized officer of the armed forces having actual knowledge of the purpose for which the exemption is claimed. Any claim for exemption based on such sales shall be made by the distributor within six months of the date of sale. The provisions of this section exempting motor vehicle fuel sold to the armed forces of the United States from the tax imposed hereunder shall not apply to any motor vehicle fuel sold to contractors purchasing such fuel either

Motor vehicle
fuel tax.
Exemptions—
Export certifi-
cates—Reci-
procity.

for their own account or as the agents of the United States for use in the performance of contracts with the armed forces of the United States.

In support of any exemption from taxes on account of sales of motor vehicle fuel in individual quantities of five hundred gallons or less for export by the purchaser, the distributor shall retain in his files for at least three years an export certificate executed by the purchaser in such form and containing such information as shall be prescribed by the director. This certificate shall be prima facie evidence of the exportation of the motor vehicle fuel to which it applies only if accepted by the distributor in good faith.

The director may at any time require of any distributor any information he deems necessary to determine the validity of the claimed exemption, and failure to supply such data will constitute a waiver of all right to the exemption claimed. The director is hereby empowered with full authority to promulgate rules and regulations and to prescribe forms to be used by distributors in reporting to the director so as to prevent evasion of the tax imposed by this chapter.

Upon request from the officials to whom are entrusted the enforcement of the motor fuel tax law of any other state, the District of Columbia, the United States, its territories and possessions, the provinces, or the Dominion of Canada, the director may forward to such officials any information which he may have relative to the import or export of any motor vehicle fuel by any distributor: *Provided*, That such governmental unit furnish like information to this state.

RCW 82.36.240
enacted with-
out amend-
ment.

SEC. 11. (RCW 82.36.240) Nothing in this chapter shall be construed to exempt from the payment of the tax any motor vehicle fuel sold and delivered to or used by the state or any political subdivision thereof,

or any inflammable petroleum products other than motor vehicle fuel, used by the state, or any political subdivision thereof, in the propulsion of motor vehicles as herein defined.

SEC. 12. (RCW 82.36.250) Any person who purchases or otherwise acquires motor vehicle fuel upon which the tax has not been paid, from the United States government, or any of its agents or officers, for use not specifically associated with any governmental function or operation or so acquires inflammable petroleum products other than motor vehicle fuel and uses the same in the propulsion of motor vehicles as herein defined, for a use not associated with any governmental function or operation, shall pay to the state the tax herein provided upon the motor vehicle fuel, or other inflammable petroleum products so acquired. It shall be unlawful for any person to use or to conspire with any governmental official, agent, or employee for the use of any requisition, purchase order, or any card or any authority to which he is not specifically entitled by government regulations, for the purpose of obtaining any motor vehicle fuel or other inflammable petroleum products upon which the state tax has not been paid.

RCW 82.36.250
enacted with
out amend-
ment.

SEC. 13. (RCW 82.36.260) The director shall have authority to extend the time prescribed under this act for filing exportation certificates or claiming exemption for sales to the armed forces: *Provided*, That written request is filed with the director showing cause for failure to do so within the prescribed period: *And provided further*, That the state or territory of destination has not been prejudiced with respect to its collection of taxes thereon should the certificate not be filed within such time.

RCW 82.36.260
amended.
Limitation
on claim of
exemption for
government
sales.
Proviso.

Proviso.

Passed the House February 19, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 248.

[H. B. 300.]

BANKS AND TRUST COMPANIES—ORGANIZATION,
POWERS.

AN ACT relating to banks and trust companies; amending section 30.08.020, chapter 33, Laws of 1955 and RCW 30.08.020; amending section 30.08.050, chapter 33, Laws of 1955 and RCW 30.08.050; amending section 30.08.140, chapter 33, Laws of 1955 and RCW 30.08.140.

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

SECTION 1. Section 30.08.020, chapter 33, Laws of 1955 and RCW 30.08.020 are each amended to read as follows:

Persons desiring to incorporate a bank or trust company shall execute articles of incorporation in quadruplicate, which shall be submitted for examination to the supervisor at his office in Olympia.

Articles of incorporation shall state:

- (1) The name of such bank or trust company.
- (2) The city, village or locality and county where such corporation is to be located.
- (3) The nature of its business, whether that of a commercial bank, a savings bank or both or a trust company.
- (4) The amount of its capital stock, which shall be divided into shares of not less than ten dollars each, nor more than one hundred dollars each, as may be provided in the articles of incorporation.
- (5) The period for which such corporation is organized, which may be for a stated number of years or perpetual.
- (6) The names and places of residence of the persons who as directors are to manage the corporation until the first annual meeting of its stockholders, which meeting shall be held within six months after the issuance of the certificate of authority.

Such articles shall be acknowledged before an officer authorized to take acknowledgments.

SEC. 2. Section 30.08.050, chapter 33, Laws of 1955 and RCW 30.08.050 are each amended to read as follows:

RCW 30.08.050 amended.

In case of approval the supervisor shall forthwith give notice thereof to the proposed incorporators and file one of the quadruplicate articles of incorporation in his own office, and shall transmit another quadruplicate to the county auditor of the county in which such bank or trust company is located, and another quadruplicate to the secretary of state, and the fourth quadruplicate to the incorporators. Upon receipt from the proposed incorporators of the same fees as are required for filing and recording other articles of incorporation the secretary of state and county auditor shall file such articles in their respective offices, and the secretary of state shall record the same. Upon the filing of articles of incorporation in quadruplicate, approved as aforesaid by the supervisor, with the secretary of state and county auditor, all persons named therein and their successors shall become and be a corporation, which shall have the powers and be subject to the duties and obligations prescribed by this title, and whose existence shall continue from the date of the filing of such articles for the term mentioned in its articles of incorporation unless sooner terminated pursuant to law; but such corporation shall not transact any business except as is necessarily preliminary to its organization until it has received a certificate of authority as provided herein.

Approved articles to be filed and recorded—Organization complete.

SEC. 3. Section 30.08.140, chapter 33, Laws of 1955 and RCW 30.08.140 are each amended to read as follows:

RCW 30.08.140 amended.

Upon the issuance of a certificate of authority to a bank, the persons named in the articles of incorpo-

Corporate powers of banks.

Banks and
trust com-
panies. Cor-
porate powers
of banks.

ration and their successors shall thereupon become a corporation and shall have power:

- (1) To adopt and use a corporate seal.
- (2) To have succession for the term mentioned in its articles of incorporation.
- (3) To make contracts.
- (4) To sue and be sued, the same as a natural person.
- (5) To elect directors who, subject to the provisions of the corporation's bylaws, shall have power to appoint such officers as may be necessary or convenient, to define their powers and duties and to dismiss them at pleasure, and who shall also have general supervision and control of the affairs of such corporation.
- (6) To prescribe by its stockholders bylaws not inconsistent with law, regulating the manner in which its stock shall be transferred, its directors and officers elected or appointed, its stockholders convened for general or special meetings, its property transferred, its general business conducted and the privileges granted to it by law exercised and enjoyed.
- (7) To discount and negotiate promissory notes, drafts, bills of exchange and other evidences of debt, to receive deposits of money and commercial paper, to lend money on real or personal security, to buy and sell bullion, coins and bills of exchange.
- (8) To take and receive as bailee for hire upon terms and conditions to be prescribed by the corporation, for safekeeping and storage, jewelry, plate, money, specie, bullion, stocks, bonds, mortgages, securities and valuable paper of any kind and other valuable personal property, and to rent vaults, safes, boxes and other receptacles for safekeeping and storage of personal property.

(9) If the bank be located in a city of not more than five thousand inhabitants, to act as insurance agent.

Corporate powers of banks.

(10) To accept drafts or bills of exchange drawn upon it having not more than six months sight to run, which grow out of transactions involving the importation or exportation of goods; or which grow out of transactions involving the domestic shipment of goods, providing shipping documents conveying or securing title are attached at the time of acceptance; or which are secured at the time of acceptance by a warehouse receipt or other such document conveying or securing title to readily marketable staples. No bank shall accept, either in a foreign or a domestic transaction, for any one person, company, firm or corporation, to an amount equal at any one time in the aggregate to more than ten percent of its paid up and unimpaired capital stock and surplus unless the bank is secured by attached documents or by some other actual security growing out of the same transaction as the acceptance; and no bank shall accept such bills to an amount equal at any time in the aggregate to more than one-half of its paid up and unimpaired capital stock and surplus: *Provided, however,* That the supervisor, under such general regulations applicable to all banks irrespective of the amount of capital or surplus, as he may prescribe may authorize any bank to accept such bills to an amount not exceeding at any time in the aggregate one hundred percent of its paid up and unimpaired capital stock and surplus: *Provided, further,* That the aggregate of acceptances growing out of domestic transactions shall in no event exceed fifty percent of such capital stock and surplus.

Proviso.

Proviso.

(11) To accept drafts or bills of exchange drawn upon it, having not more than three months sight to run, drawn under regulations to be prescribed by the supervisor by banks or bankers in foreign coun-

Banks and trust companies. Corporate powers of banks.

tries or dependencies or insular possessions of the United States for the purpose of furnishing dollar exchange as required by the usages of trade in the respective countries, dependencies or insular possessions. Such drafts or bills may be acquired by banks in such amounts and subject to such regulations, restrictions and limitations as may be provided by the supervisor: *Provided, however,* That no bank shall accept such drafts or bills of exchange referred to in this subdivision for any one bank to an amount exceeding in the aggregate ten percent of the paid up and unimpaired capital and surplus of the accepting bank unless the draft or bill of exchange is accompanied by documents conveying or securing title or by some other adequate security, and that no such drafts or bills of exchange shall be accepted by any bank in an amount exceeding at any time the aggregate of one-half of its paid up and unimpaired capital and surplus: *Provided further,* That compliance by any bank which is a member of the federal reserve system of the United States with the rules, regulations and limitations adopted by the federal reserve board thereof with respect to the acceptance of drafts or bills of exchange by members of such federal reserve system shall be a sufficient compliance with the requirements of this subdivision or paragraph relating to rules, regulations and limitations prescribed by the supervisor.

Proviso.

Proviso.

(12) This section is retroactive as of June 10, 1931, and the powers hereby conferred shall inure to the benefit of any bank now holding such certificate, the persons named in the articles of incorporation of said bank and their successors.

Passed the House February 19, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 249.

[H. B. 336.]

TRUST RECEIPTS.

AN ACT relating to trust receipts; amending section 2, chapter 71, Laws of 1943 and RCW 61.20.020; and amending section 8, chapter 71, Laws of 1943 and RCW 61.20.080.

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

SECTION 1. Section 2, chapter 71, Laws of 1943 and RCW 61.20.020 are each amended to read as follows:

RCW 61.20.020 amended.

(1) A trust receipt transaction, within the meaning of this chapter, is any transaction to which an entruster and a trustee are parties, for one of the purposes set forth in subsection (3) whereby:

"Trust receipt" and "trust receipt transaction" defined.

(a) The entruster or any third person delivers to the trustee goods, documents, or instruments in which the entruster (i) prior to the transaction has, or for new value (ii) by the transaction acquires, or (iii) as the result thereof is to acquire promptly, a security interest; or

(b) The entruster gives new value in reliance upon the transfer by the trustee to such entruster of a security interest in instruments or documents which are actually exhibited to such entruster, or to his agent in that behalf, at a place of business of either entruster or agent, but possession of which is retained by the trustee; or

(c) Pursuant to a trust receipt, a motor vehicle, house trailer, trailer, semitrailer, boat, aircraft, or farm machinery dealer as trustee obtains new value from an entruster upon the transfer to the latter of a security interest in new or used motor vehicles, house trailers, trailers, semitrailers, boats, aircraft or farm machinery identifiable by the manufacturer's serial or identification number, whether or not such vehicles, trailers, boats, aircraft or farm machinery are owned or possessed by the trustee prior or sub-

Trust receipts.
 "Trust receipt" and
 "trust receipt transaction" defined.
 Proviso.

sequent to the execution of the trust receipt document, and whether or not such vehicles, trailers, boats, aircraft or farm machinery are thereafter retained in the trustee's possession: *Provided*, That the delivery under paragraph (a) or the giving of new value under paragraph (b) or (c), either:

(i) Be against the signing and delivery by the trustee of a writing designating the goods, documents, or instruments concerned, and reciting that a security interest therein remains in or will remain in, or has passed to or will pass to, the entruster; or

(ii) Be pursuant to a prior or concurrent written and signed agreement of the trustee to give such a writing.

The security interest of the entruster may be derived from the trustee or from any other person, and by pledge or by transfer of title or otherwise.

If the trustee's rights in the goods, documents or instruments are subject to a prior trust receipt transaction, or to a prior equitable pledge, RCW 61.20.090 and 61.20.030, respectively, of this chapter, shall determine the priorities.

(2) A writing such as is described in subsection (1), paragraph (b) (i), signed by the trustee, and given in or pursuant to such a transaction, is designated in this chapter as a "trust receipt." No further formality of execution or authentication shall be necessary to the validity of a trust receipt.

(3) A transaction shall not be deemed a trust receipt transaction unless the possession of the trustee thereunder is for a purpose substantially equivalent to any one of the following:

(a) In the case of goods, documents, or instruments, for the purpose of selling or exchanging them, or of procuring their sale or exchange; or

(b) In the case of goods or documents, for the purpose of manufacturing or processing the goods delivered or covered by the documents, with the

purpose of ultimate sale, or for the purpose of loading, unloading, storing, shipping, transshipping, or otherwise dealing with them in a manner preliminary to or necessary to their sale; or

(c) In the case of instruments, for the purpose of delivering them to a principal, under whom the trustee is holding them, or for consummation of some transaction involving delivery to a depositary or registrar, or for their presentation, collection, or renewal.

SEC. 2. Section 8, chapter 71, Laws of 1943 and RCW 61.20.080 are each amended to read as follows:

RCW 61.20.080 amended.

(1) The entruster's security interest in goods, documents, or instruments under the written terms of a trust receipt transaction, shall without any filing, be valid as against all creditors of the trustee, with or without notice, for thirty days after delivery of the goods, documents, or instruments to the trustee, and thereafter except as in this chapter otherwise provided.

Validity as against creditors.

But where the trustee at the time of the trust receipt transaction has and retains goods, documents, or instruments the thirty days shall be reckoned, in the case of goods from the time that the entruster gives new value under the transaction and in the case of instruments or documents from the time such instruments or documents are actually shown to the entruster, or the entruster gives new value, whichever is prior.

(2) Save as provided in subsection (1), the entruster's security interest shall be void as against lien creditors who become such after such thirty day period and without notice of such interest and before filing.

(3) (a) Where a creditor secures the issuance of process which within a reasonable time after such issuance results in attachment of or levy on the goods,

Trust receipts. Validity as against creditors.

he is deemed to have become a lien creditor as of the date of the issuance of the process.

(b) Unless prior to the acquisition of notice by all creditors filing has occurred or possession has been taken by the entruster, (i) an assignee for the benefit of creditors, from the time of assignment, or (ii) a receiver in equity from the time of his appointment, or (iii) a trustee in bankruptcy or judicial insolvency proceedings from the time of filing of the petition in bankruptcy or judicial insolvency by or against the trustee, shall, on behalf of all creditors, stand in the position of a lien creditor without notice, without reference to whether he personally has or has not, in fact, notice of the entruster's interest.

Passed the House February 19, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 250.

[H. B. 342.]

MILITIA OFFICERS—ADJUTANT GENERAL.

AN ACT relating to militia officers; and amending section 16, chapter 130, Laws of 1943 and RCW 38.12.010 and 38.12.020.

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

Division and amendment.

SECTION 1. Section 16, chapter 130, Laws of 1943 (heretofore divided and codified as RCW 38.12.010 and 38.12.020) is divided and amended as set forth in sections 2 and 3 of this act.

RCW 38.12.010 amended.

SEC. 2. (RCW 38.12.010) The adjutant general shall be chief of staff to the governor, and may be removed by the governor at will. He shall appoint the civilian employees and other personnel of his department and may remove any of them in his discretion.

Adjutant general—Bond—Removal.

The expenses of the adjutant general's department, necessary to the military service, shall be audited, allowed, and paid as other military expenditures.

Adjutant
general—Bond
—Removal.

The adjutant general must execute an official bond running to the state in the penal sum of twenty thousand dollars conditioned for the faithful performance of his duties. The bond shall be submitted to the attorney general for approval, and when approved shall be filed in the office of the secretary of state. The cost of the bond shall be paid by the state.

The adjutant general may obtain and pay for, from funds appropriated for military purposes, a surety bond or bonds running to the state covering such officers of the organized militia responsible to the state for money or military property, as may be advisable to insure proper accountability. The bond or bonds shall be approved and filed in the same manner as the adjutant general's bond.

SEC. 3. (RCW 38.12.020) (1) The adjutant general shall keep rosters of all active, reserve, and retired officers of the militia, and all other records, and papers required to be kept and filed therein, and shall submit to the governor during October of each even-numbered year a biennial report of the operations and conditions of the organized militia.

RCW 38.12.020
enacted with-
out amend-
ment.

(2) He shall cause the military law, and such other military publications as may be necessary for the military service, to be prepared and distributed at the expense of the state, to the commissioned officers of the organized militia.

(3) He shall keep just and true accounts of all moneys received and disbursed by him.

(4) He shall attest all commissions issued to military officers of this state.

(5) He shall make out and transmit all militia reports, returns, and communications prescribed by

Adjutant
general.
Powers and
duties.

acts of congress or by direction of the War Department.

(6) He shall have a seal, and all copies, orders, records, and papers in his office, duly certified and authenticated under the seal, shall be evidence in all cases in like manner as if the originals were produced. The seal now used in the office of the adjutant general shall be the seal of his office and shall be delivered by him to his successor. All orders issued from his office shall be authenticated with the seal.

(7) He shall make such regulations pertaining to the preparation of reports and returns and to the use, maintenance, care, and preservation of property in possession of the state for military purposes, whether belonging to the state or to the United States, as in his opinion the conditions demand.

(8) He shall attend to the care, preservation, safekeeping, and repairing of the arms, ordnance, accoutrements, equipment, and all other military property belonging to the state, or issued to the state by the United States for military purposes, and keep accurate accounts thereof. Any property of the state military department which, after proper inspection, is found unsuitable or no longer needed for use of the state military forces, shall be disposed of in such manner as the governor shall direct and the proceeds thereof used for replacements in kind or by other needed authorized military supplies, and the adjutant general may execute the necessary instruments of conveyance to effect such sale or disposal.

(9) He shall issue the military property as the necessity of the service requires and make purchases for that purpose. No military property shall be issued or loaned to persons or organizations other than those belonging to the militia, except in an

emergency and then only with the approval of the adjutant general.

Adjutant
general.
Powers and
duties.

(10) He shall keep on file in his office the reports and returns of military units, and all other writings and papers required to be transmitted to and preserved at the general headquarters of the state militia.

(11) He shall keep all records of volunteers commissioned or enlisted for all wars or insurrections, and of individual claims of citizens for service rendered in these wars or insurrections, and he shall also be the custodian of all records, relics, trophies, colors, and histories relating to such wars now in possession of, or which may be acquired by the state.

(12) He shall establish and maintain as part of his office a bureau of records of the services of the organized militia of the state, and upon request furnish a copy thereof or extract therefrom, attested under seal of his office, and such attested copy shall be prima facie proof of service, birthplace, and citizenship.

(13) He shall keep a record of all real property owned or used by the state for military purposes, and in connection therewith he shall have sole power to execute all leases to acquire the use of real property by the state for military purposes, or lease it to other agencies for use for authorized activities. He shall also have full power to execute and grant easements for rights of way for construction, operation, and maintenance of utility service, water, sewage, and drainage for such realty.

Passed the House February 15, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 251.

[H. B. 509.]

ELECTIONS—REGISTRATION OF VOTERS—DEPUTY REGISTRARS.

AN ACT relating to elections; prescribing procedures; amending section 1, chapter 15, Laws of 1939 and RCW 29.01.030, 29.01.150, 29.07.010 and 29.07.020; amending section 1, chapter 74, Laws of 1945, section 10, chapter 1, Laws of 1933 and RCW 29.07.040 and 29.07.170; amending section 6, chapter 1, Laws of 1933 as last amended by section 1, chapter 68, Laws of 1947, and RCW 29.07.100 and 29.07.110; and adding two new sections to chapter 29.07 RCW.

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

Division and amendment.

SECTION 1. Section 1, chapter 15, Laws of 1939 (heretofore codified as RCW 29.01.030, 29.01.150, 29.07.010 and 29.07.020) is divided and amended as set forth in sections 2 through 5 of this act.

RCW 29.01.030 enacted without amendment.

SEC. 2. (RCW 29.01.030) A "city precinct" is a voting precinct lying wholly or partly within a city or town.

RCW 29.01.150 enacted without amendment.

SEC. 3. (RCW 29.01.150) "Rural precinct" means a voting precinct lying wholly outside the limits of a city or town.

RCW 29.07.010 amended. County auditor as registrar in rural precincts.

SEC. 4. (RCW 29.07.010) The county auditor of each county shall be the registrar of voters for all rural precincts. He shall appoint a deputy registrar from time to time for each precinct or for any number of precincts and may appoint city or town clerks as deputy registrars to register voters residing in rural precincts that are adjacent to the city or town concerned. A deputy registrar must be a registered voter and shall hold office at the pleasure of the county auditor.

RCW 29.07.020 enacted without amendment.

SEC. 5. (RCW 29.07.020) The city clerk shall be the registrar of voters in all city precincts. In the case of city precincts lying partly within and partly without the city or town limits, the voters within

and those without the city or town limits shall be registered in separate registration files.

SEC. 6. Section 1, chapter 74, Laws of 1945, section 10, chapter 1, Laws of 1933 (heretofore divided, combined and codified as RCW 29.07.040 and 29.07.170) are amended to read as set forth in sections 7 and 8 of this act.

Combination,
division and
amendment.

SEC. 7. (RCW 29.07.040) Each deputy registrar of a rural precinct or precincts, including city or town clerks so deputized, shall be entitled to receive a fee of not less than twenty cents, the exact fee to be set by the board of county commissioners, for each elector registered: *Provided*, That no employee of the county receiving a salary shall be entitled to such fees.

RCW 29.07.040
amended.
Fees and com-
pensation of
registration
officers.

Proviso.

The compensation of registrars of city precincts shall be provided by the governing body thereof: *Provided*, That each deputy registrar shall be entitled to receive a fee of not less than twenty cents for each elector registered.

Proviso.

The fees and expenses of registrars of city precincts for delivering the registration files to the polling places or to the county auditor, as the case may be, shall be fixed and paid as election expenses by the board of county commissioners, but mileage in no case shall exceed ten cents per mile for each mile necessarily traveled.

SEC. 8. (RCW 29.07.170) Immediately upon closing his registration files preceding an election, the registration officer having custody thereof shall insert therein his certificate as to the authenticity thereof. He shall then deliver the original registration files for each precinct thus certified to the inspector or one of the judges thereof at the proper polling place before the polls open: *Provided*, That in the case of any general state or county election the county auditor may require all registration officers to

RCW 29.07.170
enacted with-
out amend-
ment.

Proviso.

deliver the files to him for delivery thereof by him to the precinct election officers.

Division and amendment.

SEC. 9. Section 6, chapter 1, Laws of 1933 as last amended by section 1, chapter 68, Laws of 1947 (heretofore divided and codified as RCW 29.07.100 and 29.07.110) is divided and amended as set forth in sections 10 and 11 of this act.

RCW 29.07.100 amended. Time and places for registration—Cities and towns.

Proviso.

SEC. 10. (RCW 29.07.100). Registration officers in incorporated cities and towns shall keep their respective offices open for registration of voters during the days and hours when the same are open for the transaction of public business: *Provided*, That in cities of the first class, the registrar of voters shall establish on a permanent basis at least one registration office in each legislative district that lies wholly or partially within the city limits by appointing persons as deputy registrars who may register any eligible elector of such city.

Each such deputy registrar shall hold office at the pleasure of the registrar of voters and shall maintain a fixed place, conveniently located, for the registration of voters but nothing in this section shall preclude door-to-door registration including registration from a portable office as in a trailer.

RCW 29.07.110 amended. Time and places for registration—Rural precincts.

Proviso.

SEC. 11. (RCW 29.07.110) Every deputy registrar of rural precincts shall keep registration records and supplies at his usual place of residence or usual place of business at reasonable hours and at the end of each week mail to the county auditor the cards of those who have registered during the week: *Provided*, That with the written consent of the county auditor a deputy registrar of rural precincts may designate some centrally located place for registration in lieu of the usual place where registration cards are kept by giving notice thereof in such manner as he may deem expedient stating therein the days and hours when the place will be open for registration: *Pro-*

vided further, That such consent of the county auditor may include authorization for door-to-door registration including registration from a portable office as in a trailer and the person or persons so deputized may register all eligible electors residing in any rural precinct within the county concerned.

Proviso.

SEC. 12. There is added to chapter 29.07 RCW a new section to read as follows:

New section.

In all cities of the first, second and third class, the governing body shall by ordinance provide for additional temporary registration facilities during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state primary election and during the fifteen day period, excepting Sundays, prior to the last day to register in order to be eligible to vote at a state general election by stationing deputy registrars at stores, public buildings or other temporary locations. The number of such temporary registration places to be so established and the hours to be maintained shall be, in the judgment of the governing body of the city concerned, adequate to afford ample opportunity for all qualified electors to register for voting, but in no event shall there be less than two such temporary registration places so established. Nothing in this section shall preclude door-to-door registration including registration from a portable office as in a trailer.

Additional temporary registration facilities in certain cities.

SEC. 13. There is added to chapter 29.07 RCW a new section to read as follows:

New section.

Any person temporarily residing outside of the county of his permanent residence, but within the state of Washington, may register with the registrar or deputy registrar of the place where he is temporarily residing in the usual manner as required in this chapter: *Provided*, That such registration in the county other than that of the permanent residence of the applicant may only be made within the period

Registration when resident outside county of permanent residence.

Provided.

Registration
of voters.
Registration
when resi-
dent outside
county of
permanent
residence.

one hundred and twenty days prior to any state general election, subject to limitations as to closing of registration books and other limitations as provided by law. The registrar or deputy registrar administering the oath and receiving the application and registration cards as provided in RCW 29.07.060 through 29.07.090 shall transmit the same to the proper registrar or deputy registrar where the applicant permanently resides for processing in the same manner as through the applicant had personally applied directly to the registration officer of his residence.

Notwithstanding the provisions of RCW 29.07.160 the registration application shall be received and acted upon immediately by the registrar of the place of permanent residence of the applicant if the application was received and oath administered by the registration officer at the place of temporary residence not less than thirty days preceding the next election.

Passed the House March 13, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 252.

[H. B. 522.]

SALE OF PROPERTY TO SEATTLE.

AN ACT relating to the sale and conveyance to the city of Seattle of certain real property in Section 34, Township 24 North, Range 7 East, W.M., in King County; and providing for the distribution of the proceeds thereof.

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

SECTION 1. The department of natural resources, with the consent and approval of the board of commissioners of King county, may sell the following described property located in King county, Washington to the city of Seattle, a municipal corporation:

Sale of property to city of Seattle authorized.

The southwest quarter of section 34, township 24 North, range 7 E.W.M., less easements, rights of ways, leases and encumbrances of record together with appurtenances and for the corporate uses of the city of Seattle at such price as may be agreed upon by the city of Seattle and the department of natural resources.

Description.

SEC. 2. In the event of a sale as authorized in section 1, any instrument necessary to convey title to the property described in section 1 shall be executed by the governor in form approved by the attorney general.

Instrument to be executed by governor.

SEC. 3. The consideration received from the sale authorized in section 1 hereof shall be distributed as provided by RCW 76.12.030.

Disposition of consideration received.

Passed the House March 8, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 253.

[Sub. H. B. 532.]

BOARDING HOMES.

AN ACT relating to licensing and regulation of boarding homes; providing penalties and making appropriations; repealing chapter 70, Laws of 1943 as amended by chapter 100, Laws of 1945, section 20; chapter 117, Laws of 1951 and RCW 74.32.010 through RCW 74.32.100; and declaring an emergency.

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

Purpose. SECTION 1. The purpose of this act is to provide for the development, establishment, and enforcement of standards for the maintenance and operation of boarding homes, which, in the light of advancing knowledge, will promote safe and adequate care of the individuals therein.

Definitions. SEC. 2. As used in this act:

"Aged person." (1) "Aged person" means a person of the age sixty-five years or more, or a person of less than sixty-five years who by reason of infirmity requires domiciliary care.

"Boarding home." (2) "Boarding home" means any home or other institution, however named, which is advertised, announced or maintained for the express or implied purpose of providing board and domiciliary care to three or more aged persons not related by blood or marriage to the operator. It shall not include any home, institution or section thereof which is otherwise licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such home, institution or section thereof.

"Person." (3) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

"Director." (4) "Director" means the state director of health.

(5) "Board" means the state board of health. "Board."

(6) "Department" means the state department of health. "Department."

(7) "Authorized department" means any city, county, city-county health department or health district authorized by the director of the state department of health to carry out the provisions of this act. "Authorized department."

SEC. 3. After January 1, 1958, no person shall operate or maintain a boarding home as defined in this act within this state without a license under this act. License required.

SEC. 4. An application for a license shall be made to the department or authorized department upon forms provided by either of said departments and shall contain such information as the department reasonably requires, which shall include affirmative evidence of ability to comply with such rules and regulations as are lawfully promulgated by the board. License application—Contents.

SEC. 5. Upon receipt of an application for license, if the applicant and the boarding home facilities meet the requirements established under this act, the department or the department and the authorized health department jointly, shall issue a license. If there is a failure to comply with the provisions of this act or the standards, rules and regulations promulgated pursuant thereto, the department, or the department and authorized health department, may in its discretion issue to an applicant for a license, or for the renewal of a license, a provisional license which will permit the operation of the boarding home for a period to be determined by the department, or the department and authorized health department, but not to exceed twelve months, which provisional license shall not be subject to renewal. At the time of the issuance or renewal of a license or provisional license the licensee shall pay a license Licenses, provisional licenses. Issuance. Fees—Expiration—Posting.

Boarding
homes.
Licenses, pro-
visional li-
censes.
Fee—Expira-
tion—
Posting.

fee of ten dollars plus one dollar per bed capacity per year, but in no event shall the total exceed fifty dollars. When the license or provisional license is issued jointly by the department and authorized health department, the license fee shall be paid to the authorized health department. All licenses issued under the provisions of this act shall expire on the first day of January next succeeding the date of issue. All applications for renewal of license shall be made not later than thirty days prior to the date of expiration of the license. Each license shall be issued only for the premises and persons named in the application, and no license shall be transferable or assignable. Licenses shall be posted in a conspicuous place on the licensed premises.

Denial, sus-
pension or
revocation of
licenses—No-
tice—Hearing
—Procedure
—Decision.

SEC. 6. The department or the department and authorized department jointly, as the case may be, after notice and opportunity for hearing to the applicant or license holder, is authorized to deny, suspend or revoke a license in any case in which it finds there has been a failure or refusal to comply with the requirements established under this act or the regulations promulgated pursuant thereto.

Notice of denial, suspension, or revocation shall be given by registered mail, or by personal service in the manner of service of summons in a civil action; which notice shall set forth the particular reasons for the proposed denial, suspension or revocation and shall fix a date not less than twenty days from the date of mailing or service, during which the applicant or licensee may in writing request a hearing on the denial, suspension, or revocation. If the applicant or licensee fails to request a hearing within that time, the department or the department and authorized department jointly may deny, suspend or revoke the license without further notice or action. The order of denial, suspension or revocation shall be mailed to the applicant or license holder by

registered mail or personally served on him in the manner of service of summons in a civil action.

Denial, suspension or revocation of licenses. Hearing—Procedure—Decision.

If the applicant or licensee requests a hearing within such time the department shall fix a time for the hearing and shall give the applicant or licensee or such person's attorney, written notice thereof.

The procedure governing hearings shall be in accordance with rules promulgated by the board and such hearing shall be informal and summary, except that a record shall be kept of the testimony taken on behalf of the applicant or licensee and the department, which need not be transcribed unless an appeal is taken therefrom. The department shall render its decision within a reasonable time after the hearing and issue its order, which shall be served on the applicant or licensee or such person's attorney, and the order shall become final unless an appeal is taken therefrom.

SEC. 7. Within twenty days after the date of mailing of the decision of the department, the interested applicant or licensee may appeal to the superior court of the county in which the boarding home is located or is to be located, and such appeal shall be heard de novo as a case in equity, but upon such appeal only such issues of law may be raised as were properly included in the hearing before the department. Full opportunity to be heard upon the issues of law and fact shall be had before judgment is pronounced. Such appeal shall be perfected by serving a notice of appeal with the department and by filing the notice of appeal, together with proof of service thereof, with the clerk of the court. The service and the filing together with proof of service of the notice of appeal all within twenty days shall be jurisdictional. The department shall within twenty days after receipt of such notice of appeal serve and file a notice of appearance upon appellant or his attorney of record, and such appeal shall thereupon be deemed

Appeal—Procedure.

Boarding
homes.
Denial, sus-
pension or
revocation
of licenses.
Appeal—
Procedure.

at issue. The department shall serve upon the ap-
pellant and file with the clerk of the court before
hearing a certified copy of the complete record of
the administrative proceedings which shall, upon
being so filed, become the record in such case. The
cost of transcribing the record shall be borne by the
appellant where the order of the department is af-
firmed by the court. In the event of modification or
reversal, such cost shall be borne as directed by the
court.

Advisory
council.
Members—
Terms—Meet-
ings—Ex-
penses.

SEC. 8. The director shall appoint a council to
serve in an advisory capacity to the department,
which, after consultation with the state department
of public assistance shall advise with reference to
matters of policy affecting administration of this act,
and in the development of rules and regulations pro-
vided for herein. The council shall be comprised of
the director who shall serve as chairman ex officio,
and six members interested in housing for the aged
and shall include one representative of each of the
following organizations or groups: The Washington
state legislature, the department of public assistance,
the Association of Homes for the Aged in Washing-
ton, commercial boarding homes, and The Washing-
ton State Nursing Home Association. Each member
of the council other than the director shall be ap-
pointed for a term of three years.

The members of the council shall meet as frequ-
ently as the chairman deems necessary, but not less
than once every year. Upon request by four or more
members, it shall be the duty of the chairman to call
a meeting of the council. The members of the council
shall be reimbursed by the department for actual
and necessary expenses incurred in the discharge of
their official duties.

SEC. 9. The board, with the advice of the ad-
visory boarding home council, shall adopt, amend,

and promulgate such rules, regulations, and standards with respect to all boarding homes and operators thereof to be licensed hereunder as may be designed to further the accomplishment of the purposes of this act in promoting safe and adequate care of individuals in boarding homes and the sanitary, hygienic and safe conditions of the boarding home in the interest of public health, safety, and welfare.

Board of health to promulgate rules and standards.

SEC. 10. Where it is determined by the director together with the jurisdictional health officer, that a city, county, city-county health department or health district is qualified to carry out the provisions of this act, he shall authorize such political subdivision or agency to administer and enforce this act, and the rules and regulations promulgated hereunder.

Political subdivision or agency may administer act.

Any such authorization may be withdrawn by the director after thirty days' notice in writing to the authorized department should the director determine that the authorized department is unwilling or unable to carry out the duties and responsibilities hereunder.

SEC. 11. The department or authorized health department shall make or cause to be made at least a yearly inspection and investigation of all boarding homes. Every inspection may include an inspection of every part of the premises and an examination of all records (other than financial records), methods of administration, the general and special dietary and the stores and methods of supply. Following such inspection or inspections, written notice of any violation of this law or the rules and regulations promulgated hereunder, shall be given the applicant or licensee and the department. The board may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations

Boarding home inspection—Notice of violations—Submitting construction plans.

Boarding
homes.
Submitting
construction
plans.

or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit plans and specifications therefor to the department or to the authorized department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Information
on reports
private—Ex-
ception.

SEC. 12. All information received by the department or authorized health department through filed reports, inspections, or as otherwise authorized under this act, shall not be disclosed publicly in any manner as to identify individuals or boarding homes, except in a proceeding involving the question of licensure.

Standards for
fire protec-
tion—Duties,
state fire
marshal.

SEC. 13. Standards for fire protection and the enforcement thereof, with respect to all boarding homes to be licensed hereunder, shall be the responsibility of the state fire marshal, who shall adopt such recognized standards as may be applicable to boarding homes for the protection of life against the cause and spread of fire and fire hazards. The department upon receipt of an application for a license, shall submit to the state fire marshal in writing, a request for an inspection, giving the applicant's name and the location of the premises to be licensed. Upon receipt of such a request, the state fire marshal or his deputy, shall make an inspection of the boarding home to be licensed, and if it is found that the premises do not comply with the required safety standards and fire regulations as promulgated by the state fire marshal, he shall promptly make a written report to the boarding home and the department or authorized department as to the manner and time allowed in which the premises must qualify for a license and set forth the conditions to be remedied with respect to fire regulations. The department, authorized department, applicant or licensee shall

notify the state fire marshal upon completion of any requirements made by him, and the state fire marshal, or his deputy, shall make a reinspection of such premises. Whenever the boarding home to be licensed meets with the approval of the state fire marshal, he shall submit to the department or authorized department, a written report approving same with respect to fire protection before a full license can be issued. The state fire marshal shall make or cause to be made inspections of such homes at least annually.

Duties, state fire marshal.

In cities which have in force a comprehensive building code, the provisions of which are determined by the state fire marshal to be equal to the minimum standards of the state fire marshal's code for boarding homes, the chief of the fire department, provided the latter is a paid chief of a paid fire department, shall make the inspection with the state fire marshal or his deputy and they shall jointly approve the premises before a full license can be issued.

SEC. 14. Any person operating or maintaining any boarding home without a license under this act shall be guilty of a misdemeanor and each day of a continuing violation shall be considered a separate offense.

Violation, misdemeanor
—Continuing violation.

SEC. 15. Notwithstanding the existence or use of any other remedy, the department, may, in the manner provided by law, upon the advice of the attorney general who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the operation or maintenance of a boarding home without a license under this act.

Injunctive relief authorized.

SEC. 16. No person operating a boarding home licensed under this act shall admit to or retain in

Certain persons excluded from homes.

the boarding home any aged person requiring nursing or medical care of a type provided by institutions licensed under chapters 18.51, 70.41 or 71.12 RCW.

Boarding homes.
Construction of act—Limitation.

SEC. 17. Nothing in this act or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents in any boarding home conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination.

Appropriation to department of health.

SEC. 18. There is appropriated to the state department of health from the general fund for the biennium ending June 30, 1959, for the purposes of carrying out the provisions of this act, the sum of fifty thousand dollars or so much thereof as may be necessary.

Appropriation to insurance commissioner.

SEC. 19. For the biennium ending June 30, 1959, there is appropriated from the general fund to the insurance commissioner, the sum of fifty thousand dollars, or so much thereof as may be necessary, to carry out the provisions of this act relating to the duties of the state fire marshal.

Severability.

SEC. 20. If any part, or parts, of this act shall be held unconstitutional, the remaining provisions shall be given full force and effect, as completely as if the part held unconstitutional had not been included herein, if any such remaining part can then be administered for the purpose of establishing and maintaining standards for boarding homes.

Repeal.

SEC. 21. Chapter 70, Laws of 1943 as amended by chapter 100, Laws of 1945, section 20, chapter 117, Laws of 1951 and RCW 74.32.010 through 74.32.100 are each repealed.

Emergency.

SEC. 22. 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, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 254.

[Sub. H. B. 570.]

UNIVERSITY OF WASHINGTON—BUILDINGS AND FACILITIES.

AN ACT relating to the construction, completion and remodeling of buildings and facilities at the University of Washington; authorizing the board of regents thereof to construct and finance the same by the issuance of bonds payable from a special fund into which shall be paid certain general tuition fees; authorizing the board to accept federal and other grants; authorizing the legislature to provide additional means for raising money for payment of the bonds; amending section 3, chapter 66, Laws of 1915, as last amended by section 2, chapter 243, Laws of 1947, and RCW 28.77.040; and making appropriations.

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

SECTION 1. The board of regents of the University of Washington is empowered, in accordance with the provisions of this chapter, to provide for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of buildings and facilities authorized by the legislature for the use of the University and to finance the payment thereof by bonds payable out of a special fund from revenues hereafter derived from the payment of general tuition fees.

Construction and improvements at university; financing by bonds, authorized.

SEC. 2. The following terms, whenever used or referred to in this chapter, shall have the following meaning, excepting in those instances where the context clearly indicates otherwise:

Definitions.

Definitions.
"Board."

(1) "Board" means the board of regents of the University of Washington.

"General tuition fees."

(2) "General tuition fees" means the student fees provided for in RCW 28.77.030.

"Fund."

(3) "Fund" shall mean the special fund created by this chapter to be known as the University of Washington Bond Retirement Fund.

"Bonds."

(4) "Bonds" shall mean the limited obligation bonds issued pursuant to this chapter and payable only out of the special fund created herein.

"Project."

(5) "Project" shall mean the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility authorized by the legislature at any time to be financed under the provisions of the chapter.

Board of regents. Additional powers.

SEC. 3. In addition to the powers conferred under existing law, the board is authorized and shall have the power:

(1) To contract for the construction, completion, reconstruction, remodeling, rehabilitation and improvement of such building and facilities as are herein, and which may hereafter be, authorized by legislature to be financed from the special fund created by this chapter;

(2) To finance the same by the issuance of warrants, bonds, or other evidences of indebtedness, and to secure the payment of such bonds, warrants, or other evidences of indebtedness by the pledge of any or all of the revenues and receipts of the special fund;

(3) Without limitation of the foregoing, to accept grants from the United States government, or any federal or state agency or instrumentality, or any public or private corporation, association, or person to aid in defraying the costs of any such projects.

Limited obligation bonds. Authorized.

SEC. 4. For the purpose of financing the cost of any project, the board is authorized to issue and sell limited obligation bonds. The issuance, sale and re-

tirement of said bonds shall be under the general supervision of the board. Said bonds:

Limited obligation bonds. Issuance, sale, form, term—Disposition of proceeds from sale.

(1) Shall not constitute

(a) An obligation, either general or special, of the state; or

(b) A general obligation of the University of Washington or of the board;

(2) Shall be

(a) Either registered or in coupon form; and

(b) Issued in denominations of not less than one hundred dollars;

(3) Shall state

(a) The date of issue; and

(b) The series of the issue and be consecutively numbered within the series; and

(c) That the bond is payable out of the special fund established for the purposes of this chapter;

(4) Shall bear interest, payable either annually or semiannually, as the board may determine, at a rate not to exceed six percent per annum;

(5) Shall be payable solely out of the special fund created for the purposes of this chapter;

(6) Shall be payable at such times over a period of not to exceed thirty years from date of issuance, in such manner and at such place or places, and with such reserved rights of prior redemption, as the board may prescribe.

The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the University of Washington building account, which shall be used for the payment of the projects authorized to be financed under the provisions of this chapter.

SEC. 5. For the purpose of creating the special fund for the retirement of said bonds upon maturity and the payment of interest thereon as it falls due, there shall be paid into the state treasury and credited to a special trust fund to be known as the

University of Washington Bond Retirement Fund created.

Construction and improvements at university. Bond retirement fund, contents.

University of Washington Bond Retirement Fund, the following:

(1) One-half the general tuition fees charged and collected from each student in the departments and schools of the University of Washington other than the schools of medicine and dentistry;

(2) Any gifts, bequests, or grants which may be made, or may become available, for the purpose of furthering the construction of any authorized project, or for the repayment of the costs thereof;

(3) Such additional funds as the legislature may provide.

Said Bond Retirement Fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of the bonds herein authorized, the state undertakes to charge and collect one-half the general tuition fees herein referred to and as provided in RCW 28.77.030, and to place the proceeds thereof in the University of Washington Bond Retirement Fund and to make said fund available to meet said payments when due until all bonds and the interest thereon authorized under this chapter shall have been paid.

RCW 28.77.040 amended.

SEC. 6. Section 3, chapter 66, Laws of 1915, as last amended by section 2, chapter 243, Laws of 1947, and RCW 28.77.040 are each amended to read as follows:

State university. Disposition of general tuition fees.

Within thirty-five days from the date of collection thereof, all general tuition fees shall be paid into the state treasury and credited as follows:

(1) From students registering in the schools of medicine and dentistry, all to the "University of Washington Medical and Dental Building account";

(2) From each other student, one-half the fee to the "University of Washington Bond Retirement Fund" and one-half thereof to the "University of

Washington Building Account." The sum so credited to the University of Washington Building account shall be used exclusively for the purpose of erecting, altering, maintaining, equipping or furnishing buildings. The sums so credited to the University of Washington Bond Retirement Fund shall be used for the payment of principal and interest on bonds outstanding as provided by this chapter.

SEC. 7. The bonds authorized to be issued pursuant to the provisions of this chapter shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special fund created for their payment derived from the general tuition fees as herein provided. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. This chapter shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

Bonds as state obligation—Construction of act.

SEC. 8. The legislature hereby authorizes the board to construct, remodel, complete and finance projects now under construction and the following projects under the provisions of this chapter:

Specific projects enumerated.

- (1) Construction of Washington state museum \$450,000.00
- (2) Construction of addition to power house to house additional boilers, including purchase and installation and underground utilities \$1,900,000.00
- (3) Construction of classroom and office buildings and/or additions to existing buildings..... \$2,115,000.00

- (4) Remodeling Smith and Condon
Halls \$235,000.00

Construction and improvements at university. Appropriation to board of regents.

SEC. 9. There is hereby appropriated out of the University of Washington Building Account the sum of four million seven hundred thousand dollars, or so much thereof as may be necessary, to be expended by the board of regents of the University of Washington for the projects authorized by this chapter, and the sum of one million dollars out of the University of Washington Bond Retirement Fund to be used for the payment of principal and interest on bonds issued as provided by this chapter.

Construction of act.

SEC. 10. This chapter is concurrent with other legislation with reference to providing funds for the construction of buildings at the University of Washington, and is not to be construed as repealing or limiting any existing provision of law with reference thereto.

Passed the House March 5, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 255.

[H. B. 576.]

PORT OF TACOMA—EXCHANGE OF LANDS.

AN ACT providing for the exchange of certain lands between the Port of Tacoma, a municipal corporation, and Chicago, Milwaukee, St. Paul and Pacific Railroad Company, a corporation.

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

SECTION 1. The Port of Tacoma, a municipal corporation, is hereby authorized to convey to Chicago, Milwaukee, St. Paul and Pacific Railroad Company, a corporation, free and clear of all encumbrances or conditions which might otherwise be imposed by law, the fee simple title to the following described real property, situated in Pierce County, Washington, to wit:

Conveyance
by Port of
Tacoma au-
thorized.

Beginning at a point 85 feet west of the north-east corner of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T. 20 N., R. 3 E., W.M.; thence southerly parallel to the easterly line of the W $\frac{1}{2}$ E $\frac{1}{2}$, Section 3, to the south line of the north 30 acres of Government Lot 4 of said Section; thence westerly along said south line 82 ft.; thence northerly parallel to said easterly line to the north line of the S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T. 20 N., R. 3 E., W.M.; thence east 82 ft. to the point of beginning; subject to right of way of South 20th Street and South 21st Street.

Description.

SEC. 2. The consideration for the conveyance authorized in section 1 of this act shall be a conveyance by said railroad corporation to the Port of Tacoma of the unencumbered fee simple title to the following described real property, situated in Pierce County, Washington, to wit:

Consideration
to Port of
Tacoma.

That portion of the N $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T. 20 N., R. 3 E., W.M., lying easterly of a line parallel to and 23 ft. easterly as measured at

Description.

Conveyance
by Port of
Tacoma au-
thorized.
Description,
consideration
received.

right angles from the center line of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company's main tract [track], that being the most easterly track as now there established across said Section 3, and that portion of said $N\frac{1}{2} E\frac{1}{2} E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ of Section 3 lying westerly of a line described as follows: Beginning at a point on the north line of said $N\frac{1}{2} E\frac{1}{2} E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$ which is 65 ft. southwestwardly as measured at right angles from the center line of said main track; thence southeasterly parallel to said center line to a point 167 ft. westerly as measured at right angles from the easterly line of said $N\frac{1}{2} E\frac{1}{2} E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$; thence southerly parallel to said easterly line to the southerly line of said $N\frac{1}{2} E\frac{1}{2} E\frac{1}{2} SW\frac{1}{4} NE\frac{1}{4}$; subject to right of way of Marshall Avenue.

Also, that portion of the south 7.97 acres of Lot 4, said lot being a portion of the $SE\frac{1}{4}$ of said Section 3, lying northeasterly of the northeasterly right of way line of the Tacoma Tide Flats Branch of the Northern Pacific Railway Company as now there established across said Lot 4, and westerly of a line parallel to and 167 ft. westerly as measured at right angles from the easterly line of said $SE\frac{1}{4}$ of Section 3.

Passed the House March 4, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 256.

[H. B. 593.]

UNIVERSITY AND STATE COLLEGE—ANNUITIES,
RETIREMENT PLANS.

AN ACT relating to schools and colleges; and amending section 1, chapter 123, Laws of 1955 and RCW 28.76.240.

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

SECTION 1. Section 1, chapter 123, Laws of 1955 and RCW 28.76.240 are each amended to read as follows:

RCW 28.76.240 amended.

The Board of regents of the University of Washington and the board of regents of the State College of Washington are authorized and empowered:

Annuities and retirement income plans for faculty members.

(1) To assist the faculties and such other employees of their respective institutions as the board of regents may designate in the purchase of old age annuities or retirement income plans under such rules and regulations as the regents of said institutions may prescribe. County agricultural agents, home demonstration agents, 4-H club agents, and assistant county agricultural agents paid jointly by the State College of Washington and the several counties shall be deemed to be full time employees of the State College of Washington for the purposes hereof;

(2) To provide, under such rules and regulations as any such board may prescribe for the institution under its supervision, for the retirement of any such faculty member or employee on account of age or condition of health, retirement on account of age to be not earlier than the sixty-fifth birthday;

(3) To pay to any such retired person, each year after his retirement, an amount which, when added to the amount of such annuity or retirement income plan received by him in such year, will not exceed fifty percent of the average annual salary paid to

Colleges,
universities.
Annuities
and retire-
ment income
plans for
faculty
members.

such person for his last ten years of full time service at such institution.

(4) To direct the retirement agency to pay to any retiring or resigning faculty member or employee or to any other person who has severed relations with the university or college, or any arm or agency thereof, at the option of such member or employee, the total amount of his account in the annuity or retirement income plan including all contributions theretofore made by both the member or employee and by the university or college or arm or agency thereof, and including accrued interest. The provisions of this subsection shall apply to any faculty member or employee of the college or university, or any arm or agency thereof, heretofore resigned, retired, or who has for any reason severed relations with the university or college or arm or agency thereof, and who has not received reimbursement as specified herein, and any such member or employee may elect to receive all such contributions at one time or in such monthly amounts, not to exceed the total of such contributions, as he may specify, and having elected to receive monthly amounts, he may at any time revoke such election and be paid the remaining moneys credited to his account.

Passed the House March 7, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 257.

[H. B. 653.]

CAPITOL GROUNDS PARKING FACILITIES.

AN ACT relating to state government; directing the purchase of land and construction thereon of parking facilities for the capitol grounds; and making an appropriation.

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

SECTION 1. For use in the construction thereon of parking facilities in close proximity to the capitol grounds, the state capitol committee is authorized to purchase, at a price not in excess of one hundred thousand dollars, the following real estate situated in the city of Olympia, Thurston county, state of Washington, and more particularly described as: Lots two, three, six, and seven, block eight, P. D. Moore's addition to the town of Olympia, according to the plat thereof recorded in volume 1 of plats, page 32, records of said county.

Purchase of real estate by state capitol committee authorized.

Description.

SEC. 2. After purchase of the said real estate the state capitol committee shall construct thereon one-level parking facilities suitable for as large a number of automobiles as may reasonably be accommodated thereon.

Use for parking facilities.

SEC. 3. There is appropriated to the state capitol committee from the general fund—capitol building construction account for the fiscal biennium ending June 30, 1959, the sum of one hundred and ten thousand dollars for the purposes of this act.

Appropriation to state capitol committee.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 258.

[H. B. 654.]

CAPITOL GROUNDS—ACCESS.

AN ACT relating to state government; authorizing purchase of lands and improvements thereon to provide access to the capitol grounds; and making an appropriation.

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

Access to capitol grounds authorized.

SECTION 1. The state capitol committee may construct a suitable access to the capitol grounds by way of fourteenth and fifteenth streets in the city of Olympia, and for the purpose may acquire, by purchase or condemnation, such lands along the said streets and between Capitol Way and Cherry Street in the city of Olympia, and construct thereon such improvements as the state capitol committee may deem proper for the purposes of such access.

Appropriation to state capitol committee.

SEC. 2. There is appropriated to the state capitol committee from the general fund—capitol building construction account for the fiscal biennium ending June 30, 1959, the sum of one hundred and fifty-one thousand dollars for the purposes of this act.

Passed the House March 5, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 23, 1957.

CHAPTER 259.

[H. B. 57.]

COURT ADMINISTRATOR.

AN ACT to improve the administration of justice, providing for an administrator for the courts of this state, providing for assignment of judges by the chief justice of the supreme court of this state to counties and judicial districts where needed, providing for an annual conference of judges; amending section 6, chapter 58, Laws of 1933 extraordinary session as amended by section 11, chapter 38, Laws of 1955, and RCW 2.16.060; repealing section 3, chapter 58, Laws of 1933 extraordinary session, section 8, chapter 38, Laws of 1955 and RCW 2.16.030; making an appropriation and declaring an emergency.

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

SECTION 1. There shall be a state office to be known as the office of administrator for the courts who shall be appointed by the supreme court of this state from a list of five persons submitted by the governor of the state of Washington, and shall hold office at the pleasure of the appointing power. He shall be a resident of this state and have been such for at least three years prior to his appointment and not over the age of sixty years at the time of his appointment. He shall receive a salary not to exceed fifteen thousand dollars per year, to be fixed by the supreme court.

Administrator
for the
courts. Ap-
pointment—
Term—Quali-
fications—
Salary.

SEC. 2. The administrator for the courts, with the approval of the chief justice of the supreme court of this state, shall appoint and fix the compensation of such assistants as are necessary to enable him to perform the power and duties vested in him. During his term of office or employment, neither the administrator nor any assistant shall engage directly or indirectly in the practice of law in this state.

Assistants—
Compensation
—Practice of
law prohibited.

SEC. 3. The administrator for the courts shall, under the supervision and direction of [the] chief justice:

Duties.

Administrator
of the courts.
Duties.

(1) Examine the administrative methods and systems employed in the offices of the judges, clerks, stenographers, and employees of the courts and make recommendations, through the chief justice, for the improvement of same;

(2) Examine the state of the dockets of the courts and determine the need for assistance by any court;

(3) Make recommendations to the chief justice relating to the assignment of judges where courts are in need of assistance and carry out the direction of the chief justice as to the assignments of judges to counties and districts where the courts are in need of assistance.

(4) Collect and compile statistical and other data and make reports of the business transacted by the courts and transmit the same to the chief justice to the end that proper action may be taken in respect thereto;

(5) Prepare and submit budget estimates of state appropriations necessary for the maintenance and operation of the judicial system and make recommendations in respect thereto;

(6) Collect statistical and other data and make reports relating to the expenditure of public moneys, state and local, for the maintenance and operation of the judicial system and the offices connected therewith;

(7) Obtain reports from clerks of courts in accordance with law or rules adopted by the supreme court of this state on cases and other judicial business in which action has been delayed beyond periods of time specified by law or rules of court and make report thereof to supreme court of this state;

(8) Act as secretary of the judicial conference referred to in section 6 of this act.

(9) Formulate and submit to the judicial council of this state recommendations of policies for the improvement of the judicial system; and Duties.

(10) Submit annually, as of February 1, to the chief justice and the judicial council, a report of the activities of the administrator's office for the preceding calendar year;

(11) Attend to such other matters as may be assigned by the supreme court of this state.

SEC. 4. The chief justice shall consider all recommendations of the administrator for the assignment of judges, and, in his discretion, direct any judge whose calendar, in the judgment of the chief justice, will permit, to hold court in any county or district where need therefor exists, to the end that the courts of this state shall function with maximum efficiency, and that the work of other courts shall be equitably distributed. It shall be the duty of every judge to obey such direction of the chief justice unless excused by him for sufficient cause. No salary warrant shall be issued pursuant to RCW 2.08.100 until the judge who is to receive the same shall have made an affidavit, in the manner provided by law, that he has fully complied with the provisions of sections 4 and 5 of this act. Said affidavit may be made a part of the affidavit required by RCW 2.08.100.

Chief justice to act on recommendations of administrator—Cooperation of other judges required.

SEC. 5. The judges and clerks of the courts and all other officers, state and local, shall comply with all requests made by the administrator, after approval by the chief justice, for information and statistical data bearing on the state of the dockets of such courts and such other information as may reflect the business transacted by them and the expenditure of public moneys for the maintenance and operation of the judicial system.

Cooperation of state and local officers, judges and clerks required.

SEC. 6. The supreme court of this state may provide by rule or special order for the holding in this state of an annual conference of the judges of the

Annual judicial conference—Reimbursement.

Administrator of the courts. Annual judicial conference—Reimbursement.

courts of record of this state, and of invited members of the bar, for the consideration of matters relating to judicial business, the improvement of the judicial system and the administration of justice. Each judge attending such annual judicial conference shall be entitled to be reimbursed for his necessary expenses to be paid from state appropriations made for the purposes of this act.

Traveling and living expenses allowed.

SEC. 7. For attendance while holding court in another county or district pursuant to the direction of the chief justice, a judge shall be entitled to receive from the county to which he is sent the amount of his actual traveling and living expenses.

Courts under scope of act.

SEC. 8. This act shall apply to the following courts: the supreme court, the superior courts, and, when and to the extent so ordered by the supreme court, to the inferior courts of this state, including justice courts.

Procedure for disbursement of moneys.

SEC. 9. Any moneys appropriated for the purposes of this act shall be disbursed, upon order of the chief justice, on warrants drawn by the state auditor on the general fund.

RCW 2.16.060 amended.

SEC. 10. Section 6, chapter 58, Laws of 1933 extraordinary session, as amended by section 11, chapter 38, Laws of 1955, and RCW 2.16.060 are each amended to read as follows:

Expense of attendance and as visiting judge.

(1) For attendance upon any annual meeting a judge shall be entitled to receive from the state the amount of his actual traveling and living expenses.

(2) Upon presenting to the state auditor a statement signed by himself and approved by the president judge, showing in separate items his traveling and living expenses for attendance upon the annual meeting, the state auditor shall draw a warrant on the general fund for the amount of such statement and deliver it to such judge.

SEC. 11. To carry out the provisions of this act there is appropriated from the general fund, the sum of sixty thousand dollars, or so much thereof as may be necessary. Appropriation.

SEC. 12. Section 3, chapter 58, Laws of 1933 extraordinary session, section 8, chapter 38, Laws of 1955, and RCW 2.16.030 are each repealed. Repeal.

SEC. 13. Emergency clause. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately. } Vetced.

Passed the House March 7, 1957.

Passed the Senate March 6, 1957.

Approved by the Governor March 26, 1957, with the exception of section 13, which is vetoed.

Note: Excerpt of Governor's veto message reads as follows:

"This bill is approved with the exception of section 13 which is vetoed. Section 13 is an emergency clause. It will take some time to give proper and careful consideration to the list of persons to be submitted by me to the chief justice of the supreme court for appointment as court administrator. For this reason I deem is advisable to veto section 13. The remainder of the bill is approved."

Veto message, excerpt from.

CHAPTER 260.

[H. B. 99.]

SUPREME AND SUPERIOR COURT JUDGES—SALARY.

AN ACT relating to salaries of the judges of the supreme court and of the superior courts; amending section 1, chapter 144, Laws of 1953 and RCW 2.04.090; and amending section 2, chapter 144, Laws of 1953 and RCW 2.08.090.

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

RCW 2.04.090 amended.

SECTION 1. Section 1, chapter 144, Laws of 1953 and RCW 2.04.090 are each amended to read as follows:

Salary—Affidavit.

Each judge of the supreme court shall receive an annual salary of twenty thousand dollars, but no salary warrant shall be issued to any judge of the supreme court until he shall have made and filed with the state auditor an affidavit that no matter referred to him for opinion or decision has been uncompleted or undecided by him for more than six months.

RCW 2.08.090 amended.

SEC. 2. Section 2, chapter 144, Laws of 1953 and RCW 2.08.090 are each amended to read as follows:

Salary.

Each judge of the superior court shall receive an annual salary of fifteen thousand dollars.

Vetoed.

SEC. 3. Nothing contained in this act shall affect the salary of any judge now in office during the term for which he was elected.

Passed the House March 4, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 26, 1957, with the exception of section 3, which is vetoed.

Veto message, excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"This bill is approved with the exception of section 3 which is vetoed. Section 3 is superfluous since it merely affirms the constitutional command contained in article 4, section 13 of the constitution of the state of Washington. Since at this session of the legislature both houses of the legislature passed for submission to the people at the next general election Substitute Senate Joint Resolution No. 9 which, if approved, would amend article 4, section 13 of the constitution of the state of Washington, section 3 of House Bill No. 99 might conflict with Substitute Senate Joint Resolution No. 9 if the latter should become law. "For the reasons indicated section 3 is vetoed and the remainder of the bill is approved."

CHAPTER 261.

[H. B. 254.]

MOTOR VEHICLES—STAGGERED REGISTRATION—
EXCISE TAX.

AN ACT relating to motor vehicles; providing for the staggered registration system of licensing and staggered payment of the excise tax thereon; amending section 11, chapter 384, Laws of 1955 and RCW 46.16.060; amending section 2, chapter 89, Laws of 1955 and RCW 46.16.210; amending section 1, chapter 89, Laws of 1955 and RCW 46.16.220; amending section 1, chapter 90, Laws of 1949 and RCW 46.16.230; amending section 2, chapter 144, Laws of 1943 and RCW 82.44.020; and amending section 25, chapter 139, Laws of 1955 and RCW 82.44.060.

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

SECTION 1. On or after January 1, 1959, all vehicles as defined in RCW 46.04.670, except motor trucks, truck tractors, trailers, semitrailers, motor buses and bus trailers, taxicabs, motor bicycles, motorcycles, electric vehicles, armored cars, wreckers, tow cars, dealer vehicles, and vehicles owned by the state or political subdivisions thereof, the United States and branches thereof, and consuls of foreign countries, shall be registered for a period of twelve consecutive calendar months. There are established twelve registration periods, each of which shall start on the first day of each calendar month of the year and shall end on the last day of the twelfth month from date of beginning. The period beginning January 1st shall be designated the first period, and the subsequent periods shall be numbered consecutively thereafter.

Registration periods created for certain vehicles.

SEC. 2. All motor vehicles, other than those exempted by section 1 of this amendatory act, which are operated for the first time on or after January 1, 1959 upon the public highways of this state, shall be subject to registration and payment of fee for the twelve-month period commencing with the first day of the month of operation.

Registration for vehicles operated after Jan. 1, 1959, for first time.

Motor vehicles. Staggered registration. Registration for less than twelve-month period.

SEC. 3. In order to allow an orderly change over from the system of calendar year registration to the staggered registration system, the director of licenses may register such motor vehicles as are defined in section 1 of this amendatory act for less than a twelve-month period. This may be done at any time or times during the ten-year period beginning January 1, 1959 when the director of licenses determines that such fractional registration tends to fulfill the purpose of the staggered registration system. For such fractional registration periods the registration fee shall be computed and imposed on the basis of the ratio that such fractional registration periods bear to a full twelve months registration period. The director of licenses shall prescribe reasonable rules to govern such fractional registration. The allocation of motor vehicles to said new monthly intervals by this fractional registration shall be such as will result, in the judgment of the director, in a uniform distribution of the clerical work of registration throughout the year.

Vehicles operated after Jan. 1, 1959, for first time, registered for twelve-month period.

SEC. 4. Motor vehicles, other than those exempted by section 1 of this amendatory act, not previously registered in this state and operated upon the public highways of this state for the first time on or after January 1, 1959, shall be registered for a full twelve-month period commencing the first day of the month of operation.

Administrative regulations authorized.

SEC. 5. The director is empowered and authorized to make and execute all administrative regulations necessary to accomplish an enforcement of the provisions of this amendatory act.

Vetoed.

SEC. 6. Section 11, chapter 384, Laws of 1955 and RCW 46.16.060 are each amended to read as follows:
Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected for each vehicle registration and licensing

period and upon each vehicle a license fee in the sum of five dollars: *Provided*, That the fee for licensing each house moving dollie which is used exclusively for moving buildings or homes on the highway under special permit as provided for in chapter 46.44, shall be twenty-five dollars.

Note: See also section 1, chapter 105, Laws of 1957.

SEC. 7. Section 2, chapter 89, Laws of 1955 and RCW 46.16.210 are each amended to read as follows:

(1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

(3) An application for license, new or renewal, may not be filed prior to the first day of the registration licensing period for which the license is to be issued and if the application for renewal is not filed within thirty days after the expiration of the pre-

Vetoed

Vetoed

ceding licensing period, a penalty of three dollars shall be assessed and shall not under any condition be waived unless the applicant can furnish an affidavit certifying that the vehicle has not been operated on highways in this state while owned by him since the expiration date of the last license issued in this state, or that the vehicle has been stolen or embezzled: *Provided*, That this penalty shall not apply to vehicles that were at the time of expiration held for sale by a registered dealer and on which an application for renewal license is made by the purchaser at time of sale.

Note: See also section 5, chapter 273, Laws of 1957.

RCW 46.16.220 amended.

SEC. 8. Section 1, chapter 89, Laws of 1955 and RCW 46.16.220 are each amended to read as follows:

Time of issuance of licenses—Duration.

Vehicle licenses and vehicle license number plates may be issued for the current registration licensing period on and after the first day thereof and must be used and displayed from the date of issue or from the thirtieth day after the expiration of the preceding licensing period whichever date is later.

RCW 46.16.230 amended.

SEC. 9. Section 1, chapter 90, Laws of 1949 and RCW 46.16.230 are each amended to read as follows:

License plates to be furnished.

The director shall furnish to all persons making satisfactory application for vehicle license as provided by law, two identical vehicle license number plates each containing the vehicle license number to be displayed on such vehicle as by law required: *Provided*, That if the vehicle to be licensed is a trailer, semitrailer or motor cycle only one vehicle license number plate shall be issued for each thereof. The number and plate shall be of such size and color and shall contain such symbols indicative of the registration period for which the same is issued and of the state of Washington, as shall be determined and prescribed by the director. Any vehicle license number plate or plates issued to a dealer shall con-

Proviso.

tain thereon a sufficient and satisfactory indication that such plates have been issued to a dealer in vehicles. All vehicle license number plates shall be obtained by the director from the metal working plant of the state penitentiary at Walla Walla, if available therefrom.

License plates
to be fur-
nished.

Notwithstanding the foregoing provisions of this section, the director may, in his discretion and under such rules and regulations as he may prescribe, adopt a type of vehicle license number plates whereby the same shall be used as long as legible on the vehicle for which issued, with provision for tabs or emblems to be attached thereto or elsewhere on the vehicle to signify renewals, in which event the term "vehicle license number plate" as used in any enactment shall be deemed to include in addition to such plate the tab or emblem signifying renewal except when such plate contains the designation of the current year without reference to any tab or emblem. Renewals shall be effected by the issuance and display of such tab or emblem.

SEC. 10. Section 2, chapter 144, Laws of 1943 and RCW 82.44.020 are each amended to read as follows:

RCW 82.44.020
amended.

An excise tax is imposed for the privilege of using in the state any motor vehicle, except those operated under dealer's licenses. The annual amount of such excise shall be one and one-half percent of the fair market value of such vehicle: *Provided*, That in no case shall the tax be less than one dollar: *Provided further*, That during the period of changeover to the staggered system of registration of those motor vehicles as defined in section 1 of this amendatory act the excise tax may be computed and imposed for periods of less than one year sufficient to make the collection thereof coincide with the collection of license fees on such vehicles.

Basic tax
imposed.

Proviso.

Proviso.

SEC. 11. Section 25, chapter 139, Laws of 1955 and RCW 82.44.060 are each amended to read as follows:

The excise tax hereby imposed shall be due and payable to the county auditor at the time of registration of a motor vehicle. Whenever an application is made to the auditor for a license for a motor vehicle he shall collect, in addition to the amount of the license fee, the amount of the excise tax imposed by this chapter, and no dealer's license or license plates, and no license or license plates for a motor vehicle shall be issued unless such tax is paid in full. The excise tax hereby imposed shall be collected for each calendar year, except that in connection with the changeover to the staggered license system of registering of those motor vehicles as defined in section 1 of this amendatory act, computed and imposed for periods of less than one year sufficient to make the collection thereof coincide with the collection of license fees on such vehicles: *Provided*, That upon motor vehicles licensed for the first time in this state after March 31st of any year, except motor vehicles as defined in section 1 of this amendatory act, licensed under the staggered license system, the excise tax for such year shall be reduced by one-fourth thereof, upon vehicles licensed for the first time in this state after June 30th of any year the excise tax shall be reduced by one-half thereof and upon vehicles licensed for the first time in this state after September 30th of any year the excise tax shall be reduced by three-fourths thereof: *Provided further*, That the tax shall in no case be less than one dollar.

Vetoed.

No additional tax shall be imposed under this chapter upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the year

or fraction of a year in which transfer of ownership occurs.

No additional tax shall be imposed under this chapter upon any house trailer, if the tax imposed with respect to such house trailer has already been paid for the calendar year or fractional part thereof under RCW 82.50.030 and 82.50.070, and the receipt issued pursuant to chapter 82.50 shall be prima facie evidence of the payment of such tax. } Vetoed

Note: See also section 15, chapter 269, Laws of 1957.

Passed the House March 6, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 26, 1957, with the exception of sections 6, 7, and 11, which are vetoed.

Note: Excerpt of Governor's veto message reads as follows:

"House Bill No. 254 establishes a system of staggered licenses for motor vehicles. Section 6 of House Bill No. 254 conflicts with House Bill No. 308 which I have previously signed into law. House Bill No. 308 increases the license fee for motor vehicles from \$5.00 to \$6.50. If I permitted section 6 of House Bill No. 254 to become law the license fee would be reduced to \$5.00.

"Section 7 of House Bill No. 254 contains a penalty provision for late registration of \$3.00. Section 5 of the omnibus highway bill, House Bill No. 643, which I have signed into law, eliminates this penalty provision for late registration.

"Section 11 of House Bill No. 254 sets forth certain requirements of excise taxes affecting among others house trailers. This act is in conflict with House Bill No. 458 which I have signed into law.

"Neither sections 6, 7 or 11 are essential to accomplish the main purpose of House Bill No. 254 and these sections conflict with other bills which have been signed into law. For the reasons indicated Sections 6, 7 and 11 are vetoed and the remainder of the bill is approved."

Veto message, excerpt from.

CHAPTER 262.

[H. B. 463.]

TAXATION—LIMITATION OF LEVIES—FORTY MILL
LIMIT.

AN Act relating to property taxes; and amending section 1, chapter 175, Laws of 1953 and RCW 84.52.050.

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

RCW 84.52.050 amended.

SECTION 1. Section 1, chapter 175, Laws of 1953 and RCW 84.52.050 are each amended to read as follows:

Limitation of levies—
"Forty mill" limit.

Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, municipal corporations, taxing districts and governmental agencies, now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty percent of the true and fair value of such property in money; and within and subject to the aforesaid limitation the levy by the state shall not exceed two mills to be used exclusively for the public assistance program of the state; the levy by any county shall not exceed eight mills; the levy by or for any school district shall not exceed fourteen mills: *Provided*, That the levy by or for any union high school district shall not exceed two-fifths of the maximum levy permissible for any school district without a vote of the electors thereof and the levy by or for any component district within a union high school district shall not exceed three-fifths of the maximum levy permissible for any school district without a vote of the electors thereof:

Proviso.

Proviso.

Provided further, That the levy against any nonhigh school district for the high school district fund shall not exceed two-fifths of the maximum levy permissible for any school district without a vote of the electors thereof and the levy by or for any such non-high school district shall not exceed the balance of

such maximum permissible levy; the levy for any road district shall not exceed ten mills; and the levy by or for any city or town shall not exceed fifteen mills: *Provided further*, That counties of the fifth class and under are hereby authorized to levy from eight to eleven mills for general county purposes and from seven to ten mills for county road purposes if the total levy for both purposes does not exceed eighteen mills. Proviso.

Nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district.

Passed the House February 28, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 263.

[H. B. 537.]

INTOXICATING LIQUOR—CLASS H LICENSES—LOCAL OPTION.

AN ACT relating to the regulation and control of the sale of intoxicating liquor by the drink; repealing section 4, chapter 5, Laws of 1949 and RCW 66.24.430.

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

SECTION 1. Section 2, chapter 5, Laws of 1949 (heretofore divided and codified as RCW 66.24.410 and 66.40.010) is divided and amended as set forth in sections 2 and 3 of this act. Division and amendment.

SEC. 2. (RCW 66.24.410) (1) "Spirituous liquor," as used in RCW 66.24.400 to 66.24.470, inclusive, means "liquor" as defined in RCW 66.04.200, except "wine" and "beer" sold as such. RCW 66.24.410 amended.
Terms defined for class H license purposes.

(2) "Restaurant" as used in RCW 66.24.400 to 66.24.470, inclusive, means an establishment provided with special space and accommodations where, in

Intoxicating liquor. Terms defined for class H license purposes.

consideration of payment, food, without lodgings, is habitually furnished to the public, not including drug stores and soda fountains: *Provided*, That such establishments shall be approved by the board and that the board shall be satisfied that such establishment is maintained in a substantial manner as a place for preparing, cooking and serving of complete meals. The service of only fry orders or such food and victuals as sandwiches, hamburgers, or salads shall not be deemed a compliance with this definition.

(3) "Hotel," "clubs," "wine" and "beer" are used in RCW 66.24.400 to 66.24.470, inclusive, with the meaning given in chapter 66.04.

(4) It shall be unlawful for any class H licensee to sell liquor to women, except when seated at tables.

RCW 66.40.010 enacted without amendment.

SEC. 3. (RCW 66.40.010) For the purpose of an election upon the question of whether the sale of liquors shall be permitted, the election unit shall be any incorporated city or town, or all that portion of any county not included within the limits of incorporated cities and towns.

Repeal.

SEC. 4. Section 4, chapter 5, Laws of 1949 and RCW 66.24.430 are each repealed.

Passed the House February 25, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 264.

[H. B. 138.]

EMPLOYMENT SECURITY—AGRICULTURAL LABOR
EXEMPTION.

AN ACT relating to employment security and amending section 3, chapter 215, Laws of 1947 and RCW 50.04.150; and declaring an emergency.

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

SECTION 1. Section 3, chapter 215, Laws of 1947 and RCW 50.04.150 are each amended to read as follows:

RCW 50.04.150 amended.

The term "employment" shall not include service performed:

"Employment"—Agricultural labor exemption.

(1) On a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wild life, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or

(2) In packing, packaging, grading, storing, or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations. The exclusions from the term "employment" provided in this paragraph shall not be deemed to be applicable with respect to commercial packing houses, commercial storage establishments, commercial canning, commercial freezing, or any other commercial processing or with respect to services performed in connection with the cultivation, raising, harvesting and processing of oysters or

in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

Passed the House March 13, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 265.

[H. B. 144.]

PORT DISTRICTS—TAX LEVY—INDUSTRIAL DEVELOPMENT.

AN ACT relating to port districts; providing for the levy of taxes; and authorizing the accumulation of certain port district funds and certain transfers thereof.

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

Levy for industrial development district purposes—Fund for future use.

SECTION 1. A port district having adopted a comprehensive scheme of harbor improvements and industrial developments may thereafter raise revenue, for six successive years only, in addition to all other revenues now authorized by law, by an annual levy not to exceed two mills on each dollar of assessed valuation of the taxable property in such port district. Said levy shall be used exclusively for the exercise of the powers granted to port districts under chapter 53.25 RCW except as provided in section 2 of this act. The levy of such taxes is herein authorized notwithstanding the provisions of RCW 84.52.050. The revenues derived from levies made under this act not expended in the year in which the levies are made may be paid into a fund for future use in carrying out the powers granted under chapter 53.25 RCW, which fund may be accumulated and carried over from year to year, with the right to continue to levy the taxes provided for in this act for the purposes herein authorized.

SEC. 2. In the event the levy herein authorized shall produce revenue in excess of the requirements to complete the projects of a port district then provided for in its comprehensive scheme of harbor improvements and industrial developments or amendments thereto, said excess shall be used solely for the retirement of general obligation bonded indebtedness.

Excess funds to be used solely for retirement of general obligations.

Passed the House March 1, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 266.

[Sub. H. B. 205.]

TOLL BRIDGES—LAKE WASHINGTON.

AN ACT relating to toll bridges across Lake Washington; repealing sections 1 and 3, chapter 192, Laws of 1953 and RCW 47.56.280 and RCW 47.56.300; and making an appropriation.

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

SECTION 1. The Washington toll bridge authority is hereby authorized and directed to make all surveys necessary, design, and construct an additional bridge, including approaches adequate to carry a free flow of traffic thereto, across Lake Washington at a site in the vicinity of Union Bay and Evergreen Point or at such other location across Lake Washington which is deemed feasible by the authority.

Second Lake Washington bridge authorized (1957 act).

SEC. 2. The authority is hereby authorized by resolution to issue and sell its revenue bonds in an amount sufficient to provide funds to pay all costs of construction of an additional Lake Washington bridge and approaches and all costs of construction or any alterations to the existing Lake Washington bridge or its approaches as a result of the construction of the additional bridge, including but not

Revenue bonds—Toll charges.

Second Lake
Washington
bridge au-
thorized
(1957 act).
Revenue
bonds—Toll
charges.

limited to all costs of survey, acquisition of rights of way, design, engineering, all expenses of issuance and sale of such bonds, and to pay interest on said bonds during construction and for six months after tolls are first imposed.

Said revenue bonds shall constitute obligations only of the Washington toll bridge authority and shall be payable both principal and interest solely from the tolls and revenues derived from the operation of said toll facility as hereinbefore constituted. Said bonds shall not constitute an indebtedness of the state of Washington and shall contain a recital on the face thereof to that effect, and shall be negotiable instruments under the law merchant. Such bonds shall include a covenant that the payment or redemption thereof and the interest thereon are secured by a first and direct charge and lien on all of the tolls and other revenues received from the operation of said toll facility and from any interest which may be earned from the deposit or investment of any such revenues, except for payment of costs of operation, maintenance and necessary repairs of said facility. The tolls and charges to be imposed shall be fixed in such amounts so that when collected they will produce revenues that shall be at least equal to expenses of operating, maintaining and repairing said toll facility, including all insurance costs, amounts for adequate reserves and coverage of annual debt service on said bonds, and all payments necessary to pay the principal thereof and interest thereon.

Imposition of
tolls on exist-
ing and addi-
tional bridges.

SEC. 3. The authority shall have the right to impose tolls for pedestrian or vehicular traffic over either the additional Lake Washington bridge or the existing Lake Washington bridge, or both bridges, for the purpose of paying the costs of reconstructing and improving the existing bridge and its approaches, if necessary, and the construction of the

new bridge and its approaches, to pay interest on and create a sinking fund for the retirement of revenue bonds issued for the account of such project, and to pay any and all costs and expenses incurred by the authority in connection with and incidental to the issuance and sale of bonds, and for the preparation of surveys and estimates and to establish the required interest reserves for and during the estimated construction period and for six months thereafter.

SEC. 4. The existing Lake Washington bridge, the toll bridge authorized herein, and any other bridge hereafter constructed across Lake Washington, are hereby construed and designated as a continuous project within the terms and provisions of RCW 47.56.070; and notwithstanding the provisions of RCW 47.56.220, the authority may authorize additional toll bridges across Lake Washington at such times as traffic may warrant and at such sites as deemed feasible.

Bridges designated continuous project—Additional bridges authorized.

SEC. 5. There is appropriated from the motor vehicle fund to the Washington toll bridge authority the sum of two hundred fifty thousand dollars, or so much thereof as may be necessary, for the purpose of location, design, and all other things preliminary to the construction of an additional Lake Washington bridge. Any funds herein appropriated from the motor vehicle fund shall be considered as a loan and repaid by the authority to the motor vehicle fund upon the sale of bonds as provided in section 3 of this act.

Appropriation to toll bridge authority—Repayment.

SEC. 6. The provision of chapter 47.56 RCW, except where inconsistent with this act, shall govern and be controlling in all matters and things necessary to carry out the purposes of this act. Nothing in this act is intended to amend, alter, modify or repeal any of the provisions of any statute relating to the powers

Interpretation of act.

and duties of the Washington toll bridge authority except as such powers and duties are amplified or modified by the specific provisions of this act for the uses and purposes herein set forth, and this act shall be additional to such existing statutes and concurrent therewith.

Repeal.

SEC. 7. Sections 1 and 3, chapter 192, Laws of 1953 and RCW 47.56.280 and 47.56.300 are each repealed.

Passed the House February 27, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 267.

[H. B. 398.]

APPROPRIATION—TEMPORARY PUBLICATION OF SESSION LAWS.

AN ACT appropriating the sum of twenty-two thousand three hundred dollars, or so much thereof as may be necessary for the temporary publication of session laws of the thirty-fifth session of the Washington state legislature, and declaring an emergency.

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

Appropriation
for publica-
tion tempo-
rary session
laws.

SECTION 1. There is hereby appropriated out of the general fund the sum of twenty-two thousand three hundred dollars, or so much thereof as may be necessary for the printing and mailing of the temporary publication of the session laws of the thirty-fifth session of the Washington state legislature.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, the support of state government and its existing public institutions and shall take effect immediately.

Passed the House February 13, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 268.

[H. B. 444.]

MOTOR VEHICLES—OCCUPATIONAL OPERATOR'S LICENSE.

An Act relating to motor vehicle operator's licenses; adding four new sections to chapter 188, Laws of 1937 and to chapter 46.20 RCW; and providing penalties.

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

SECTION 1. There is added to chapter 188, Laws of 1937 and to chapter 46.20 RCW a new section to read as follows:

New section.

No person shall file a petition for an occupational operator's license as provided in section 2 of this act unless he shall first pay to the director of licenses or other person authorized to accept applications and fees for operator's licenses a fee of ten dollars. The applicant shall receive upon payment an official receipt for the payment of such fee. All such fees shall be forwarded to the director who shall transmit such fees to the state treasurer in the same manner as other operator's license fees.

Fee prerequisite to occupational operator's license petition.

SEC. 2. There is added to chapter 188, Laws of 1937 and to chapter 46.20 RCW a new section to read as follows:

New section.

Any person who has had or may have his operator's license suspended or revoked because he has been convicted of any first offense relating to motor vehicles, other than negligent homicide or manslaughter, and, if such person is engaged in an occupation or trade making it essential that he operate a motor vehicle, such person may file with the sentencing judge of a court of record, justice court, or municipal court having criminal jurisdiction in the county where such offense occurred a verified petition, together with the receipt for the fee paid, setting forth in detail his need for operating a motor

Occupational operator's license—Procedure to obtain—Prerequisites for—Court order temporary license—Revocation.

Occupational
operator's li-
cense—Proce-
dure to obtain
—Prerequisites
for—Court
order tempo-
rary license—
Revocation.

vehicle. Thereupon, if the petitioner has not been convicted of any such offense within one year immediately preceding the present conviction, which offense in the opinion of the judge is not of such a nature as to preclude the granting of the petition, the sentencing judge may order the director of licenses to issue an occupational operator's license to such person. A certified copy of the petition together with the order for the license shall be mailed to the director. When the order is issued by such judge, a certified copy thereof shall be given to the petitioner which copy shall serve as a temporary occupational operator's license until the petitioner receives the license issued by the director.

An occupational operator's license shall permit the operation of a motor vehicle not to exceed twelve hours per day and then only when such operation is an essential part of the licensee's occupation or trade. Such license shall be issued for a period of not more than one year.

The order for issuance of an occupational operator's license shall contain definite restrictions as to hours of the day, type of occupation, areas or routes of travel to be permitted under such license and such other conditions as the judge granting the same deems appropriate and that satisfactory proof of financial responsibility has been filed as provided in chapters 46.24 and 46.28 RCW.

If such licensee is convicted for operating a motor vehicle in violation of his restrictions, or of a traffic violation which in the opinion of the director is such as would warrant suspension or revocation of such license, or if the sentencing judge does not, upon the facts, see fit to permit such person to retain his license, the director shall, upon receipt of notice thereof, revoke such license. Such revocation shall be effective as of the date of such violation, conviction or withdrawal order, and it shall continue with

the same force and effect as other revocations under this title.

SEC. 3. There is added to chapter 188, Laws of 1937 and to chapter 46.20 RCW a new section to read as follows: New section.

If an occupational operator's license is issued and is not revoked during the period for which issued the licensee may obtain a new operator's license at the end of such period, but no new operator's permit shall be issued to such person until he surrenders his occupational operator's license and his copy of the order and the director is satisfied that he complies with all other provisions of law relative to the issuance of an operator's license. Prerequisites to obtain operator's license upon expiration of occupational license.

SEC. 4. There is added to chapter 188, Laws of 1937 and to chapter 46.20 RCW a new section to read as follows: New section.

Any person convicted for violation of any restriction of an occupational operator's license shall in addition to the immediate revocation of such license and any other penalties provided by law be fined not less than fifty nor more than two hundred dollars or imprisoned for not more than six months or both such fine and imprisonment. Violations under occupational license —Penalty.

Passed the House February 26, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 269.

[Sub. H. B. 458.]

TAXATION—HOUSE TRAILERS.

AN ACT relating to house trailer excise tax; amending sections 1, 2, 3, 7, 9, 11, 13, 16, 17 and 18, chapter 139, Laws of 1955 and RCW 82.50.010, 82.50.020, 82.50.030, 82.50.070, 82.50.090, 82.50.110, 82.50.130, 82.50.160, 82.50.170 and 82.50.180; amending section 6, chapter 144, Laws of 1943 as last amended by section 25, chapter 139, Laws of 1955, and RCW 82.44.060; amending section 22, chapter 139, Laws of 1955, section 5, chapter 363, Laws of 1955 and RCW 46.16.080; amending section 1, chapter 264, Laws of 1955 and RCW 82.44.010; repealing sections 8, 10 and 15, chapter 139, Laws of 1955 and RCW 82.50.080, 82.50.100 and 82.50.150; adding four new sections to chapter 139, Laws of 1955 and to chapter 82.50 RCW; adding a new section to chapter 188, Laws of 1937 and to chapter 46.16 RCW; and making an appropriation.

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

RCW 82.50.010 amended.

SECTION 1. Section 1, chapter 139, Laws of 1955 and RCW 82.50.010 are each amended to read as follows:

Definitions. "Home trailer."

"House trailer" means all trailers of the type designed to be used upon the public streets and highways which are capable of being used as facilities for human habitation and which are ten feet or more in length and six feet or more in height from floor to ceiling, except as hereinafter specifically excluded.

"Commission."

"Commission" means the tax commission of the state.

"Director."

"Director" means the director of licenses of the state.

RCW 82.50.020 amended.

SEC. 2. Section 2, chapter 139, Laws of 1955 and RCW 82.50.020 are each amended to read as follows:

Tax imposed—Collection—Transfer of ownership.

An annual excise tax is imposed on the owner of any house trailer for the privilege of using such house trailer in this state. The tax shall be collected for each calendar year by the county auditor of the county in which the house trailer is located at the

time payment is made and shall be due on and after January 1st or on the date the house trailer is first purchased or brought into this state, and paid on or before March 31st of each calendar year or thirty days after the house trailer is first purchased or brought into this state, whichever is later. No additional tax shall be imposed under this chapter upon any house trailer upon the transfer of ownership thereof, if the tax imposed by this chapter with respect to such house trailer has already been paid for the calendar year or fractional part thereof in which such transfer occurs.

SEC. 3. Section 3, chapter 139, Laws of 1955 and RCW 82.50.030 are each amended to read as follows:

The rate and measure of tax imposed by this chapter for each year shall be one percent of the fair market value of the house trailer, as determined in the manner provided in this chapter: *Provided*, That upon house trailers upon which a tax is due for the first time in this state after March 31st and before July 1st, the excise tax for such year shall be reduced by one-fourth thereof; that upon house trailers upon which the tax hereunder is due for the first time after June 30th and before October 1st, the excise tax shall be reduced by one-half thereof; and that upon house trailers upon which the tax hereunder is due for the first time after September 30th, the excise tax shall be reduced by three-fourths thereof: *Provided further*, That the minimum amount of tax payable shall be one dollar.

SEC. 4. Section 7, chapter 139, Laws of 1955 and RCW 82.50.070 are each amended to read as follows:

The county auditor upon payment of the tax hereunder shall issue a receipt which shall include such information as may be required by the director, including the name of the taxpayer, and a description of the house trailer, which receipt shall be printed by the department of licenses in such form as it

RCW 82.50.030
amended.

Rate—Mini-
mum payable
—Fractional
amounts.

Proviso.

Proviso.

RCW 82.50.070
amended.

Tax receipt—
License plate
issued—
Records.

House trailer
excise.
Tax receipt—
License plate
issued—
Records.

deems proper and furnished by the department to the various county auditors of the state. The county auditor shall keep a record of the excise taxes paid hereunder during the calendar year under the name of owners of house trailers, listed alphabetically.

In addition thereto the county auditor shall issue a license plate and register the house trailer under the provisions of chapter 46.16 RCW and shall collect the additional fees therein provided.

New section.

SEC. 5. There is added to chapter 139, Laws of 1955 and to chapter 82.50 RCW a new section to read as follows:

Licensed
trailers may
use public
highways.

House trailers taxed and licensed under the provisions of this chapter shall be entitled to the use of the public streets and highways subject to the provisions of the motor vehicle laws of this state except as herein otherwise provided.

RCW 82.50.110
amended.

SEC. 6. Section 11, chapter 139, Laws of 1955 and RCW 82.50.110 are each amended to read as follows:

Late payments
—Penalty—
Lien.

If any excise tax due hereunder is not paid when due and payable, the county auditor shall collect in addition to the sum herein, a penalty of three dollars and, in addition, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable.

The tax hereunder shall be a specific lien on the house trailer from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the house trailer may become charged or liable, after the effective date of this act, and no sale or transfer of any house trailer shall in any way affect the lien for such excise tax upon the house trailer.

SEC. 7. Section 13, chapter 139, Laws of 1955 and RCW 82.50.130 are each amended to read as follows:

RCW 82.50.130
amended.

When notified by the director that the excise tax is delinquent on any house trailer, the sheriff shall personally serve the owner in the manner provided for service of summons in civil actions or post thereon in a conspicuous place, a notice of delinquency, supplied by the director, which shall contain a description of the house trailer, the amount of excise tax due, together with accrued interest, the penalty and the sheriff shall add thereto his fee for service or posting of the notice, which shall be the same as for the service of summons in a civil action, with fees for mileage based on the number of miles from the county seat of the county to the location of the house trailer, and the name of the owner or reputed owner, if such is known. Thereafter, the sheriff may without further demand or notice, distrain the house trailer for the payment of tax, together with the penalty and accrued interest, and the costs and fees.

Delinquencies
—Distrain
procedure.

If he shall determine that it is reasonably impracticable to take manual possession of the house trailer, it shall be deemed to have been distrained and taken into possession when the sheriff posts thereon in a conspicuous place, a notice in writing reciting that he has distrained such house trailer, describing it and giving the name of the owner or reputed owner, if such is known, the amount of the tax due, together with the penalty, accrued interest, costs and fees, and the time when and the place where the sale, as hereinafter provided, shall be made.

The director shall forward by registered or certified mail a copy of the notice of delinquency herein provided to the legal owner recorded with the director pursuant to chapter 46.12 RCW.

RCW 82.50.180 amended.

SEC. 8. Section 18, chapter 139, Laws of 1955 and RCW 82.50.180 are each amended to read as follows:

House trailer excise. Exemptions.

The following house trailers are specifically exempted from the operation of this chapter:

(1) Any unoccupied house trailer when it is part of an inventory of house trailers held for sale by a manufacturer or dealer in the course of his business.

(2) A house trailer owned by any government or political subdivision thereof.

(3) A house trailer owned by a nonresident and currently licensed in another state, unless such house trailer shall remain in this state for a period of ninety days or more during the calendar year.

(4) House trailers eligible to be used under a set of dealer's license plates, and taxed under RCW 82.44.030 while so eligible.

(5) A house trailer which has substantially lost its identity as a vehicle by virtue of being permanently fixed in location upon the land by foundation, attached structures and fixed pipe connections with sewer, water or other utilities.

SEC. 9. Section 16, chapter 139, Laws of 1955 and RCW 82.50.160 are each amended to read as follows:

There is hereby created a fund to be known as the mobile home excise fund. The county auditor shall regularly, when remitting motor vehicle excise taxes, pay to the director the excise taxes collected under this chapter, which shall be forwarded to the state treasurer and by him credited to the mobile home excise fund.

Vetoed.

SEC. 10. Section 17, chapter 139, Laws of 1955 and RCW 82.50.170 are each amended to read as follows:

In case a claim is made by any person that he has erroneously paid the tax or a part thereof or any charge hereunder, he may apply in writing to the director for a refund of the amount of the claimed

erroneous payment within ninety days of the time of payment of the tax on such a form as is prescribed by the director. The director shall review such application for refund, and, if he determines that an erroneous payment has been made by the taxpayer, he shall certify the amount to be refunded to the state treasurer that such person is entitled to a refund in such amount, and the treasurer shall make such approved refund herein provided for from the mobile home excise fund and shall mail or deliver the same to the person entitled thereto.

Vetoed.

Any person making any false statement in the affidavit herein mentioned, under which he obtains any amount of refund to which he is not entitled under the provisions of this section, shall be guilty of a gross misdemeanor.

SEC. 11. Section 9, chapter 139, Laws of 1955 and RCW 82.50.090 are each amended to read as follows:

RCW 82.50.090 amended.

It shall be unlawful for the county auditor or any person to issue a receipt hereunder to any person without collecting the amount of the excise tax due thereon under the provisions of this chapter and any violation of this section shall constitute a gross misdemeanor.

Unlawful issuance of receipt—Penalty.

SEC. 12. There is added to chapter 139, Laws of 1955 and chapter 82.50 RCW a new section to read as follows:

New section.

The director or his authorized representative shall have power to enter at reasonable times all trailer parks and other areas where house trailers are parked for the purpose of determining whether or not the tax herein prescribed has been paid. The records required to be kept under RCW 19.48.020 shall be open to inspection by the director or his representative.

Right of entry, inspection of records.

SEC. 13. There is added to chapter 139, Laws of 1955 and to chapter 82.50 RCW a new section to read as follows:

New section.

House trailer
excise. Notice
when due—
Contents—
Notice of de-
linquency.

On or before the fifteenth day of February of each calendar year, the director shall cause to be mailed to the owners of house trailers, of record, notice of the amount of tax payable during the calendar year. Said notice shall contain a legal description of the house trailer, prominent notice of penalties, due dates, and such other information as may be required by the director. If the tax is not paid within thirty days of the date payable, the director shall issue a notice of delinquency which may be mailed to the trailer owner, which notice shall advise of the delinquency, and demand immediate payment. If payment is not made within thirty days of the issuance of said notice, the director shall forward a notification of delinquency to the county sheriff of the county wherein the trailer is located, requesting distraint of said trailer.

SEC. 14. There is added to chapter 139, Laws of 1955 and chapter 82.50 RCW a new section to read as follows:

From the first day of the months January, April, July and October of each year, the state treasurer shall make the following apportionment distribution of all moneys remaining in the mobile home excise fund: Five percent thereof shall be credited and transferred to state general fund; seventeen percent thereof shall be paid to cities and towns in proportions and for the purposes hereinafter set forth; seventy-eight percent thereof shall be credited and transferred to the various counties in the proportions and for the purposes hereinafter set forth.

The amount payable to cities and towns shall be apportioned among the several cities and towns within the state ratably on the basis of population according to the latest federal census. The state treasurer shall ascertain as of the first day of January of each year whether, subsequent to the latest federal decennial census, any official estimate

Vetoed.

of the population of any city or town in this state has been made by the federal bureau of census, and if any such estimate has been made, the latest of such estimates for any city or town shall be used in apportioning instead of the population shown in such regular census, and the apportionment so ascertained as of the first day of January of each year shall be used by the treasurer throughout the calendar year.

When apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein and not otherwise. In case it be adjudged that the revenue derived from the excise tax imposed by this chapter cannot be lawfully apportioned or distributed to cities and town, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

Vetoed.

The amounts payable to the various counties shall be apportioned among the counties within the state ratably on the basis of the number of house trailers, paying the tax herein imposed according to information supplied by the director of licenses. Said sums shall be credited by the various county treasurers to the county current school fund, in addition to all other revenue so credited and may be allocated by each county superintendent of schools on the basis of the number of students domiciled in trailers in each school district.

SEC. 15. Section 6, chapter 144, Laws of 1943, as last amended by section 25, chapter 139, Laws of 1955 and RCW 82.44.060 are each amended to read as follows:

RCW 82.44.060
amended.

The excise tax hereby imposed shall be due and payable to the county auditor at the time of registration of a motor vehicle. Whenever an application is

Motor vehicle excise. Payment of tax—Abatement for fractional year—Transfer of ownership.

made to the auditor for a license for a motor vehicle he shall collect, in addition to the amount of the license fee, the amount of the excise tax imposed by this chapter, and no dealer's license or license plates, and no license or license plates for a motor vehicle shall be issued unless such tax is paid in full. The excise tax hereby imposed shall be collected for each calendar year: *Provided*, That upon motor vehicles licensed for the first time in this state after March 31st the excise tax for such year shall be reduced by one-fourth thereof, upon vehicles licensed for the first time in this state after June 30th the excise tax shall be reduced by one-half thereof and upon vehicles licensed for the first time in this state after September 30th the excise tax shall be reduced by three-fourths thereof: *Provided further*, That the tax shall in no case be less than one dollar.

Proviso.

Proviso.

No additional tax shall be imposed under this chapter upon any vehicle upon the transfer of ownership thereof if the tax imposed with respect to such vehicle has already been paid for the year or fraction of a year in which transfer of ownership occurs.

Note: See also section 11, chapter 261, Laws of 1957.

New section.

SEC. 16. There is added to chapter 188, Laws of 1937 and chapter 46.16 RCW a new section to read as follows:

House trailer fee—Fee in lieu.

In lieu of the fee provided in RCW 46.16.060 house trailers shall be licensed for the sum of three dollars.

RCW 46.16.080 amended.

SEC. 17. Section 22, chapter 139, Laws of 1955, section 5, chapter 363, Laws of 1955 and RCW 46.16.080 are each amended to read as follows:

Fixed load machines—Fee in lieu.

In lieu of the additional fee provided in RCW 46.16.070 or 46.16.072 there shall be collected a fee of five dollars on any motor truck, truck tractor, trailer or semitrailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house,

or similar machine or structure attached to or made a part of such motor truck, trailer, or semitrailer: *Provided*, That no additional fee shall be collected under this section or under RCW 46.16.070 or 46.16-.072 on any house trailer.

SEC. 18. Section 1, chapter 264, Laws of 1955 and RCW 82.44.010 are each amended to read as follows:

RCW 82.44.010 amended.

For the purposes of this chapter, unless context otherwise requires:

Definitions.

"Motor vehicle" means all motor vehicles, trailers and semitrailers used, or of the type designed primarily to be used, upon the public streets and highways, for the convenience or pleasure of the owner, or for the conveyance, for hire or otherwise, of persons or property, including fixed loads and facilities for human habitation; but shall not include (1) vehicles carrying exempt licenses, (2) dock and warehouse tractors and their cars or trailers, lumber carriers of the type known as spiders, and all other automotive equipment not designed primarily for use upon public streets, or highways, (3) motor vehicles or their trailers used entirely upon private property, or (4) motor vehicles owned by non-resident military personnel of the armed forces of the United States or Canada, stationed in the state of Washington provided such personnel were also nonresident at the time of their entry into military service; or (5) house trailers as defined in RCW 82.50.010.

"Motor vehicle."

"Commission" or "tax commission" means the tax commission of the state.

"Commission," "tax commission."

SEC. 19. Section 8, chapter 139, Laws of 1955 and RCW 82.50.080, and section 10, chapter 139, Laws of 1955 and RCW 82.50.100, and section 15, chapter 139, Laws of 1955 and RCW 82.50.150 are hereby repealed.

Repeal.

SEC. 20. There is appropriated to the department of licenses from the general fund, the sum of twenty-

Appropriation.

five thousand dollars, or so much thereof as may be necessary to carry out the provisions of this act.

House
trailers,
motor vehicles,
excise.
Effective date.

SEC. 21. This act shall become effective on and after July 1, 1957. House trailers which have been licensed under the provisions of chapter 46.16 RCW shall not be required to procure a license under the provisions of this chapter until January 1, 1958. Upon house trailers for which an excise tax has been paid prior to the effective date of this act a license may be procured hereunder by payment of the license fees required by section 4 of this act. Any house trailer not having a currently valid license plate shall comply with this act within thirty days of the effective date hereof.

Passed the House February 25, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of sections 9, 10, and 14, which are vetoed.

Veto message,
excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"Section 9 creates a new fund 'the mobile home excise fund.' All receipts from the trailer excise tax levied by Substitute House Bill No. 458 would have to be paid into this fund. Section 10 provides for refund for taxes erroneously paid into the 'mobile home excise fund.' Section 14 provides that all monies remaining in the mobile home excise fund should be divided as follows: 5 percent to the state general fund; 17 percent to cities and towns and 78 percent to counties.

"Through an oversight the legislature failed to make an appropriation from the 'mobile excise fund' to make the distributions demanded by section 14. Under existing law the excise tax on trailers would go into the motor vehicle excise fund and under existing law such excise tax on trailers will be distributed in the same manner as the legislature sought to provide in section 14 of this bill. Substitute Senate Bill No. 400, the omnibus appropriation bill, includes an appropriation of forty million dollars from the motor vehicle excise fund. Therefore by vetoing sections 9, 10 and 14 the taxes raised by Substitute House Bill No. 458 would be paid into the proper fund and the appropriation defect in this bill is cured by our existing statutes. Thus, the objectives desired by the bill can be fully carried out.

"For these reasons sections 9, 10 and 14 of Substitute House Bill No. 458 are vetoed and the remainder of the bill is approved."

CHAPTER 270.

[H. B. 499.]

TOLL BRIDGES—FOX ISLAND.

AN ACT relating to the Fox Island toll bridge; providing an appropriation from the motor vehicle fund to Pierce county to be used in part for retirement of the Fox Island toll bridge revenue bonds, such appropriation to be made in exchange for an assignment to the state of Washington by Pierce county of its interests in the Tacoma Narrows toll bridge county aid fund; providing for reductions in tolls and continued operation of the Fox Island toll bridge as a toll facility under certain conditions.

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

SECTION 1. Present tolls on the Fox Island toll bridge have retarded the development of Fox Island for residential purposes because of the financial burden upon residents and potential residents resulting from paying these tolls in addition to those imposed upon the Narrows bridge. The removal or readjustment of tolls from the Fox Island toll bridge is required in the interest of the orderly development of Fox Island. The development of Fox Island will provide additional users of the Narrows bridge with a resultant increase of revenue to the state from tolls due to such additional use.

Declaration
of facts.

SEC. 2. There is hereby appropriated from the motor vehicle fund to the Washington toll bridge authority the sum of one million three hundred fifty thousand dollars or so much thereof as is necessary to make the payment as provided by section 3 of this act. Such appropriation shall not be made unless Pierce county shall by resolution of the board of county commissioners agree to be bound by and perform all obligations imposed upon such county by this act.

Appropriation
to toll bridge
authority
—Prerequisite
to.

SEC. 3. As a condition of the appropriation referred to in section 2 above, Pierce county shall re-

Fox Island toll bridge. Retirement of revenue bonds necessary.

quest the toll bridge authority to retire all Fox Island toll bridge revenue bonds issued in accordance with the resolution of the toll bridge authority adopted February 16, 1953, as amended in part by the resolution of the toll bridge authority adopted March 2, 1953. The toll bridge authority shall then direct the state treasurer to deposit so much of such appropriation in the Fox Island toll bridge revenue bond fund, as established by resolutions of the toll bridge authority heretofore referred to in this section, as is required to retire all outstanding Fox Island toll bridge revenue bonds, including interest and premium on bond retirement. The state treasurer shall then deposit such sum in such bond fund, and the toll bridge authority shall then proceed to redeem all Fox Island toll bridge revenue bonds.

Assignment of funds to motor vehicle fund necessary—Resolution, contents.

SEC. 4. As a condition of the appropriation referred to in section 2 above, Pierce county shall by resolution of its board of county commissioners assign to the motor vehicle fund so much of its right, title, and interest in any moneys now or hereafter deposited in the Tacoma Narrows toll bridge county aid fund, established by resolution of Pierce county adopted March 12, 1948, as shall equal the moneys appropriated and paid from the motor vehicle fund in accordance with sections 2 and 3 of this act, together with such interest as shall be earned by that portion of the Tacoma Narrows toll bridge county aid fund assigned to the motor vehicle fund in accordance with the terms of this act.

Such resolution of the board of county commissioners of Pierce county shall provide that moneys released from the Tacoma Narrows toll bridge county aid fund in accordance with resolutions of the toll bridge authority adopted March 25, 1948, February 16, 1953, and March 2, 1953, relating to the Tacoma Narrows toll bridge and Fox Island toll bridge bond issues, shall first be paid to the motor vehicle fund

until the full amount assigned to said fund, including interest thereon, shall have been so paid. The balance remaining in the county aid fund shall thereafter be released to Pierce county in accordance with resolutions of toll bridge authority adopted March 25, 1948, February 16, 1953, and March 2, 1953.

SEC. 5. Upon the retirement of all Fox Island toll bridge revenue bonds as provided by section 3 of this act, the toll bridge authority shall maintain and collect the tolls on the Fox Island toll bridge at the same rates that were in effect at the time the last of said bonds were retired for as long as will be necessary to provide revenue sufficient to repay to Pierce county the amount advanced out of the Tacoma Narrows toll bridge county aid fund and from funds deposited with the state treasurer under the provisions of section 3 of this act to pay the principal and interest of the Fox Island toll bridge revenue bonds: *Provided*, Following retirement of all Fox Island toll bridge revenue bonds, the board of county commissioners of Pierce county may by resolution and with the concurrence of the toll bridge authority revise from time to time the schedule of tolls and readjust classifications of traffic on the Fox Island toll bridge and cancel any part of the indebtedness due Pierce county for such advances made by it to pay principal and interest on the Fox Island toll bridge revenue bonds.

Toll bridge authority to maintain and collect tolls on bridge.

Proviso.

SEC. 6. All residual sums in the Fox Island toll bridge accounts shall be transferred to the Fox Island toll bridge revenue bond fund when the one million three hundred and fifty thousand dollars appropriation, as appropriated in section 2 of this act, becomes available from the motor vehicle fund for deposit in the Fox Island toll bridge revenue bond fund, except that the Fox Island toll bridge change fund and the Fox Island toll bridge operating fund shall

Transfer of funds to Fox Island toll bridge revenue bond fund—Exception—Books of account—Pierce County to maintain bridge.

Fox Island
toll bridge.
Books of ac-
count—Pierce
County to
maintain
bridge.

be maintained as now provided by resolution of the toll bridge authority adopted February 16, 1953 and amended by resolution of the toll bridge authority adopted March 2, 1953. All costs of toll collection shall be paid from the operating fund. The balance of tolls collected each month and not retained in the operating fund shall be paid to Pierce county on or before the fifteenth day of the following month.

Proper books of account shall be maintained by the Washington toll bridge authority and shall be audited yearly by a qualified auditor designated by the state auditor. A copy of each yearly audit shall be provided for Pierce county.

Toll operations of the Fox Island toll bridge shall be under the complete control of the toll bridge authority, subject however to the provisions of section 5 of this act. Maintenance of the Fox Island toll bridge shall be the sole obligation of Pierce county.

Passed the House March 8, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 271.

[H. B. 614.]

TRANSPORTATION ON PUGET SOUND—STABILIZATION
FUND—EMPLOYEES' RETIREMENT—STUDY.

AN ACT relating to transportation on Puget Sound; defining the powers and duties of the Washington toll bridge authority; creating a Puget Sound transportation stabilization fund and providing for payments to and from such fund from the motor vehicle fund; permitting every employee of the Washington toll bridge authority to participate in the state employees' retirement system and for payments to establish service credit in such system; providing for a study by the joint fact-finding committee on highways, streets and bridges of subsidization of the Puget Sound transportation system from the motor vehicle fund and a report thereon; amending section 1, chapter 83, Laws of 1943 and RCW 46.68.100, section 1, chapter 246, Laws of 1941 and RCW 46.68.130, and section 2, chapter 82, Laws of 1951 and RCW 47.64.060; and making an appropriation.

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

SECTION 1. There is created in the state treasury a permanent fund to be known as the Puget Sound transportation stabilization fund to the credit of which shall be deposited all moneys directed by law to be deposited therein and to be expended as provided by section 2 of this act.

Puget Sound
transportation
stabilization
fund created.

SEC. 2. The Washington toll bridge authority, as an incident of its operation of the Puget Sound transportation system including the operation of toll bridges and ferries, is authorized and directed to make from the Puget Sound transportation stabilization fund such additional payments as are required by extending the coverage of the state employees' retirement system and the federal social security act to employees of the Washington state ferries, a part of the Puget Sound transportation system. Payments shall be made by the authority from the Puget Sound transportation stabilization fund on the presentation

Payments for
employees'
retirement,
from fund.

of vouchers duly processed and approved by the authority.

RCW 46.68.100 amended.

SEC. 3. Section 1, chapter 83, Laws of 1943 and RCW 46.68.100 are each amended to read as follows:

Allocation of net tax amount in motor vehicle fund.

From the net tax amount in the motor vehicle fund there shall be paid sums as follows:

(1) To the Puget Sound transportation stabilization fund sums equal to three-fourths of one percent of the net tax amount to be paid monthly as the same accrues;

(2) To the cities and towns of the state sums equal to fifteen percent of the remainder of the net tax amount to be paid monthly as the same accrues;

(3) To the counties of the state sums equal to forty-one and one-half percent of the remainder of the net tax amount to be paid monthly as the same accrues.

Nothing in this section or in RCW 46.68.090 or 46.68.130 shall be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle funds.

Note: See also section 10, chapter 175, Laws of 1957.

RCW 46.68.130 amended.

SEC. 4. Section 1, chapter 246, Laws of 1941 and RCW 46.68.130 are each amended to read as follows:

Expenditure of balance of motor vehicle fund.

The net tax amount not deducted or distributed in the manner provided by RCW 46.68.090, 46.68.100, 46.68.110, 46.68.120 and section 3 of this amendatory act, and all moneys accruing to the motor vehicle fund from any other source, less such sums as are expended pursuant to proper appropriation for costs of collection and administration thereof, shall be expended by the department of highways, subject to proper appropriation and reappropriation, for state highways and other proper department of highways purposes.

Note: See also section 3, chapter 105, Laws of 1957.

SEC. 5. Any funds credited to the Puget Sound transportation stabilization fund and remaining unexpended at the expiration of each biennium shall revert to the motor vehicle fund.

Unexpended sum in fund reverts to motor vehicle fund.

SEC. 6. Subject to the provisions of chapter 41.40 RCW every employee of the Washington toll bridge authority shall become a member of the state employees' retirement system. The Washington toll bridge authority shall pay into the state retirement system the required employer's contributions for each employee for the period beginning April 1, 1949 or from the time he became eligible for membership. Each eligible member shall receive credit for all of his former service from the beginning of his employment on ferries, wharves, or terminals acquired, leased or constructed by or for the Washington toll bridge authority. Satisfactory proof of service with previous employer shall be furnished the state employees' retirement board by employee.

Employees to be members of state employees' retirement system—Credit for former service.

SEC. 7. Section 5, chapter 148, Laws of 1949 as amended by section 2, chapter 82, Laws of 1951, and RCW 47.64.060 are each amended to read as follows:

RCW 47.64.060 amended.

All employees engaged in the operation of ferries acquired by the authority shall remain subject to the federal social security act and shall be under the state employees' retirement act. The authority shall make such deductions from salaries of employees and contributions from revenues of the authority as shall be necessary to qualify such employees for benefits under the federal social security act; and the appropriate officials are authorized to contract with the secretary of health, education and welfare to effect such coverage.

Federal social security.

SEC. 8. Any employer's contribution required to establish employees' credit for former service under section 6, shall be paid by the Washington toll bridge authority in such amount as will entitle the employee

Employer's contribution for employees' former service—Rate payable.

Toll bridge authority employees' retirement. Employer's contribution for employee's former service —Rate payable

to all rights, benefits and privileges that he would have been entitled to had he been a member of the state employees' retirement system from the beginning of his employment with the authority on or after June 1, 1951. Such contributions for former service shall be payable at the rate of seventy-five thousand dollars in each calendar year and shall continue at such rate until such payments are equal to the then outstanding liability for former service credits.

Appropriation.

SEC. 9. There is appropriated from the motor vehicle fund to the Puget Sound transportation stabilization fund and from the Puget Sound transportation stabilization fund to the authority for the biennium beginning July 1, 1957, and ending June 30, 1959, the sum of seven hundred fifty thousand dollars, or so much thereof as is necessary, to carry out the provisions of this act.

Study of property subsidy authorized.

SEC. 10. The joint fact-finding committee on highways, streets, and bridges, in cooperation with the Washington toll bridge authority, shall, before July 1, 1957, enter upon a study of the whole problem of the proper subsidy, if any, to be paid from the motor vehicle fund, toward the operation of an integrated Puget Sound transportation system, including the operation of ferries and bridges constructed to replace ferries, and shall report thereon to the 1959 legislature prior to its convening.

Severability.

SEC. 11. 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.

Expiration date.

SEC. 12. This act shall expire on June 30, 1959.

Passed the House March 8, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 272.

[Sub. H. B. 618.]

DEPARTMENT OF INSTITUTIONS—COMMISSION
ESTABLISHED— DIVISIONS CREATED.

AN ACT relating to state government; amending section 1, chapter 195, Laws of 1955 and RCW 43.28.010, and section 4, chapter 234, Laws of 1951 and RCW 43.19.280; adding fourteen new sections to chapter 43.28 RCW; and making an appropriation.

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

SECTION 1. Section 1, chapter 195, Laws of 1955 and RCW 43.28.010 are each amended to read as follows:

RCW 43.28.010 amended.

(1) The department of institutions as an agency of the government of the state of Washington is hereby established.

Department established— Director qualifications, term, oath, etc.

(2) The office of director of institutions is hereby established.

(3) The director of institutions shall have had at least five years' institutional experience of a demonstrably successful type in an executive or supervisory capacity in at least one type of large institution set forth in RCW 43.28.020.

(4) The governor, with the advice and consent of the senate, shall appoint the director of institutions who shall be the chief executive and administrative officer of the department of institutions. The director shall hold office at the pleasure of the governor who shall fix his salary. If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate when he shall present to that body his nomination for the office.

SEC. 2. There are added to chapter 43.28 RCW four new sections to read as set forth in sections 3 through 6 of this amendatory act.

New section.
Commission
established.
Members—
Qualifications
—Appoint-
ment.

SEC. 3. There is established a commission of seven members to be appointed by the governor, with the consent of the senate. The governor may appoint one of the members as chairman of the commission.

(1) Each member shall be an elector of the state.

(2) One member shall have had five years' successful experience as a business executive.

(3) One member shall have had five years' successful experience as a practicing psychiatrist and shall be licensed as such in this state.

(4) One member shall have had five years' successful experience as an attorney at law and be an active member of the Washington state bar association.

(5) One member shall have had five years' practical experience in the field of labor relations.

(6) One member shall have had five years' successful practical experience in the industrial personnel field.

(7) One member shall have had four years' successful practical experience in a state governmental department or a department of a political subdivision of state government.

(8) One member shall be a woman who shall have had five years' successful experience as a member of an organization active in one or more of the fields constituting one of the subdivisions of the department of institutions.

New section.
Members—
Terms—Va-
cancies.

SEC. 4. The members of the commission to be appointed after the taking effect of this act shall be appointed for terms beginning April 1, 1957, and expiring as follows: Three members for a term of two years from April 1, 1957; and two members for a term of four years from April 1, 1957; and two members for a term of six years from April 1, 1957. Each member appointed hereunder shall hold office until his successor is appointed and qualified. Upon the expiration of the term of each of the seven members

appointed as aforesaid each succeeding member shall be appointed and hold office for the term of six years. In case of a vacancy it shall be filled by appointment of the governor for the unexpired portion of the term during which the vacancy occurs.

SEC. 5. The commission shall meet regularly not more than once each month and may hold additional meetings upon the call of the chairman or at the request of the director. The director shall attend all meetings of the commission.

New section.
Commission
meetings.

Each member shall receive a per diem allowance and traveling expenses in accordance with the rates established for other state officers and employees under RCW 43.03.050 as now or hereafter amended.

SEC. 6. The commission shall act as an advisory and consulting body for the department.

New section.
Commission,
advisory body.

SEC. 7. Section 4, chapter 234, Laws of 1951 and RCW 43.19.280 are each amended to read as follows:

RCW 43.19.280
amended.

Upon the taking effect of RCW 43.19.260 to 43.19-.440, the director of institutions shall appoint and deputize an assistant director to be known as the supervisor of children and youth services. The appointment of the supervisor shall be based upon character, education, experience, ability, and aptitudes for the duties of such position, and the supervisor of the division of children and youth shall have had five years' successful administrative experience in the field of children and youth, at the budget, policy, and administrative level: *Provided*, That a master's degree in the field of children and youth shall count for one year of experience and a doctorate degree in the field of children and youth shall count for two years' experience.

Supervisor of
children and
youth services
—Appointment
—Duties.

Proviso.

SEC. 8. There are added to chapter 43.28 RCW ten new sections to read as set forth in sections 9 through 18 of this amendatory act.

New section.
Division of
mental health.

SEC. 9. There is established within the department of institutions a new division to be known as the division of mental health.

New section.
Supervisor of
mental health.

SEC. 10. The director of institutions shall appoint and deputize an assistant director to be designated the supervisor of mental health.

New section.
Supervisor of
mental health
—Qualifica-
tions.

SEC. 11. The supervisor of the division of mental health shall be a doctor of medicine and shall have had five years' of successful administrative experience in the field of mental health at the budget, policy making, and administrative level, and, in addition, shall have successful experience in the clinical and clinical administrative mental illness field.

New section.
Duties of divi-
sion of mental
health.

SEC. 12. The supervisor of mental health, through the division of mental health, and with the approval of the director of institutions, shall exercise all powers and perform all duties prescribed by law with respect to the administration of the mental health program by the department.

New section.
Division of
adult correc-
tions.

SEC. 13. There is established within the department of institutions a new division to be known as the division of adult corrections.

New section.
Supervisor of
adult correc-
tions.

SEC. 14. The director of institutions shall appoint and deputize an assistant director to be designated the supervisor of adult corrections.

New section.
Supervisor of
adult correc-
tions—Qualifi-
cations.

SEC. 15. The supervisor of the division of adult correction shall have had five years' successful administrative experience in the adult correctional field, at the budget, policy, and administrative level: *Provided*, That a master's degree in the field of adult correction shall count for one year of experience and a doctorate degree in the field of adult correction shall count for two years' experience.

Proviso.

New section.
Supervisor of
adult correc-
tions—Duties.

SEC. 16. The supervisor of adult corrections, through the division of adult corrections, and with the approval of the director of institutions, shall

exercise all powers and perform all duties prescribed by law with respect to the administration of the adult correctional program by the department.

SEC. 17. The department of institutions is designated the mental health authority of the state for the purpose of receiving and disbursing federal grants for mental health purposes.

SEC. 18. The director shall adopt personnel standards which may be promulgated by a federal agency as a condition to procurement of federal funds for the use of the department or a division.

SEC. 19. To carry out the provisions of this amendatory act relating to the powers and duties of the commission established, there is appropriated from the general fund for the biennium ending June 30, 1959 to the commission the sum of..... dollars, or so much thereof as shall be necessary.

Vetoed.

Passed the House March 9, 1957.

Passed the Senate March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of sections 17, 18, and 19, which are vetoed.

Note: Excerpt of Governor's veto message reads as follows:

"Substitute House Bill No. 618 enables the Governor to establish an advisory commission of 7 members to aid in the administration of the Department of Institutions. Section 17 designates the Department of Institutions as the mental health authority of the state for the purpose of receiving and disbursing federal grants for mental health purposes. Section 18 would require the Director of Institutions to adopt personnel standards which would be required by the federal government if section 17 were to become law. Section 19 intended to make an appropriation for the commission established by Substitute House Bill No. 618. The legislature left the amount of the appropriation blank so as to render the same null and void.

Veto message, excerpt from.

"It has come to my attention that the State Health Department is at the present time successfully operating in certain counties community mental health programs. These programs have been conducted successfully and deserve to be carried on by the State Health Department, which operates such programs with federal funds. I do not wish to interfere with these well established community programs and therefore veto section 17. Section 18 is vetoed because it is no longer necessary to the main purpose of the bill after section 17 has been vetoed.

"For the reasons indicated sections 17, 18 and 19 of Substitute House Bill No. 618 are vetoed and the remainder of the bill is approved."

CHAPTER 273.

[H. B. 643.]

MOTOR VEHICLES.

AN ACT relating to motor vehicles; amending section 2, chapter 363, Laws of 1955 and RCW 46.16.070; section 3, chapter 363, Laws of 1955 and RCW 46.16.072; section 6, chapter 363, Laws of 1955 and RCW 46.16.090; adding a new section to chapter 46.12 RCW; section 24, chapter 188, laws of 1937 as last amended by section 17, chapter 384, Laws of 1955, and RCW 46.16.160; section 2, chapter 89, Laws of 1955 and RCW 46.16.210; section 66, chapter 188, Laws of 1937 and RCW 46.20.290 through 46.20.330; section 49, chapter 189, Laws of 1937 as last amended by section 22, chapter 269, Laws of 1951 and RCW 46.44.030; section 24, chapter 269, Laws of 1951 and RCW 46.44.034; section 3, chapter 384, Laws of 1955 and RCW 46.44.037; section 4, chapter 384, Laws of 1955 and RCW 46.44.040; section 1, chapter 185, Laws of 1955 and RCW 46.44.095; section 41, chapter 269, Laws of 1951 as amended by section 14, chapter 254, Laws of 1953 and RCW 46.44.097; section 13, chapter 150, Laws of 1951 and RCW 46.70.100; section 6, chapter 262, Laws of 1947 and RCW 46.80.060; section 2, chapter 381, Laws of 1955 and RCW 46.84.020; section 5, chapter 381, Laws of 1955 and RCW 46.84.050; adding a new section to chapter 46.16 RCW; repealing section 1, chapter 184, Laws of 1943 and RCW 46.20.370; providing penalties and declaring an emergency.

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

RCW 46.16.070 amended.

SECTION 1. Section 2, chapter 363, Laws of 1955 and RCW 46.16.070 are each amended to read as follows:

Vehicle licenses. Gross weight fees on trucks.

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees:

Proviso.

Provided, however, That all trucks or truck tractors having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal

limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Gross weight
fees on trucks.

Up to 4,000 lbs..	\$ 4.50
4,000 lbs. or more and less than 6,000 lbs..	\$ 9.50
6,000 lbs. or more and less than 8,000 lbs..	\$ 15.50
8,000 lbs. or more and less than 10,000 lbs..	\$ 18.50
10,000 lbs. or more and less than 12,000 lbs..	\$ 21.50
12,000 lbs. or more and less than 14,000 lbs..	\$ 25.00
14,000 lbs. or more and less than 16,000 lbs..	\$ 30.00
16,000 lbs. or more and less than 18,000 lbs..	\$ 50.00
18,000 lbs. or more and less than 20,000 lbs..	\$ 70.00
20,000 lbs. or more and less than 22,000 lbs..	\$100.00
22,000 lbs. or more and less than 24,000 lbs..	\$125.00
24,000 lbs. or more and less than 26,000 lbs..	\$160.00
26,000 lbs. or more and less than 28,000 lbs..	\$190.00
28,000 lbs. or more and less than 30,000 lbs..	\$230.00
30,000 lbs. or more and less than 32,000 lbs..	\$285.00
32,000 lbs. or more and less than 34,000 lbs..	\$325.00
34,000 lbs. or more and less than 36,000 lbs..	\$370.00

SEC. 2. Section 3, chapter 363, Laws of 1955 and RCW 46.16.072 are each amended to read as follows:

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semitrailer and pole trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That all trailers, semitrailers and pole trailers having an unladen weight of more than four thousand pounds shall be licensed for not less than one hundred fifty percent of its empty weight unless such an amount would be in excess of the legal limits prescribed for such a vehicle in RCW 46.44.040 in which event the vehicle shall be licensed for the maximum gross load specified for such a vehicle in RCW 46.44.040:

Proviso.

4,000 lbs. or more and less than 6,000 lbs.. \$ 9.50

Vehicle li-
censes.
Gross weight
fees on trucks.

6,000 lbs. or more and less than 8,000 lbs..	\$ 15.50
8,000 lbs. or more and less than 10,000 lbs..	\$ 18.50
10,000 lbs. or more and less than 12,000 lbs..	\$ 21.50
12,000 lbs. or more and less than 14,000 lbs..	\$ 25.00
14,000 lbs. or more and less than 16,000 lbs..	\$ 30.00
16,000 lbs. or more and less than 18,000 lbs..	\$ 50.00
18,000 lbs. or more and less than 20,000 lbs..	\$ 70.00
20,000 lbs. or more and less than 22,000 lbs..	\$100.00
22,000 lbs. or more and less than 24,000 lbs..	\$125.00
24,000 lbs. or more and less than 26,000 lbs..	\$160.00
26,000 lbs. or more and less than 28,000 lbs..	\$190.00
28,000 lbs. or more and less than 30,000 lbs..	\$230.00
30,000 lbs. or more and less than 32,000 lbs..	\$285.00
32,000 lbs. or more and less than 34,000 lbs..	\$325.00
34,000 lbs. or more and less than 36,000 lbs..	\$370.00

RCW 46.16.160
amended.

SEC. 3. Section 24, chapter 188, Laws of 1937 as last amended by section 17, chapter 384, Laws of 1955, and RCW 46.16.160 are each amended to read as follows:

Fees on out-
of-state com-
mercial vehic-
les—Recipro-
city.

Any commercial vehicle bearing valid license plates and registration certificate of another state or territory and not registered in this state and which under reciprocal relations with that state would be required to obtain a motor vehicle license in this state may, in lieu of a certificate of ownership and license registration, be issued a permit. Such permit shall be issued in such form and under such conditions as the director shall prescribe. Application for the permit shall be made to the director or his designated agent on forms provided by the director. On receiving such application, together with fees as provided herein, a permit may be issued for a period of not to exceed seventy-two consecutive hours.

Proviso.

The permit shall be valid for the conduct of inter-state operations only: *Provided, however,* That the director, or his designated agent, shall be authorized to issue a further permit on the same vehicle or

combination of vehicles upon the expiration of an existing permit.

Fees on out-of-state commercial vehicles—Reciprocity.

For each permit issued the director or his designated agent shall assess an administrative charge of two dollars plus the following fees:

Vehicles with gross loads of		
0	9,999 lbs.....	\$2.50
10,000	19,999 lbs.....	\$3.75
20,000	29,999 lbs.....	\$5.00
30,000	36,000 lbs.....	\$7.50

Provided further, That these fees shall not be subject to quarterly reduction as provided in RCW 46.16.130. Such vehicles will be subject to all of the laws, rules and regulations affecting the operation of like motor vehicles in this state. The permit shall be displayed at all times in a prominent place on the vehicle, or if vehicle is a trailer, then the permit shall be at all times in vehicle operator's possession. All fees collected under the provisions of this chapter shall be forwarded by the director with a proper identifying detailed report to the state treasurer who shall deposit such fees to the credit of the motor vehicle fund:

Proviso.

Provided, The imposition of the capacity fees set forth in this section shall be considered reciprocal and shall apply only to vehicles licensed in other states, which states charge their full fees or approximately full fees, or charge upon a basis similar to the one set up in this section, for vehicles licensed in this state and operating in such other states, and in the event reciprocity is accorded by other states, the capacity fee charged for vehicles licensed in such other state or states, shall be on the same basis as charged by such other respective state.

Proviso.

SEC. 4. There is added to chapter 46.16 RCW a new section to read as follows:

New section.

During the months of October, November, December, January, February, and March the gross weight license fee of a three-axle truck tractor and a

Monthly license for log-hauling vehicles.

Vehicle li-
censes.
Monthly
license for
log-hauling
vehicles.

two-axle pole trailer used exclusively for the transportation of logs may be purchased for a monthly period. The fee for such a monthly license shall be one-twelfth the annual fee provided for in RCW 46.16.070 or 46.16.074 in the case of trucks, and one-twelfth of the annual fee provided for in RCW 46.16.072 in the case of pole trailers. For each fee so paid, other than at the time of the payment of the basic license fee, an additional fee of one dollar shall be charged by the director. The monthly license shall be effective from the first day of the month in which it is purchased, through the last day of that calendar month. The director is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia which shall state the month for which the vehicle is licensed. No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator thereof within five days after the expiration of any such monthly period applies for, and pays the required fee for, a license for an additional monthly period, a three-month period, or for the remainder of the year. Any person who operates any such vehicle upon the public highways after the expiration of said five days, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire year's license for operation thereof, less the fees for any period or periods of the year already paid. If, within five days thereafter, no license for a full year has been purchased as required aforesaid, the Washington state patrol, county sheriff, or city police shall impound such vehicle in such manner as may be directed for such cases by the chief of the Washington state patrol, until such requirement is met.

This section shall become effective September 1,

1957, and shall expire on September 1, 1959, unless extended by future act of the Legislature.

SEC. 5. Section 2, chapter 89, Laws of 1955 and RCW 46.16.210 are each amended to read as follows:

RCW 46.16.210 amended.

(1) Upon receipt of the application and proper fee for original vehicle license, the director shall make a recheck of the application and in the event that there is any error in the application it may be returned to the county auditor or other agent to effectively secure the correction of such error, who shall return the same corrected to the director.

Original applications, corrections—Renewals, fees, transmittal, filing date, penalty.

(2) Application for the renewal of a vehicle license shall be made to the director or his agents, including county auditors, by the registered owner on a form prescribed by the director. The application must be accompanied by the certificate of registration for the last registration period in which the vehicle was registered in Washington unless the applicant submits a preprinted application mailed from Olympia, and the payment of such license fees and excise tax as may be required by law. Such application shall be handled in the same manner and the fees transmitted to the state treasurer in the same manner as in the case of an original application. Any such application which upon validation becomes a renewal certificate need not have entered upon it the name of the lien holder, if any, of the vehicle concerned.

Note: See also section 7, chapter 261, Laws of 1957.

SEC. 6. Section 66, chapter 188, Laws of 1937 (heretofore divided and codified as RCW 46.20.290 through 46.20.330), is divided and amended as set forth in sections 7 through 11 of this act.

Division and amendment.

SEC. 7. (RCW 46.20.290) The director may in his sound discretion immediately suspend the vehicle operator's license of any person whenever he has reason to believe:

Operator's license. Suspension of license by director—Causes.

(1) That such person has committed an offense

Operator's
license.
Suspension of
license by
director--
Causes.

for which mandatory suspension or revocation of licenses is provided by law;

(2) That such person has, by reckless or unlawful operation of a motor vehicle, caused or contributed to an accident resulting in death or injury to any other person or serious property damage;

(3) That such person is incompetent to drive a motor vehicle or is afflicted with mental or physical infirmities or disabilities rendering it unsafe for such person to operate a motor vehicle upon the public highways; or

(4) That such person is a habitually reckless or negligent operator of a motor vehicle or has committed a serious violation of the motor vehicle laws of this state.

Whenever the director suspends the vehicle operator's license of a person for any reason, he shall immediately notify the licensee in person or by registered or certified mail, and may thereafter upon further information either rescind his temporary order of suspension, or, good cause appearing therefor, may continue in force such suspension for the full period thereof.

RCW 46.20.300
enacted
without
amendment.

SEC. 8. (RCW 46.20.300) The director of licenses may suspend, revoke, or cancel the vehicle operator's license of any resident of this state upon receiving notice of the conviction of such person in another state of an offense therein which, if committed in this state, would be ground for the suspension or revocation of the vehicle operator's license. The director may further, upon receiving a record of the conviction in this state of a nonresident operator of a motor vehicle of any offense under the motor vehicle laws of this state, forward a certified copy of such record to the motor vehicle administrator in the state of which the person so convicted is a resident; such record to consist of a copy of the judgment and sentence in the case.

SEC. 9. (RCW 46.20.310) The director shall not suspend a vehicle operator's license for a period of more than one year and upon suspending, revoking, or canceling any license shall require that such license be surrendered to and retained by him except that at the end of a period of suspension the license so surrendered shall be returned to the licensee, upon proper application for reinstatement.

RCW 46.20.310
enacted
without
amendment.

SEC. 10. (RCW 46.20.320) Any suspension, revocation, or cancellation of a vehicle operator's license shall be in effect notwithstanding the certificate itself is not delivered over or possession thereof obtained by a court, officer, or the director.

RCW 46.20.320
enacted
without
amendment.

SEC. 11. (RCW 46.20.330) Any person whose vehicle operator's license is revoked shall not be entitled to apply for or receive any new vehicle operator's license until the expiration of one year from the date of the revocation thereof.

RCW 46.20.330
enacted
without
amendment.

SEC. 12. A new section is hereby added to chapter 46.12 RCW to read as follows:

New section.

Any licensed wrecker in possession of a motor vehicle ten years old or older, and ownership of which or whose owner's residence is unknown, may apply to the director of licenses for a permit to junk or wreck such motor vehicle, or any part thereof. Upon such application, a permit may be issued by the director, upon receipt of a fee of one dollar, in a form to be prescribed by the director to authorize such wrecker to wreck or junk such vehicle, or any part thereof.

Permit to junk
vehicles.

SEC. 13. Section 6, chapter 363, Laws of 1955 and RCW 46.16.090 are each amended to read as follows:

RCW 46.16.090
amended.

Motor trucks or trailers of less than twenty-six thousand pounds may be specially licensed based on the maximum gross weight thereof for fifty percent of the various amounts set forth in the schedule provided in RCW 46.16.070, when such trucks or trailers

Vehicle
licenses.
Gross weight
fees on farm
trucks and
trailers.

Vehicle licenses. Gross weight fees on farm trucks and trailers.

are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such trucks or trailers are to be used for the transportation of such farmer's own farm, orchard or dairy products from point of production to market or warehouse, and of supplies to be used on his farm; and/or

(2) When such trucks or trailers are to be used for the infrequent or seasonal transportation by one such farmer for another farmer in his neighborhood of products of the farm, orchard or dairy owned by such other farmer from point of production to market or warehouse, or supplies to be used on such other farm, but only if such transportation for another farmer is for compensation other than money:

Proviso.

Provided, however, That farmers shall be permitted an allowance of an additional eight thousand pounds, within the legal limits, on motor trucks or trailers, when used in the transportation of such farmer's own farm machinery between his own farm or farms and for a distance of not more than thirty-five miles from his farm or farms.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to be signed by the farmer to the effect that the vehicle or trailer concerned will be used subject to the limitations of this section. The department shall prepare special insignia which shall be placed upon all such vehicles or trailers to indicate that the vehicle or trailer is specially licensed, or may, in its discretion, substitute a special license plate for such vehicles or trailers for such designation.

Penalty.

Any person who operates such a specially licensed vehicle or trailer in transportation upon the public highways in violation of the limitations of this section shall be guilty of a misdemeanor.

SEC. 14. Section 49, chapter 189, Laws of 1937 as last amended by section 22, chapter 269, Laws of 1951 and RCW 46.44.030 are each amended to read as follows:

RCW 46.44.030 amended.

It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five feet, except that an auto stage shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet, but the operation of any such auto stage upon the public highways shall be limited as determined by the director of highways. It is unlawful for any person to operate upon the public highways any combination of vehicles which, with or without load, has an overall length in excess of sixty feet, or any combination of vehicles containing any vehicle of which the permanent structure has an overall length in excess of forty feet. Said length limitations shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

Motor vehicles, size, weight, load, Maximum length.

SEC. 15. Section 24, chapter 269, Laws of 1951 and RCW 46.44.034 are each amended to read as follows:

RCW 46.44.034 amended.

The load, or any portion of any vehicle, operated alone upon the public highways of this state, or the load, or any portion of the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper.

Maximum length—Front and rear protrusions.

No vehicle shall be operated upon the public

highways with any part of the permanent structure or load extending in excess of fifteen feet beyond the center of the last axle of such vehicle.

RCW 46.44.037 amended.

SEC. 16. Section 3, chapter 384, Laws of 1955 and RCW 46.44.037 are each amended to read as follows:

Motor vehicles, size, weight, load, Combination of units—Lawful operations—Special permits.

It shall be lawful to operate a truck tractor, semitrailer and a trailer in combination subject to such rules and regulations as the state highway commission may adopt governing the operation of such a combination, and for the purpose of this section a converter gear used to convert a semitrailer into a trailer shall not be deemed a separate vehicle but shall be considered to be a part of the trailer.

Such a combination when licensed for a total gross weight of seventy-two thousand pounds may be entitled to a special permit authorizing the combination to carry not more than four thousand pounds of gross weight in excess of the maximum allowed in RCW 46.44.044 upon the payment of the fees set forth in RCW 46.44.095 and on such highways and subject to such terms and conditions as the state highway commission shall prescribe pursuant to the provisions of RCW 46.44.095: *Provided*, That any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under this section may confiscate such permit and forward it to the state highway commission which may return it to the permittee or revoke, cancel, or suspend it.

RCW 46.44.040 amended.

SEC. 17. Section 4, chapter 384, Laws of 1955 and RCW 46.44.040 are each amended to read as follows:

Maximum gross weights—Axle factor.

(1) It is unlawful to operate any vehicle upon the public highways with a gross weight including load upon any one axle thereof in excess of eighteen thousand pounds.

It is unlawful to operate any one axle semitrailer upon the public highways with a gross weight in-

cluding load upon such one axle in excess of eighteen thousand pounds.

Maximum
gross
weights—Axle
factor.

It is unlawful to operate any truck or truck tractor upon the public highways of this state supported upon two axles with a gross weight including load in excess of twenty-eight thousand pounds.

It is unlawful to operate any semitrailer or pole trailer upon the public highway supported upon two axles with a gross weight including load in excess of thirty-two thousand pounds. It is unlawful to operate any two axle trailer upon the public highways with a gross weight, including load, in excess of thirty-six thousand pounds.

Except as provided in RCW 46.44.095 it is unlawful to operate any vehicle upon the public highways supported upon three axles or more with a gross weight including load in excess of thirty-six thousand pounds.

(2) The maximum axle and gross weights specified in subsection (1) above are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

(3) It is unlawful to operate any vehicle upon the public highways equipped with two axles spaced less than seven feet apart, unless the two axles are so constructed and mounted in such a manner to provide oscillation between the two axles and that either one of the two axles will not at any one time carry more than the maximum gross weight allowed for one axle or two axles specified in subsection (1) above.

SEC. 18. Section 1, chapter 185, Laws of 1955 and RCW 46.44.095 are each amended to read as follows:

When fully licensed to the maximum gross weight permitted under RCW 46.44.040, a three-axle truck operated as a solo unit and not in combination shall be eligible to carry gross weight in excess of that

RCW 46.44.095
amended.
Special permits
—Additional
gross load—
Fee.

Motor vehicles,
size, weight,
load.
Special permits
—Additional
gross load—
Fee.

Proviso.

permitted for such a vehicle in RCW 46.44.040 upon the payment to the state highway department of a fee of fifty dollars for each two thousand pounds of excess weight: *Provided*, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44-.042.

Proviso.

When fully licensed to the maximum gross weight permitted under RCW 46.44.040 and when operated in combination with another vehicle, a three or more axle truck-tractor, a three or more axle truck and a three or more axle dromedary truck-tractor may be eligible under a special permit to be issued by the highway commission to carry additional gross loads beyond the limit specified for such vehicles in RCW 46.44.040 upon the payment of a fee of fifty dollars per two thousand pounds of excess weight but not to exceed one hundred dollars for the total excess weight: *Provided*, That the axle loads of such vehicles shall not exceed the limits specified in RCW 46.44.040 and the tire limits specified in RCW 46.44.042: *And provided further*, That the gross weight of a three or more axle truck operated in combination with a two or three-axle trailer shall not exceed seventy-six thousand pounds, and the gross weight for a three or more axle truck-tractor operated in combination with a semitrailer shall not exceed seventy-three thousand two hundred eighty pounds.

Proviso.

The special permit provided for in the preceding paragraph for combinations shall be issued under such rules and regulations and upon such terms and conditions as may be prescribed by the state highway commission. Such special permits shall entitle the permittee to carry such additional load in such an amount and upon such highways or sections of highways as may be determined by the state highway commission to be capable of withstanding such in-

creased gross load without undue injury to the highway.

Special permits
—Additional
gross load
—Fee.

The fee for such additional gross weight shall be payable for a twelve month period beginning and ending on April 1st of each calendar year. The additional gross weight provided for herein can be purchased at any time and if purchased on or after July 1st of any year, the fee shall be seventy-five percent of the full annual fee and if purchased on or after October 1st the fee shall be fifty percent of the full annual fee and if purchased on or after December 1st the fee shall be twenty-five percent of the full annual fee.

The fees levied in RCW 46.44.094 and this section shall not apply to any vehicles owned and operated by the state of Washington, any county within the state or any city or town within the state, or by the federal government.

In the case of fleets prorating license fees under the provisions of chapter 46.84 RCW the fees provided for in RCW 46.44.037 and RCW 46.44.095 shall be computed by the state highway commission by applying the proportion of the Washington mileage of the fleet in question to the total mileage of the fleet as reported pursuant to chapter 46.48 RCW to the fees that would be required to purchase the additional weight allowance for all eligible vehicles or combinations of vehicles for which the extra weight allowance is requested.

The state highway commission shall prorate the fees provided in RCW 46.44.037 and RCW 46.44.095 only if the name of the operator or owner is submitted on official listings of authorized fleet operators furnished by the department of licenses. Listings furnished shall also include the percentage of mileage operated in Washington, which shall be the same percentage as determined by the department of licenses for purposes of prorating license fees.

RCW 46.44.097
amended.

SEC. 19. Section 41, chapter 269, Laws of 1951 as amended by section 14, chapter 254, Laws of 1953 and RCW 46.44.097 are each amended to read as follows:

Motor vehicles,
size, weight,
load.
Special per-
mits—Mis-
representa-
tions and
violations—
Penalty—Dis-
play of permit.

Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars or more than one hundred dollars.

Any person who operates any vehicle, the gross weight of which is in excess of the maximum for which such vehicle may be eligible for license, or in excess of legal size limitations, without first obtaining a special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars.

Every special permit issued hereunder shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer or authorized agent of any authority granting such permit.

Any state highway patrol officer who shall find any person operating a vehicle in violation of the conditions of a special permit issued under RCW 46.44.095 may confiscate such permit and forward the same to the state highway commission which may return it to the permittee or revoke, cancel or suspend it without refund. The state highway commission shall keep a record of all action taken upon permits so confiscated and if a permit shall be returned to the permittee the action taken by the commission shall be endorsed thereon. Any permittee whose permit is suspended or revoked may upon request receive a hearing before the commission or person designated by the commission. The commission after such hearing may reinstate any permit or revise its previous action.

SEC. 20. Section 13, chapter 150, Laws of 1951 and RCW 46.70.100 are each amended to read as follows:

RCW 46.70.100 amended.

The director may refuse to issue a dealer license, or may suspend or revoke a dealer license whenever he has reason to believe that such dealer has:

Dealer's license. License refusal, suspension, revocation—Grounds.

- (1) Forged the signature of the registered or legal owner on a certificate of title;
- (2) Sold or disposed of a vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;
- (3) Wilfully misrepresented any material fact in the applications for a vehicle dealer's license, certificate of registration or certificate of title;
- (4) Wilfully failed to deliver to a purchaser a certificate of title to the car sold; and/or
- (5) Suffered or permitted the cancellation of the bond or the exhaustion of the penalty thereof;
- (6) Been convicted of, or has suffered a judgment to be taken against him, in any action in which fraud or misrepresentation is an element.

SEC. 21. Section 6, chapter 262, Laws of 1947 and RCW 46.80.060 are each amended to read as follows:

RCW 46.80.060 amended. Auto wreckers. License plates.

The motor vehicle wrecker shall obtain a special set of license plates in addition to the regular licenses and plates required for the operation of such vehicles which shall be displayed on vehicles owned and/or operated by him and used in the conduct of his business. The fee for these plates shall be five dollars for the original plates and two dollars for each additional set of plates bearing the same license number.

SEC. 22. Section 2, chapter 381, Laws of 1955 and RCW 46.84.020 are each amended to read as follows:

RCW 46.84.020 amended. Proportional registration and licensing.

Any owner or person entitled to the possession or right to operate vehicles, engaging in operating fleets of four or more vehicles in this state may, in lieu of registration of such vehicles under the pro-

Highway user
tax structure.
Proportional
registration
and licensing.

visions of chapter 46.16, and payment of excise taxes or fees imposed by chapter 82.44 and RCW 81.80.320, register and license each such fleet for operation in this state by filing a sworn statement with the department of licenses declaring the total mileage operated with each such fleet of vehicles in all jurisdictions and the total mileage operated in this state during the preceding calendar year or a twelve month period designated by the department with each such fleet and describing and identifying each vehicle in each fleet to be operated in this state during the ensuing license year. Such statements shall also be accompanied by a total fee payment not less than an amount obtained by applying the proportion of instate fleet miles to total fleet miles, as reported in said statement to the amounts respectively which would otherwise be required under said chapter 46.16, chapter 82.44, and RCW 81.80.320, for complete licensing and registration of such fleet in this state. The following definitions of fleet mileage shall be applied: "Instate fleet miles" shall be the total number of miles operated with a fleet, as herein defined, during the calendar period prescribed for an application, and shall not include miles traveled by any vehicle which did not, during such calendar period, actually travel in some other state. "Total fleet miles" shall be the total number of miles operated with a fleet, as defined herein, in all jurisdictions, including states, districts, possessions, territories of the United States and states and provinces of other countries, and shall not include miles traveled by any vehicle which did not, during such period, actually travel a portion of those miles in this state. The department shall transmit the amounts of fees and taxes collected under the provisions of this chapter pursuant to the provisions of chapter 46.16, chapter 82.44 and RCW 81.80.320 to the state treasurer, who shall deposit the same in

the funds designated by the provisions of said acts. The departments shall thereupon register and issue a license plate, plates or other distinctive sticker or suitable device for each vehicle named in said statement identifying it as an interstate fleet vehicle, which shall be exempt from all further license, weight fee, motor freight carrier gross weight fee and motor vehicle excise requirements of this state for any type of movement or operation. A fee of two dollars shall be paid for each such sticker or device issued. The proportional registration and licensing provisions of this section shall apply to vehicles added to said fleet and operated in this state during the license year. Nonresidents shall be entitled to proportional registration hereunder unless the terms and conditions of any reciprocity agreement, arrangement, or declaration filed in the office of the director of licenses under the provisions of this chapter require otherwise.

Proportional
registration
and licensing.

SEC. 23. Section 5, chapter 381, Laws of 1955 and RCW 46.84.050 are each amended to read as follows:

RCW 46.84.050
amended.
Reciprocity
commission
created.

The reciprocity commission, hereby created, shall consist of the director of licenses, the chief of the Washington state patrol, the director of highways and, ex officio, the chairman and vice chairman of the joint fact-finding committee on highways, streets and bridges, or their duly designated representatives. Members of the western interstate highway policy committee from the state of Washington shall be advisory members of the reciprocity commission, and may attend meetings and conferences of the commission in such capacity, but shall not vote as members thereof.

The director of licenses, herein called the department, shall be charged with the administration of the commission's agreements, arrangements, declarations, rules and regulations.

Repeal.

SEC. 24. Section 1, chapter 184, Laws of 1943 and RCW 46.20.370 are each repealed.

Emergency.

SEC. 25. 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 4, 1957.

Passed the Senate March 11, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 274.

[H. B. 718.]

SAFETY DEPOSIT BOXES—DEATH OF USER—TAX
COMMISSION POWERS AND DUTIES.

AN ACT relating to inheritance tax, prescribing duties and rights of certain persons, firms and corporations in relation to safety deposit boxes and the contents thereof, providing penalties and making an appropriation.

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

“Safe deposit company” defined.

SECTION 1. As used in this act “safe deposit company” shall include any trust company, corporation, bank, other institution, or person engaged in the business of renting safe deposit boxes or similar receptacles.

Necessary provision before agreement for rental.

SEC. 2. No safe deposit company shall hereafter enter into any agreement for the rental of any safe deposit box or similar receptacle without first requiring every person given the right of access to the box or receptacle to agree in writing to notify such company of the death of any other person having the right of access, before seeking access after receiving actual notice of the death of such other person.

SEC. 3. Every person having the right of access shall upon receiving actual notice of the death of

any other person having the right of access to any safe deposit box or similar receptacle rented from a safe deposit company, notify such company of the death of such other person before seeking access, and in the event of his failure to give such notice and gaining access to such safety deposit box or similar receptacle directly or indirectly, he shall be deemed guilty of a gross misdemeanor, or subject to a penalty payable to the tax commission of not less than one hundred dollars nor more than ten thousand dollars which may be enforced in an action brought in any court of competent jurisdiction, or both.

Notification of death required—Violation—Penalty.

SEC. 4. Unless an authorized agent of the tax commission is present to whom the contents of the box are made available for the purpose of making a written list of such of the contents as appear to be necessary for its purposes under his signature and that of a joint holder or the personal representative of the decedent, or unless the tax commission has been furnished at least ten days' written notice of the time and place of the opening of the box or receptacle, it shall be unlawful for any safe deposit company which has rented any safe deposit box or similar receptacle to which the decedent had the right of access to permit the opening of the box or receptacle and the removal and withholding of anything, other than written burial instructions, life insurance policies, a will, or any document purporting to be a will, from the box or receptacle by any person after receipt of notice or actual knowledge of the death of any other person who at the time of his death had the right of access. Any closed or sealed envelope or other container which may hold written burial instructions, life insurance policies, or a will, may be opened to verify its contents. "Notice or actual knowledge" as used in this section, shall be construed to mean notification,

Notice to tax commission prerequisite to opening box.

"Notice or actual knowledge" defined.

"Notice or actual knowledge" defined.

written or oral, to any person or employee of the safe deposit company in charge of safe deposit boxes or similar receptacles, or knowledge actually received by any such person or employee: *Provided*, That where it is established to the satisfaction of the safe deposit company by affidavit submitted by the surviving joint holder or holders that the decedent had no property of any nature or kind whatsoever in the box or receptacle, the provisions of this section shall not apply.

Proviso.

Wilfully permitting access, gross misdemeanor.

SEC. 5. Any person or employee of a safe deposit company who wilfully permits access to a box or receptacle in violation of the preceding section shall be deemed guilty of a gross misdemeanor and punished accordingly.

Tax Commission may provide list of contents of box—Fee.

SEC. 6. Upon the payment of a fee of one dollar per sheet the following persons and no other shall be entitled to receive from the tax commission a copy of any list of the contents of any safe deposit box or similar receptacle to which a decedent had access (1) an executor of the decedent's will, (2) the administrator of the decedent's estate, (3) the attorney for the executor or administrator, (4) a surviving joint tenant or cotenant of the safe deposit box or similar receptacle, (5) any heir of the decedent or residuary beneficiary under the decedent's will, or (6) any person whom the superior court having jurisdiction by order designates.

Appropriation.

SEC. 7. There is hereby appropriated to the tax commission from the general fund the sum of twenty-five thousand dollars or as much thereof as may be necessary, for the expense of enforcing this act.

Passed the House March 4, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 275.

[H. B. 47.]

GENERATION OF ELECTRICITY BY STEAM—STUDY OF
PLANT CONSTRUCTION.

AN ACT relating to studies for the undertaking of construction of plants for generation of electricity by steam; providing for the construction of a steam power electric generating plant and the financing thereof; adding seventeen new sections to chapter 43.21 RCW; and making an appropriation.

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

SECTION 1. There is hereby appropriated to the Washington state power commission from the general fund for the biennium commencing July 1, 1957 and ending June 30, 1959, the sum of two hundred seventy-five thousand dollars, or so much thereof as may be necessary, for the purpose of paying, along with such other funds as may be made available to it, the cost of engineering, financial, economic and legal studies that may be determined necessary by the commission in the undertaking of the construction of a plant or plants for the generation of electricity by steam. No part of the money herein appropriated shall be used by the commission until the commission has determined that such construction is feasible and should be undertaken, and further that it would be advantageous to draw on such appropriation preceding revenue bond financing or other utility financing for such project. The appropriation herein made, or so much thereof as may be drawn upon by the commission, shall be repaid to the general fund from the proceeds of revenue bond financing or other utility financing as soon as practicable subsequent to the issuance of such bonds or other utility financing. The appropriation herein made shall be reduced by whatever amount is appropriated for like purposes in the omnibus bill, Substitute Senate Bill No. 400.

Appropriation to state power commission for study of plant construction for generation of electricity.

Construction for generation of electricity. Appropriation transferable to other agency.

SEC. 2. In the event that the Washington state power commission's powers and duties are transferred to another department or state agency by the thirty-fifth legislature, the appropriation provided for in section 1 of this act shall be used, for the purposes specified therein, by the department or agency to which such powers and duties are transferred. In the event that the Washington state power commission is abolished by the thirty-fifth legislature, then the appropriation made by section 1 of this act for the purposes specified therein shall be used by the state agency concerned for such purpose in proportions determined by the governor.

New section.

SEC. 3. There is added to chapter 43.21 RCW a new section to read as follows:

Study relating to construction of steam power generating plant continued —Authority to construct.

The director of conservation and development shall continue the study of the state power commission made in 1956 relating to the construction of a steam power electric generating plant, and if the construction of a steam electric generating plant is found to be feasible by the director of conservation and development, the director of conservation and development may construct such plant at a site determined by him to be feasible and operate it as a state owned facility. The advisory committee provided for in Senate Bill No. 281 shall advise the director of conservation and development in connection with the steam electric generating plant provided for herein.

New section.

SEC. 4. There is added to chapter 43.21 RCW a new section to read as follows:

Statement of intention—Determining agency to construct plant.

Before the director of conservation and development shall construct said steam generating facility within the state, or make application for any permit, license or other right necessary thereto, he shall give notice thereof by publishing once a week for four consecutive weeks in a newspaper of general circulation in the county or counties in which such proj-

ect is located a statement of intention setting forth the general nature, extent and location of the project. If any public utility in the state or any operating agency desires to construct such facility, such utility or operating agency shall notify the director of conservation and development thereof within ten days after the last date of publication of such notice. If the director of conservation and development determines that it is in the best public interest that the director of conservation and development proceed with such construction rather than the public utility or operating agency, he shall so notify the director of commerce and economic development, who shall set a date for hearing thereon. If after considering the evidence introduced the director of commerce and economic development finds that the public utility or operating agency making the request intends to immediately proceed with such construction and is financially capable of carrying out such construction, and further finds that the plan of such utility or operating agency is equally well adapted to serve the public interest, he shall enter an order so finding and such order shall divest the director of conservation and development of authority to proceed further with such construction or acquisition until such time as the other public utility or agency voluntarily causes an assignment of its right or interest in the project to the director of conservation and development or fails to procure any further required governmental permit, license or authority or having procured such, has the same revoked or withdrawn, in accordance with the laws and regulations of such governmental entity, in which event the director of conservation and development shall have the same authority to proceed as though the director had originally entered an order so authorizing the director of conservation and development to proceed. If, after considering the evidence intro-

Statement of
intention—
Determining
agency to con-
struct plant.

Construction for generation of electricity. Determining agency to construct plant.

duced, the director of commerce and economic development finds that the public utility or agency making the request does not intend to immediately proceed with such construction or acquisition or is not financially capable of carrying out such construction or acquisition, or finds that the plan of such utility or operating agency is not equally well adapted to serve the public interest, he shall then enter an order so finding and authorizing the director of conservation and development to proceed with the construction or acquisition of the facility.

New section.

SEC. 5. There is added to chapter 43.21 RCW a new section to read as follows:

Director of conservation and development—Authority under act.

In order to construct, operate and maintain the single steam power electric generating plant provided for in section 3 hereof the director of conservation and development shall have authority:

(1) To generate, produce, transmit, deliver, exchange, purchase or sell electric energy and to enter into contracts for any or all such purposes.

(2) To construct, condemn, purchase, lease, acquire, add to, extend, maintain, improve, operate, develop and regulate such steam electric power plant, work and facilities for the generation and/or transmission of electric energy and to take, condemn, purchase, lease and acquire any real or personal, public or private property, franchise and property rights, including but not limited to state, county and school lands and properties, for any of the purposes herein set forth and for any facilities or works necessary or convenient for use in the construction, maintenance or operation of such work, plant and facilities; providing that the director of conservation and development shall not be authorized to acquire by condemnation any plant, work and facility owned and operated by any city or district, or by a privately owned public utility.

(3) To apply to the appropriate agencies of the

state of Washington, the United States or any state thereof, or to any other proper agency for such permits, licenses or approvals as may be necessary, and to construct, maintain and operate facilities in accordance with such licenses or permits, and to obtain, hold and use such licenses and permits in the same manner as any other person or operating unit.

Director of
conservation
and develop-
ment—Author-
ity under act.

(4) To establish rates for electric energy sold or transmitted by the director of conservation and development. When any revenue bonds or warrants are outstanding the director of conservation and development shall have the power and shall be required to establish and maintain and collect rates or charges for electric energy furnished or supplied by the director of conservation and development which shall be fair and nondiscriminatory and adequate to provide revenues sufficient for the payment of the principal and interest on such bonds or warrants and all payments which the director of conservation and development is obligated to set aside in any special fund or funds created for such purposes, and for the proper operation and maintenance of the public utility owned by the director of conservation and development and all necessary repairs, replacements and renewals thereof.

(5) To employ legal, engineering and other professional services and fix the compensation of a managing director and such other employees as the director of conservation and development may deem necessary to carry on its business, and to delegate to such manager or other employees such authority as the director shall determine. Such manager and employees shall be appointed for an indefinite time and be removable at the will of the director.

SEC. 6. There is added to chapter 43.21 RCW a New section. new section to read as follows:

For the purpose of carrying out any or all of the

Construction
for generation
of electricity.
Power of
eminent
domain.

powers herein granted the director of conservation and development shall have the power of eminent domain for the acquisition of either real or personal property used or useful in connection with the construction of facilities authorized hereunder. Actions in eminent domain pursuant to this chapter shall be brought in the name of the state in any court of competent jurisdiction under the procedure set out in chapter 8.04. The director of conservation and development may institute condemnation proceedings in the superior court of any county in which any of the property sought to be condemned is located or in which the owner thereof does business, and the court in any such action shall have jurisdiction to condemn property wherever located within the state. It shall not be necessary to allege or prove any offer to purchase or inability to agree with the owners thereof for the purchase of any such property in said proceedings. Upon the filing of a petition for condemnation, as provided in this section, the court may issue an order restraining the removal from the jurisdiction of the state of any personal property sought to be acquired by the proceedings during the pendency thereof. The court shall further have the power to issue such orders or process as shall be necessary to place the director of conservation and development into possession of any property condemned.

New section.

SEC. 7. There is added to chapter 43.21 RCW a new section to read as follows:

State not to
be obligated—
Revenue, ex-
penditure and
separation of.

The director of conservation and development shall have no right or power to impose any debt nor to suffer or create any financial obligation upon the state of Washington or its subdivisions in the execution of this chapter.

No revenues received by the director of conservation and development for the sale of electricity or otherwise, shall be expended except for the payment

of lawful obligations of the director of conservation and development and all such revenues and receipts shall be kept and maintained in a separate fund.

SEC. 8. There is added to chapter 43.21 RCW a New section.
new section to read as follows:

For the purposes provided for in this chapter, the Revenue bonds and warrants authorized—Procedure for issuance.
state finance committee shall, upon being notified to do so by the director of conservation and development, issue revenue bonds or warrants payable from the revenues from the steam electric plant provided for in section 3 of this chapter. When the director of conservation and development deems it advisable that he acquire or construct said steam electric plant or make additions or betterments thereto, he shall so notify the state finance committee and he shall also notify the state finance committee as to the plan proposed, together with the estimated cost thereof. The state finance committee, upon receiving such notice, shall provide for the construction thereof and the issuance of revenue bonds or warrants therefor by a resolution which shall specify and adopt the system or plan proposed, and declare the estimated cost thereof, as nearly as may be, including as part of the cost, funds necessary for working capital for the operation of such utility and the payment of the expenses incurred in the acquisition or construction thereof. Such resolution shall specify that utility revenue bonds are to be issued to defray the cost thereof and the amount of such bonds to be issued. Bonds issued under the provisions of this chapter shall distinctly state that they are not a general obligation of the state.

SEC. 9. There is added to chapter 43.21 RCW a New section.
new section to read as follows:

When the state finance committee issues revenue Special funds—Payment of bonds and interest.
bonds as provided in section 8 above, it shall, as a part of the plan and system, request the state treasurer to establish a special fund or funds to defray

Construction for generation of electricity. Revenue bonds and warrants. Payment.

the cost of the steam electric utility, or additions or betterments thereto or extensions thereof. The state finance committee may obligate and bind the director of conservation and development to set aside and pay to the state treasurer for deposit into such fund or funds a fixed proportion of the gross revenue of the steam electric utility and all additions or betterments thereto or extensions thereof, or any fixed amount out of, and not exceeding the fixed proportion of such revenue, or a fixed amount without regard to any fixed proportion, or an amount of the revenue equal to a fixed percentage of the aggregate principal amount of revenue bonds at any time issued against the special fund or funds. It may issue and sell utility bonds payable as to both principal and interest only out of such fund or funds.

The revenue bonds shall be payable at such places and times, both as to principal and interest, and bear interest at such rates payable semiannually as the state finance committee shall determine.

New section.

SEC. 10. There is added to chapter 43.21 RCW a new section to read as follows:

Considerations in issuing bonds— Limitations.

In the issuance of any bonds hereunder the state finance committee shall have due regard to the cost of operation and maintenance of the steam electric utility as acquired, constructed or added to, and to any proportion or amount of the revenue previously pledged as a fund for the payment of revenue bonds. It shall not require to be set aside into the fund a greater amount or proportion of the revenue than in its judgment and as agreed to by the director of conservation and development will be available over and above the cost of maintenance and operation and any amount or proportion of the revenue so previously pledged. Revenue bonds and interest thereon issued against such fund shall be a valid claim of the holder thereof only as against the fund and the proportion or amount of the revenue pledged thereto,

but shall constitute a prior charge over all other charges or claims whatsoever against the fund and the proportion or amount of the revenues pledged thereto. Each revenue bond shall state on its face that it is payable from a special fund, naming the fund and the resolution creating it.

SEC. 11. There is added to chapter 43.21 RCW a new section to read as follows:

The resolution of the state finance committee authorizing the issuance of revenue bonds shall specify the title of the bonds as determined by the state finance committee, and may contain covenants by the committee to protect and safeguard the security and the rights of the holders thereof, including covenants as to, among other things:

Resolution
authorizing
issuance of
bonds—
Contents—
Covenants.

(1) The purpose or purposes to which the proceeds of the sale of the revenue bonds may be applied and the use and disposition thereof;

(2) The use and disposition of the gross revenue of the steam electric utility and any additions or betterments thereto or extensions thereof, the cost of which is to be defrayed with such proceeds, including the creation and maintenance of funds for working capital to be used in the operation of the steam electric utility and for renewals and replacements thereof;

(3) The amount, if any, of additional revenue bonds payable from such fund which may be issued and the terms and conditions on which such additional revenue bonds or warrants may be issued;

(4) The establishment and maintenance of adequate rates and charges for electric power and energy and other services, facilities and commodities, sold, furnished or supplied by the steam electric utility;

(5) The operation, maintenance, management, accounting and auditing of the electric utility;

(6) The terms upon which the revenue bonds, or

Construction for generation of electricity. Revenue bonds and warrants. Resolution authorizing.

any of them, may be redeemed at the election of the agency;

(7) Limitations upon the right to dispose of the steam electric utility or any part thereof without providing for the payment of the outstanding revenue bonds; and

(8) The appointment of trustees, depositaries, and paying agents to receive, hold, disburse, invest, and reinvest all or any part of the income, revenue, receipts and profits derived by the director of conservation and development from the operation, ownership, and management of its steam electric utility.

New section.

SEC. 12. There is added to chapter 43.21 RCW a new section to read as follows:

Sale of bonds.

All bonds issued under or by authority of this chapter shall be sold to the highest and best bidder after such advertising for bids as the state finance committee may deem proper. The state finance committee may reject any and all bids so submitted and thereafter sell such bonds so advertised under such terms and conditions as the state finance committee may deem most advantageous to its own interests. The aggregate interest cost to maturity of the money received for such an issue shall not exceed six percent per annum.

New section.

SEC. 13. There is added to chapter 43.21 RCW a new section to read as follows:

Examination, registration of bonds by state auditor—Defects, irregularities.

Prior to the issuance and delivery of any revenue bonds, such bonds and a certified copy of the resolution authorizing them shall be delivered to the state auditor together with any additional information that he may require. When the bonds have been examined they shall be registered by the auditor in books to be kept by him for that purpose, and a certificate of registration shall be endorsed upon each bond and signed by the auditor or a deputy appointed by him for the purpose. The bonds shall

then be prima facie valid and binding obligations of the state finance committee in accordance with their terms, notwithstanding any defects or irregularities in the authorization and issuance of the bonds, or in the sale, execution or delivery thereof.

SEC. 14. There is added to chapter 43.21 RCW a New section. new section to read as follows:

When revenue bonds are outstanding the director of conservation and development shall establish, maintain, and collect rates or charges for electric power and energy, and other services, facilities and commodities sold and supplied by the director of conservation and development which shall be fair and nondiscriminatory and adequate to provide revenue sufficient to pay the principal of and interest on revenue bonds outstanding, and all payments which the director of conservation and development is obligated to make to the state treasurer for deposit in any special fund or funds created for such purpose, and for the proper operation and maintenance of the utility and all necessary repairs, replacements and renewals thereof. Rates or charges.

SEC. 15. There is added to chapter 43.21 RCW a New section. new section to read as follows:

When the state finance committee has outstanding revenue bonds, the state finance committee, with the concurrence of the director of conservation and development, may by resolution provide for the issuance of refunding revenue bonds with which to refund the outstanding revenue bonds, or any part thereof at maturity, or before maturity if they are by their terms or by other agreement subject to call for prior redemption, with the right in the state finance committee to combine various series and issues of the outstanding revenue bonds by a single issue of refunding revenue bonds. The refunding bonds shall be payable only out of a special fund created out of the gross revenue of the steam electric Refunding revenue bonds.

Construction for generation of electricity. Revenue bonds and warrants. Refunding.

utility, and shall only be a valid claim as against such special fund and the amount or proportion of the revenue of the utility pledged to said fund. The rate of interest on refunding revenue bonds shall not exceed the rate of interest on revenue bonds refunded thereby. The state finance committee may exchange the refunding revenue bonds for the revenue bonds which are being refunded, or it may sell them in such manner as it deems for its best interest. Except as specifically provided in this section, the refunding revenue bonds shall be issued in accordance with the provisions contained in this chapter with respect to revenue bonds.

New section.

SEC. 16. There is added to chapter 43.21 RCW a new section to read as follows:

Signature on bonds.

All revenue bonds, including refunding revenue bonds, shall be signed by the governor and the state auditor under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons may have printed or lithographic facsimile of the signatures of such officers.

New section.

SEC. 17. There is added to chapter 43.21 RCW a new section to read as follows:

Law and resolutions constitute contract.

The provisions of this chapter and any resolution providing for the issuance of revenue bonds shall constitute a contract with the holder or holders from time to time of the revenue bonds of the state finance committee. Such provisions of this chapter and of any such resolution shall be enforceable by any such bondholders by appropriate action in any court of competent jurisdiction.

New section.

SEC. 18. There is added to chapter 43.21 RCW a new section to read as follows:

Bonds as legal securities, investments, negotiable instruments.

All revenue bonds issued hereunder shall be legal securities, which may be used by a bank or trust company for deposit with the state treasurer, or by a

county or city or town treasurer, as security for deposits in lieu of a surety bond under any law relating to deposits of public moneys. They shall constitute legal investments for trustees and other fiduciaries other than corporations doing a trust business in this state, and for savings and loan associations, banks and insurance companies doing business in this state. All revenue bonds and all coupons appertaining thereto shall be negotiable instruments within the meaning and for all purposes of the negotiable instruments law.

Bonds as legal investments, negotiable instruments.

SEC. 19. There is added to chapter 43.21 RCW a new section to read as follows:

Nothing in this chapter shall authorize or empower the director of conservation and development to purchase or acquire any transmission or distribution system or facilities or to engage in the retail distribution of electric energy, or to purchase or acquire any operating hydroelectric generating plant owned by any city or district, or by a privately owned public utility, or which hereafter may be acquired by any city or district by condemnation.

Restrictions on director under act.

Passed the House March 14, 1957.

Passed the Senate March 13, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 276.

[H. B. 466.]

APPROPRIATIONS—WHATCOM AND KING COUNTY HOSPITALS.

AN ACT relating to the department of public assistance; making an appropriation; and declaring an emergency.

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

Appropriation
—Whatcom
county hos-
pital.

SECTION 1. There is hereby appropriated from the general fund the sum of forty-five thousand five hundred and fifty-six dollars to the division of medical care of the department of public assistance to operate the Whatcom County Hospital for the remainder of the present biennium ending on June 30, 1957.

Appropriation
—King county
hospital.

SEC. 2. There is hereby appropriated from the general fund the sum of one hundred sixty-eight thousand dollars to the division of medical care of the department of public assistance to operate the King County Hospital for the remainder of the present biennium ending on June 30, 1957.

Emergency.

SEC. 3. 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 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 277.

[H. B. 467.]

TAXATION—COLLECTION AND LIENS WHEN PUBLIC
BODY ACQUIRES PROPERTY.

AN ACT relating to taxation; providing for collection of taxes on real property in certain situations when acquired by public bodies; repealing section 1, chapter 5, Laws of 1955 extraordinary session and RCW 79.44.170.

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

SECTION 1. When real property is acquired by purchase or condemnation by the state of Washington or any of its political subdivisions, including counties, cities, and towns, the property so acquired shall continue to be subject to the tax lien of any tax collectible by the county treasurer, levied by the state, any county, any other municipal corporation or other tax levying public body, and delinquent at the date of sale, condemnation verdict, or judgment if not tried before a jury, except as is otherwise provided in section 3 of this act.

Continuing tax lien on real property purchased by public body—Exception.

SEC. 2. Where any of the taxes on real property so acquired by purchase or condemnation are payable but not delinquent at the date of completion of the sale, date of condemnation verdict, or date of judgment if not tried to a jury, the lien for taxes payable but not delinquent shall be for only one-half of the taxes so payable if the property is so acquired between February 15th and April 30th of the year in which such taxes become payable. If such property is so acquired after April 30th of the year in which such taxes are payable, the lien shall be for the full amount of the taxes payable. If such property is so acquired prior to February 15th of the year in which such taxes become payable, no tax lien for such taxes on such property shall be valid against the state or any of its political subdivisions, and any such taxes

Lien for taxes payable at date of transfer—Amount payable, withholding same.

Tax liens on property purchased by public body. Amount payable, withholding same.

levied but not payable shall be cancelled as provided in RCW 84.56.400.

The amount constituting a tax lien on real property acquired as provided in this act shall be withheld from the purchase price or condemnation award by the public body acquiring the property and shall be paid immediately to the county treasurer in payment and discharge of such lien, except as otherwise provided in section 3 of this act.

Segregation of taxes on transfer authorized—Procedure.

SEC. 3. In the event only a part of a given parcel of real property is so acquired by a public body either of the parties may require the assessor to segregate the taxes, in which event this act shall apply only to the taxes owing on the portion acquired by the public body: *Provided*, That if after such segregation the assessed valuation of the portion of the property not being acquired exceeds the amount of all delinquent taxes and taxes payable on the entire parcel, at the owner's election no taxes shall be paid out of the proceeds for the property being acquired by the public body, but the lien for the taxes owing and payable on all the property shall apply only to the property retained by the owner. All county assessors are hereby authorized to segregate taxes as provided above.

Proviso.

Repeal.

SEC. 4. Section 1, chapter 5, Laws of 1955 extraordinary session and RCW 79.44.170 are each repealed.

Passed the House February 28, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 278.

[H. B. 489.]

TAXATION OF PUBLIC UTILITY DISTRICTS.

AN ACT relating to public utility districts and the taxation thereof; amending sections 1 and 3a, chapter 245, Laws of 1941, section 1, chapter 227, Laws of 1949 and RCW 54.28-.010, 54.28.020, 54.28.030, 54.28.040, 54.28.050, 54.28.060, 54.28.080, and 54.04.040; adding new sections to chapter 54.28 RCW; and declaring an emergency.

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

SECTION 1. Sections 1 and 3a, chapter 245, Laws of 1941 and section 1, chapter 227, Laws of 1949 (here tofore divided, combined and codified as RCW 54.28-.010, 54.28.020, 54.28.030, 54.28.040, 54.28.050, 54.28-.060, 54.28.080, and 54.04.040) are amended to read as set forth in sections 2 through 9 of this act.

Combination,
division and
amendment.

SEC. 2. (RCW 54.28.020) There is hereby levied and there shall be collected from every district a tax for the act or privilege of engaging within this state in the business of operating works, plants or facilities for the generation, distribution and sale of electric energy. With respect to each such district, such tax shall be the sum of the following amounts: (1) Two percent of the gross revenues derived by the district from the sale of all "distributed energy," i.e., electric energy which it distributes to consumers but neither generates nor purchases from generating districts; (2) five percent of the gross revenues derived by the district from the sale of all "self generated and distributed energy," i.e., the electric energy which it distributes to customers and also generates; and (3) five percent of the gross revenues derived by the district from the sale of "distributed energy purchased from another generating district," i.e., electric energy which it distributes to consumers and also purchases from another district which generated the same.

RCW 54.28.020
amended.
Privilege taxes.
Tax imposed—
Rates.

RCW 54.28.030
amended.
Public utility
districts—Priv-
ilege taxes.
Districts' re-
port to tax
commission.

SEC. 3. (RCW 54.28.030) On or before the fifteenth day of March of each year, each district subject to this tax shall file with the tax commission a report verified by the affidavit of its manager or secretary on forms prescribed by the tax commission. Such report shall state (1) the county or counties wherein the operating property of the district is located, (2) as to the entire property and as to each county, the reproduction cost new and less depreciation of such operating property insofar as that information is available from the district's existing records without taking additional inventory or procuring an engineering report or survey, (3) actual cost and general description of operating property purchased or constructed, (4) the district's separately stated gross revenues for the preceding year derived from the sale of each of the three classes of electric energy described in RCW 54.28.020, and (5) such other and further information as the tax commission reasonably may require in order to administer the provisions of this chapter. In case of failure by a district to file such report, the commission may proceed to determine the information, which determination shall be contestable by the district only for actual fraud. The tax commission shall proceed to determine the fair cash market value of the operating property of each and all of the districts taxable hereunder as of December 31st last past, and the percentage thereof located in each of the county or counties wherein such operating property is located.

RCW 54.28.040
amended.
Tax computed
—Payment
—Disposition.

SEC. 4. (RCW 54.28.040) Prior to May 1st, the tax commission shall compute the tax imposed by this chapter for the last preceding calendar year and notify the district of the amount thereof, which shall be payable on or before the following June 1st. Upon receipt of the amount of each tax imposed the tax commission shall deposit the same with the state treasurer, who shall deposit four percent thereof in

the general fund of the state and shall distribute the remainder in the manner hereinafter set forth. The state treasurer shall send a duplicate copy of each such letter of transmittal to the tax commission.

SEC. 5. (RCW 54.28.050) After computing the tax imposed by this chapter, the tax commission shall separately compute the values of each district's generating properties and its other operating properties used in the generation, distribution and sale of electric energy. If all the properties of a district are within one county, the tax commission shall instruct the state treasurer to remit the total amount of the tax collected from the district, less the four percent placed in the state general fund, to the county treasurer of the county in which the district operates for distribution to the taxing districts of the county as provided in this act.

RCW 54.28.050
amended.
Apportionment
of tax to taxing
districts.

If the district has operating property in more than one county, the tax commission shall instruct the state treasurer, after placing four percent in the state general fund, to distribute the balance collected under section 2, subsection (1) to each county according to the proportionate share of the district's operating property other than generating property in each county; the balance collected under section 2, subsection (2) shall be distributed to each county (a) forty percent according to the proportionate share of the district's operating property other than generating property in each county, and (b) sixty percent according to the proportionate share of the district's generating property in each county; the balance collected under section 2, subsection (3) shall be distributed to each county (a) forty percent according to the proportionate share of the purchasing district's operating property other than generating property in each county, and (b) sixty percent according to the proportionate share of the selling district's generating property in each county.

RCW 54.28.060
enacted
without
amendment.

SEC. 6. (RCW 54.28.060) Interest at the rate of six percent per annum shall be added to the tax hereby imposed after the due date. The tax shall constitute a debt to the state and may be collected as such.

RCW 54.28.010
enacted
without
amendment.

SEC. 7. (RCW 54.28.010) As used in this chapter: "Tax commission" means the state tax commission;

"Operating property" means all of the property utilized by a public utility district in the operation of a plant or system for the generation, transmission, or distribution of electric energy for sale;

"Taxing districts" means counties, cities, towns, school districts, and road districts;

"Distributes to consumers" means the sale of electric energy to ultimate consumers thereof, and does not include sales of electric energy for resale by the purchaser.

RCW 54.28.080
enacted
without
amendment.

SEC. 8. (RCW 54.28.080) Whenever any district acquires an operating property from any private person, firm, or corporation and a portion of the operating property is situated within the boundaries of any school district and at the time of such acquisition there is an outstanding bonded indebtedness of the school district, then the public utility district shall, in addition to the tax imposed by this chapter, pay directly to the school district a proportion of all subsequent payments by the school district of principal and interest on said bonded indebtedness, said additional payments to be computed and paid as follows: The amount of principal and interest required to be paid by the school district shall be multiplied by the percentage which the assessed value of the property acquired bore to the assessed value of the total property in the school district at the time of such acquisition. Such additional amounts shall be paid by the public utility district to the school district not less than fifteen days prior

to the date that such principal and interest payments are required to be paid by the school district. In addition, any public utility district which acquires from any private person, firm, or corporation an operating property situated within a school district, is authorized to make voluntary payments to such school district for the use and benefit of the school district.

SEC. 9. (RCW 54.04.040) A district shall not construct any property to be utilized by it in the operation of a plant or system for the generation, transmission, or distribution of electric energy for sale, on the streets, alleys, or public places within a city or town without the consent of the governing body of the city or town and approval of the plan and location of the construction, which shall be made under such reasonable terms as the city or town may impose. All such properties shall be maintained and operated subject to such regulations as the city or town may prescribe under its police power.

RCW 54.04.040
enacted
without
amendment.

SEC. 10. There is added to chapter 54.28 RCW, a new section to read as follows:

New section.

The county commissioners of each county shall direct the county treasurer to deposit funds to the credit of each taxing district in the county according to the manner they deem most equitable; except not less than thirty-five percent of all moneys so received shall be apportioned to the school districts within the county having district properties within their limits, and not less than an amount equal to three-fourths of one percent of the gross revenues obtained by a district from the sale of electric energy within any incorporated city or town shall be remitted to such city or town. Information furnished by the district to the county commissioners shall be the basis for the determination of the amount to be paid to such cities or towns.

Apportionment
of tax by
county
commissioners.

New section. SEC. 11. There is added to chapter 54.28 RCW, a new section to read as follows:

Disposition of funds received. All moneys received by any taxing district shall be used for purposes for which state taxes may be used under the provisions of the state constitution.

New section. SEC. 12. There is added to chapter 54.28 RCW, a new section to read as follows:

"Gross revenue" defined. "Gross revenue" shall mean the amount received from the sale of electric energy excluding any tax levied by a municipal corporation upon the district pursuant to RCW 54.28.070.

New section. SEC. 13. There is added to chapter 54.28 RCW, a new section to read as follows:

Voluntary payments by district to municipal corporation for revenue lost. Whenever, hereafter, property is removed from the tax rolls as a result of the acquisition of operating property or the construction of a generating plant by a public utility district, such public utility district may make voluntary payments to any municipal corporation or other entity authorized to levy and collect taxes in an amount not to exceed the amount of tax revenues being received by such municipal corporation or other entity at the time of said acquisition or said construction and which are lost by such municipal corporation or other entity as a result of the acquisition of operating property or the construction of a generating plant by the public utility district: *Provided*, That this section shall not apply to taxing districts as defined in RCW 54.28.010, and: *Provided further*, That in the event any operating property so removed from the tax rolls is dismantled or partially dismantled the payment which may be paid hereunder shall be correspondingly reduced.

Proviso.

Proviso.

New section. SEC. 14. There is added to chapter 54.28 RCW, a new section to read as follows:

In the event any district hereafter purchases or otherwise acquires electric utility properties com-

prising all or a portion of an electric generation and/or distribution system from a public service company, as defined in RCW 80.04.010, the total amount of privilege taxes imposed under this act to be paid by the district annually on the combined operating property within each county where such utility property is located, irrespective of any other basis of levy contained in this chapter, will be not less than the combined total of the ad valorem taxes, based on regular levies, last levied against the electric utility property constituting the system so purchased or acquired plus the taxes paid by the district for the same year on the revenues of other operating property in the same county under terms of this chapter. If all or any portion of the property so acquired is subsequently sold, or if rates charged to purchasers of electric energy are reduced, the amount of privilege tax required under this section shall be proportionately reduced.

District purchasing electric utility properties—Formula for determining minimum privilege tax—Same, when sale.

SEC. 15. There is added to chapter 54.28 RCW a new section to read as follows:

New section.

It is the purpose of this act that electric energy generated by a district shall be taxed but once under this act and in each instance at the point of last sale by any district.

Purpose of act.

SEC. 16. 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.

Emergency.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 279.

[H. B. 717.]

EXCISE TAXES—BUSINESS AND OCCUPATION, PUBLIC UTILITY, INTOXICATING LIQUOR SALES.

AN ACT relating to revenue and taxation; amending section 6, chapter 389, Laws of 1955 and RCW 82.04.050; amending section 20, chapter 389, Laws of 1955 and RCW 82.04.190; amending section 29, chapter 389, Laws of 1955 and RCW 82.16.026; amending section 1, chapter 396, Laws of 1955 and RCW 82.08.150; amending section 1, chapter 10, Laws of 1955 extraordinary session and RCW 82.04.296; repealing section 1, chapter 195, Laws of 1953 and RCW 82.04.235; and declaring an emergency.

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

RCW 82.04.050 amended.

SECTION 1. Section 6, chapter 389, Laws of 1955 and RCW 82.04.050 are each amended to read as follows:

“Sale at retail,” “retail sale.”

“Sale at retail” or “retail sale” means every sale of tangible personal property (including articles produced, fabricated, or imprinted) other than a sale to one who (a) purchases for the purpose of resale as tangible personal property in the regular course of business, or (b) installs, repairs, cleans, alters, imprints, improves, constructs, or decorates real or personal property of or for consumers, if such tangible personal property becomes an ingredient or component of such real or personal property, or (c) purchases for the purpose of consuming the property purchased in producing for sale a new article of tangible personal property or substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale. The term also means every sale of tangible personal property to persons engaged in any business which

is taxable under RCW 82.04.280, subsection (2), and 82.04.290. "Sale at retail,"
"retail sale."

The term "sale at retail" or "retail sale" shall include the sale of or charge made for tangible personal property consumed and/or for labor and services rendered in respect to the following: (a) The installing, repairing, cleaning, altering, imprinting, or improving of tangible personal property of or for consumers, excluding, however, services rendered in respect to live animals, birds and insects; (b) the constructing, repairing, decorating, or improving of new or existing buildings or other structures under, upon, or above real property of or for consumers, including the installing or attaching of any article of tangible personal property therein or thereto, whether or not such personal property becomes a part of the realty by virtue of installation, and shall also include the sale of services or charges made for the clearing of land and the moving of earth to the extent necessary for such constructing or improving, unless the charge therefor is stated separately from other charges made in connection with the work performed, under such rules as the tax commission may prescribe; (c) for the furnishing of lodging and related services to transients in or by a hotel, rooming house, tourist court, motel, trailer camp, and the granting of any similar license to use real property, as distinguished from the renting or leasing of real property, and it shall be presumed that the occupancy of real property for a continuous period of one month or more constitutes a rental or lease of real property and not a mere license to use or enjoy the same.

The term shall not include the sale of or charge made for labor and services rendered in respect to the mere cleaning, fumigating, razing, or moving of existing buildings or structures, or the building, repairing, or improving of any publicly owned

Business and
occupation
tax.
"Sale at
retail,"
"retail sale."

street, place, road, highway, bridge, or trestle which is used or to be used primarily for foot or vehicular traffic, nor shall it include sales of feed, seed, fertilizer, and spray materials to persons for the purpose of producing for sale any agricultural product whatsoever, including milk, eggs, wool, fur, meat, honey, or other substances obtained from animals, birds, or insects.

RCW 82.04.190
amended.

SEC. 2. Section 20, chapter 389, Laws of 1955 and RCW 82.04.190 are each amended to read as follows:

"Consumer."

"Consumer" means the following:

(1) Any person who purchases, acquires, owns, holds, or uses any article of tangible personal property other than for the purpose (a) of resale as tangible personal property in the regular course of business or (b) of incorporating such property as an ingredient or component of real or personal property when installing, repairing, cleaning, altering, imprinting, improving, constructing, or decorating such real or personal property of or for consumers or (c) of consuming such property in producing for sale a new article of tangible personal property or a new substance, of which such property becomes an ingredient or component or as a chemical used in processing, when the primary purpose of such chemical is to create a chemical reaction directly through contact with an ingredient of a new article being produced for sale;

(2) Any person engaged in the business of rendering professional or personal services to persons who are taxable under RCW 82.04.290;

(3) Any person engaged in the business of contracting for the building, repairing or improving of any publicly owned street, place, road, highway, bridge or trestle which is used or to be used primarily for foot or vehicular traffic, in respect, however, only to tangible personal property used or consumed in such business;

(4) Any person who is an owner, lessee or has the right of possession to or an easement in real or personal property which is being constructed, repaired, improved, cleaned, imprinted, or otherwise altered by a person engaged in business, excluding only the United States, the state, and its political subdivisions in respect to labor and services rendered to their real property which is used or held for public road purposes.

SEC. 3. Section 29, chapter 389, Laws of 1955 and RCW 82.16.026 are each amended to read as follows:

From and after the first day of May, 1953, there is levied and shall be collected from every person for the act or privilege of engaging within this state in one or more of the businesses named in RCW 82.16.020, as a part of the tax imposed by this chapter, an additional tax in the amount of twenty percent of the tax payable under this chapter. To facilitate collection of this additional tax, the tax commission is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the exact amount of the additional tax hereby imposed.

RCW 82.16.026 amended.

Public utility tax.
Additional tax imposed.

SEC. 4. Section 1, chapter 396, Laws of 1955 and RCW 82.08.150 are each amended to read as follows:

There is levied and shall be collected from and after the first day of November, 1951, a tax upon each retail sale of spirits, wine, or strong beer in the original package at the rate of ten percent of the selling price, and the term "retail sale" as used herein shall include, in addition to the meaning ascribed thereto in chapter 82.04 RCW, any sale not for resale in such original package. The tax imposed in this section shall apply to the sale of spirits, wine, or strong beer by the Washington state liquor stores and agencies, including sales to Class H licensees. The tax imposed in RCW 82.08.020

RCW 82.08.150 amended.

Use tax.
Tax imposed on certain sales of intoxicating liquors.

shall not apply to sales subject to the tax imposed by this section.

As used in this section, the terms "spirits," "wine," "strong beer," and "package" shall have the meaning ascribed to them in chapter 66.04 RCW.

RCW 82.04.296 amended.

SEC. 5. Section 1, chapter 10, Laws of 1955 extraordinary session and RCW 82.04.296 are each amended to read as follows:

Business and occupation tax. Additional tax imposed.

From and after the first day of May, 1955, there is levied and shall be collected from every person for the act or privilege of engaging in business activities, as a part of the tax imposed by this chapter, other than those activities tax [taxed] pursuant to RCW 82.04.260, an additional tax in the amount of sixty percent of the tax payable under this chapter. To facilitate collection of this additional tax, the tax commission is authorized to adjust the basic rates of persons to which this section applies in such manner as to reflect the exact amount of the additional tax hereby imposed.

Repeal.

SEC. 6. Section 1, chapter 195, Laws of 1953 and RCW 82.04.235 are each repealed.

Emergency.

SEC. 7. 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 on the first day of May, 1957.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957.

NOTE: Whether or not this measure becomes effective law will depend upon outcome of Referendum Measure No. 30.

CHAPTER 280.

[H. B. 727.]

INHERITANCE TAXES—INSURANCE.

AN ACT relating to revenue and taxation; and amending section 115, chapter 180, Laws of 1935 as amended by section 5, chapter 202, Laws of 1939 and RCW 83.16.080; repealing section 1, chapter 134, Laws of 1931 as amended by section 2, chapter 184, Laws of 1945 and RCW 83.40.050.

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

SECTION 1. The recent growth of this state has created added responsibilities upon government. In order to meet such increased burdens, taxes are imposed as provided in this act.

Declaration,
purpose.

SEC. 2. Section 115, chapter 180, Laws of 1935 as amended by section 5, chapter 202, Laws of 1939 and RCW 83.16.080 are each amended to read as follows:

RCW 83.16.080
amended.

Insurance payable upon the death of any person shall be deemed a part of the estate for the purpose of computing the inheritance tax and shall be taxable to the person entitled thereto. Such insurance shall be taxable irrespective of the fact that the premiums of the policy have been paid by some person other than the insured, or paid out of the income accruing from principal provided by the assured for such payment, whether such principal was donated in trust or otherwise.

Inheritance
and gift taxes.
Insurance.

The inheritance tax upon the proceeds of any insurance policy shall be a lien upon the proceeds of such policy in the hands or possession of the estate of the deceased insured or in the hands or possession of any beneficiary under such policy to whom such proceeds may have been paid: *Provided*, That when proceeds of insurance payable upon death, are receivable by a beneficiary other than the executor or representative, the executor or representative shall recover from such beneficiary the tax due upon such

Proviso.

Inheritance
and gift taxes.
Insurance.

proceeds of such policy or policies. The tax commission shall have power to release such lien with respect to all or any part of such proceeds if it is satisfied that the collection of the tax will not thereby be jeopardized.

Nothing in the inheritance tax provisions of this title shall prevent the payment by an insurance company, association or society of the proceeds of any policy upon the death of a decedent to the person entitled thereto, except that where prior to such payment the commission has notified the company that the state is claiming a lien thereon payment shall be deferred until the tax has been paid.

Repeal.

SEC. 3. Section 1, chapter 134, Laws of 1931 as amended by section 2, chapter 184, Laws of 1945 and RCW 83.40.050, are each hereby repealed.

Note: See also section 1, chapter 285, Laws of 1957.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 281.

[S. B. 171.]

SCHOOL DIRECTORS' ASSOCIATION—DUES.

AN ACT relating to payment of dues to the Washington state school directors' association; and amending section 1, chapter 226, Laws of 1953 and RCW 28.58.360.

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

RCW 28.58.360
amended.

SECTION 1. Section 1, chapter 226, Laws of 1953 and RCW 28.58.360 are each amended to read as follows:

Association
dues—Pay-
ment.

The school directors' association may establish a schedule of dues for members of the association. Dues shall be established for the directors of each district as a group and shall not be in excess of thirty dollars per year for each district employing not more

than two full time teachers; fifty dollars per year for each district employing from three to seven full time teachers; seventy-five dollars per year for each district employing from eight to fifteen full time teachers; one hundred dollars per year for each district employing from sixteen to thirty full time teachers; one hundred fifty dollars per year for each district employing from thirty-one to one hundred full time teachers; two hundred dollars per year for each district employing one hundred one to two hundred fifty full time teachers; two hundred fifty dollars per year for each district employing from two hundred fifty-one to one thousand full time teachers; three hundred dollars per year for each district employing more than one thousand full time teachers. The board of directors of a school district shall make provision for payment out of the general fund of the district of the dues of association members resident in the district, which payment shall be made in the manner provided by law for the payment of other claims against the general fund of the district. The dues for each school district shall be due and payable on the first day of January of each year, and if not paid by any district before the thirty-first day of December of any year the executive committee of the association may present a written request to the county auditor that such payment be made by him by transfer of funds from the general fund of the district. Upon receipt of such request the county auditor shall make such transfer.

Association
dues—Pay-
ment.

Passed the Senate February 23, 1957.

Passed the House March 7, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 282.

[S. B. 414.]

CITIES AND TOWNS—FRANCHISES IN ANNEXED
TERRITORY.

AN ACT relating to cities and towns.

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

Rights when
franchise upon
annexed ter-
ritory.

SECTION 1. The annexation by any city of any territory pursuant to the provisions of chapters 35.11 through 35.13 RCW shall cancel, as of the effective date of such annexation, any franchise or permit theretofore granted to any person, firm or corporation by the state of Washington, or by the governing body of such annexed territory, authorizing or otherwise permitting the operation of any public transportation, garbage collection and/or disposal or other similar public service business or facility within the limits of the annexed territory, but the holder of any such franchise or permit cancelled pursuant to this section shall be forthwith granted by the annexing city a franchise to continue such business within the annexed territory for a term of not less than five years from the date of issuance thereof, and the annexing city, by franchise, permit or public operation, shall not extend similar or competing services to the annexed territory except upon a proper showing of the inability or refusal of such person, firm or corporation to adequately service said annexed territory at a reasonable price: *Provided*, That the provisions of this section shall not preclude the purchase by the annexing city of said franchise, business, or facilities at an agreed or negotiated price, or from acquiring the same by condemnation upon payment of damages, including a reasonable amount for the loss of the franchise or permit. In the event that any person, firm or corporation whose franchise or permit has been can-

Proviso.

celled by the terms of this section shall suffer any measurable damages as a result of any annexation pursuant to the provisions of chapters 35.11 through 35.13 RCW, such person, firm or corporation shall have a right of action against any city causing such damages.

Rights when franchise upon annexed territory.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 283.

[S. B. 218.]

HIGHWAYS—APPROACH TO WESTERN WASHINGTON COLLEGE OF EDUCATION.

AN ACT relating to an approach to the Western Washington College of Education, providing for the location and financing thereof; making an appropriation; and declaring an emergency.

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

SECTION 1. The Washington state highway commission is authorized and directed to locate, construct and pave a suitable street in the city of Bellingham to serve as an approach to the Western Washington College of Education. Such street shall follow the most feasible route beginning at the campus of the Western Washington College of Education and extending in a general northeasterly direction to a point on Holly street. The point on Holly street and the route shall be such as may be agreed upon between the highway commission and the city of Bellingham.

Approach to college authorized.

SEC. 2. The Washington state highway commission is authorized and directed to acquire by purchase, gift, condemnation, or otherwise, in the name of the city of Bellingham any and all private real

Property acquired, to be part of Bellingham street system.

Approach to Western Washington College of Education authorized.

estate rights and interest necessary to carry out the purpose of section 1 of this act. When said street is completed it shall be a part of the street system of the city of Bellingham and the state of Washington shall have no duties or obligations as to maintenance thereof.

Appropriation to highway commission.

SEC. 3. There is hereby appropriated from the general fund the sum of one hundred ninety-two thousand dollars, or so much thereof as may be necessary, to be expended by the state highway commission to carry out the provisions of this act.

Withholding allocable funds authorized.

SEC. 4. The state highway commission is authorized and directed to withhold from the funds received for gasoline tax and otherwise allocable to the city of Bellingham five percent of the amount expended from the general fund to carry out the purpose of this act each year for a period of ten years beginning with the allocation of 1958 and to pay said amount into the general fund to reimburse it for its share of all expenditures made under the provisions of this act.

Emergency.

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 February 23, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 284.

[S. B. 281.]

DEPARTMENT OF CONSERVATION AND DEVELOPMENT
—DIVISION OF POWER RESOURCES ESTABLISHED.

AN ACT relating to the department of conservation and development; amending section 61, chapter 7, Laws of 1921 and section 1, chapter 57, Laws of 1951, and section 1, chapter 173, Laws of 1945, and RCW 43.21.010 and adding three sections to chapter 43.21 RCW; making an appropriation and declaring an emergency.

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

SECTION 1. Section 61, chapter 7, Laws of 1921 and section 1, chapter 57, Laws of 1951 and section 1, chapter 173, Laws of 1945 (heretofore combined and codified as RCW 43.21.010) are each amended to read as follows:

Combination and amendment.

The department of conservation and development shall be organized into eight divisions, to be known as, (1) the division of forestry, (2) the division of geology, (3) the division of mines, (4) the division of reclamation, (5) the division of water resources, (6) the division of flood control, (7) the division of progress and industry development, and (8) the division of power resources.

RCW 43.21.010 amended. Divisions of department—Personnel.

The director of conservation and development may appoint such clerical and other assistants as may be necessary for the general administration of the department.

Note: See also section 21, chapter 215, Laws of 1957.

SEC. 2. There is added to chapter 43.21 RCW a new section to read as follows:

New section.

The department of conservation and development, through the division of power resources, shall make studies and surveys, collect, compile and disseminate information and statistics to facilitate development of the electric power resources of the state by public utility districts, municipalities,

Powers and duties (through division of power resources).

Department of conservation and development. Powers and duties (through division of power resources).

electric cooperatives, joint operating agencies and public utility companies. The director of conservation and development may cause studies to be made relating to the construction of steam generating plants using any available fuel and their integration with hydro-electric facilities. He may cause designs for any such plant to be prepared. He shall employ such engineers and other experts and assistants as may be necessary to carry on the work of the division of power resources. All reports, surveys, books, records and papers heretofore in possession or control of the Washington state power commission shall hereafter be in the custody of the division of power resources. All studies, surveys, information and statistics assembled by the division, including those formerly in possession or control of the Washington state power commission, shall be available to the public for reference.

New section.

SEC. 3. There is added to chapter 43.21 RCW a new section to read as follows:

Aid in developing public utilities—Cooperation with other agencies.

The director of conservation and development may represent the state and aid and assist the public utilities therein to the end that its resources shall be properly developed in the public interest insofar as they affect electric power and to this end he shall cooperate and may negotiate with Canada, the United States, the states thereof and their agencies to develop and integrate the resources of the region.

New section.

SEC. 4. There is added to chapter 43.21 RCW a new section to read as follows:

Power advisory committee. Members—Appointment—Duties—Compensation.

There shall be a power advisory committee consisting of five members appointed by the governor to serve at his pleasure. Such members shall be representative of the power industry from different geographical areas of the state. They shall consult with and advise the director of conservation and development on matters pertaining to the division of power resources. They shall receive the same com-

pensation for services and expenses as provided for members of the Columbia Basin commission.

SEC. 5. For the purpose of administering this act there is hereby appropriated from the general fund the sum of sixty thousand dollars. Appropriation.

SEC. 6. 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. Emergency.

Passed the Senate March 9, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 285.

[S. B. 314.]

INHERITANCE AND GIFT TAXES.

AN ACT relating to inheritance taxes and gift taxes, and amending section 2, chapter 184, Laws of 1945 and RCW 83.40.050; section 10, chapter 202, Laws of 1939 and RCW 83.16.010; section 7, chapter 119, Laws of 1941 and RCW 83.56.090; section 9, chapter 119, Laws of 1941 and RCW 83.56.110.

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

SECTION 1. Section 2, chapter 184, Laws of 1945 and RCW 83.40.050 are each amended to read as follows:

In all estates the amount of the federal estate tax, as paid by the estate, shall be deducted as a claim or indebtedness first against the residuary estate for inheritance tax purposes regardless of any provision in the will to the contrary: *Provided*, That where there is property belonging to decedent both within and without the state of Washington the amount of federal estate tax deductible shall be the proportionate part thereof that the value of the Vetoed.

Vetoed. } property having a taxable situs within this state
 bears to all of the property within and without this
 state.

Note: See also section 3, chapter 280, Laws of 1957.

RCW 83.16.010 amended.

SEC. 2. Section 10, chapter 202, Laws of 1939 and RCW 83.16.010 are each amended to read as follows:

Inheritance tax and gift taxes
 —Valuations, credits, exemptions.
 Real estate appraised at market value.

All property of the estate of a deceased person, for the purposes of computing the inheritance tax, shall be valued and appraised at the fair market value thereof on the day of the death of the decedent owner thereof and subsequent sales shall not affect the value so used. The executor, administrator or trustee in preparing the inventory in all probate cases, shall insert at the right of each real estate tract, the assessed valuation of such tract and of the improvements thereon for the information of the appraisers and other interested parties.

RCW 83.56.090 amended.

SEC. 3. Section 7, chapter 119, Laws of 1941 and RCW 83.56.090 are each amended to read as follows:

Gift taxes
 —Returns—
 Date of filing.

Any individual who within any calendar year makes any transfers by gift (except those which are not to be included in the total amount of gifts for such year) shall make a return under oath which shall set forth such information as is required by the tax commission.

The return shall be filed with the tax commission of the state of Washington on or before the fifteenth day of April following the close of the calendar year in which the gift is made.

RCW 83.56.110 amended.

SEC. 4. Section 9, chapter 119, Laws of 1941 and RCW 83.56.110 are each amended to read as follows:

Payment of tax
 —Disposition of revenue.

The tax imposed by this chapter shall be paid by the donor to the tax commission on or before the fifteenth day of April following the close of the calendar year in which the gift is made.

All moneys paid to the tax commission under this chapter shall forthwith be transmitted to the state treasurer and credited to the general fund.

Passed the Senate March 5, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of section 1, which is vetoed.

Note: Excerpt of Governor's veto message reads as follows:

"I have signed into law House Bill No. 727. Section 3 of House Bill No. 727 repeals outright section 2, chapter 184, Laws of 1945 and RCW 83.40.050 sought to be amended by section 1 of Senate Bill No. 314. The section vetoed herein seeks to resolve difficulties incident to the deduction of federal estate taxes against inheritance taxes of the state of Washington. Since House Bill No. 727 will no longer permit the deduction of federal estate taxes against inheritance taxes imposed by the state of Washington, the problem sought to be resolved by section 1 of Senate Bill No. 314 no longer exists. For this reason section 1 is vetoed and the remainder is approved."

Veto message, excerpt from.

CHAPTER 286.

[S. B. 332.]

UNFAIR CIGARETTE SALES ACT.

AN ACT relating to prevention of unfair competition and unfair trade practices in the sale of cigarettes, to be known as the unfair cigarette sales act; prohibiting sales of cigarettes below cost; defining cost; licensing persons engaged in the sale of cigarettes; conferring powers and imposing duties on the tax commission and on persons engaged in the sale of cigarettes at retail or wholesale; providing remedies and imposing penalties.

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

SECTION 1. When used in this act, the following words and phrases shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning: Definitions.

(1) "Person" means and includes any individual, firm, association, company, partnership, corporation, joint stock company, club, agency, syndicate, municipal corporation, or other political subdivision of this state, trust, receiver, trustee, fiduciary and conservator. "Person."

(2) "Wholesaler" includes any person who: "Wholesaler."

(a) Purchases cigarettes directly from the manufacturer, or

Unfair cigarette sales act. Definitions. "Wholesaler."

(b) Purchases cigarettes from any other person who purchases from or through the manufacturer, for the purpose of bona fide resale to retail dealers or to other persons for the purpose of resale only, or

(c) Services retail outlets by the maintenance of an established place of business for the purchase of cigarettes, including, but not limited to, the maintenance of warehousing facilities for the storage and distribution of cigarettes.

Nothing contained herein shall prevent a person from qualifying in different capacities as both a "wholesaler" and "retailer" under the applicable provisions of this act.

"Retailer."

(3) "Retailer" means and includes any person who operates a store, stand, booth, concession, or vending machine for the purpose of making sales of cigarettes at retail.

"Tax Commission."

(4) "Tax Commission" means the tax commission of the state of Washington.

"Cigarettes."

(5) "Cigarettes" means any roll for smoking made wholly or in part of tobacco, irrespective of size or shape and whether or not such tobacco is flavored, adulterated, or mixed with any other ingredient, the wrapper or cover of which is made of paper or any other substance or material except tobacco.

"Sale."

(6) "Sale" means any transfer for a consideration, exchange, barter, gift, offer for sale and distribution, in any manner, or by any means whatsoever.

"Sell at wholesale," "sale at wholesale," "wholesale."

(7) "Sell at wholesale", "sale at wholesale" and "wholesale" sales mean and include any bona fide transfer of title to cigarettes for a valuable consideration, made in the ordinary course of trade or in the usual conduct of the wholesaler's business, to a retailer for the purpose of resale.

"Sell at retail," "sale at retail."

(8) "Sell at retail", "sale at retail" and "retail sales" mean and include any transfer of title to

cigarettes for a valuable consideration, made in the ordinary course of trade or usual conduct of the seller's business, to the purchaser for consumption or use.

retail;" "retail sales."

(9) "Basic cost of cigarettes" means the invoice cost of cigarettes to the retailer or wholesaler, as the case may be, or the replacement cost of cigarettes to the retailer or wholesaler, as the case may be, in the quantity last purchased, whichever is lower, less all trade discounts and customary discounts for cash, to which shall be added the full face value of any stamps which may be required by any cigarette tax act of this state and by ordinance of any municipality thereof, now in effect or hereafter enacted, if not already included by the manufacturer in his list price.

"Basic cost of cigarettes."

(10) (a) The term "cost to the wholesaler" means the "basic cost of cigarettes" to the wholesaler plus the "cost of doing business by the wholesaler" which said cost of doing business amount shall be expressed percentage-wise in the ratio that said wholesaler's "cost of doing business" bears to said wholesaler's dollar volume per annum, and said "cost of doing business by the wholesaler" shall be evidenced and determined by the standards and methods of accounting regularly employed by him in his allocation of overhead costs and expenses, paid or incurred, and must include, without limitation, labor costs (including reasonable salaries for partners, executives, and officers), rent, depreciation, selling cost, maintenance of equipment, delivery costs, all types of licenses, taxes, insurance and advertising.

"Cost to the wholesaler."

"Cost of doing business by the wholesaler."

(b) In the absence of the filing with the tax commission of satisfactory proof of a lesser or higher cost of doing business by the wholesaler making the sale, the "cost of doing business by the wholesaler" shall be presumed to be four percent of the "basic

Unfair cigarette sales act. Definitions.

cost of cigarettes” to the wholesaler, plus cartage to the retail outlet, if performed or paid for by the wholesaler, which cartage cost, in the absence of the filing with the tax commission of satisfactory proof of a lesser or higher cost, shall be deemed to be one-half of one percent of the “basic cost of cigarettes” to the wholesaler.

“Cost to the retailer.”

(11) (a) The term “cost to the retailer” means the “basic cost of cigarettes” to the retailer plus the “cost of doing business by the retailer” which said cost of doing business amount shall be expressed percentage-wise in the ratio that said retailer’s “cost of doing business” bears to said retailer’s dollar volume per annum, and said “cost of doing business by the retailer” shall be evidenced and determined by the standards and methods of accounting regularly employed by him in his allocation of overhead costs and expenses, paid or incurred, and must include, without limitation, labor (including reasonable salaries for partners, executives, and officers), rent, depreciation, selling costs, maintenance of equipment, delivery costs, all types of licenses, taxes, insurance and advertising: *Provided*, That any retailer who, in connection with the retailer’s purchase, receives not only the discounts ordinarily allowed upon purchases by a retailer but also, in whole or in part, discounts ordinarily allowed upon purchases by a wholesaler shall, in determining “cost to the retailer”, pursuant to this subdivision, add the “cost of doing business by the wholesaler,” as defined in section 1, subdivision (10) of this act, to the “basic cost of cigarettes” to said retailer, as well as the “cost of doing business by the retailer.”

“Cost of doing business by the retailer.”

Proviso.

(b) In the absence of the filing with the tax commission of satisfactory proof of a lesser or higher cost of doing business by the retailer making the sale, the “cost of doing business by the retailer”

shall be presumed to be ten percent of the "basic cost of cigarettes" to the retailer.

(c) In the absence of the filing with the tax commission of satisfactory proof of a lesser or higher cost of doing business, the "cost of doing business by the retailer," who, in connection with the retailer's purchase, received not only the discounts ordinarily allowed upon purchases by a retailer but also, in whole or in part, the discounts ordinarily allowed upon purchases by a wholesaler, shall be presumed to be ten percent of the sum of the "basic cost of cigarettes" and the "cost of doing business by the wholesaler."

(12) "Business day" means any day other than a Sunday or a legal holiday. "Business day."

SEC. 2. It shall be unlawful and a violation of this act:

Unlawful practices—
Penalty.

(1) For any retailer or wholesaler with intent to injure competitors or destroy or substantially lessen competition:

(a) To advertise, offer to sell, or sell, at retail or wholesale, cigarettes at less than cost to such a retailer or wholesaler, as said cost is defined in this act, as the case may be;

(b) To offer a rebate in price, to give a rebate in price, to offer a concession of any kind, or to give a concession of any kind or nature whatsoever in connection with the sale of cigarettes.

(2) For any retailer with intent to injure competitors or destroy or substantially lessen competition:

(a) To induce or attempt to induce or to procure or attempt to procure the purchase of cigarettes at a price less than "cost to wholesalers" as defined in this act;

(b) To induce or attempt to induce or to procure or attempt to procure any rebate or concession of

Unfair cigarette sales act. Unfair practices—Penalty.

any kind or nature whatsoever in connection with the purchase of cigarettes.

(3) Any retailer or wholesaler who violates the provisions of this section shall be guilty of a misdemeanor and shall be prosecuted and punished by a fine of not more than five hundred dollars for each such offense. Any individual who as a director, officer, partner, member, or agent of any person violating the provisions of this act assists or aids, directly or indirectly in such violation, shall equally with the person for whom he acts, be responsible therefor and subject to the punishment and penalties set forth herein.

(4) Evidence of advertisement, offering to sell, or sale of cigarettes by any retailer or wholesaler at less than cost to him, or evidence of any offer of a rebate in price, or the giving of a rebate in price or an offer of a concession, or the inducing, or attempt to induce, or the procuring, or the attempt to procure the purchase of cigarettes at a price less than cost to the wholesaler or the retailer, shall be prima facie evidence of intent to injure competitors and to destroy or substantially lessen competition.

Sales between wholesalers.

SEC. 3. When one wholesaler sells cigarettes to any other wholesaler, the former shall not be required to include in his selling price to the latter, "cost to the wholesaler," as provided by section 1, subdivision (10) of this act, except that no such sale shall be made at a price less than the "basic cost of cigarettes" as defined in said section 1, subdivision (9) of this act, but the latter wholesaler, upon resale to a retailer, shall be deemed to be the wholesaler governed by the provisions of said section 1, subdivision (10) of this act.

Transactions involving combinations of items, gifts, trading stamps, discounts, etc.

SEC. 4. (1) In all advertisements, offers for sale or sales involving two or more items, at least one of which items is cigarettes, at a combined price, and in all advertisements, offers for sale, or sales, in-

volving the giving of any gift or concession of any kind whatsoever (whether it be coupons or otherwise), the retailer's or wholesaler's combined selling price shall not be below the "cost to the retailer" or the "cost to the wholesaler," respectively, of the total costs of all articles, products, commodities, gifts and concessions included in such transactions.

(2) In all advertisements, offers for sale, or sales wherein there is accepted as part of the purchase price any coupon, discount slip, trading stamp, or similar device, the net purchase price after deducting the value of said coupon; discount slip, or trading stamp, shall be not less than the retailer's, or the wholesaler's, as the case may be, as defined by this act, as being "cost of the retailer", or "cost of the wholesaler", respectively.

SEC. 5. The provisions of this act shall not apply to sales at retail or sales at wholesale made:

Transactions
to which
chapter does
not apply.

(1) As an isolated transaction and not in the usual course of business;

(2) Where cigarettes are advertised, offered for sale, or sold in bona fide clearance sales for the purpose of discontinuing trade in such cigarettes and said advertising, offer to sell, or sale shall state the reason therefor and the quantity of such cigarettes advertised, offered for sale, or to be sold;

(3) Where cigarettes are advertised, offered for sale, or sold as imperfect or damaged, and said advertising, offer to sell, or sale shall state the reason therefor and the quantity of such cigarettes advertised, offered for sale, or to be sold;

(4) Where cigarettes are sold upon the final liquidation of a business; or

(5) Where cigarettes are advertised, offered for sale, or sold by any fiduciary or other officer acting under the order or direction of any court.

SEC. 6. (1) Any retailer may advertise, offer to sell, or sell cigarettes at a price made in good faith

Unfair cigarette sales act. Permissible advertisements, offers, sales—Action other than injunctive relief, judgment.

to meet the legal price, as defined in this act, of a competitor who is selling the same article at cost to him as a retailer as prescribed in this act. Any wholesaler may advertise, offer to sell, or sell cigarettes at a price made in good faith to meet the legal price, as defined in this act, of a competitor who is rendering the same type of service and is selling the same article at cost to him as a wholesaler as prescribed in this act. The price of cigarettes advertised, offered for sale, or sold under the exceptions specified in section 5 shall not be considered the price of a competitor and shall not be used as a basis for establishing prices below cost, nor shall the price established at a bankrupt sale be considered the price of a competitor within the purview of this section.

(2) In the absence of proof of the "price of a competitor", under this section, the "lowest cost to the retailer", or the "lowest cost to the wholesaler", as the case may be, determined by any "cost survey", made pursuant to section 10 of this act, may be deemed the "legal price of a competitor", within the meaning of this section. If the plaintiff elect not to seek injunctive relief, but does prove actual damages, plaintiff shall be entitled to the entry of a judgment in plaintiff's favor in the amount of said damages proven, together with his costs of suit and a reasonable attorney's fee to be fixed by the court.

Contract in violation of act, void.

SEC. 7. Any contract, expressed or implied, made by any person in violation of any of the provisions of this act, is declared to be an illegal and void contract and no recovery thereon shall be had.

Determining "cost to retailer" and "cost to wholesaler" when person complained against.

SEC. 8. (1) In determining "cost to the retailer" and "cost to the wholesaler" the tax commission or a court shall receive and consider as bearing on the bona fides of the cost, evidence tending to show that any person complained against under any of the provisions of this act purchased cigarettes, with re-

spect to the sale of which complaint is made, at a fictitious price, or upon terms, or in such a manner, or under such invoices, as to conceal the true cost, discounts or terms of purchase, and shall also receive and consider as bearing on the bona fide of such cost, evidence of the normal, customary and prevailing terms and discounts in connection with other sales of a similar nature in the trade area or state.

(2) Merchandise given gratis or payment made to a retailer or wholesaler by the manufacturer thereof for display, or advertising, or promotion purposes, or otherwise, shall not be considered in determining the cost of cigarettes to the retailer or wholesaler.

SEC. 9. In establishing the cost of cigarettes to the retailer or wholesaler, the invoice cost of said cigarettes purchased at a forced, bankrupt, or close-out sale, or other sale outside of the ordinary channels of trade, may not be used as a basis for justifying a price lower than one based upon the replacement cost of the cigarettes to the retailer or wholesaler in the quantity last purchased, through the ordinary channels of trade.

Cost to retailer or wholesaler—Purchases, outside of ordinary channels of trade.

SEC. 10. Where a cost survey, pursuant to recognized statistical and cost accounting practices, has been made for the trading area in which the offense is committed, to establish the lowest "cost to the retailer" and the lowest "cost to the wholesaler", said cost survey shall be deemed competent evidence to be used in proving the cost to the person complained against within the provisions of the act.

Cost survey is competent evidence.

SEC. 11. (1) In addition to penalties provided by section 2 of this act, any person injured by any violation of this act, may maintain an action in any court of equitable jurisdiction to prevent, restrain or enjoin such violation. If in such action a violation of this act shall be established, the court shall enjoin and restrain or otherwise prohibit such violation and

Civil action for violations—Costs, attorney fees.

Unfair cigarette sales act.
Civil action for violations
—Costs, attorney fees.

in addition thereto shall assess in favor of the plaintiff and against the defendant the costs of the suit and reasonable attorneys' fees. In such action it shall not be necessary that actual damages to the plaintiff be alleged or proved, but where alleged and proved the plaintiff in said action, in addition to such injunctive relief and fees and costs of suit, shall be entitled to recover from the defendant the amount of actual damages sustained by the plaintiff.

Unfair to conduct business without license.

SEC. 12. After the effective date of this act, no person shall engage in, or conduct the business of purchasing, selling, consigning, or distributing cigarettes in this state, without having first obtained the appropriate license for that purpose as prescribed in section 13 of this act.

Wholesalers, retailers licenses—Issuance by tax commission—Duration.

SEC. 13. The licenses issuable by the tax commission under this act shall be as follows:

- (1) Wholesalers license.
- (2) Retailers license.

All licenses shall be issued by the tax commission, who shall make rules and regulations respecting applications therefor and issuance thereof. The tax commission may refrain from the issuance of any license under this act, where he [it] has reasonable cause to believe that the applicant has wilfully withheld information requested of him for the purpose of determining the eligibility of the applicant to receive a license, or where he [it] has reasonable cause to believe that information submitted in the application is false or misleading or is not made in good faith. Each such license shall lapse on the last day of June of the period for which it is issued, and each such license shall be continued annually upon the conditions that the licensee shall have paid the required fee and complied with all the provisions of this act and the rules and regulations of the tax commission made pursuant thereto.

SEC. 14. For each license issued to a wholesaler, and for each continuance thereof, there shall be paid to the tax commission a fee of three hundred dollars. If a wholesaler sells or intends to sell cigarettes at two or more places of business, whether established or temporary, a separate license with a license fee of twenty-five dollars shall be required for each additional place of business. Each license, or certificate thereof, and such other evidence of license as the tax commission shall require, shall be exhibited in the place of business for which it is issued and in such manner as may be prescribed by the tax commission. The tax commission shall require each licensed wholesaler to file with him a bond in an amount not less than one thousand dollars to guarantee the proper performance of his duties and the discharge of his liabilities under this act. The bond shall be executed by such licensed wholesaler as principal, and by a corporation approved by the tax commission and authorized to engage in business as a surety company in this state, as surety. The bond shall run concurrently with the wholesaler's license.

Wholesaler
license fee—
Display of
license—
Wholesaler's
bond.

SEC. 15. For each license issued to a retail dealer and for each continuance thereof, there shall be paid to the tax commission a fee of five dollars. For each license issued to a retail dealer operating a cigarette vending machine, and for each continuance thereof, there shall be paid to the tax commission a fee of one additional dollar for each vending machine.

Retailer license
fee—Vending
machine fee.

SEC. 16. Any person licensed only as a wholesaler, or as a retail dealer, shall not operate in any other capacity except under that for which he is licensed herein, unless the additional appropriate license or licenses are first secured.

Separate
licenses to op-
erate in each
capacity
required.

SEC. 17. Any person who shall engage in any business or activity for which a license is required

Unfair cigarette sales act.
Engaging in business without license prohibited—Penalty.

under the provisions of this act, without first having obtained a license to do so, or who, having had such a license, shall continue to engage in or conduct such business after any such license shall have been revoked, or during a suspension thereof, shall be guilty of a misdemeanor.

Administration of act—Rules—Revocation, suspension, reinstatement of licenses, procedure—Appeals.

SEC. 18. (1) In addition to the penalties and rights imposed and set forth in sections 2 and 11 of this act, the tax commission may enforce the provisions of this act. The tax commission shall have the power to adopt, amend and repeal rules and regulations necessary to enforce and administer the provisions of this act. The tax commission is given full power and authority to revoke or suspend the license or permit of any wholesale or retail cigarette dealer in the state of Washington upon sufficient cause appearing of the violation of this act or upon the failure of such licensee or permittee to comply with any of the provisions of this act.

(2) No license or licenses shall be suspended or revoked except upon notice to the licensee and after a hearing as prescribed by said tax commission. The said tax commission, upon a finding by same, that the licensee has failed to comply with any provision of this act or any rule or regulation promulgated thereunder, shall, in the case of the first offender, suspend the license or licenses of the said licensee for a period of not less than five nor more than twenty consecutive business days, and, in the case of a second or plural offender, shall suspend said license or licenses for a period of not less than twenty consecutive business days nor more than twelve months, and, in the event the said tax commission finds the offender has been guilty of wilful and persistent violations, it may revoke said person's license or licenses.

(3) Any person whose license or licenses have been so revoked may apply to the tax commission at

the expiration of one year for a reinstatement of his license or licenses. Such license or licenses may be reinstated by the tax commission if it shall appear to the satisfaction of said tax commission that the licensee will comply with the provisions of this act and the rules and regulations promulgated thereunder.

Revocation,
suspension,
reinstatement
of licenses,
procedure
—Appeals.

(4) No person whose license has been suspended or revoked shall sell cigarettes or permit cigarettes to be sold during the period of such suspension or revocation on the premises occupied by him or upon other premises controlled by him or others or in any other manner or form whatever.

(5) Any determination and order by the tax commission, and any order of suspension or revocation by the tax commission of the license or licenses, or refusal to reinstate a license or licenses after revocation shall be reviewable by an appeal to the superior court of Thurston county in and for the state of Washington. Said superior court shall review the order or ruling of the tax commission and may hear the matter de novo, having due regard to the provisions of this act, and the duties imposed upon the tax commission. Said review by the superior court, and any order entered thereon by said superior court, shall be appealable under and by virtue of the procedural law of this state.

SEC. 19. All fees and penalties received or collected by the commission pursuant to the provisions of this act shall be paid to the state treasurer, to be credited to an account known as the cigarette fee account. The money so credited to the said fee fund shall be paid by the state treasurer upon warrants drawn by the state auditor for use in the administration and enforcement of this act. Said warrants shall be issued upon duly itemized and verified vouchers approved by the commission.

Cigarette fee
account—Use.

Severability.

SEC. 20. The provisions of this act shall be severable and if any of its sections, provisions, exceptions, sentences, clauses, phrases, or parts be held unconstitutional or void, the remainder of this act shall continue in full force and effect.

Short title.

SEC. 21. This act may be known and cited as the unfair cigarette sales act.

Passed the Senate March 1, 1957.

Passed the House March 11, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 287.

[Sub. S. B. 361.]

ELECTRIC UTILITY PROPERTIES—CITIES, TOWNS,
PUBLIC UTILITY DISTRICTS.

AN ACT relating to cities and towns, and public utility districts; authorizing cities and towns, and public utility districts to jointly own, operate and maintain electric utility properties for the generation and transmission of electric power and energy; to contribute to the cost of acquisition and construction thereof by the contribution of money and property, and to issue revenue bonds therefor.

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

“Electric utility properties” defined.

SECTION 1. As used in this act “electric utility properties” shall mean any and all permits, licenses, property rights, water rights and any and all works, plants, dams, powerhouses, transmission lines, switchyards, substations, property and facilities of every kind and character which may be used, or may be useful, in the generation and transmission of electric power and energy, produced by water power, steam or any other methods.

Cities over 150,000 population, joint undertaking with P. U. D. as to electric utility properties.

SEC. 2. Any city or town with a population over one hundred fifty thousand within the state of Washington owning an electric public utility is authorized to cooperate with any public utility district within

this state in the joint acquisition, purchase, construction, ownership, maintenance and operation, within or without the respective limits of any such city or town or public utility district, of electric utility properties. The respective governing bodies of any such city or town and of any such public utility district desiring to cooperate in the joint ownership, maintenance and operation of electric utility properties pursuant to the authority contained in this act, shall by mutual agreement provide for such joint ownership, maintenance and operation. Such agreement shall prescribe the rights and property interest which the parties thereto shall have in such electric utility properties, which property interest may be either divided or undivided; and shall further provide for the rights of the parties thereto in the ownership and disposition of the power and energy produced by such electric utility properties, and for the operation and management thereof.

Agreements.

SEC. 3. Any city or town and any public utility district cooperating under the provisions of this act may, without an election or other proceedings under any existing law, contribute money and property, both real and personal, to any joint undertaking pursuant hereto, and may issue and sell revenue bonds to pay its respective share of the costs of acquisition and construction of such electric utility properties. Such bonds shall be issued under the provisions of applicable laws authorizing the issuance of revenue bonds for the acquisition and construction of electric public utility properties by cities, towns and public utility districts, as the case may be.

Financing.

SEC. 4. The authority and power granted by this act is an additional grant of power to cities, towns, and public utility districts to acquire and operate electric public utilities, and the provisions hereof shall be construed liberally to effectuate the authority herein conferred, and no restriction or limita-

Authority granted is additional power.

tion prescribed in any other law shall prohibit the cities, towns and public utility districts of this state from exercising the authority herein conferred: *Provided*, That nothing in this act shall authorize any public utility district or city cooperating under the provisions of this act to condemn any property owned or operated by any privately owned utility.

Proviso.

Passed the Senate February 28, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 288.

[Sub. S. B. 365.]

CITIES AND TOWNS—CONTRACTS TO SUPPLY WATER.

AN ACT relating to the sale of water by any city or town outside its boundaries, permitting sale by firm contract; amending section 1, chapter 150, Laws of 1909 as last amended by section 1, chapter 214, Laws of 1947 and section 1, chapter 252, Laws of 1951 and RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060; amending section 3, chapter 17, Laws of 1933 extraordinary session and RCW 80.40.200; and repealing section 4, chapter 17, Laws of 1933 extraordinary session and RCW 80.40.210.

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

Division and amendment.

SECTION 1. Section 1, chapter 150, Laws of 1909, as last amended by section 1, chapter 214, Laws of 1947, and section 1, chapter 252, Laws of 1951 (heretofore divided and codified as RCW 80.40.010, 80.40.020, 80.40.030, 80.40.040, 80.40.050 and 80.40.060) are divided and amended to read as set forth in sections 2, 3, 4, 5, 6 and 7 of this act.

Vetoed.

SEC. 2. (RCW 80.40.010) A city or town may construct, condemn and purchase, purchase, acquire, add to, maintain, and operate waterworks, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, firms

or corporations outside its boundaries on firm contract, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: *Provided*, That all water sold by a municipal corporation outside its corporate limits shall be sold at such rates as the city shall determine.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or waterworks or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by purchase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property. No such dam or other structure shall impede, obstruct, or in any way interfere with public navigation of the lake or watercourse.

Vetoed.

Note: See also section 2, chapter 209, Laws of 1957.

RCW 80.40.020
enacted
without
amendment.

SEC. 3. (RCW 80.40.020) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate systems of sewerage, and systems and plants for garbage and refuse collection and disposal, with full authority to manage, regulate, operate, and control them, and to fix the price of service thereof, within and without the limits of the city or town.

Note: See also section 3, chapter 209, Laws of 1957.

RCW 80.40.030
enacted
without
amendment.

SEC. 4. (RCW 80.40.030) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants and facilities for the preparation and manufacture of all stone or asphalt products or compositions or other materials which may be used in street construction or maintenance, together with the right to use them, and also fix the price of and sell such products for use in the construction of municipal improvements.

Note: See also section 4, chapter 209, Laws of 1957.

RCW 80.40.040
enacted
without
amendment.

SEC. 5. (RCW 80.40.040) A city or town may also construct, acquire, and operate public markets and cold storage plants for the sale and preservation of butter, eggs, meats, fish, fruits, vegetables, and other perishable provisions.

Note: See also section 5, chapter 209, Laws of 1957.

RCW 80.40.050
enacted
without
amendment.

SEC. 6. (RCW 80.40.050) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, and operate works, plants, facilities for the purpose of furnishing the city or town and its inhabitants, and any other persons, with gas, electricity, and other means of power and facilities for lighting, heating, fuel, and power purposes, public and private, with full authority to regulate and control the use, distribution, and price thereof, together with the right to handle and sell or lease, any meters, lamps, motors, transformers, and equipment or accessories of any kind, necessary and convenient for the use, distribution, and sale thereof; authorized

the construction of such plant or plants by others for the same purpose, and purchase gas, electricity, or power from either within or without the city or town for its own use and for the purpose of selling to its inhabitants and to other persons doing business within the city or town and regulate and control the use and price thereof.

Note: See also section 6, chapter 209, Laws of 1957.

SEC. 7. (RCW 80.40.060) A city or town may also construct, condemn and purchase, purchase, acquire, add to, maintain, operate, or lease cable, electric, and other railways, automobiles, motor cars, motor buses, auto trucks, and any and all other forms or methods of transportation of freight or passengers within the corporate limits of the city or town for the transportation of freight and passengers above, upon, or underneath the ground, and fix, alter, regulate, and control the fares and rates to be charged therefor; and without the payment of any license fee or tax, or the filing of a bond with, or the securing of a permit from, the state, or any department thereof, to engage in, carry on, and operate the business of transporting and carrying passengers or freight for hire by any method or combination of methods that the legislative authority of any city or town may by ordinance provide, with full authority to regulate and control the use and operation of vehicles or other agencies of transportation used for such business.

RCW 80.40.060
enacted
without
amendment.

Note: See also section 7, chapter 209, Laws of 1957.

SEC. 8. Section 3, chapter 17, Laws of 1933 extraordinary session and RCW 80.40.200 are each amended to read as follows:

RCW 80.40.200
amended.

A city or town may enter into a firm contract with any outside municipality, community, corporation, or person, for furnishing them with water without regard to whether said water shall be considered as surplus or not, all from the municipal waterworks system, fixing the terms upon which the

Municipal
utilities. Con-
tracts for out-
side service.

outside distribution systems will be installed and the rates at which and manner in which payment shall be made for the service rendered.

Repeal.

SEC. 9. Section 4, chapter 17, Laws of 1933 extraordinary session and RCW 80.40.210 are each repealed.

Passed the Senate March 4, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 26, 1957, with the exception of section 2, which is vetoed.

Veto message, excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"I have heretofore signed into law Senate Bill No. 279 which amends RCW 80.40.010 by striking therefrom the words "No such dam or other structure shall impede, obstruct, or in any way interfere with public navigation of the lake or watercourse." Section 2 of Substitute Senate Bill No. 365 if enacted would restore the language quoted to RCW 80.40.010. It would thereby thwart the intention of the legislature in passing Senate Bill No. 279.

"The main purpose of Substitute Senate Bill No. 365 is expressed in sections 8 and 9 which enable a city or town to enter into contracts for the purpose of furnishing water to persons or municipalities outside the territorial limits of the contracting municipality. The veto of section 2 of Substitute Senate Bill No. 365 will not destroy the main purpose of this bill.

"For the reason indicated section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 289.

[Sub. S. B. 374.]

LEGISLATIVE REAPPORTIONMENT AND REDISTRICTING.

AN ACT relating to the state legislature and legislative districts; defining forty-nine senatorial and representative districts; creating three new legislative districts; providing for the number and apportionment of the members of the legislature; increasing the membership of the state senate by three members; repealing certain acts in conflict therewith; amending sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 21, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 57 and 58, chapter 5, Laws of 1957; and repealing section 56 of said chapter and re-enacting all other sections of said chapter.

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

SECTION 1. Section 1, chapter 5, Laws of 1957 is re-enacted to read as follows:

Reenactment
Laws 1957
c 5 § 1.

At the general election to be held in 1958, and every four years thereafter, a senator shall be elected for a term of four years from the following senatorial districts:

Senatorial dis-
tricts electing,
1958.

Second, sixth, seventh, eighth, thirteenth, fifteenth, twenty-first, twenty-sixth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh and forty-eighth.

In all other senatorial districts a senator shall be elected in 1960, and every four years thereafter, for a term of four years: *Provided*, That in the forty-ninth district a senator shall be elected in 1958 for a term of two years and thereafter the term shall be for four years.

Other.

Proviso.

SEC. 2. Section 2, chapter 5, Laws of 1957 is re-enacted to read as follows:

Reenactment
Laws 1957
c 5 § 2.

The senate shall consist of forty-nine members, one of whom shall be elected from each of the forty-

Senate mem-
bership.

Legislative re-
apportionment,
redistricting.

nine senatorial districts, constituted as set forth in sections 3 through 51 of this act.

Reenactment,
Laws 1957
c 5 § 3.

SEC. 3. Section 3, chapter 5, Laws of 1957 is re-enacted to read as follows:

Senatorial dis-
tricts enu-
merated. First.
Laws 1957 c 5
§ 4 amended.

First—the counties of Okanogan and Douglas.

SEC. 4. Section 4, chapter 5, Laws of 1957 is amended to read as follows:

Second
district.

Second—the counties of Stevens and Pend Oreille.

Laws 1957 c 5
§ 5 amended.

SEC. 5. Section 5, chapter 5, Laws of 1957 is amended to read as follows:

Third district.

Third—the following precincts in the city and county of Spokane: 310, 324, 359, 360, 364, Ada, Agatha, Alvin, David, Davis, Diana, Dodd, Dominion, Dover, Drumheller, Dwight, Eagle, East Hillyard, Echo, Eden, Edison, Edith, Egypt, Eldorado, Elgin, Eli, Ellen, Ellwood, Emerald, Emerson, Ensign, Erie, Ermina, Essex, Ethel, Euclid, Eureka, Evans, Eve, Exchange, Riverside, Spokane 1, Spokane 2, Spokane 3, Spokane 4, Spokane 5, Spokane 6, Spokane 7, and Spokane 8.

Laws 1957 c 5
§ 6 amended.

SEC. 6. Section 6, chapter 5, Laws of 1957 is amended to read as follows:

Fourth district.

Fourth—the following precincts in the city and county of Spokane: 413, 414, 423, 439, 440, Abigail, Acme, Adolph, Advance, Airport, Albert, Alki, Allen, Andrew, Arrow, Ashley, Athens, Atlanta, Carnhope, Chester, Colbert, Corbin, Dishman, Doak, East Spokane, Edgecliff 1, Edgecliff 2, Evergreen, Fairfield, Fancher, Foothills, Freeman, Glenrose, Greenacres, Irvin, Latah, Liberty Lake, Marita, Mead, Mica, Millwood, Moab, Moran, Mt. Hope, Opportunity 1, Opportunity 2, Opportunity 3, Orchard 1, Orchard 2, Orchard 3, Otis, Pasadena, Pleasant Prairie, Raymond, Rock Creek Valley, Rockford, South Moran, Trentwood, University, Valleyford, Vera, Woodruff 1, and Woodruff 2.

SEC. 7. Section 7, chapter 5, Laws of 1957 is Laws 1957 c 5
§ 7 amended. amended to read as follows:

Fifth—the following precincts in the city and Fifth district. county of Spokane: 501, 502, 504, 505, 506, 507, 511, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, Airway Heights, Blanchard, Buckeye, Chattaroy, Cheney 1, Cheney 2, Cheney 3, Cheney 4, Coulee, Deep Creek, Deer, Deer Park North, Deer Park South, Denison, Duncan, Earl, East Chattaroy, East Cheney, East Marshall, Elk, Elliott, Espanola, Excelsior, Five Mile, Four Lakes, Garden Springs, Graves, Green Bluff, Marshall, Medical Lake 1, Medical Lake 2, Milan, Mt. Spokane, Newman Lake, Nine Mile, North Colbert, Peone, Pioneer, Plaza, Rock Lake, South Fairfield, South Spangle, Spangle, Spence, Stevens, Tyler, Waverly, Wayside, West Cheney, West Spokane, Wells, Whitworth 1, Whitworth 2, and Whitworth 3.

SEC. 8. Section 8, chapter 5, Laws of 1957 is Laws 1957 c 5
§ 8 amended. amended to read as follows:

Sixth—the following precincts in the city and Sixth district. county of Spokane: 424, 425, 426, 429, 431, 433, 434, 435, 436, 437, 438, 442, 443, 621, 622, 623, 624, Abbott, Acorn, Alameda, Alice, Altamont, Anne, Anthony, Archer, Arizona, Arthur, Astor, Baker, Baldwin, Barth, Beacon, Belmont, Belt, Bernard, Bertha, Betsy, Blaine, Blake, Bolster, Boyd, Brickell, Browne, Bryan, Burke, Burton, Butler, and Byrne.

SEC. 9. Section 9, chapter 5, Laws of 1957 is Laws 1957 c 5
§ 9 amended. amended to read as follows:

Seventh—the following precincts in the city and Seventh district. county of Spokane: 319, 320, 321, 322, 323, 715, 716, 725, 726, 727, 728, 729, Cannon, Carleton, Carlisle, Carrie, Cass, Charlotte, Clara, Clay, Cleveland, Clough, Conklin, Cora, Cowley, Custer, Daggett, Daisy, Damon, Daniel, Dawson, Day, Dayton, Delaware, Della, Derby, Detroit, Dewey, Dexter, Dillon,

Legislative re-
apportionment,
redistricting.

Dixie, Dora, Doland, Douglas, Dunn, Dyer, and
Edwards.

Laws 1957 c 5
§ 10 amended.

SEC. 10. Section 10, chapter 5, Laws of 1957 is
amended to read as follows:

Senatorial dis-
tricts. Eighth.

Eighth—the counties of Lincoln, Adams and
Ferry.

Laws 1957 c 5
§ 11 amended.

SEC. 11. Section 11, chapter 5, Laws of 1957 is
amended to read as follows:

Ninth district.

Ninth—the county of Whitman.

Laws 1957 c 5
§ 12 amended.

SEC. 12. Section 12, chapter 5, Laws of 1957 is
amended to read as follows:

Tenth district.

Tenth—the counties of Columbia, Asotin, and
Garfield.

Laws 1957 c 5
§ 13 amended.

SEC. 13. Section 13, chapter 5, Laws of 1957 is
amended to read as follows:

Eleventh
district.

Eleventh—the county of Walla Walla.

Reenactment
Laws 1957
c 5 § 14.

SEC. 14. Section 14, chapter 5, Laws of 1957 is
re-enacted to read as follows:

Twelfth
district.

Twelfth—Chelan county.

Laws 1957 c 5
§ 15 amended.

SEC. 15. Section 15, chapter 5, Laws of 1957 is
amended to read as follows:

Thirteenth
district.

Thirteenth—Kittitas county and Grant county.

Laws 1957 c 5
§ 16 amended.

SEC. 16. Section 16, chapter 5, Laws of 1957 is
amended to read as follows:

Fourteenth
district.

Fourteenth—the following precincts in Yakima
county: Airport 137, Cascade 121, Cottonwood 122,
East Fruitvale 127, East Naches 141, East Selah 143,
East Summitview 144, East Tieton 89, Englewood
135, Eschbach 147, Fairgrounds, Fairview 148, Glead
51, Gromore 128, Harwood 56, Jefferson, Leaming-
burg 58, Lower Wenas 60, Naches Heights 67, Naches
City 66, Nile 68, North Cowiche 130, Riverside 74,
Selah Central 77, Selah Extension 78, Selah Heights
79, Selah Rural 132, Selah Town 76, Selah Town 134,
Selah Town 151, South Nob Hill 142, South Cowiche
123, Sumach 133, Sunset, Tampico 88, West Fruit-

vale 149, West Naches 105, West Nob Hill 106, West Summitview 108, West Tieton 114, Westview, Wide Hollow 111, Wiley City 112, and Upper Wenas 98, and the city of Yakima precincts 1 through 61 inclusive.

SEC. 17. Section 17, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 17 amended.

Fifteenth—that part of Yakima county not included in the fourteenth district. Fifteenth
district.

SEC. 18. Section 18, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 18 amended.

Sixteenth—Benton county and Franklin county. Sixteenth
district.

SEC. 19. Section 19, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 19 amended.

Seventeenth—Skamania county, Klickitat county and the following precincts in Clark county: Alpine, Battleground North, Battleground South, Cedar Creek, Charter Oak, Chelatchie, Columbia West, English, Fern Prairie East, Fern Prairie West, Gibbons, Haagen, Hall, Hayes, Heisson, LaCenter, Lackamas North, Lackamas South, Lewisville, Lockwood Creek, Manor, Meadow Glade, Mountain View, Norway, Paradise Point, Pioneer, Proebstel, Russell, Skye, Twin Falls, Woodburn, Yacolt, and Camas precincts 101 through 113 inclusive, and Washougal precincts A, B, C, D, E, and F. Seventeenth
district.

SEC. 20. Section 20, chapter 5, Laws of 1957 is re-enacted to read as follows: Reenactment
Laws 1957 c 5
§ 20.

Eighteenth—the counties of Cowlitz and Wahkiakum. Eighteenth
district.

SEC. 21. Section 21, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 21 amended.

Nineteenth—Pacific county and the following precincts in Grays Harbor county: Artic, Blockhouse, Connie, Cosmopolis 1, Cosmopolis 2, Cosmopolis Rural, Delezenne, Fords Prairie, Grayland, Johns River, Malone, Melbourne, Oakville 1, Oak- Nineteenth
district.

Legislative re-
apportionment,
redistricting.

ville 2, Ocosta, Porter, Vesta, Westport, and Westport Rural.

Reenactment
Laws 1957
c 5 § 22.

SEC. 22. Section 22, chapter 5, Laws of 1957 is re-enacted to read as follows:

Twentieth—Lewis county.

Senatorial
districts—
Twentieth.
Laws 1957 c 5
§ 23 amended.

SEC. 23. Section 23, chapter 5, Laws of 1957 is amended to read as follows:

Twenty-first
district.

Twenty-first—Grays Harbor county, except that portion named as part of the nineteenth district.

Reenactment
Laws 1957
c 5 § 24.

SEC. 24. Section 24, chapter 5, Laws of 1957 is re-enacted to read as follows:

Twenty-second—Thurston County.

Twenty-second
district.

Laws 1957 c 5
§ 25 amended.

SEC. 25. Section 25, chapter 5, Laws of 1957 is amended to read as follows:

Twenty-third—Kitsap county.

Twenty-third
district.

Laws 1957 c 5
§ 26 amended.

SEC. 26. Section 26, chapter 5, Laws of 1957 is amended to read as follows:

Twenty-fourth—the counties of Clallam, Mason and Jefferson.

Twenty-fourth
district.

Laws 1957 c 5
§ 27 amended.

SEC. 27. Section 27, chapter 5, Laws of 1957 is amended to read as follows:

Twenty-fifth—the following precincts in Pierce county: Alder, Alderton, Allison, Ashford, Bingham, Bonney Lake, Breckon, Buckley 1, Buckley 2, Carbonado, Central, Clear Creek, Dawson, Dieringer, Eatonville 1, Eatonville 2, Edgewood, Elbe, Elk Horn, Fife, Firgrove, Firwood, Fruitland, Gardenville, Graham, Grant, Harvard, Hudson, Johnson, Kapowsin, Kelly Lake, Lake Tapps, Larchmont, McMillin, Meeker, Meridian, Midland, Milton, Mulvey, National, North Puyallup, Orting 1, Orting 2, Orton, Puyallup Ward 1, precincts 1 through 6 inclusive, Puyallup Ward 2, precincts 1 through 6, inclusive and Puyallup Ward 3, precincts 1 through 6 inclusive, Riverside, Soldiers Home, South Prairie, Spinning, Sumner 1, Sumner 2, Sumner 3, Sumner 4, Sumner

Twenty fifth
district.

5, Sumner 6, Taylor, Thrift, Tidehaven, Valley, Victor Falls, Webstone, Wilkeson, Woodland Heights, and Woodrow.

SEC. 28. Section 28, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 28 amended.

Twenty-sixth—the following precincts in Pierce county: Anderson Island, Artondale, Fox Island, Gig Harbor 1, Gig Harbor 2, Hales Pass, Home, Lakebay, Longbranch, Minter, Purdy, Ruston, Rosedale, Vaughn and Wollochet: and the following precincts in the city of Tacoma: 26-1 through 26-61 inclusive and 29-91 through 29-95 inclusive. Twenty-sixth
district.

SEC. 29. Section 29, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 29 amended.

Twenty-seventh—the following precincts in the city of Tacoma: 25-1, 25-2, 27-1 through 27-32 inclusive, with the exception of 27-14, 27-18, 27-19 and 27-21 which have been abolished; 28-1 through 28-5 inclusive, with the exception of 28-3 which has been abolished; 29-1 through 29-23 inclusive with the exception of 29-3, 29-10, 29-15 which have been abolished; 29-69 through 29-90 inclusive, and 29-96; and the following precincts in Pierce county: Dash Point and Hyada Park. Twenty-seventh
district.

SEC. 30. Section 30, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 30 amended.

Twenty-eighth—the following precincts in Pierce county: Armour, Benbow, Brookdale, Cleveland, Clover Creek, College, Collins, Cooper, Elk Plain, Faucett, Garfield, Hill Garden, Holz, Lacamas, McKenna, Meadow, Muck, Parkland 1, Parkland 2, Polk, Roy, Sales, Silver Lake, Spanaway 1, Spanaway 2, Spanaway 3, Spanaway 4, Tanwax, and Wildwood: and the following precincts in the city of Tacoma: 25-3 through 25-13 inclusive with the exception of 25-8 which has been abolished; 28-6 through 28-44 Twenty-eighth
district.

Legislative re-
apportion-
ment,
redistricting.

with the exception of 28-12 and 28-43 which have been abolished; 29-41 through 29-50, with the exception of 29-46 which has been abolished; and 29-98.

Laws 1957 c 5
§ 31 amended.

SEC. 31. Section 31, chapter 5, Laws of 1957 is amended to read as follows:

Senatorial
districts—
Twenty-ninth.

Twenty-ninth—the following precincts in Pierce county: American Lake, American Lake Gardens, Arena, Clover Park, Crystal, Custer, Day Island, Dekoven, DuPont, Fairway, Fane, Fircrest No. 1, Fircrest No. 2, Fircrest No. 3, Firloch, Flett, Gravelly Lake, Hunt's Prairie, Idylwild, Interlaaken, Jackson, Lake City, Lake Louise, Lakeview, Lakewood, Menlo, Narrowsview, Nyanza, Olympic, Park Lodge, Piermont, Ponders, Steilacoom, Tillacum, University Place, and Village: and the following precincts in the city of Tacoma: 29-24 through 29-40 inclusive; 29-46, 29-51 through 29-68 inclusive; and 29-97.

Laws 1957 c 5
§ 32 amended.

SEC. 32. Section 32, chapter 5, Laws of 1957 is amended to read as follows:

Thirtieth
district.

Thirtieth—the following precincts in King county: Aaron, Algona 1, Algona 2, Angle Lake, Athlone, Auburn precincts 1 through 12 inclusive, Bayview, Benson, Big Soos, Birch, Bishop, Black Diamond, Boise, Bow Vista, Brooklyn, Buenna, Burton, Cascade, Christopher, Cork, Cove, Covington, Cumberland, Des Moines, Dilworth, Dockton, Dolphin, Durham, East Hill, Ellinson, Emerald, Enumclaw 1, Enumclaw 2, Enumclaw 3, Enumclaw 4, Enumclaw 5, Fenwick, Green River, Harding, Huntington, Isabella, Island, Jovita, Kent precincts 1 through 8 inclusive, Krain, Lake, Lakehaven, Lakeland, Lakota, Lea Hill, Lester, Lincoln, Lisabuela, Little Soos, McMicken, Madison, Marlene, Maury, Meeker, Meridian, Midway, Mirror Lake, Muckle-shoot, Ninety-nine, Norpac, North Hill, Orchard, Orillia, Osceola, Pacific 1, Pacific 2, Palmer, Panther Lake, Quartermaster, Ravensdale, Redondo, Russell, Salt Water, Sawyer, Seacliff, Soos Creek, Spring-

brook, Star Lake, Steelhead, Steel Lake, Stuck, Thomas, Tralee, Valley, Vashon, Wabash, Wayne, Webster, White River, Woodmont, Wynoche and Zenith.

SEC. 33. Section 33, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 33 amended.

Thirty-first—the following precincts in King county: Airport, Alder, Ambaum, Anthony, Avon, Bangor, Beverly, Boeing, Bossert, Boulevard Park, Bow Lake, Burien, Carleton, Cedarhurst, Center, Crescent, Douglas, Dublin, Dunlap, Dunmore, Duwamish, Eudocia, Evansvale, Evergreen, Five Corners, Florina, Ford, Francis, Garrett, Glasgow, Greendale, Gregory Heights, Hayes, Hazel Valley, Heights, Hestia, Highline, Jefferson, Juniper, Katherine, Kilpatrick, Lakeridge, Lakewood, Liberty, Lilac, Lynmar, McKinley, Madrona, Manhattan, Margaret, Marian, Marie, Military Road, Monterey, Mount View, Myers Way, Nokomis, Normandy Park 1, Normandy Park 2, Normandy Park 3, North Burien, North Riverton, Pilgrim, Plato, Qualheim, Regal, Rendini, Roseburg, Rowell, St. Helens, Salmon Creek, San Juan, Seahurst, Seaview, Seneca, Seola, Skyway, South Park, Southern Heights, Stimson Park, Sunnycrest, Sunnydale, Sylvan, Taft, Three Tree Point, Tipperary, Ursina, Valona, Victory, Vista, White Center, Wildwood, Wilson, Woodside and Wynona: and the following precincts in the city of Seattle: 31-1 through 31-103, inclusive, with the exception of 31-34, 31-35 and 31-36, which have been abolished. Thirty-first
district.

SEC. 34. Section 34, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5
§ 34 amended.

Thirty-second—the following precincts in the city of Seattle: 32-1 through 32-76 inclusive, 44-31, 44-32, 44-33, 44-46, and 46-1 through 46-5 inclusive. Thirty-second
district.

Laws 1957 c 5
§ 35 amended.

SEC. 35. Section 35, chapter 5, Laws of 1957 is amended to read as follows:

Senatorial
districts—
Thirty-third.

Thirty-third—the following precincts in the city of Seattle: 33-1 to 33-89 inclusive, with the exception of 33-33, which has been abolished.

Laws 1957 c 5
§ 36 amended.

SEC. 36. Section 36, chapter 5, Laws of 1957 is amended to read as follows:

Thirty-fourth
district.

Thirty-fourth—the following precincts in the city of Seattle: 34-1 through 34-104 inclusive, with the exception of 34-71 through 34-74 which have been abolished.

Laws 1957 c 5
§ 37 amended.

SEC. 37. Section 37, chapter 5, Laws of 1957 is amended to read as follows:

Thirty-fifth
district.

Thirty-fifth—the following precincts in the city of Seattle: 35-1 through 35-76 inclusive, 36-51 through 36-55 inclusive, and 36-59 through 36-70 inclusive.

Laws 1957 c 5
§ 38 amended.

SEC. 38. Section 38, chapter 5, Laws of 1957 is amended to read as follows:

Thirty-sixth
district.

Thirty-sixth—the following precincts in the city of Seattle: 36-1 through 36-50 inclusive, 36-56 through 36-58 inclusive, 36-71, 36-72, 44-1 through 44-30 inclusive, 44-92 through 44-94 inclusive, and 44-127 through 44-133 inclusive.

Laws 1957 c 5
§ 39 amended.

SEC. 39. Section 39, chapter 5, Laws of 1957 is amended to read as follows:

Thirty-seventh
district.

Thirty-seventh—the following precincts in the city of Seattle: 37-1 through 37-86 inclusive.

Laws 1957 c 5
§ 40 amended.

SEC. 40. Section 40, chapter 5, Laws of 1957 is amended to read as follows:

Thirty-eighth
district.

Thirty-eighth—the following precincts in the county of Snohomish: Ash, Ballinger, Bear Creek, Bellevue, Berkshire, Beverly, Beverly Hills, Beverly Park, Brier, Broadway, Cabot, Canyon, Cathcart, Center, Chase, Clearview, Crest, Crystal Springs, Darlington, Edmonds 1 through 3 inclusive, Everett 1 through 68 inclusive, Evergreen, Fernwood, Field,

Firdale, Hilltop, Hilton Lake, Hiway, Hunt, Inter-city, Keeton, Kennard, Lane, Laurel Heights, Lincoln, Locust, Lowell, Lynncrest, Madison, Magnolia, Maltby, Manor, Manordale, Maplewood, Marsh, Martha Lake, Mountlake Terrace 1 through 9 inclusive, Mukilteo, Nelson, North Alderwood, North Lynnwood, Olivia, Pacific, Pearson, Pinehurst, Perrin, Puget, Radar, Ridge, Serene, Silver Lake, Solners, South Alderwood, South Lynnwood, South Snohomish, Stickney, Talbot, Thomas Lake, Tualco, Vista, Westwood, Whaleback, Willowdale, Wilson, Woodway, Yost and all of Island county except Camano Island.

Legislative reapportionment, redistricting.

SEC. 41. Section 41, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5 § 41 amended.

Thirty-ninth—that part of Snohomish county not included in the thirty-eighth district, and Camano Island of Island county. Thirty-ninth district.

SEC. 42. Section 42, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5 § 42 amended.

Fortieth—the counties of San Juan and Skagit. Fortieth district.

SEC. 43. Section 43, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5 § 43 amended.

Forty-first—all of the precincts in the county of Whatcom, outside the city of Bellingham as the corporate boundaries of that city existed on July 1, 1956. Forty-first district.

SEC. 44. Section 44, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5 § 44 amended.

Forty-second—the city of Bellingham as the corporate boundaries of that city existed on July 1, 1956. Forty-second district.

SEC. 45. Section 45, chapter 5, Laws of 1957 is amended to read as follows: Laws 1957 c 5 § 45 amended.

Forty-third—the following precincts in the city of Seattle: 43-1 through 43-93 inclusive. Forty-third district.

Laws 1957 c 5
§ 46 amended.

SEC. 46. Section 46, chapter 5, Laws of 1957 is amended to read as follows:

Senatorial
districts—
Forty-fourth.

Forty-fourth—the following precincts in King county: Anita, Arethusa, Innis Arden, Park View, Point Wells, Richmond, Rowena, Sea Breeze, Transvaal, Westminster, and Westover and the following precincts in the city of Seattle: 43-34 through 44-44 inclusive, with the exception of 44-37 and 44-38, which have been abolished, 44-45, 44-47, and 44-48 through 44-91 inclusive, 44-95 through 44-126 inclusive, and 44-134.

Laws 1957 c 5
§ 47 amended.

SEC. 47. Section 47, chapter 5, Laws of 1957 is amended to read as follows:

Forty-fifth
district.

Forty-fifth—the following precincts in King county: Bircenna, Blarney, Brace, Clive, Echo Lake, Elise, Florence, Gloria, Greenwood, Joanne, Killenny, Louise, Marilyn, Parkwood, Ronald, Shoreline, Underwood, and Woodpark, and Seattle precincts 45-1 to 45-106 inclusive.

Laws 1957 c 5
§ 48 amended.

SEC. 48. Section 48, chapter 5, Laws of 1957 is amended to read as follows:

Forty-sixth
district.

Forty-sixth—the following precincts in the city of Seattle: 46-6 through 46-129 inclusive and 46-143 through 46-149 inclusive.

Laws 1957 c 5
§ 49 amended.

SEC. 49. Section 49, chapter 5, Laws of 1957 is amended to read as follows:

Forty-seventh
district.

Forty-seventh—the following precincts in King county: Allentown, Arthur, Baring, Berlin, Bryn Mawr, Campbell Hill, Carnation, Cedar Falls, Cedar Mountain, Cedar River, Charlotte, Cherry Valley, Coalfield, Delano, Duncan, Duvall, Earlington, Eastgate, Elliott, Factoria, Fall City, Foster, Fuller, Galway, Gilman, Hazelwood, Hillcrest, Hillman, Hilltop, Hobart, Honey Dew, Issaquah 1, Issaquah 2, Kennydale, Macadam, Martin Creek, May Creek, May Valley, Meadowbrook, Newcastle, Newport, North Bend 1, North Bend 2, Novelty, Patterson,

Preston, Rainier, Ramona, Rentthree, Renton 1 through 26 inclusive, Riverton, Shamrock, Showalter, Shuffleton, Skykomish, Snoqualmie 1, Snoqualmie 2, Spring Glen, Sterling, Stillwater, Sunset, Tanner, Thorndyke, Tiger Mountain, Tolt, Tukwila 1, Tukwila 2, Val-vue, Vincent, Wallace, Warren and Willow Ridge.

Legislative reapportionment, redistricting.

SEC. 50. Section 50, chapter 5, Laws of 1957 is amended to read as follows:

Laws 1957 c 5 § 50 amended.

Forty-eighth—the following precincts in King county: Abbey, Arrowhead, Avis, Avondale, Ballinger, Bear Creek, Beaux Arts, Beaver Lake, Bellevue 1 through 17 inclusive, Berrest, Bonnie Glen, Bothell 1, Bothell 2, Bothell 3, Briarcrest, Bridle Trails, Brookside, Chauncey, Cleveland, Clyde Hill 1, Clyde Hill 2, Corwin, Cottage Lake, Country Club, Denny Park, Donahoe, Donegal, Down, Dunne, East Seattle, Electra, Enatai, Erford, Finn Hill, Firland, Firlock, Fruitland, Georgette, Glocca Mora, Grover, Hamlin, Happy Valley, Hemlock, Highland, Hillside, Hollywood, Houghton 1, Houghton 2, Hunts Point, Inglewood, Interlake, Jackson, Jean, Juanita, Kenmore, Kerry, Kildare, Killarney, Kirkland 1 through 12 inclusive, Lago Vista, Lake Forest, Lake Hills, Lake View, Leota, Linwood, Londonderry, McGilvra, Medina 1 through 4 inclusive, Mercer, Meydenbauer, Monohon, Monte Vista, Moorlands, North City, North Creek, Northridge, O'Farrell, Paramount, Park Lane, Perkins, Phantom Lake, Polk, Redkirk, Redmond 1, Redmond 2, Ridgecrest, Roanoke, Rose Hill, Rush, Rustic, Sammamish, Sheridan, Sherwood, Shorewood, Snoking, Taylor, Thellbo, Ward, Wilburton, Woodinville, Yarrow, Yokena, Zachary, and Zirconia, and the following precincts in the city of Seattle: 46-130 through 46-142 inclusive.

Forty-eighth district.

SEC. 51. Section 51, chapter 5, Laws of 1957 is amended to read as follows:

Laws 1957 c 5 § 51 amended.

Legislative re-
apportionment,
redistricting.
Senatorial
districts—
Forty-ninth.

Forty-ninth—the following precincts in Clark county: Baker, Barbeton, Beall, Betts, Biddle, Bliss, Burnt Brush Creek, Brush Prairie, Burton, Clyde, Connor, Covington, Curtin, Cushing, Daybreak, Elking, Ellsworth, Enterprise, Firdale, Fishers, Fourth Plain, Fruit Valley, Gee Creek, Glenwood Heights, Greeley, Harney, Hazel Dell East, Hazel Dell North, Hazel Dell West, Hidden North, Hidden South, J. D. Ross, Jaggy, Klein, Lake Shore, Lamb, Laraclef, Marion, Marshall, Miller, Minnehaha North, Minnehaha South, Nelson, Pleasant Valley, Preston, Ridgefield North, Ridgefield South, Salmon Creek, Sifton, Smith, Stockford, Tracy, Walnut Grove, Whipple Creek, Willows and the city of Vancouver precincts: 161 through 230 inclusive.

Reenactment
Laws 1957
c 5 § 52.

SEC. 52. Section 52, chapter 5, Laws of 1957 is re-enacted to read as follows:

House mem-
bership—
Representative
districts enu-
merated.

The house of representatives shall consist of ninety-nine members to be elected from forty-nine representative districts. Each senatorial district, as numbered and created by this act shall constitute a representative district bearing the same number.

Laws 1957 c 5
§ 53 amended.

SEC. 53. Section 53, chapter 5, Laws of 1957 is amended to read as follows:

District repre-
sentatives.

The fourteenth, twenty-third, twenty-fourth, thirty-first, thirty-eighth and forty-ninth representative districts shall have three representatives. The eighth, tenth, seventeenth, nineteenth and forty-first shall have one representative. All other representative districts shall have two representatives.

Reenactment
Laws 1957
c 5 § 54.

SEC. 54. Section 54, chapter 5, Laws of 1957 is re-enacted to read as follows:

Commence-
ment of terms.

The terms of office of all senators and representatives elected under the provisions of this act shall commence on the second Monday in January following the date of their elections.

SEC. 55. Section 55, chapter 5, Laws of 1957 is re-enacted to read as follows:

Reenactment
Laws 1957
c 5 § 55.

The representatives provided for in this act shall be elected at the general election to be held on the first Tuesday after the first Monday in November, 1958, and every two years thereafter.

Representatives, elected,
Nov. 1958.

SEC. 56. Section 56, chapter 5, Laws of 1957 is hereby repealed.

Repeal.

SEC. 57. Section 57, chapter 5, Laws of 1957 is amended to read as follows:

Laws 1957 c 5
§ 57 amended.

Any precinct not specifically mentioned or included within the boundaries of any senatorial and representative district, and which is completely surrounded by territory embraced within a particular senatorial and representative district, shall be and become a part of such senatorial and representative district. In case any such precinct is not completely surrounded by territory embraced within a particular senatorial and representative district, the precinct shall be and become a part of the senatorial and representative district having the smallest number of electors and having territory adjoining or contiguous to such precinct in the same county in which the precinct is located.

Precincts not
otherwise provided for.

SEC. 58. Section 58, chapter 5, Laws of 1957 is re-enacted to read as follows:

Reenactment
Laws 1957
c 5 § 58.

Chapter 2, Laws of 1931; chapter 20, Laws of 1933; chapter 74, Laws of 1933; chapter 221, Laws of 1951; and RCW 44.04.020, 44.04.110, 44.08.010, 44.08.020, 44.08.060, 44.08.061, 44.12.010, and 44.12.020 are each repealed: *Provided*, That this act shall not in any way affect the membership, districts or other organization of the thirty-fifth legislature nor abolish nor shorten any terms of office of any member of the

Repeal.

Proviso.

Legislative re-
apportionment,
redistricting.

legislature commenced prior to the effectiveness of
this act.

Passed the Senate February 26, 1957.

Passed the House March 12, 1957.

Veto message,
excerpt from.

Note: Statement of Governor as to why he permitted Substitute Senate Bill No. 374 to become law without his approval reads as follows:

"Reluctantly, I have allowed Substitute Senate Bill No. 374 to become law without my signature. My personal inclination is to oppose any move on the part of the legislature to change substantially an initiative passed by the people of the state.

"Several years ago, however, the people of the state of Washington by initiative passed the 26th amendment to the Constitution. This amendment provides that an initiative may be amended by two-thirds vote of the members of both houses of the legislature within two years after its passage. I deem it significant that the requirement of two-thirds vote of the elected members of each house is more stringent than the requirement of overriding a Governor's veto which may be done by two-thirds of the members of each house being present.

"I have no doubt that the members of the legislature who voted in favor of Substitute Senate Bill No. 374 were fully aware of the consequences of the action. It is a matter of common knowledge that the members of the legislature were fully aware of the fact that I had expressed my conviction that Initiative 199 should be altered only insofar as the legislators deemed it necessary to make alterations to correct certain errors of description of the territorial extension of legislative districts. For these reasons I am unwilling to approve the action of the legislature by signing Substitute Senate Bill No. 374.

"On the other hand, I am conscious of the fact that well over two-thirds of the members of each house voted to amend Initiative 199. Since at the present time the legislature is not in session, those members of the legislature who have voted in favor of Substitute Senate Bill No. 374 would not have an opportunity to override a veto on my part.

"There exists in my mind a serious question as to whether or not Substitute Senate Bill No. 374 merely amends Initiative 199 or whether it in effect repeals the Initiative. This represents a legal issue which under the Constitution can only be decided by the Supreme Court of this state.

"For the reasons I have indicated I have permitted Substitute Senate Bill No. 374 to become law without my signature."

CHAPTER 290.

[S. B. 385.]

STATE LANDS—EXCHANGE—FACILITATING
MARKETING OF FOREST PRODUCTS.

AN ACT authorizing the exchange of state lands for other lands of equal value for the purpose of facilitating the marketing of forest products of state lands, or consolidating and blocking up of state lands.

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

SECTION 1. For the purpose of facilitating the marketing of forest products of state lands, or consolidating and blocking up of state lands, the commissioner of public lands may, with the advice and approval of such state board, commission, committee, or agency exercising control over the disposal of the land involved, exchange any state lands with any timber thereon for any other land of equal value, including other state lands, lands of the United States and privately owned lands: *Provided*, That nothing in this act shall be interpreted as changing existing laws with respect to exchanges of lands under the provisions of RCW 76.12.050, 76.12.060, 79.08.070, 79.08.090 and 79.08.108.

Exchange of lands to facilitate marketing of forest products or to consolidate state lands.

Proviso.

SEC. 2. Lands acquired by the state of Washington as the result of any exchange authorized by this act, shall be held and administered for the benefit of the same fund and subject to the same laws as were the lands exchanged therefor.

Lands acquired—How held and administered.

SEC. 3. The commissioner of public lands shall, with the advice and approval of the attorney general, execute such agreements, writings, or relinquishments and certify to the governor such deeds as are necessary or proper to execute such exchange authorized by this act.

Agreements, deeds, etc.

Passed the Senate March 3, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957

CHAPTER 291.

[S. B. 396.]

TAX ADVISORY COUNCIL.

AN ACT creating a tax advisory council to study taxes and make recommendations; and making an appropriation.

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

Tax advisory council, membership—Appointment—Expenses, subsistence.

SECTION 1. There is hereby created a tax advisory council to consist of fifteen members to be appointed by the governor. Members shall be chosen who represent the major segments of the state's economy, and at least one member shall be chosen from each congressional district of the state. Members shall serve without pay at the pleasure of the governor but shall be paid necessary traveling expenses incurred in their travel to and from meetings of the council and shall receive fifteen dollars per day as subsistence while attending all meetings of the council.

Powers and duties—Minority recommendations.

SEC. 2. The council shall survey and analyze all aspects of existing tax statutes and evaluate the administration, yield and effect thereof and shall make such recommendations to the governor relating to changes in administrative practices and existing laws concerning such taxes as the council shall agree upon. If the recommendations adopted by the council do not receive the unanimous approval of its members, the dissenting members shall have the privilege of submitting minority recommendations.

Examination of public records authorized.

SEC. 3. Any member of the council or its staff designated by the chairman shall have the authority to examine, for official purposes, any records maintained by or in the possession of any official or agency which relate to matters of taxation.

Officers—Meetings.

SEC. 4. The governor shall designate one member to be chairman of the council. The council at its first meeting shall elect a vice chairman. Meetings

shall be held at times and places determined by the chairman. The chairman shall appoint from the staff of the state tax commission an executive secretary, whose salary shall be paid by the tax commission, who shall attend all meetings of the council and perform such duties as it shall direct.

SEC. 5. All expenditures of the council shall be paid upon vouchers approved by the chairman or vice chairman from the appropriation herein provided. Expenditures upon vouchers, approval.

SEC. 6. To carry out the provisions of this act there is appropriated from the general fund for the biennium ending June 30, 1959, the sum of twenty-five thousand dollars, or so much thereof as shall be necessary. Appropriation.

Passed the Senate March 11, 1957.

Passed the House March 10, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 292.

[S. B. 61.]

URBAN TRANSPORTATION SYSTEMS—TAX REFUNDS AND EXEMPTIONS.

AN ACT relating to refunds of motor vehicle fuel tax and exemptions from use fuel tax for certain urban transportation systems; and adding a new section to chapters 82.36 RCW and 82.40 RCW.

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

SECTION 1. There is added to chapter 82.36 RCW a new section to read as follows: New section.

Notwithstanding RCW 82.36.240, every urban passenger transportation system shall receive a refund of the amount of the motor vehicle fuel tax paid on each gallon of motor vehicle fuel used, whether such vehicle fuel tax has been paid either Refund on motor vehicle fuel tax authorized.

Refund to urban transportation companies of motor vehicle fuel tax authorized. "Urban passenger transportation system" defined.

directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such tax to the price of such fuel.

For the purposes of this section "urban passenger transportation system" means every transportation system, publicly or privately owned, having as its principal source of revenue the income from transporting persons for compensation by means of motor vehicles and/or trackless trolleys, each having a seating capacity for over twenty persons, over prescribed routes in such a manner that the routes of such motor vehicles and/or trackless trolleys, either alone or in conjunction with routes of other such motor vehicles and/or trackless trolleys subject to routing by the same transportation system, do not extend for a distance exceeding five road miles beyond the corporate limits of the city in which the original starting points of such motor vehicles are located: *Provided*, That this section shall expire June 30, 1959.

Proviso.

New section.

SEC. 2. There is added to chapter 82.40 RCW a new section to read as follows:

Refund, use fuel tax, authorized.

Notwithstanding any provisions of law to the contrary, every urban passenger transportation system shall be exempt from the provisions of chapter 82.40 RCW requiring the payment of use fuel taxes.

"Urban passenger transportation system" defined.

For the purposes of this section "urban passenger transportation system" means every transportation system, publicly or privately owned, having as its principal source of revenue the income from transporting persons for compensation by means of motor vehicles and/or trackless trolleys, each having a seating capacity for over twenty persons, over prescribed route in such a manner that the routes of such motor vehicles and/or trackless trolleys, either alone or in conjunction with routes of other such motor vehicles and/or trackless trolleys subject to

routing by the same transportation system, shall not extend for a distance exceeding five road miles beyond the corporate limits of the city in which the original starting points of such motor vehicles are located: *Provided*, That this section shall expire June 30, 1959. Proviso.

SEC. 3. The joint fact-finding committee on highways, streets and bridges shall enter upon a study of the proper vehicle fuel tax to be paid by urban transportation systems and the working of the temporary exemption granted by this act. The committee shall report its findings and recommendations thereon to the 1959 legislature prior to its convening. Study authorized—Report to legislature.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 293.

[S. B. 165.]

STATE LANDS—CONVEYANCE TO NOEL M. GHIONE.

AN ACT authorizing and directing the conveyance of certain real estate to Noel M. Ghione in settlement of certain litigation.

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

SECTION 1. The governor is hereby authorized and directed to execute on behalf of the state of Washington and the secretary of state to attest a quitclaim deed, conveying to Noel M. Ghione upon, and in consideration of, his dismissal with prejudice of his action against the state of Washington, in King County Cause No. 345733, insofar as said action seeks the recovery of money damages from the state, the following described real property in King County, state of Washington: Conveyance of real property authorized—Consideration.

Conveyance of
real prop-
erty to Noel
M. Ghione
authorized—
Description.

That portion of Section 18, Township 23 North, Range 5 East, W.M., in King County, Washington, within the bed and shores of Black River, described as follows:

Commencing at the intersection of a line drawn parallel with and 75 feet westerly, when measured radially, from the center line of Primary State Highway No. 5, Seattle to Renton, and a line drawn parallel with and 30 feet northeasterly, when measured at right angles, from the center line of former Primary State Highway No. 5, now 91st Place South, also known as D. C. Mitchell Road and as Hayes Place; thence northerly along said 75 foot parallel line a distance of 250 feet to the true point of beginning;

Thence westerly at right angles to said 75 foot parallel line to the westerly line of ordinary high water of the Black River as shown by the War Department Survey, Duwamish-Puyallup Survey (1907) sheet 7; thence northerly along said line of ordinary high water to an intersection with a line drawn parallel with and 50 feet southeasterly, when measured at right angles, from the center line of Access Road, Renton Avenue Extension; thence northeasterly along said 50 foot parallel line to an intersection with said 75 foot parallel line; thence southerly along said 75 foot parallel line a distance of 265 feet, more or less, to the true point of beginning;

The specific details concerning all of which are to be found within those certain maps of definite location now of record and on file in the office of the Director of Highways at Olympia and bearing date of approval February 6, 1940, for Primary State Highway No. 5, Seattle to Renton, and February 13, 1945, for Access Road, Renton Avenue Extension;

Reservation.

Except the State of Washington reserves the right to prohibit all access to Rainier Avenue (now PSH

#5) from the property herein described, so long as Rainier Avenue shall remain a part of the State Highway System.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 294.

[S. B. 193.]

MOTOR VEHICLES—DISPOSITION OF OPERATOR'S LICENSE RECEIPTS.

AN ACT relating to the disposition of receipts from motor vehicle licenses; amending section 50, chapter 188, Laws of 1937 as last amended by section 1, chapter 221, Laws of 1953 and RCW 46.20.090; and amending section 71, chapter 188, Laws of 1937 as last amended by section 5, chapter 259, Laws of 1955 and RCW 46.68.040.

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

SECTION 1. Section 50, chapter 188, Laws of 1937 as last amended by section 1, chapter 221, Laws of 1953 and RCW 46.20.090, are each amended to read as follows:

Every application for a vehicle operator's license shall be made upon the form prescribed and furnished by the director and shall be verified by the applicant before a person authorized to administer oaths or before an officer of the Washington state patrol or other person authorized by the director to certify to the signature on such application and shall be forwarded to the director. A fee of four dollars shall be paid by each applicant. Whenever applications are received by the Washington state patrol, a county auditor or other agent of the director, the application together with the fee shall be forwarded to the director, who shall transmit the fees to the state treasurer on the day following their collection.

RCW 46.20.090 amended.

Operators' licenses. Application for license—Contents—Fee.

Motor vehicles
—Operators li-
censes—Appli-
cation for,
contents.

Every application shall state the name, date of birth, sex, and residence address of the applicant, and whether or not the applicant has heretofore been licensed as a vehicle operator and if so when and by what state, and whether or not such license has ever been suspended, revoked, canceled, or refused, and if so the date of and reason for such suspension, revocation, cancellation, or refusal.

RCW 46.68.040
amended.

SEC. 2. Section 71, chapter 188, Laws of 1937 as last amended by section 5, chapter 259, Laws of 1955 and RCW 46.68.040 are each amended to read as follows:

Disposition of
operator's li-
cense fees—
Support of
state parks.

The director shall forward all funds accruing under the provisions of chapter 46.20 to the state treasurer, together with a proper identifying, detailed report. The state treasurer shall deposit such moneys to the credit of the highway safety fund, except that out of each fee of four dollars collected for a vehicle operator's license the sum of two dollars and twenty cents shall be paid into the state parks and parkways fund. All expenses incurred in carrying out the provisions of chapter 46.20 relating to vehicle operator's license shall be paid from the highway safety fund and state parks and parkways fund as by appropriation provided.

Passed the Senate March 8, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 295.

[Sub. S. B. 280.]

WATER AND POWER RESOURCES—OPERATING
AGENCIES—POWER COMMISSION ABOLISHED.

AN ACT relating to the conservation, development and utilization of the state's water and power resources; providing for the creation of joint operating agencies by public utility districts and/or cities; prescribing their powers, abolishing the Washington state power commission and transferring its powers to joint operating agencies; amending section 12, chapter 281, Laws of 1953 as amended by section 3, chapter 258, Laws of 1955, and RCW 43.52.360; amending section 13, chapter 281, Laws of 1953 and RCW 43.52.370; amending section 10, chapter 258, Laws of 1955 and RCW 43.52.343; adding new sections to chapter 43.52 RCW; repealing section 2, chapter 281, Laws of 1953 and RCW 43.52.270; repealing section 3, chapter 281, Laws of 1953 and RCW 43.52.280; repealing section 6, chapter 281, Laws of 1953 and RCW 43.52.310; repealing section 7, chapter 281, Laws of 1953 as amended by section 2, chapter 258, Laws of 1955, and RCW 43.52.320; repealing section 8, chapter 281, Laws of 1953 and RCW 43.52.330; repealing section 6, chapter 258, Laws of 1955 and RCW 43.52.341; repealing section 7, chapter 258, Laws of 1955 and RCW 43.52.3415; repealing section 8, chapter 258, Laws of 1955 and RCW 43.52.342; repealing section 9, chapter 258, Laws of 1955 and RCW 43.52.3425; repealing section 11, chapter 258, Laws of 1955 and RCW 43.52.344; repealing section 12, chapter 258, Laws of 1955 and RCW 43.52.345; repealing section 13, chapter 258, Laws of 1955 and RCW 43.52.346; repealing section 14, chapter 258, Laws of 1955 and RCW 43.52.347; repealing section 15, chapter 258, Laws of 1955 and RCW 43.52.348; repealing section 16, chapter 258, Laws of 1955 and RCW 43.52.349; repealing section 15, chapter 281, Laws of 1953 as amended by section 4, chapter 258, Laws of 1955, and RCW 43.52.390; and repealing section 18, chapter 281, Laws of 1953 and RCW 43.52.420; and declaring an emergency.

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

SECTION 1. Section 12, chapter 281, Laws of 1953 as amended by section 3, chapter 258, Laws of 1955, and RCW 43.52.360 are each amended to read as follows:

RCW 43.52.360
amended.

Any two or more cities or public utility districts or combinations thereof may form an operating

Cities, P.U.D.'s
as operating
agencies.
Operating
agency—For-
mation—Addi-
tional projects
—Appeals—
Membership—
withdrawal—
Dissolution.

agency (herein sometimes called a joint operating agency) for the purpose of acquiring, constructing, operating and owning plants, systems and other facilities and extensions thereof, for the generation and/or transmission of electric energy and power. Each such agency shall be a municipal corporation of the state of Washington with the right to sue and be sued in its own name.

Application for the formation of an operating agency shall be made to the director of conservation and development (herein sometimes referred to as the director) after the adoption of a resolution by the legislative body of each city or public utility district to be initial members thereof authorizing said city or district to participate. Such application shall set forth (1) the name and address of each participant, together with a certified copy of the resolution authorizing its participation; (2) a general description of the project and the principal project works, including dams, reservoirs, power houses and transmission lines; (3) the general location of the project and, if a hydroelectric project, the name of the stream on which such proposed project is to be located; (4) if the project is for the generation of electricity, the proposed use or market for the power to be developed; (5) a general statement of the electric loads and resources of each of the participants; (6) a statement of the proposed method of financing the preliminary engineering and other studies and the participation therein by each of the participants.

Within ten days after such application is filed with the director of conservation and development notice thereof shall be published by the director once a week for four consecutive weeks in a newspaper of general circulation in the county or counties in which such project is to be located, setting forth the names of the participants and the general nature,

extent and location of the project. Any public utility wishing to do so may object to such application by filing an objection, setting forth the reasons therefor, with the director of conservation and development not later than ten days after the date of last publication of such notice.

Operating
agency—For-
mation—Addi-
tional projects
—Appeals—
Membership,
withdrawal—
Dissolution.

Within ninety days after the date of last publication the director shall either make findings thereon or have instituted a hearing thereon. In event the director has neither made findings nor instituted a hearing within ninety days of the date of last publication, or if such hearing is instituted within such time but no findings are made within one hundred and twenty days of the date of such last publication, the application shall be deemed to have been approved and the operating agency established. If it shall appear (a) that the statements set forth in said application are substantially correct; (b) that the contemplated project is such as is adaptable to the needs, both actual and prospective, of the participants and such other public utilities as indicate a good faith intention by contract or by letter of intent to participate in the use of such project; (c) that no objection to the formation of such operating agency has been filed by any other public utility which prior to and at the time of the filing of the application for such operating agency had on file a permit or license from an agency of the state or an agency of the United States, whichever has primary jurisdiction, for the construction of such projects; (d) that adequate provision will be made for financing the preliminary engineering, legal and other costs necessary thereto; the director shall make findings to that effect and enter an order creating such operating agency, establishing the name thereof and the specific project for the construction and operation for which such operating agency is formed. Such order shall not be construed to constitute a

Cities, P.U.D.'s
as operating
agencies.
Operating
agency—Addi-
tional projects
—Appeals—
Membership,
withdrawal—
Dissolution.

bar to any other public utility proceeding according to law to procure any required governmental permits, licenses or authority, but such order shall establish the competency of the operating agency to proceed according to law to procure such permits, licenses or authority.

No operating agency shall undertake projects in addition to those for which it was formed without the approval of the legislative bodies of a majority of the members thereof. In the event that an operating agency desires to undertake such a hydroelectric project at a site or sites upon which any publicly or privately owned public utility has a license or permit or has a prior application for a license or permit pending with any commission or agency, state or federal, having jurisdiction thereof, application to construct such additional project shall be made to the director of conservation and development in the same manner, subject to the same requirements and with the same notice as required for an initial agency and project and shall not be constructed until an order authorizing the same shall have been made by the director in the manner provided for such original application.

Any party who has joined in filing the application for, or objections against, the creation of such operating agency and/or the construction of an additional project, and who feels aggrieved by any order or finding of the director shall have the right to appeal to the superior court in the manner set forth in RCW 43.52.430.

After the formation of an operating agency, any other city or district may become a member thereof upon application to such agency after the adoption of a resolution of its legislative body authorizing said city or district to participate, and with the consent of the operating agency by the affirmative vote of the majority of its members. Any member

may withdraw from an operating agency, and thereupon such member shall forfeit any and all rights or interest which it may have in such operating agency or in any of the assets thereof: *Provided*, That all contractual obligations incurred while a member shall remain in full force and effect. An operating agency may be dissolved by the unanimous agreement of the members, and the members, after making provisions for the payment of all debts and obligations, shall thereupon hold the assets thereof as tenants in common.

Operating
agency—Disso-
lution.

Proviso.

SEC. 2. Section 13, chapter 281, Laws of 1953 and RCW 43.52.370 are each amended to read as follows:

RCW 43.52.370
amended.
Operating
agency board
—Members, ap-
pointment,
vote, term,
etc.—Rules—
Proceedings.

The management and control of an operating agency shall be vested in a board of directors, herein sometimes referred to as the board. The legislative body of each member of an operating agency shall appoint a representative who may, at the discretion of the member and regardless of any charter or other provision to the contrary, be an officer or employee of the member, to serve on the board of the operating agency. Each representative shall have one vote and shall have, in addition thereto, one vote for each block of electric energy equal to ten percent of the total energy generated by the agency during the preceding year purchased by the member represented by such representative. Each member may appoint an alternative representative to serve in the absence or disability of its representative. Each representative shall serve at the pleasure of the member. The board of an operating agency shall elect from its members a president, vice president and secretary, who shall serve at the pleasure of the board. The president and secretary shall perform the same duties with respect to the operating agency as are provided by law for the president and secretary, respectively, of public utility districts, and such other duties as may be provided by motion,

Cities, P.U.D.'s
as operating
agencies.
Operating
agency board—
Meetings, etc.
—Rules—
Proceedings.

rule or resolution of the board. The board of an operating agency shall adopt rules for the conduct of its meetings and the carrying out of its business, and adopt an official seal. All proceedings of an operating agency shall be by motion or resolution and shall be recorded in the minute book which shall be a public record. A majority of the board members shall constitute a quorum for the transaction of business. A majority of the votes which the members present are entitled to cast shall be necessary and sufficient to pass any motion or resolution: *Provided*, That such board members are entitled to cast a majority of the votes of all members of the board. The members of the board of an operating agency may be compensated by such agency to the same extent and subject to the same limitations as is provided for members of the commission in RCW 43.52.290: *Provided*, That the per diem compensation to any member shall not exceed five thousand dollars in any year.

Proviso.

Proviso.

New section.

SEC. 3. There is added to chapter 43.52 RCW a new section to read as follows:

Executive
committee—
Composition,
powers and
duties, terms.

The board of an operating agency by rule may create an executive committee to be composed of not less than three nor more than seven members of the board. The board may provide by rule for the composition of the executive committee so as to afford, in its judgment, fair representation to the member public utility districts and cities. The executive committee shall administer the business of the board during intervals between its meetings in accordance with its rules, motions or resolutions. The executive committee shall have authority to acquire or construct only such properties as may be provided for by motion or resolution of the board. The terms of office of the members of the executive committee and the method of filling vacancies

therein shall be fixed by the rules of the board of the operating agency.

SEC. 4. There is added to chapter 43.52 RCW a New section.
new section to read as follows:

The board of each joint operating agency shall by resolution appoint a treasurer. Before entering upon his duties the treasurer shall give bond to the operating agency, with a surety company authorized to write such bonds in this state as surety, in an amount which the board finds by resolution will protect the operating agency against loss, conditioned that all funds which he receives as such treasurer will be faithfully kept and accounted for and for the faithful discharge of his duties. The amount of such bond may be decreased or increased from time to time as the board may by resolution direct. The board shall also appoint an auditor and may require him to give a bond with a surety company authorized to do business in the state of Washington in such amount as it shall by resolution prescribe, conditioned for the faithful discharge of his duties. The premiums on the bonds of the auditor and the treasurer shall be paid by the operating agency. The board may provide for coverage of said officers and other persons on the same bond.

Treasurer—
Auditor—Offi-
cial bonds—
Funds.

All funds of the joint operating agency shall be paid to the treasurer and shall be disbursed by him only on warrants issued by the auditor upon orders or vouchers approved by the board: *Provided*, That Proviso. the board by resolution may authorize the executive committee to approve or disapprove vouchers presented to defray salaries of employees and other expenses of the operating agency arising in the usual and ordinary course of its business and expenses incurred by the committee in the performance of such duties as the operating agency may authorize it to perform. All moneys of the operating agency shall be deposited forthwith by the treasurer in such

Cities, P.U.D.'s
as operating
agencies.
Official bonds
—Funds.

depositories, and with such securities as are designated by rules of the board. The treasurer shall establish a general fund and such special funds as shall be created by the board, into which he shall place all money of the joint operating agency as the board by resolution or motion may direct.

New section.

SEC. 5. There is added to chapter 43.52 RCW a new section to read as follows:

Powers and
duties of op-
erating agency.

Except as otherwise provided in this section, a joint operating agency shall have all powers now or hereafter granted public utility districts under the laws of this state. It shall not acquire nor operate any electric distribution properties nor condemn any properties owned by a public utility which are operated for the generation and transmission of electric power and energy or are being developed for such purposes with due diligence under a valid license or permit, nor purchase or acquire any operating hydroelectric generating plant owned by any city or district on June 11, 1953, or which may be acquired by any city or district by condemnation on or after January 1, 1957, nor levy taxes, issue general obligation bonds, or create sub-districts. It may enter into any contracts, leases or other undertakings deemed necessary or proper and acquire by purchase or condemnation any real or personal property used or useful for its corporate purposes. Actions in eminent domain may be instituted in the superior court of any county in which any of the property sought to be condemned is located and the court in any such action shall have jurisdiction to condemn property wherever located within the state; otherwise such actions shall be governed by the same procedure as now or hereafter provided by law for public utility districts. An operating agency may sell steam or water not required by it for the generation of power and may construct or acquire any facilities it deems necessary for that purpose.

An operating agency may make contracts for any term relating to the purchase, sale, interchange or wheeling of power with the government of the United States or any agency thereof and with any municipal corporation or public utility, within or without the state, and may purchase or deliver power anywhere pursuant to any such contract. An operating agency may acquire any coal-bearing lands for the purpose of assuring a long-term, adequate supply of coal to supply its needs, both actual and prospective, for the generation of power and may make such contracts with respect to the extraction, sale or disposal of coal that it deems proper. In addition to the power and authority granted in this chapter to an operating agency, it shall also have all power and authority heretofore granted, and shall be subject to all of the duties imposed upon, the Washington state power commission by RCW 43.52.300 and RCW 43.52.350.

Powers and duties of operating agency.

Any member of an operating agency may advance or contribute funds to an agency as may be agreed upon by the agency and the member, and the agency shall repay such advances or contributions from proceeds of revenue bonds, from operating revenues or from any other funds of the agency, together with interest not to exceed six percent per annum.

SEC. 6. There is added to chapter 43.52 RCW a new section to read as follows:

New section.

For the purposes provided for in this chapter, an operating agency shall have power to issue revenue bonds or warrants payable from the revenues of the utility properties operated by it. Whenever the board of a joint operating agency shall deem it advisable to issue bonds or warrants to construct or acquire any public utility or any works, plants or facilities or any additions or betterments thereto or extensions thereof it shall provide therefor by resolution, which shall specify and adopt the system or plan proposed

Revenue bonds or warrants.

Cities, P.U.D.'s
as operating
agencies.
Revenue bonds
or warrants.

and declare the estimated cost thereof as near as may be. Such cost may include funds for working capital, for payment of expenses incurred in the acquisition or construction of the utility and for repayment of advances made to the operating agency by any public utility district or city. Except as otherwise provided in section 7 of this act, all the provisions of law as now or hereafter in effect relating to revenue bonds or warrants of public utility districts shall apply to revenue bonds or warrants issued by the joint operating agency including, without limitation, provisions relating to: The creation of special funds and the pledging of revenues thereto; the time and place of payment of such bonds or warrants and the interest rate or rates thereon; the covenants that may be contained therein and the effect thereof; the execution, issuance, sale, funding, or refunding, redemption and registration of such bonds or warrants; and the status thereof as negotiable instruments, as legal securities for deposits of public moneys and as legal investments for trustees and other fiduciaries and for savings and loan associations, banks and insurance companies doing business in this state.

RCW 43.52.343
amended.

SEC. 7. Section 10, chapter 258, Laws of 1955 and RCW 43.52.343 are each amended to read as follows:

Bonds. Adver-
tisement, bid,
sale.

All bonds issued by an operating agency shall be sold to the highest and best bidder after such advertising for bids as the board of the operating agency may deem proper: *Provided*, That the board may reject any and all bids so submitted and thereafter sell such bonds so advertised under such terms and conditions as it may deem most advantageous to its own interests.

Proviso.

Power commis-
sion abolished.

SEC. 8. The Washington state power commission is hereby abolished.

Repeal.

SEC. 9. Section 2, chapter 281, Laws of 1953 and RCW 43.52.270; section 3, chapter 281, Laws of 1953

and RCW 43.52.280; section 6, chapter 281, Laws of 1953 and RCW 43.52.310; section 7, chapter 281, Laws of 1953 as amended by section 2, chapter 258, Laws of 1955, and RCW 43.52.320; section 8, chapter 281, Laws of 1953 and RCW 43.52.330; section 6, chapter 258, Laws of 1955 and RCW 43.52.341; section 7, chapter 258, Laws of 1955 and RCW 43.52.3415; section 8, chapter 258, Laws of 1955 and RCW 43.52.342; section 9, chapter 258, Laws of 1955 and RCW 43.52.3425; section 11, chapter 258, Laws of 1955 and RCW 43.52.344; section 12, chapter 258, Laws of 1955 and RCW 43.52.345; section 13, chapter 258, Laws of 1955 and RCW 43.52.346; section 14, chapter 258, Laws of 1955 and RCW 43.52.347; section 15, chapter 258, Laws of 1955 and RCW 43.52.348; section 16, chapter 258, Laws of 1955 and RCW 43.52.349; section 15, chapter 281, Laws of 1953 as amended by section 4, chapter 258, Laws of 1955, and RCW 43.52.390; and section 18, chapter 281, Laws of 1953 and RCW 43.52.420 are each repealed.

SEC. 10. Any joint operating agency formed under this section shall pay in lieu of taxes payments in the same amounts as paid by public utility districts. Such payments shall be distributed in accordance with the provisions applicable to public utility districts: *Provided, however,* That such tax shall not apply to steam generated electricity.

SEC. 11. There is added to chapter 43.52 RCW a new section to read as follows:

Except as provided in section 1 of this act, the validity of the organization of any joint operating agency can be questioned only by action instituted within six months from the date that the joint operating agency is created. If the validity of the existence of any joint operating agency is not challenged within that period, by the filing and service of a petition or complaint in the action, the state shall be barred forever from questioning the validity

Repeal.

Payment in lieu of taxes.

Proviso.

New section.

Validity of organization and existence (operating agency).

Cities, P.U.D.'s
as operating
agencies.

of the joint operating agency by reason of any defect claimed to exist in the organization thereof, and it shall be deemed validly organized for all purposes. Any joint operating agency heretofore attempted to be organized pursuant to chapter 43.52 and which has maintained its existence since the date of such attempted organization, is hereby declared legal and valid and its organization and creation are validated and confirmed.

Severability.

SEC. 12. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, and its application to other persons or circumstances shall not be affected. This act shall be liberally construed to effectuate its purposes.

Emergency.

SEC. 13. 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 7, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 296.

[S. B. 135.]

EDUCATION—SCHOOL DISTRICT ORGANIZATION AND REORGANIZATION.

AN ACT relating to education; providing for the vote required for the approval of propositions at special elections in school districts; amending section 5, chapter 395, Laws of 1955 and RCW 28.57.090; and declaring an emergency.

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

RCW 28.57.090
amended.

SECTION 1. Section 5, chapter 395, Laws of 1955 and RCW 28.57.090 are amended to read as follows:

Whenever a special election is held to vote on a

proposal to form a new school district, the votes cast by the electors in each component district shall be tabulated separately and the proposition shall be considered approved only if it receives a majority of the votes cast in each separate district voting thereon. Whenever a special election is held to vote on a proposal for adjustment of bonded indebtedness the entire vote cast by the electors of the proposed new district or of the established district as the case may be shall be tabulated and any such proposition shall be considered approved if a majority of sixty percent of all votes cast thereon is in the affirmative.

School districts, organization.
Vote, how determined—
Superintendent's order—
Certification—
Effective date.

In the event of approval of a proposition or propositions voted on at a special election, the county superintendent shall: (1) Make an order establishing such new district or such terms of adjustment of bonded indebtedness or both, as were approved by the voters and shall also order effected such other terms of adjustment, if there be any, of property and other assets and of liabilities other than bonded indebtedness as have been approved by the state board; (2) certify his action to the county and school district officers specified in RCW 28.57.070; and (3) designate the new district by name and by a number different from that of any component thereof or of any other district in existence in the county.

The county superintendent may, if he deems such action advisable, fix, as the effective date of any order or orders he is required by this chapter to make, the first day of July next succeeding the date of final approval of any change in the organization and extent of school districts or of any terms of adjustment of the assets and liabilities of school districts.

Upon receipt of the aforesaid certification, the clerk of each school district which is included in the new district shall deliver to the proper school district officer of the new district all books, papers, docu-

School district organization.

ments, records and other materials pertaining to his office.

SEC. 2. Section 4, chapter 266, Laws of 1947 and RCW 28.57.160 are each amended to read as follows:

A new school district may be formed comprising territory lying in a single county or in two or more counties. Such new district may comprise two or more noncontiguous school districts or a part of one or more school districts and territory which is not a part of any school district. The boundaries of existing school districts may be altered (1) by the transfer of territory from one district to another district, or (2) by the annexation to a district of a part or all of one or more other districts or of territory which is not a part of any school district, but only if such territory is contiguous to the district to which it is transferred or annexed. Territory may be transferred or annexed to an existing school district without regard to county boundaries.

vetoed.

Emergency.

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of section 2, which is vetoed.

Veto message, excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"Section 2 does not conform to the title. It was added to the bill as originally introduced but the title was not amended to conform to the provisions of the section. Furthermore, in drafting the section, the word "contiguous" was inadvertently left out of the statute to be amended, so that the section, if approved, would create a doubt as to whether or not a contiguous territory could be included in a new school district. This amendment was submitted at the request of the State Board of Education and they are now requesting that the section be vetoed in order to eliminate this uncertainty.

"For this reason section 2 is vetoed and the remainder of the bill is approved."

CHAPTER 297.

[S. B. 224.]

PARENTAL SCHOOLS.

AN ACT relating to parental schools; providing for the acquisition of parental school facilities by the department of institutions, through the division of children and youth services and the disposal of parental school facilities by school districts; deleting from existing law the constructive attendance credit for state apportionment purposes and school district authority to operate parental schools; providing commitment and operating procedures; making an appropriation; amending section 1, chapter 135, Laws of 1953 and RCW 28.13.030, and section 4, chapter 187, Laws of 1955 and RCW 28.41.070; and repealing chapter 78, Laws of 1903 and RCW 13.12.010 through 13.12.110, and section 1, chapter 202, Laws of 1919.

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

SECTION 1. Section 1, chapter 135, Laws of 1953 and RCW 28.13.030 are each amended to read as follows:

School district officers and teachers shall cooperate with the superintendent of public instruction and with the supervisor, and shall give such aid and special attention to handicapped children as their facilities will permit.

School districts may severally or jointly purchase and own special aid equipment and materials, with the approval of the supervisor, and may pay for the same out of their general fund budget. School districts may severally or jointly employ special teachers for special aid, with the approval of the supervisor, and may pay their salaries and compensation out of their general fund budgets. School districts may severally or jointly establish and operate residential schools for aid and special attention to handicapped children, with the approval of the supervisor, and may pay for the operation of such residential schools out of their general fund budgets. School districts may make agreements with other

Vetoed.

Vetoed.

school districts for aid and special attention to handicapped children of their districts in the schools and special services of such other districts, with the approval of the supervisor, and may pay for the same out of their general fund budgets, and such payments may include the cost of board and room for such handicapped children while housed in such other districts. Such expenditures may be partially or wholly reimbursed from funds appropriated for that purpose under rules and regulations established by the superintendent of public instruction: *Provided*, That this section shall not authorize school districts to operate parental schools.

Purchase of parental school facilities from school districts authorized.

SEC. 2. The department of institutions, through the division of children and youth services, may execute leases, with options to purchase, of parental school facilities now or hereafter owned and operated by school districts, and such leases with options to purchase shall include such terms and conditions as the director of institutions deems reasonable and necessary to acquire such facilities. Notwithstanding any provisions of the law to the contrary, the board of directors of each school district now or hereafter owning and operating parental school facilities may, without submission for approval to the voters of the school district, execute leases, with options to purchase, of such parental school facilities, and such leases with options to purchase shall include such terms and conditions as the board of directors deems reasonable and necessary to dispose of such facilities in a manner beneficial to the school district. The department of institutions, through the division of children and youth services, if it enters into a lease, with an option to purchase, of parental school facilities, may exercise its option and purchase such parental school facilities; and a school district may, if it enters into a lease, with an option to purchase, of parental school facilities, upon exercise of the

option to purchase by the department of institutions, sell such parental school facilities and such sale may be accomplished without first obtaining a vote of approval from the electorate of the school district.

SEC. 3. The department of institutions, through the division of children and youth services, may employ personnel, including but not limited to, superintendents and all other officers, agents, and teachers necessary to the operation of parental schools.

Employment of personnel authorized.

SEC. 4. There is added to chapter 13.08 RCW a new section to read as follows:

New section.

Any boy or girl between the ages of eight and eighteen years of age who has been found delinquent or guilty of any crime, except murder or manslaughter, as provided by law, may be committed by the superior court to the department of institutions, division of children and youth services, for institutional placement in such reception-diagnostic center, camp, or other facility under the supervision and control of the division as shall be designated by the supervisor of the division of children and youth services, including parental schools the transfer of which to the department of institutions has been authorized by the provisions of this act. At such time as institutional placement for any boy or girl has been designated by the supervisor, or any transfer in institutional placement shall be made, notice thereof shall be given to the committing court and to the parents or guardian of such child, or any agency legally responsible for such child.

Commitment to division of children and youth services
—Notice to court of institutional placement.

SEC. 5. There is added to chapter 13.08 RCW a new section to read as follows:

New section.

The decision of the supervisor on institutional placement or transfer of institutional placement of any child committed under this amendatory act may be reviewed by the committing court, upon the petition of the parents or guardian of such child, or any

Petition to review decision on placement.

Institutional placement of juvenile offenders. Petition to review decision on placement.

agency legally responsible for such child. Such petition must be filed within thirty days from the date of the giving of notice of institutional placement or transfer in institutional placement by the supervisor. A copy of the petition shall be served upon the supervisor of the division of children and youth services and the attorney general, either personally or by registered mail, at least ten days prior to the date set for hearing.

New section.

SEC. 6. There is added to chapter 13.08 RCW a new section to read as follows:

Court's scope of action—Appeal.

If the court finds that the decision of the supervisor on the institutional placement or transfer of institutional placement of any juvenile committed under the terms of this amendatory act is arbitrary, capricious, or contrary to law, the court may change, modify, or set aside the decision of the supervisor and the ruling of the committing court shall be appealable to the supreme court.

RCW 28.41.070 amended.

SEC. 7. Section 4, chapter 187, Laws of 1955 and RCW 28.41.070 are each amended to read as follows:

Current state fund. Ascertainment of annual total attendance credit of districts.

The total attendance credit to be allowed to each district shall be ascertained by adding:

- (1) The total number of actual days attendance in elementary schools, junior high schools and high schools therein;
- (2) An additional one-fifth times the actual days attendance in junior high schools therein;
- (3) An additional two-fifths times the actual days attendance in high schools therein;
- (4) An additional one-fifth times each hour of actual attendance in vocational classes conducted therein if approved for such attendance credit by the state board for vocational education;
- (5) Two times the actual days attendance in the thirteenth and fourteenth years in high schools approved for such years of instruction by the state board of education;

(6) Three thousand days attendance for each special service unit in remedial education, guidance, health and other special services designated by the state board of education;

Ascertainment of annual total attendance credit of districts.

(7) One-fifth days attendance for each hour's actual attendance in night school classes, part time schools, and adult education classes;

(8) One-half day of attendance for each two hours or more of actual attendance in kindergarten.

SEC. 8. Chapter 78, Laws of 1903 and RCW 13.12-.010 through 13.12.110 are each repealed.

SEC. 9. Section 1, chapter 202, Laws of 1919 is repealed.

Vetoed.

SEC. 10. This act shall take effect July 1, 1957.

Effective date.

Passed the Senate March 13, 1957.

Passed the House March 12, 1957.

Approved by the Governor March 26, 1957, with the exception of sections 1, 8, and 9, which are vetoed.

Note: Excerpt of Governor's veto message reads as follows:

Veto message, excerpt from.

"The main purpose of Senate Bill No. 224 was to allow the Seattle school district to transfer to the department of institutions certain parental schools. This purpose is accomplished through the enactment of section 2 of Senate Bill No. 224.

"Section 1 would prevent a school district, singly or in combination with another school district, from operating parental schools. Sections 8 and 9 abolish laws enacted for the establishment and maintenance of parental or truant schools and provisions for commitment to such schools.

"I have been advised that some school districts may in the near future desire to set up and operate parental schools. I strongly believe in the principle of local control. I believe that the members of a local school district, if they so desire, should have the right to set up parental schools in their own school districts.

"For the reasons indicated I veto sections 1, 8 and 9 and approve the remainder of the bill."

CHAPTER 298.

[Sub. S. B. 468.]

STATE BUILDING CONSTRUCTION ACT.

AN ACT providing for the financing and construction of public buildings from the proceeds of a bond issue repayable from a portion of the retail sales tax and such additional means as the legislature may provide; making an appropriation and declaring an emergency.

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

Short title. SECTION 1. This act shall be known as the state building construction act.

Definitions. SEC. 2. The following terms, whenever used or referred to in this act, shall have the following meanings, excepting in those instances where the context clearly indicates otherwise:

"Agency." (1) "Agency" shall mean any board, commission, committee, director, or other agency charged with the supervision and control of any department, institution, or agency of the state of Washington.

"Fund." (2) "Fund" shall mean the special fund created by this act to be known as the state building construction bond retirement fund.

"Bonds." (3) "Bonds" shall mean the limited obligation bonds issued pursuant to this act and payable only out of the special fund created herein.

"Project." (4) "Project" shall mean the construction, completion, reconstruction, remodeling, rehabilitation, or improvement of any building or other facility and the acquisition of land therefor authorized by the legislature to be financed under the provisions of this act.

Contracts for construction authorized—Cost limitation. SEC. 3. The agencies in this act mentioned are each empowered to contract for the construction of the particular project herein authorized by the legislature to be constructed and financed as in this act provided. The cost of each of the projects herein

authorized shall not exceed the amounts set forth in this act.

SEC. 4. For the purpose of providing means for paying the costs of the projects authorized by this act, and to pay costs incident to the issuance and sale of bonds by this act, the state finance committee is authorized to issue and sell limited obligation bonds of the state of Washington. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee may, in its discretion, provide for the issuance of said bonds to be dated, issued and sold from time to time in such amounts as may be necessary to make the payments provided for by this act. Said bonds:

Limited obligation bonds authorized. Issuance, form, contents, when payable, signature, liability on, interest.

- (1) Shall be
 - (a) Either registered or in coupon form; and
 - (b) Issued in denominations of not less than one hundred dollars;
- (2) Shall state
 - (a) The date of issue; and
 - (b) The series of the issue and be consecutively numbered within the series; and
 - (c) That the bond is payable out of the special fund established for the purposes of this act;
- (3) Shall bear interest, payable either annually or semiannually, as the state finance committee may determine, at a rate not to exceed six percent per annum;
- (4) Shall be payable solely out of the special fund created for the purposes of this act;
- (5) Shall be payable at such times over a period of not to exceed thirty years from date of issuance, in such manner and at such place or places, and with such reserved rights of prior redemption, as the state finance committee may prescribe to be specified therein;

State building construction act. Limited obligation bonds authorized. Signature, liability on, contents, interest.

(6) Shall be signed either manually or with a printed facsimile signature by the governor and the state auditor under the seal of the state and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile.

Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York, as to principal alone or as to both principal and interest under such regulations as the state treasurer may prescribe. Said bonds shall distinctly state that they shall not be a general obligation of the state of Washington, but shall be payable from that portion of the retail sales tax allocated to said fund in the manner prescribed in this act. Said bonds and the interest thereon shall, so long as any portion thereof shall remain unpaid, constitute a prior charge upon the retail sales tax allocated to the state building construction bond redemption fund herein provided for, subject to and inferior only to the charge thereon created by chapters 229 and 230, Laws of 1949, and shall be payable at such places as the state finance committee shall provide. All bonds issued under the provisions of this act may be sold in such manner and such amounts and at such times and on such terms and conditions as the state finance committee may prescribe: *Provided*, That if such bonds are sold to any persons other than the state of Washington they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provision of this act shall be legal investment for any of the funds of the state not restricted by any constitutional prohibition.

Proviso.

Disposition of moneys from sale of bonds.

SEC. 5. The money arising from the sale of said bonds shall be deposited in the state treasury to

the credit of the state building construction account in the state general fund, and shall be used for the purposes, and by the agencies authorized by this act. For the purpose of carrying out the provision of this act, there is hereby appropriated from the state building construction account the sum of twenty million two hundred and fourteen thousand nine hundred ninety-six dollars, or so much thereof as shall be necessary.

Appropriation.

SEC. 6. There is hereby created in the state treasury a special fund to be known as the state building construction bond redemption fund, which fund shall be exclusively devoted for the retirement of said bonds upon maturity and the payment of interest as it falls due. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements, and the state treasurer shall thereupon deposit such amount in said state building construction bond redemption fund from moneys transmitted to the state treasurer by the tax commission and certified by the tax commission to be sales tax collections, and such amount certified by the state finance committee to the state treasurer shall be a prior charge against all retail sales tax revenues of the state of Washington, subject to and inferior only to the charges thereon created by chapters 229 and 230, Laws of 1949. Said bond redemption fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of the bonds herein authorized, the state undertakes to continue to levy and collect a tax on retail sales equal to that portion thereof allocated to said fund as provided in this act, and to place the proceeds thereof in the state building con-

State building construction bond redemption fund created—
Procedure for bond redemption.

State building construction act. Bonds authorized.

struction bond redemption fund and to make said fund available to meet said payments when due until all bonds and the interest thereon authorized under this act shall have been paid.

Bonds as state obligations—Act not exclusive method for repayment.

SEC. 7. The bonds authorized to be issued pursuant to the provisions of this chapter shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special fund created for their payment derived from the tax on retail sales as herein provided. The legislature may provide additional means for raising money for the payment of interest and principal of said bonds. This act shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington.

Projects authorized, cost.

SEC. 8. The legislature hereby authorizes the construction of the following projects to be financed under the provisions of this act:

AT THE UNIVERSITY OF WASHINGTON:	
Completing Construction of Teaching Hospital	\$2,850,000.00
BY THE MILITARY DEPARTMENT:	
Capital Outlays to Armories	\$325,000.00
Capital Outlays, Major Repairs and Betterments	\$332,640.00
BY THE DEPARTMENT OF FISHERIES:	
Capital Outlays, Major Repairs and Betterments	\$715,000.00
BY THE DEPARTMENT OF INSTITUTIONS:	
Purchase of Land and Buildings and Cost of Alterations and Equipment for Diagnostic and Treatment Center	\$780,100.00
AT THE CEDAR CREEK YOUTH FORESTRY CAMP:	
Construction and Equipment of Dormitory and Administration Building, Dining Hall and One Supervisor's Duplex Cottage and Construction of Site for Forestry Camp	\$200,000.00
AT EASTERN STATE HOSPITAL:	
Remodel, Repair and Equip Four Ward Buildings	\$190,000.00

	Projects authorized, cost.
Remodel and Equip Main Kitchen and Meat Preparation Area	\$35,000.00
Additions and Repairs to Existing Irrigation System	\$16,000.00
For Repairs to Existing Paving.....	\$25,000.00
Construction of Incinerator and Paving of Adjacent Area	\$6,000.00
New Well, including Pump, Piping and Electrical Facilities	\$130,000.00
AT GREEN HILL SCHOOL:	
Construction and Equipment of Two Cottage Dormitories	\$277,600.00
AT LAKELAND VILLAGE:	
Repairs to Buildings and Structures and Renovations and Additions to Plant Utilities.....	\$213,000.00
To Complete the Construction of Douglas Hall.	\$61,000.00
AT MAPLE LANE SCHOOL:	
Construction and Equipping of One Cottage..	\$110,000.00
AT NORTHERN STATE HOSPITAL:	
Replace Main Waterline Between Reservoirs..	\$46,000.00
Repairs to Administration and Ward Buildings	\$50,000.00
Construct Covering for Walks.....	\$30,000.00
Construction of Emergency Exits for Four Ward Buildings	\$6,750.00
AT WASHINGTON STATE PENITENTIARY:	
Construction and Equipping of Admission and Security Center	\$1,900,000.00
Construction and Equipping of Addition to Industries and Maintenance Building.....	\$150,000.00
Remodel and Repair Seven-wing Locking Devices	\$65,000.00
Construction and Equipping of Vocational Shop Building	\$225,000.00
Purchase and Installation of Shop Equipment.	\$45,000.00
Purchase and Install Industrial Equipment...	\$200,000.00
Construction of Two Additional Bays to Present Industrial Building.....	\$80,000.00
Remodel and Expand Electric Transmission System	\$47,500.00
AT RAINIER STATE SCHOOL:	
Extend and Equip Laundry.....	\$173,000.00
(Construction to be supervised by Department of General Administration Architect.)	
Remodel, Extend and Equip Kitchen.....	\$162,000.00
(Construction to be supervised by Department of General Administration Architect.)	

State building construction act. Projects authorized, cost.

Remodel Halls to Provide Classrooms, Including Equipment and Services.....	\$45,000.00
(Construction to be supervised by Department of General Administration Architect.)	
Construct and Equip Addition to Maintenance Shops	\$13,300.00
Modify Storm Sewer System.....	\$35,000.00
AT WASHINGTON STATE REFORMATORY:	
Construct and Furnish One Personnel Housing Unit	\$25,000.00
Remodel and Repair Existing Buildings, Including Equipment	\$100,000.00
Purchase and Installation of Equipment for New Industries	\$50,000.00
AT STATE SOLDIERS' HOME:	
Remodeling and Equipping Old Hospital.....	\$80,000.00
AT WESTERN STATE HOSPITAL:	
Construction of New Juvenile Building.....	\$472,500.00
(Plans and Supervision Furnished by Department of General Administration.)	
AT STATE COLLEGE OF WASHINGTON:	
Construction of Veterinary Clinic.....	\$1,316,750.00
Construction of Poultry and Dairy Buildings..	\$600,000.00
Construction of Incinerator.....	\$150,000.00
Construction of Swine Barn for Animal Husbandry	\$44,000.00
Partial Construction of Plant Science Building	\$1,900,000.00
Complete the Construction and Equipment of Agronomy Seed House.....	\$68,400.00
Purchase of Ninety Acres Agricultural Land..	\$27,000.00
Agricultural Land—Skagit	\$34,000.00
Pullman Land Enclosed by Campus.....	\$110,000.00
AT CENTRAL WASHINGTON COLLEGE:	
Completion of Classroom Building.....	\$36,000.00
Improvements to Present Campus Area.....	\$26,200.00
Conversion of Coal Burner to Natural Gas....	\$16,000.00
Purchase and Installation of Closed Circuit Television	\$49,336.00
Purchase of Land	\$181,620.00
Extension of Utilities	\$15,000.00
Construction of Health and Physical Education Building	\$1,300,000.00
Site Development for Above Building and Outdoor Physical Education Facilities.....	\$125,500.00
AT EASTERN WASHINGTON COLLEGE:	
Capital Outlays, Major Repairs and Betterments, Including Maintenance Sheds.....	\$275,000.00

Construction and Equipment and Purchase of Land for Laboratory School.....	\$422,000.00	Projects au- thorized, cost.
AT WESTERN WASHINGTON COLLEGE:		
Repairs to Buildings and Structures.....	\$25,000.00	
Purchase of Land and Site Improvements.....	\$131,600.00	
Construction and Equipment of Science Build- ing	\$2,216,800.00	
AT THE SCHOOL FOR THE BLIND AT VANCOUVER:		
Construction of and Equipment for New School Building	\$520,500.00	

SEC. 9. In addition to the power and authority conferred by this act, any agency authorized to construct the projects herein authorized shall have the authority and power to accept grants from the United States government, or any federal or state agency or instrumentality, or any public or private corporation, association, or person to aid in defraying the costs of any such project, which grant may be utilized in addition to the specific authorization of funds herein provided in the completion of such project.

Acceptance of
gifts or grants
authorized.

SEC. 10. This act shall be deemed to provide an additional and alternative method for the doing of the things authorized herein and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing. This act being necessary for the welfare of the state of Washington and its inhabitants shall be liberally construed to effect the purposes thereof. Any section or provision of this act which may be susceptible to more than one construction shall be interpreted in favor of the construction most likely to satisfy federal laws entitling this state to receive federal funds, or otherwise participate in programs of the federal government or any of its agencies or instrumentalities furthering the purposes of this act.

Act supple-
mental—
Liberal con-
struction.

SEC. 11. If any part of this act shall be held unconstitutional, such invalidity shall not affect any other part. It is hereby declared that had any sec-

Severability.

tion, paragraph, sentence, clause, phrase, or word as to which this act is declared invalid been eliminated from the act at the time the same was considered, the act would have nevertheless been enacted with such portions eliminated.

Emergency.

SEC. 12. This [act] is necessary for the immediate preservation of the public peace, health and safety, and for the support of the state government and the existing public institutions, and shall take effect immediately.

Passed the Senate March 14, 1957.

Passed the House March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 299.

[S. B. 482.]

STATE INSTITUTION BUILDINGS—BOND ISSUE
AUTHORIZED.

AN ACT providing funds for the construction of needful buildings at the state operated charitable, educational and penal institutions and at state supported institutions of higher learning authorizing the issuance and sale of state general obligation bonds and providing ways and means to pay said bonds; making an appropriation; providing for submission of this act to a vote of the people, and declaring an emergency.

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

General obligation bonds authorized for financing construction at state institutions—Form, sale, etc.

SECTION 1. For the purpose of providing needful buildings at the state operated charitable, educational and penal institutions presently operated by the department of institutions and at state supported institutions of higher learning the state finance committee is hereby authorized to issue, at any time prior to January 1, 1970, general obligation bonds of the state of Washington in the sum of twenty-five million dollars, or so much thereof as shall be

required to finance the program above set forth, to be paid and discharged within twenty years of the date of issuance.

Bonds authorized—Form, sale, etc.

The state finance committee is authorized to prescribe the form of such bonds, and the time of sale of all or any portion or portions of such bonds, and the conditions of sale and issuance thereof: *Provided*, That none of the bonds herein authorized shall be sold for less than the par value thereof, nor shall they bear interest at a rate in excess of four percent per annum.

Proviso.

The bonds shall pledge the full faith and credit of the state of Washington and contain an unconditional promise to pay the principal and interest when due. The committee may provide that the bonds, or any of them, may be called prior to the due date thereof under such terms and conditions as it may determine. The state finance committee may authorize the use of facsimile signatures in the issuance of the bonds.

SEC. 2. The proceeds from the sale of the bonds authorized herein, together with all grants, donations, transferred funds and all other moneys which the state finance committee may direct the state treasurer to deposit therein shall be deposited in the institutional building construction fund account in the state general fund.

Disposition of moneys.

SEC. 3. The sum of twenty-five million dollars, or so much thereof as may be necessary, is appropriated from the institutional building construction account in the state general fund to the state finance committee to be expended by the committee for the payment of expense incident to the sale and issuance of the bonds authorized herein and through allotments made, in its discretion, to the director of public institutions for the purpose of constructing such buildings at the state charitable, educational and penal institutions, and at the state supported institu-

Appropriation to state finance committee.

Institution buildings authorized.

tions of higher learning as the state finance committee may direct on or before September 1, 1958.

Institutional bond redemption fund created—Procedure for bond redemption—Action for.

SEC. 4. The institutional building bond redemption fund is hereby created in the state treasury, which fund shall be exclusively devoted to the payment of interest on and retirement of the bonds authorized by this act. The state finance committee shall, on or before June 30th of each year, certify to the state treasurer the amount needed in the ensuing twelve months to meet bond retirement and interest requirements and the state treasurer shall thereupon deposit such amount in said institutional building bond redemption fund from moneys transmitted to the state treasurer by the tax commission and certified by the tax commission to be sales tax collections and such amount certified by the state finance committee to the state treasurer shall be a prior charge against all retail sales tax revenues of the state of Washington, except that portion thereof heretofore pledged for the payment of bond principal and interest.

The owner and holder of each of said bonds or the trustee for any of the bonds may by mandamus or other appropriate proceeding require and compel the transfer and payment of funds as directed herein.

Act not exclusive method of bond repayment.

SEC. 5. The legislature may provide additional means for raising moneys for the payment of the interest and principal of the bonds authorized herein and this act shall not be deemed to provide an exclusive method for such payment.

Bonds, legal investment.

SEC. 6. The bonds herein authorized shall be a legal investment for all state funds or for funds under state control and all funds of municipal corporations.

Act to be submitted to the people, Nov., 1958.

SEC. 7. This act shall be submitted to the people for their adoption and ratification, or rejection, at the general election to be held in this state on the Tuesday next succeeding the first Monday in No-

vember, 1958, in accordance with the provisions of section 3, Article VIII of the state Constitution; and in accordance with the provisions of section 1, Article II of the state Constitution, as amended, and the laws adopted to facilitate the operation thereof.

SEC. 8. 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. Emergency.

Passed the Senate March 11, 1957.

Passed the House March 14, 1957.

Approved by the Governor March 26, 1957.

CHAPTER 300.

[Sub. H. B. 719.]

SUPPLEMENTAL APPROPRIATIONS.

AN ACT making appropriations and reappropriations for the purchase, condemnation and improvement of land, construction of buildings and improvements at designated state institutions; for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices; for the relief of certain individuals, corporations, counties and municipalities; for refunds and for deficiencies and for emergencies, and for appropriation of revolving funds, and for purposes specified in certain acts of Congress, and for miscellaneous purposes designated for the fiscal biennium beginning July 1, 1957, and ending June 30, 1959, except as otherwise provided; defining terms, limiting allowances and payments, and declaring that this act shall take effect immediately.

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

SECTION 1. The words "capital outlay," whenever used in this act, shall mean and include the purchase, condemnation and improvement of land and erection of buildings, including necessary salaries and wages incident thereto.

Definitions.
"Capital outlay."

Supplemental appropriations. Definitions. "Salaries and wages."

The words "salaries and wages," whenever used in this act, shall mean and include salaries of executive officers and employees of state offices, departments and institutions, and all compensation for direct labor or personal service rendered to the state.

"Operations."

The word "operations," whenever used in this act, shall mean and include necessary traveling expenses of officers and employees, and all expenses necessary for housing cost, supplies, material, services and maintenance of the various institutions, departments and offices of the state government, other than salaries and wages: *Provided*, That no portion of the appropriations made hereunder shall be expended for coupon or scrip books, or other evidences of advance payment for future delivery.

Proviso.

Appropriations—Purpose.

SEC. 2. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the moneys in the several funds in the state treasury hereinafter named for the payment of salaries of certain officers and employees of the state, and for the operation of certain state institutions, departments and offices, and for the purchase, condemnation and improvement of land and construction of buildings, and improvements for the various state institutions, and for deficiencies, and for emergencies, and for sundry civil expenses of the state government, and for purposes specified in certain acts of Congress and for miscellaneous purposes hereinbelow designated and mentioned and hereinafter expressed, for the fiscal biennium beginning July 1, 1957, and ending June 30, 1959, except as otherwise provided.

FROM THE GENERAL FUND—CAPITOL BUILDING CONSTRUCTION ACCOUNT.

For—Capitol Committee.

FOR THE STATE CAPITOL COMMITTEE:

Construction of Parking Facilities \$335,679.55
(Being the reappropriation

of the unexpended balance of appropriation made for like purposes by chapter 293, Laws of 1955.)

FROM THE GENERAL FUND—PARKS AND PARKWAYS ACCOUNT.

FOR THE STATE PARKS AND RECREATION COMMISSION:

For—Parks and Recreation Commission.

Capital Outlays and Major Repairs \$88,600.00

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)

FROM THE GENERAL FUND.

FOR THE ADJUTANT GENERAL—MILITARY DEPARTMENT:

—Adjutant General—Military Department.

Capital Outlays, Armories, To carry Out Provisions of chapter 181, Laws of 1953, Relating to National Defense. . . . \$156,618.46

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)

FOR THE DEPARTMENT OF FISHERIES:

—Department of Fisheries.

Research to Safeguard Migrating Salmon of the Columbia River at Corps of Engineers' Dams \$200,000.00

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955; expenditures to be limited to approved projects upon which reimbursement of 100% will be made by the Federal Government.)

Lower Columbia River Development \$1,281,000.00

(Being the reappropriation of the unexpended balance

Supplemental appropriations. For—Department of Fisheries.

of appropriation made for like purposes by chapters 15 and 16, Laws, Extraordinary Session 1955; expenditures herefrom to be limited to approved projects upon which reimbursement of 100% will be made by the Federal Government.)

Capital Outlays, Major Repairs and Betterments \$400,000.00

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)

FROM THE GENERAL FUND—CAPITOL BUILDING CONSTRUCTION ACCOUNT.

—Department of General Administration.

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION:

Remodeling Legislative Building	\$102,983.04	
Remodeling Capitol Group Buildings other than Legislative Building	68,062.94	
Total	<hr/>	\$171,045.98

(Being the reappropriation of the unexpended balances of appropriations made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)

FROM THE MOTOR VEHICLE FUND.

—State Patrol. FOR THE WASHINGTON STATE PATROL:

Weight Control:

Capital Outlays and Major Repairs	\$163,066.16
---	--------------

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF INSTITUTIONS:		For—Department of institutions, School for the Blind.
State School for the Blind:		
Major Repairs to Buildings and Structures	\$5,399.74	
State School for the Deaf:		School for the Deaf.
Improvement of Land for the Athletic Field	35,000.00	
Eastern State Hospital:		Eastern State Hospital.
Replace Exhaust Ducts in Main Kitchen	24,289.30	
Construction of Outbuildings	20,000.00	
Green Hill School:		Green Hill School.
Construction of Outbuildings	11,810.00	
Lakeland Village:		Lakeland Village.
Repair, Remodel and Modernize Existing Buildings..	26,424.51	
Construction of Building for Forty-five Ambulatory Infants	189,527.43	
Maple Lane School:		Maple Lane School.
Painting of Interior of Buildings	7,893.77	
Northern State Hospital:		Northern State Hospital.
Renovation and Additions to Sewage Disposal System..	116,000.00	
Construction of Vegetable and Fruit Storage Building...	10,000.00	
Replacement and Equipment of Farm Buildings.....	52,702.80	
Washington State Penitentiary:		State Penitentiary.
Construction of Industry Buildings	93,519.91	
Remodel Dining Room and Shops for Vocational Purposes	99,841.45	
Construction of Root House..	10,000.00	
Addition and Equipment for Hospital Wing	175,000.00	
Purchase and Installation of Emergency Generator	38,188.08	
Construction and Equipment of Dairy Buildings.....	166,023.03	
Purchase of Dairy Land and Drilling of Irrigation Wells	49,023.43	
Purchase of Equipment for Kitchen and Dining Hall..	9,076.71	

Supplemental appropriations. For—Department of Institutions. Rainier State School.	Rainier State School:		
	Construction of Addition to Kitchen	19,085.60	
	Construction of Addition to Shops	7,461.64	
	Construction of Outbuildings and Pavement	76,596.60	
State Reformatory.	Washington State Reformatory:		
	Construction of Addition to Dormitory at Farm No. 2..	19,500.00	
	Repairs of Floor and Walls in Inmates' Kitchen	20,162.00	
	Construction of Additional Vocational Buildings	50,000.00	
Soldiers' Home and Colony.	State Soldiers' Home and Colony:		
	Purchase of X-ray and Laboratory Equipment	6,000.00	
	Construction of Sewage Disposal System	75,000.00	
Veterans' Home.	Washington Veterans' Home:		
	Construction of Sewage disposal Plant	87,259.00	
	Piping Water from Source to Reservoir	5,000.00	
	Purchase of Land to Protect Watershed	19,980.00	
Western State Hospital.	Western State Hospital:		
	Construction of Outbuildings Total	73,681.88	
	(Being the reappropriation of the unexpended balances of appropriations made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)		\$1,684,446.88
Eastern State Hospital.	Eastern State Hospital:		
	Installation of Supplementary Water Supply System....	\$20,765.51	
Rainier State School.	Rainier State School:		
	Architects Fees for Remodeling Hospital Building.....	7,810.89	
State Reformatory.	Washington State Reformatory:		
	Purchase of Material and Supplies Necessary for Construction of a New Cottage	7,475.20	
	Total		\$36,051.60
	(Being the reappropriation of the unexpended balances of allotments approved by		

the Governor for like purposes from the appropriation by chapter 15, Laws, Extraordinary Session 1955.)

FROM THE GENERAL FUND—INSTITUTIONAL BUILDING
CONSTRUCTION ACCOUNT.

Green Hill School:

Architects Fees, Advertising
and Other Costs, Incidental
to the Preparation of Draw-
ings and Specifications and
the Calling for Bids and for
the Construction of Three
Cottage Dormitories. \$14,634.86

Construction of Two Cottage
Dormitories 193,174.40

Washington State Penitentiary:

Construction of Maintenance
Shops 146,182.80

Total \$353,992.06

(Being the reappropriation
of the unexpended balances
of allotments approved by
the State Finance Commit-
tee for like purposes from
the appropriation by chap-
ter 15, Laws, Extraordinary
Session 1955.)

For—Depart-
ment of Insti-
tutions.
Green Hill
School.

State Peni-
tentiary.

FROM THE GENERAL FUND—UNIVERSITY OF WASHINGTON
BUILDING ACCOUNT.

FOR THE UNIVERSITY OF WASHINGTON:

Construction of New Buildings,
Equipment and Remodeling.. \$831,965.83

(Being the reappropriation
of the unexpended balance
of appropriation made for
like purposes by chapter
16, Laws, Extraordinary
Session 1955.)

—University
of Washington.

FROM THE GENERAL FUND.

FOR THE STATE COLLEGE OF WASHINGTON:

Construction and Equipment of
Poultry Disease Diagnostic
Laboratories \$60,000.00

(Being the reappropriation
of the unexpended balance

—State College
of Washington.

Supplemental appropriations. For—State College of Washington.

	of appropriation made for like purposes by chapter 349, Laws of 1955.)		
Equipment for Science Building		\$363,000.00	
Equipment for Veterinary Clinic Building		100,000.00	
Expansion of Utilities to Accommodate New Buildings..		511,840.80	
Total		<hr/>	\$974,840.80
	(Being the reappropriation of the unexpended balances of appropriations made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)		
Northwestern Washington Experiment Station, Mount Vernon:			
Capital Outlays			\$18,137.03
	(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 15, Laws, Extraordinary Session 1955; expenditures contingent upon an equal amount of matching funds from local sources.)		

FROM THE GENERAL FUND—STATE COLLEGE OF WASHINGTON BUILDING ACCOUNT.

Capital Outlays, Major Repairs and Betterments.....		\$143,923.46
	(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 16, Laws, Extraordinary Session 1955.)	

FROM THE GENERAL FUND.

FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

Purchase of Land and Equipment for Science Building...		\$172,000.00
	(Being the reappropriation of the unexpended balance of appropriation made for	

—Western Washington College of Education.

like purposes by chapter
16, Laws, Extraordinary
Session 1955.)

FROM THE GENERAL FUND—PUBLIC SCHOOL BUILDING
CONSTRUCTION ACCOUNT.

FOR THE STATE FINANCE COMMITTEE:

Grants-in-aid to School Districts:

To Carry out Provisions of
chapter 229, Laws of 1949. \$602,326.79

To Carry out Provisions of
chapter 7, Laws of 1953,
First Extraordinary Session 1,290,270.57.

Total \$1,892,597.36

(Being the reappropriation
of the unexpended balances
of appropriations made for
like purposes by chapter
15, Laws, Extraordinary
Session 1955.)

To Carry out Provisions of
chapter 3, Laws of 1955,
Extraordinary Session.....

(Being the reappropriation
of the unexpended balance
of appropriation made for
like purposes by chapter
3, Laws, Extraordinary
Session 1955.) \$25,079,943.51

For—State
Finance Com-
mittee.
Carry out
Laws 1949
c 229.

Carry
out Laws
1953 1st. ex.
s. c 7.

Carry
out Laws
1955 ex. s. c 3.

FROM THE HIGHWAY SAFETY FUND.

FOR TRANSFERS:

To reimburse the General Fund
for allotment made to the
Department of Licenses from
the \$1,000,000.00 appropria-
tion by chapter 16, Laws,
Extraordinary Session 1955
(Allotment for salaries, wages
and operations approved by
the Governor November 19,
1956.) \$58,000.00

To reimburse the General Fund
for allotments made to the
Washington State Patrol from
the \$1,000,000.00 appropria-
tion by chapter 16, Laws,
Extraordinary Session 1955
(Allotments for training and
employing certain National

—Transfers.
General Fund,
reimburse-
ment.

Supplemental appropriations. For—Transfers. General Fund, reimbursement.

Guardsmen as State Patrol Officers, operation of the Mobile Radar Program, expanding the Motorcycle Squad and employ, train and equip fifteen additional patrol officers approved by the Governor August 30, 1955, and November 26, 1956)	\$195,000.00	
Total	\$253,000.00	

FROM THE GENERAL FUND.

—Local Improvement Assessments.

LOCAL IMPROVEMENT ASSESSMENTS:

Sundry Municipalities, for Local Improvement Assessments against State-owned lands as follows:

Adams County.	FOR THE TREASURER OF ADAMS COUNTY: Columbia Basin Irrigation District	\$1,355.21
Clark County.	FOR THE TREASURER OF CLARK COUNTY: Drainage District No. 5	\$36.00
Grant County.	FOR THE TREASURER OF GRANT COUNTY: Quincy Columbia Basin Irrigation District	\$18.54
Island County.	FOR THE TREASURER OF ISLAND COUNTY: Island County Weed District Interest	\$12.16 .73
	Total	\$12.89
Okanogan County.	FOR THE TREASURER OF OKANOGAN COUNTY: Brewster Flat Irrigation District	\$1,246.98
	Whitstone Reclamation District	2,750.00
	Wolf Creek Reclamation District	1,219.00
	Total	\$5,215.98
Whatcom County.	FOR THE TREASURER OF WHATCOM COUNTY: Macaulay Creek Flood Control District	\$1.18

FOR THE TREASURER OF YAKIMA COUNTY:		Yakima County.
Roza Irrigation District.....	\$1,286.94	
Interest	124.26	
Total	<hr/>	\$1,411.20
FOR JUDGMENTS:		For—Judgments.
ROBERT I. BOUNDS (State of Washington vs. Billie Charley, Yakima County No. 10306) ..		Robert I. Bounds. \$107.68
MAURICE KADISH (State of Washington vs. Lester L. Dinges, King County No. 272083, Supreme Court No. 28465)		Maurice Kadish. \$209.50
CHAVELLE AND MILLARD (State of Washington vs. B. A. Kelly, Dick Ruffin, Al Smith, Clair Smith, Ruth Markham, Rosalie Brandel, Nita Moore, Claire Pelus and Jean Pelus, King County No. 267257, Supreme Court No. 28156)		Chavelle and Millard. \$157.78
ORVILLE R. GRAVES (State of Washington vs. Thomas August Reeder, King County No. 268475, Supreme Court No. 28117)		Orville R. Graves. \$1,154.50
EDMUND T. BRIGHAM (State of Washington vs. Harrison B. Rose, Pend Oreille County No. 4186, Supreme Court No. 32404)		Edmund T. Brigham. \$96.12
FRED E. STACY (State of Washington vs. Fred Stacy, Grays Harbor County No. 44559) ..		Fred E. Stacy. \$139.20
MAURICE KADISH (State of Washington vs. Carl Taylor, King County No. 269300, Supreme Court No. 28380)		Maurice Kadish. \$399.00
CHARLES M. STOKES (State of Washington vs. Raymond Williams, King County No. 278031, Supreme Court No. 29032)		Charles M. Stokes. \$374.75
FOR REFUNDS:		For—Refunds.
ADMINISTRATOR OF THE ESTATE OF JOE BOKER, DECEASED, refund of assets escheated to the Permanent School Fund.		Admin., Estate, Joe Boker. \$1,664.78

Supplemental appropriations. For—Refunds. Paul Bender.	PAUL BENDER, unclaimed dividends from liquidation of Peoples Savings and Loan Association of Tacoma.....	\$748.57
Vetoed.	CITY OF CHENEY, assessment against Eastern Washington College of Education for storm sewer installation.....	\$50,341.73
Paul Heller.		
John Jaksa.	PAUL HELLER, unclaimed dividends due from liquidation of the Provident Savings and Loan Association of Seattle, Washington	\$160.94
Lillian Hagman.	JOHN JAKSA, for refund of unclaimed dividends of Peoples Savings and Loan Association escheated to the Permanent School Fund.....	\$295.45
Barbara C. Smith.	LILLIAN HAGMAN, refund of unclaimed dividends of Peoples Savings and Loan Association escheated to the Permanent School Fund.....	\$7.82
Thos. Swartz.	BARBARA C. SMITH, refund of fees on account of cancellation of Oil and Gas Permit..	\$258.00
William H. and Kathleen Walsh.	THOS. SWARTZ, payment of unclaimed dividends of Miners and Smelters Bank of Northport escheated to the Permanent School Fund.....	\$19.74
Evergreen Trails.	WILLIAM H. AND KATHLEEN G. WALSH, refund of payment for platted but nonexistent state land	\$310.80
Department of Fisheries.	EVERGREEN TRAILS, refund of overpayment of Corporation License Fee for the fiscal year ending June 30, 1956...	\$15.00
	DEPARTMENT OF FISHERIES:	
	Refund of various fisheries license fees	\$325.00
	Refund of offshore fisheries catch tax	80.79
	Total	\$405.79
	FROM THE MOTOR VEHICLE FUND.	
State Treasurer.	STATE TREASURER, reimbursement to Department of Highways for costs incurred in	

construction of scale house for State Patrol.....	\$8,297.94	For—Refunds.
FLETCHER OIL COMPANY, in full settlement of claim for refund of tax on 38,239 gallons of gasoline, claimant having neglected to file claim for export exemption within the statutory limitation period . .	\$2,485.52	Fletcher Oil Company.
E. R. LESTER, in full settlement of claim for tax refund in re claim of 149,777 gallons of gasoline alleged to have leaked from a bulk storage tank	\$7,131.61	E. R. Lester.
J. R. NICHOLLS, refund of fee covering duplicate registration of motor vehicle.....	\$5.10	J. R. Nicholls.
TREASURER OF PEND OREILLE COUNTY, refund of erroneous remittance to State Treasurer	\$95.25	Pend Oreille county.
TREASURER OF SPOKANE COUNTY, account of refund of Bid Forfeiture to Charles A. Power on Contract No. 5336.....	\$2,864.54	Spokane county.
LELAND H. HUGGINS, refund of tax on gasoline lost by leakage from storage tank.....	\$645.39	Leland H. Huggins.

FROM THE HIGHWAY EQUIPMENT FUND.

WASHINGTON STATE HIGHWAY COMMISSION, sundry supplies and refunds:		
Standard Oil Company.....	\$4.27	Standard Oil Co.
Chicago Junk and Machinery Company	45.00	Chicago Junk and Machinery Co.
Total	<hr/>	\$49.27

FROM THE GENERAL FUND.

FOR THE RELIEF OF THE FOLLOWING INDIVIDUALS, FIRMS AND CORPORATIONS:		—Relief of individuals, firms, corporations.
WILLIAM J. BAIN, in full settlement of claim for salary due as member of the board of Architectural examiners for the month of June, 1954....	\$100.00	William J. Bain.
CHRISTINE C. BEHLER, ET AL., payroll of Western State Hospital for month of June, 1955	\$65.33	Christine C. Behler, et al.

Supplemental appropriations. For—Relief of individuals, firms, corporations. Neal H. Ingram.	NEAL H. INGRAM, in full settlement of claim for salary due as member of the Board of Dental Examiners for the months of April and June, 1955	\$120.00
F. L. Jacobson, D. M. D.	F. L. JACOBSON, D.M.D., in full settlement of claim for salary due as member of the Board of Dental Examiners for the month of June, 1955	\$60.00
Rainier National Insurance Co.	RAINIER NATIONAL INSURANCE COMPANY, in full settlement of claim for damages to automobile of H. G. Steward, sustained on June 9, 1954, in an accident involving a truck of the Washington National Guard	\$174.04
State Treasurer.	STATE TREASURER, for liquidation of cash shortage accumulated over an extended period	\$347.36
Stevens County.	TREASURER OF STEVENS COUNTY, for delinquent taxes for the years 1951 through 1955 on SW¼, NE¼, Sec. 8, Twp. 30, Range 40, E.W.M., said land having been deeded to the State Forestry Board, without interest	\$24.63
Felix Neumann.	FELIX NEUMANN, in full settlement and satisfaction of judgment entered in re: Felix Neumann vs. Gordon E. Bearse, Pierce County Cause No. 128296	\$4,073.60
The Military Department.	THE MILITARY DEPARTMENT, in full settlement of the following sundry claims for damages:	
E. Housden, Farmers Mutual of Enumclaw.	Elmer Housden and Farmers Mutual of Enumclaw.....	\$295.01
Carl V. Erickson	Carl V. Erickson.....	59.26
Basil A. Boyd	Basil A. Boyd.....	131.03
James P. McBride	James P. McBride.....	38.75
Rolf H. Peterson	Rolf H. Peterson.....	92.23
Richard Geisler and Farmers Insurance.	Richard Geisler and Farmers Insurance Group	116.65
Frank O. Purbaugh.	Frank O. Purbaugh.....	497.18

Marvin R. Vaughan and Farmers Insurance Group.	436.70	Marvin Vaughan, Farmers Insurance.
Gordon D. Graham and All- state Insurance Company.	761.70	Gordon Gra- ham, Allstate Insurance.
F. W. Miller.....	235.75	F. W. Miller.
Wm. A. Roberts.....	71.72	Wm. A. Roberts.
Arthur L. Barrett and Fidel- ity and Casualty Company of New York.....	570.53	Arthur L. Barrett, Fidelity and Casualty Co. of New York.
Charles B. Robinson.....	143.25	Charles B. Robinson.
Public Utility District No. 1 of Okanogan County.....	198.67	P. U. D. No. 1, Okanogan Co.
Pacific Telephone and Tele- graph Co.	76.85	Pacific Telephone and Telegraph Co.
City of Spokane, Airport Division	189.47	City of Spokane.
Total	<hr/>	
		\$3,914.75
GORDON BUNKER, in full settle- ment of claim for services as employee of Division of Children and Youth for the month of June, 1955.....		Gordon Bunker.
		\$94.97
GEORGE C. GEISLER, in full settle- ment of claim for damages to automobile caused by a collision with a vehicle of the Washington National Guard.		George C. Geisler.
		\$149.65
FREDERICK A. CLARK, in full settlement for any and all losses and damages incurred, resulting from, or incident to the riot at the State Peniten- tiary on July 5, 1955.....		Frederick A. Clark.
		\$70.00
BERT L. JENKINS, in full settle- ment of claim for any and all losses and damages incurred, resulting from, or incident to the riot at the State Peniten- tiary on July 5, 1955.....		Bert L. Jenkins.
		\$4.00
ANTHONY J. PALLIS, in full set- tlement for any and all losses and damages incurred, re- sulting from, or incident to the riot at the State Peniten- tiary on July 5, 1955.....		Anthony J. Pallis.
		\$70.00
TREASURER OF THE UNITED STATES, Reimbursement for lost Federal property charged to the State of Washington..		Treasurer, United States.
		\$4,290.00

Supplemental appropriations. For—Relief of Individuals, firms, corporations.	TREASURER OF THE UNITED STATES, Reimbursement for lost Federal property charged to the State of Washington..	\$1,389.83
Bremerton Oil Delivery.	BREMERTON OIL DELIVERY, additional costs incurred in delivering fuel oil to Washington Veterans' Home, due to freezing of pipeline.....	\$486.07
Clyde Richardson.	CLYDE RICHARDSON, in full settlement of claim for overtime compensatory time while employed at the State School for the Blind in the years 1954 and 1955.....	\$435.75
Vic Skinner.	VIC SKINNER, in full settlement of claim for expenses incurred by reason of giving testimony before the "Canwell Committee" during the 34th Legislature, 1955.....	\$22.58
State Employees' Retirement System.	STATE EMPLOYEES' RETIREMENT SYSTEM, employer's contribution on behalf of: Selma Bruckert for the period of March, 1951, through August, 1951.....	\$53.18
	Agnes Fitzgerald for the period of July, 1952, through January, 1953	\$163.34
	Bruce Igou for the period of June, 1951, through September, 1952	\$291.61
	Sadie M. Blackwood for the period of April 1, 1949, to October 31, 1953.....	\$376.76
	Milo C. Bell, for the period of April, 1949, through October, 1951	\$961.75

FROM THE GENERAL FUND—PARKS AND PARKWAYS ACCOUNT.

Skamania County.	FOR THE TREASURER OF SKAMANIA COUNTY: Real Estate and Fire Patrol Tax	\$50.61
------------------	--	---------

FROM THE MEDICAL AID FUND.

State Employees' Retirement System.	STATE EMPLOYEES' RETIREMENT SYSTEM, employer's contribution on behalf of:
-------------------------------------	---

Charles W. Lawson for the period May, 1949, through October, 1949.....	\$102.22	State Employees' Retirement System.
Leo L. Miller for the period April, 1949, through August, 1949	\$88.95	
Wendell Fisher for the period August, 1949, through September, 1952	\$709.68	

FROM THE MOTOR VEHICLE FUND.

STATE EMPLOYEES' RETIREMENT SYSTEM, employer's contribution for Samuel E. Andrews for the period June 6, 1949, through November 30, 1949.	\$71.04	
WASHINGTON STATE HIGHWAY COMMISSION, in full settlement of sundry damage claims incident to operations, as follows:		Highway Commission.
Dorothy Whitesitt	\$19.00	Dorothy Whitesitt.
George R. Williams (Boat Starling)	61.52	George R. Williams.
Robert L. Brown, Jr., and United Pacific Insurance Company	59.34	Robert L. Brown, Jr., United Pacific Insurance.
Frank E. Kelley.....	51.80	Frank E. Kelley.
Glens Falls Insurance Company	30.00	Glens Falls Insurance Co.
Wert O. Russert.....	290.37	Wert O. Russert.
Treasurer of Lewis County....	502.25	Lewis county.
Motors Insurance Corporation.	23.25	Motors Ins. Corp.
Motors Insurance Corporation.	25.83	
Mayflower Insurance Exchange	35.00	Mayflower Ins. Exchange.
Total	\$1,098.36	
ERNEST I. HOLDER AND LOYCE HOLDER, in full settlement of claim of damage to waterfront property on Union Slough caused by dredging operations of Department of Highways	\$12,000.00	Ernest I. Holder, Loyce Holder.

FROM THE GENERAL FUND.

WENDELL A. JOHNSON, in full settlement of claim for damages alleged to have been sustained by reason of the closure of dairy by a repre-		Wendell A. Johnson.
--	--	---------------------

Supplemental appropriations, For Relief of individuals, firms, corporations. Alice E. Bolme.	representative of the Department of Agriculture	\$2,500.00
	ALICE E. BOLME, in full settlement of all claims for personal injuries and medical expense incident to an accident allegedly occurring on property belonging to the University of Washington, on November 17, 1956.....	\$1,000.00
FROM THE GAME FUND.		
Vernon Marll.	VERNON MARLL, in full settlement of claim for alleged damage to 1954 crops caused by deer and elk.....	\$150.00
Clara C. Wilson.	CLARA C. WILSON, in full settlements of claim for medical expenses and damages to clothing sustained in an alleged fall at the South Tacoma Hatchery of the Department of Game on March 18, 1956	\$74.00
Arthur C. Henkell.	ARTHUR C. HENKELL, in full settlement of claim for loss of dogs alleged to have been poisoned by strychnine put out for fox control by the Department of Game.....	\$125.00
Joe Devita.	JOE DEVITA, in full settlement of all claims for damage to orchards and crops by deer.	\$221.00
Glacier Orchards.	GLACIER ORCHARDS, in full settlement of claim for damage to orchards by deer in winter of 1953-1954	\$1,746.02
Mt. Adams Orchards Co.	MT. ADAMS ORCHARDS COMPANY, in full settlement of all claims for alleged damage to orchards by deer during 1953-1954 winter	\$3,692.37
	MT. ADAMS ORCHARDS COMPANY, in full settlement of all claims for alleged damage to orchards by deer.....	\$3,705.64
John M. Schons.	JOHN M. SCHONS, in full settlement of claim for alleged damage to orchards by deer.	\$2,000.00

C. E. BAKER, in full settlement of claim for alleged damage to nursery stock by elk.....	\$171.00	C. E. Baker.
JOHN BAILA, in full settlement of all claims for alleged damage to nursery stock by deer.	\$1,900.00	John Baila.
CLAUDE CAMPBELL, in full settlement of claim for loss of cattle allegedly caused by improper type of cattle guards installed by the Department of Game	\$966.00	Claude Campbell.
JOHN PARA, in full settlement of claim for loss of cattle allegedly caused by improper type of cattle guards installed by the Department of Game.	\$620.60	John Para.

FROM THE GENERAL FUND—RECLAMATION
REVOLVING ACCOUNT.

FOR THE TREASURER OF THE UNITED STATES, reimbursement of Reclamation Revolving Fund, Warrant No. 26114, dated March 31, 1950, which was subsequently canceled by the Statute of Limitations	\$1,992.08	Treasurer, United States.
---	------------	---------------------------

FROM THE O.A.S.I. CONTRIBUTION FUND.

To validate over expenditure of appropriation to carry out the provisions of chapter 184, Laws of 1951, for the payment to the Secretary of the United States Treasury and refunds as allowed by Law..	\$7,141.93	
--	------------	--

FROM THE GENERAL FUND..

To validate the expenditures from the General Fund on Warrant No. 964182, dated May 11, 1956, in the amount of	\$267.01	Validation of expenditures.
--	----------	-----------------------------

FROM THE GENERAL FUND—CAPITAL BUILDING
CONSTRUCTION ACCOUNT.

To validate the expenditures from the General Fund—Capitol Building Construc-

Supplemental appropriations. For—Relief of individuals, firms, corporations. Validation of expenditures.

tion Account on Warrant No. 77865 dated January 8, 1957, per Judgment in favor of the Mottman Mercantile Company, Inc., Cause No. 26163, in the amount of..... \$1,000.00

FROM THE WAR VETERANS' COMPENSATION FUND.

To validate the expenditures from the War Veterans' Compensation Fund made in accordance with the provisions of Senate Bill No. 348, for Salaries, Wages and Operations \$4,671.53

FROM THE GENERAL FUND.

FOR DEFICIENCIES:

—Deficiencies.	For payment of claims incurred in previous bienniums for which there was insufficient appropriation or which were filed too late to be paid in that biennium, and for claims of the current biennium for which there was none or insufficient appropriation:	
Insurance Commissioner.	INSURANCE COMMISSIONER, contribution for employees' retirement system for the months of February and March, 1955	\$863.54
State Historical Society.	WASHINGTON STATE HISTORICAL SOCIETY, contribution for employees' retirement system for the months of May and June, 1955	\$215.34
Secretary of State.	SECRETARY OF STATE, contribution for employees' retirement system for the month of June, 1955	\$443.60
Insurance Commissioner.	STATE INSURANCE COMMISSIONER, telephone service for period October 10, 1954, to November 9, 1954.....	\$196.74
	Olympia Garage, service to State automobile license 3365 SX, for February and March, 1955	25.76
	Total	\$222.50

DEPARTMENT OF LICENSES, salary of Floyd E. Hamstrom, D.M.D., member of the Board of Dental Examiners for the months of February and March, 1955.....			For—Deficiencies. Department of Licenses.
		\$90.00	
STATE TREASURER, deficiency of State contribution to Judges Retirement Fund for month of June, 1955.....			State Treasurer.
		\$2,653.24	
STATE DEPARTMENT OF HEALTH, reimbursement to Treasurers of Clark, King and Pierce Counties for medical care under the Medical Care Program prior to 1955.....			Department of Health.
		\$462,667.25	
COLUMBIA BASIN COMMISSION:			Columbia Basin Commission.
The Pullman Company.....	\$68.20		
Public Printer	415.67		
Total		\$483.87	
STATE CAPITOL COMMITTEE, for electric energy furnished by Puget Sound Power and Light Company in previous biennium			Capitol Committee.
		\$227.42	
MILITARY DEPARTMENT, for supplies and services furnished by:			Military Department.
State Employees' Retirement System	\$72.01		
Nelems Memorial Hospital..	30.75		
Snoqualmie Valley Clinic...	35.00		
H. Cary Coppock, M.D.....	39.30		
Total		\$177.06	
SECRETARY OF STATE, for public printer, 1954 and 1955.....			Secretary of State.
		\$4,241.90	
DEPARTMENT OF PUBLIC ASSISTANCE, sundry claimants, for supplies and services.....			Department of Public Assistance.
		\$4,165.88	
TAX COMMISSION, for operations			Tax Commission.
		\$25,000.00	

FROM THE GENERAL FUND—PARKS AND
PARKWAYS ACCOUNT.

STATE PARKS AND RECREATION COMMISSION, employer's contribution to State Employees' Retirement System for June, 1955			Parks and Recreation Commission.
		\$467.01	

Supplemental appropriations. For—Transfers.

FOR TRANSFERS:

To Reimburse General Fund for Expenditures from Appropriation for Belated Claims:

	FROM THE ACCIDENT FUND.	
General Fund.	To THE GENERAL FUND.....	\$48.79
	FROM THE CONTINGENT RECEIPTS FUND.	
	To THE GENERAL FUND.....	\$35.95
	FROM THE GAME FUND.	
	To THE GENERAL FUND.....	\$4,961.12
	FROM THE MOTOR VEHICLE FUND.	
	To THE GENERAL FUND.....	\$5,835.80
	FROM THE PUBLIC SERVICE REVOLVING FUND.	
	To THE GENERAL FUND.....	\$111.80
	FROM THE GRAIN AND HAY INSPECTION FUND.	
	To THE GENERAL FUND.....	\$315.33
	FROM THE GENERAL FUND—COMMERCIAL FEED ACCOUNT.	
	To THE GENERAL FUND.....	\$15.16
	FROM THE GENERAL FUND—NURSERY INSPECTION ACCOUNT.	
	To THE GENERAL FUND.....	\$27.20
	FROM THE GENERAL FUND—PENITENTIARY REVOLVING ACCOUNT.	
	To THE GENERAL FUND.....	\$351.67
	FROM THE GENERAL FUND—REAL ESTATE COMMISSION ACCOUNT.	
	To THE GENERAL FUND.....	\$187.26
	FROM THE GENERAL FUND—RECLAMATION REVOLVING ACCOUNT.	
	To THE GENERAL FUND.....	\$85.01
	FROM THE GENERAL FUND—SEED INSPECTION ACCOUNT.	
	To THE GENERAL FUND.....	\$56.27
	FROM THE GENERAL FUND—STATE EGG ACCOUNT.	
	To THE GENERAL FUND.....	\$45.98

FROM THE GENERAL FUND—STATE INSTITUTIONAL REVOLVING ACCOUNT.		
TO THE GENERAL FUND.....	\$66.10	For—Transfers. General Fund.
FROM THE GENERAL FUND—U. S. VOCATIONAL EDUCATION ACCOUNT.		
TO THE GENERAL FUND.....	\$169.05	
FROM THE MOTOR VEHICLE EXCISE FUND.		
TO PUBLIC SERVICE REVOLVING FUND, for costs incurred in collecting Motor Vehicle Ex- cise Tax for the period Jan- uary 1, 1955, to December 31, 1956, under the provisions of chapter 152, Laws of 1945..	\$2,637.96	Public Service Re- volving Fund.
FROM THE GENERAL FUND.		
FOR THE RELIEF OF ESTHER S. SEERING, in full settlement of claim relating to Judges' Re- tirement Fund	\$1,576.77	Esther S. Seering, Relief of.
FOR LEGISLATIVE EXPENSE, defi- ciency, contribution for em- ployees' retirement system covering members of House of Representatives for prior bien- niums	\$536.61	Legislative Expense.
FOR LEGISLATIVE EXPENSE, THIRTY- FIFTH LEGISLATURE: From the amount hereby appropriated the Senate shall not expend more than nineteen thousand ninety-one dollars; the House of Representatives shall not expend more than thirty-four thousand two hundred fifty-one dollars: <i>Provided</i> , That no por- tion of this Appropriation shall be expended by or for the Legislative Council, the Legis- lative Budget Committee, or any other Legislative Interim Committee	\$53,342.00	
FOR LEGISLATIVE EXPENSE, THIRTY- FIFTH LEGISLATURE, printing as ordered by either branch of the Legislature	\$25,000.00	

Supplemental appropriations. For—Albert A. Fiddler.

FOR ALBERT A. FIDDLER, ADMINISTRATOR OF THE ESTATE OF IRA A. ELLIS, DECEASED, refund of funds escheated to the Permanent School Fund..... \$547.77

FROM THE GENERAL FUND—FOREST DEVELOPMENT ACCOUNT.

—State Forest Board.

FOR THE STATE FOREST BOARD: Purchase of land authorized by House Bill No. 188..... \$5,000.00

FROM THE MOTOR VEHICLE FUND.

—Department of Institutions.

FOR THE DEPARTMENT OF INSTITUTIONS: For construction, improvement and maintenance of roadways and access roads at Green Hill School and Cedar Creek Youth Forestry Camp, in compensation for land taken by Department of Highways in connection with construction of P.S.H. No. 1 \$9,479.00

FROM THE GENERAL FUND.

Vetoed. { FOR THE DEPARTMENT OF PUBLIC ASSISTANCE — DIVISION OF MEDICAL CARE: Deficiency, to cover cost of operation of Whatcom County Hospital for the biennium ending June 30, 1957..... \$45,556.00

—A. M. and Marion Holbrook, Relief of.

FOR THE RELIEF OF A. M. AND MARION HOLBROOK, in full settlement of claim for physical injuries and medical and hospital expenses incident to an automobile collision in which a vehicle driven by an inmate of the Boys' Training School was involved \$2,237.13

—University of Washington.

FOR THE UNIVERSITY OF WASHINGTON: SCHOOL OF MEDICINE AND DENTISTRY: Salaries, wages and operations. \$1,000,000.00

FOR THE DEPARTMENT OF COMMERCE:			
Salaries, wages and operations.	\$1,500,000.00		} Vetoed.
FOR THE GOVERNOR:			For—Governor.
To be allocated by the Governor to the Department of Institutions in the event that appropriations otherwise available are insufficient to carry out the duties, required by law of such department		\$7,000,000.00	
FOR THE GOVERNOR:			Carry out Laws 1955 c 214.
To be distributed in accordance with the provisions of chapter 214, Laws of 1955, relating to the Western Interstate Commission for Higher Education:			
For 1957-59 biennium.....	\$14,000.00		
For 1955-57 biennium (reappropriation)	14,000.00		
Total	<u> </u>	\$28,000.00	
FOR THE DEPARTMENT OF PUBLIC ASSISTANCE:			—Department of Public Assistance.
Deficiency assistance grants for the biennium ending June 30, 1957, to be allocated upon written approval of the Governor for Old Age Assistance, Aid to the Blind, Aid to Dependent Children, General Assistance, and Burials		\$890,234.00	
FOR THE RELIEF OF LOTTIE LARSON, in full settlement of claim for damage to property and obstruction of water supply.....		\$5,000.00	—Lottie Larson, Relief of.
FOR THE RELIEF OF OLD GUARD POST No. 2100, VETERANS OF FOREIGN WARS, EVERETT, WASHINGTON, In full settlement of claim for losses sustained in the operation of the Washington Centennial		\$2,824.86	V. F. W. Post No. 2100, Relief of.
FOR THE RELIEF OF ABERDEEN POST NUMBER FIVE, AMERICAN LEGION, ABERDEEN, WASHING-			Amer. Legion Post No. 5, Relief of.

Supplemental appropriations.	TON, In full settlement of claims for losses sustained in the operation of the Washington Centennial	\$1,485.00
For—Clemma Fettis, Deceased, Relief of.	FOR THE RELIEF OF CLEMMMA M. OLSEN FETTIS, DECEASED, In full settlement of claim for damages to automobile by escapees of Green Hill Training School....	\$327.89
—State Tax Commission.	FOR THE STATE TAX COMMISSION:	
Vetoed.	{ To carry out the provisions of Senate Bill No. 331, relating to the appointment of the Tax Commission: Salaries, Wages and Operations	\$6,420.00
Carry out Senate Bill No. 396.	To carry out the provisions of Senate Bill No. 396 relating to support of the tax advisory council: Salaries, Wages and Operations	\$25,000.00
Carry out Senate Bill No. 332.	To carry out the provisions of Senate Bill No. 332 relating to unfair cigarette trade practices, and providing for initial administrative expense: <i>Provided</i> , That the General Fund shall be reimbursed for all expenditures from this appropriation from the Cigarette Fee Account: Salaries, Wages and Operations	\$35,000.00
FROM THE CIGARETTE FEE ACCOUNT.		
Carry out Senate Bill No. 332.	To carry out the provisions of Senate Bill No. 332 and to reimburse the General Fund for initial administrative expenses properly chargeable to this Account	\$100,000.00
FROM THE GENERAL FUND—CAPITOL BUILDING CONSTRUCTION ACCOUNT.		
Vetoed.	{ FOR THE STATE CAPITOL COMMITTEE: Purchase of land and construction of parking facilities....	\$110,000.00

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION:		For—Department of General Administration.
Completion of parking facilities	\$210,000.00	
Architects fees, engineering and designing of office building authorized by Senate Bill No. 471	\$120,000.00	
FROM THE GENERAL FUND—UNIVERSITY OF WASHINGTON BUILDING ACCOUNT.		
FOR THE UNIVERSITY OF WASHINGTON:		—University of Washington.
Construction of Mechanical Engineering Building	\$1,250,000.00	
FROM THE GENERAL FUND—UNIVERSITY OF WASHINGTON MEDICAL AND DENTAL BUILDING AND EQUIPMENT ACCOUNT.		
To complete construction of teaching hospital	\$325,000.00	
FROM THE GENERAL FUND—STATE COLLEGE OF WASHINGTON BUILDING ACCOUNT.		
FOR THE STATE COLLEGE OF WASHINGTON:		—State College of Washington.
For Capital Outlays, Major Repairs and Betterments.....	\$860,000.00	
FROM THE GENERAL FUND.		
FOR THE GOVERNOR:		—Governor.
To be allocated by the Governor to the various officers, boards, committees, commissions, departments, institutions and agencies of state government for the payment of the employer's contribution to the Federal Old Age and Survivors' Insurance System in the event that appropriations otherwise available are insufficient to make such payments	\$1,500,000.00	
FROM THE TEACHERS' RETIREMENT FUND.		
FOR THE BOARD OF TRUSTEES of the State Teachers' Retirement System:		—Board of Trustees, State Teachers' Retirement System.
Employees' contributions to the Old Age and Survivors Insurance Contribution Fund..	\$3,000,000.00	

Supplemental appropriations. For—Board of Trustees, State Teachers' Retirement System.

FROM THE TEACHERS' RETIREMENT PENSION RESERVE FUND.

Employer's contribution to the Old Age and Survivors Insurance Contribution Fund.. \$3,000,000.00

FROM THE GENERAL FUND.

—Governor. FOR THE GOVERNOR:

To provide for the establishment of and installation of a modern uniform system of accounting for all state agencies, together with the development and adoption of a related program type budget \$175,000.00

FROM THE GENERAL FUND.

—State Board. FOR THE STATE BOARD:

For Vocational Education, to carry out the provisions of Senate Bill No. 357, Laws of 1957, as amended, providing for vocational rehabilitation \$150,000.00

FROM THE GENERAL FUND.

—Department of Public Assistance. FOR THE DEPARTMENT OF PUBLIC ASSISTANCE:

Assistance programs, to provide for an increase in per diem payments to nursing homes for the care of assistance patients to be disbursed at an equal per diem increase for all classes of nursing homes on the basis of the number of patient days estimated annually by the Department of Public Assistance \$2,250,000.00

FROM THE GENERAL FUND.

Vetoed. { Deficiency to cover cost of operation of King county hospital for the biennium ending June 30, 1957..... \$168,000.00

—Governor. FOR THE GOVERNOR: Deficiency to be allocated by the Governor to the various officers, boards, committees,

commissions, departments, institutions and agencies of state government for the payment of increased costs over present rates of pay. Salaries and Wages.....			
		\$334,566.00	
FOR THE DEPARTMENT OF HEALTH:			For—Depart-
Deficiency to cover various vouchers for the medical care program for the bien- nium ending June 30, 1955..		\$8,820.62	ment of Health
FOR THE DEPARTMENT OF LABOR AND INDUSTRIES:			—Department
For the payment of additional pensions for the period April 1, 1957 to June 30, 1957:			of Labor and
To carry out provisions of House Bill No. 617.....		\$275,000.00	Industries.
FOR THE SECRETARY OF STATE:			
For salaries, wages and opera- tions:			} Vetoed.
To carry out provisions of Senate Bill No. 180.....		\$20,000.00	
FOR LOCAL IMPROVEMENT ASSES- MENTS AND DELINQUENT TAXES AGAINST STATE-OWNED LANDS:			—Local Im-
Treasurer of Cowlitz County Consolidated Diking District No. 1		\$172.87	provement As-
TREASURER OF FRANKLIN COUNTY:			sessments,
South Columbia Basin Irriga- tion District		\$874.49	Taxes, against
TREASURER OF KITTITAS COUNTY:			state-owned
Kittitas Reclamation District..	\$2,663.90		land.
Interest	56.11		
Total		\$2,720.01	
TREASURER OF YAKIMA COUNTY:			Yakima
Yakima - Tieton Irri- gation District	\$350.38		County.
	3.60		
		\$353.98	
Dike Improvement District No. 1		21.10	
Roza Irrigation District.....		554.88	
Total		\$929.96	

Supplemental appropriations. For—Assessments, Taxes, against state-owned lands. Whatcom County.	TREASURER OF WHATCOM COUNTY:		
	Macauly Creek Flood Control District	.74	
	Macauley Creek Flood Control District	.44	
	Total		\$1.18
City of Kirkland.	TREASURER OF CITY OF KIRKLAND:		
	Local Improvement District No. 96		\$4,027.37
City of Seattle.	TREASURER OF CITY OF SEATTLE:		
	Local Improvement District No. 6087	\$832.94	
	Interest	33.32	
	Total		\$866.26
Yakima County.	TREASURER OF YAKIMA COUNTY:		
	Delinquent Real Estate Taxes on property under control of Department of Administration	\$212.06	
	Interest	42.40	
	Total		\$254.46
Vetoed.	{	FOR THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF PUBLIC LANDS:	
		Salaries, Wages and Operations	\$500,000.00
Vetoed.	{	FOR TRANSFER TO THE FOREST INSECT AND DISEASE CONTROL FUND	\$57,000.00
—Department of Institutions.	FOR STATE DEPARTMENT OF INSTITUTIONS:		
	For Luther Burbank and Martha Washington Parental Schools:		
	Salaries, Wages and Operations		\$1,000,000.00
Vetoed.	{	FOR FIRLAND SANATORIUM:	
		Salaries, Wages and Operations	\$3,000,000.00
FROM THE GENERAL FUND—CAPITOL BUILDING CONSTRUCTION ACCOUNT.			
Vetoed.	FOR THE STATE CAPITOL COMMITTEE:		
	{	For the Olympia Freeway Approach	\$151,800.00
		For Repair Fish Ladder at Capitol Lake	\$36,000.00

FROM THE GENERAL FUND—UNIVERSITY OF WASHINGTON
BUILDING ACCOUNT.

FOR THE UNIVERSITY OF WASHINGTON:		For—Uni-
For remodeling Denny Hall...	\$125,000.00	versity of Washington.
FROM THE MOTOR VEHICLE FUND.		
FOR THE DEPARTMENT OF LICENSES:		—Department
Liquid Fuel Tax Refunds:		of Licenses.
To carry out provisions of		
Senate Bill No. 61.....	\$400,000.00	
FROM THE PUBLIC SCHOOLS BUILDING BOND REDEMPTION FUND.		
FOR BOND RETIREMENT AND IN-		—Bond Retire-
TEREST	\$7,750,000.00	ment, Interest.
FROM THE STATE BUILDING CONSTRUCTION BOND REDEMPTION FUND.		
FOR BOND RETIREMENT AND IN-		
TEREST	\$3,054,500.00	
FROM THE GENERAL FUND—COMMERCIAL AUTOMOBILE DRIVER TRAINING SCHOOL ACCOUNT.		
FOR THE DIRECTOR OF LICENSES:		—Director of
Salaries, Wages and Operations		Licenses.
to Carry Out the Provisions		
of Senate Bill No. 294 Re-		
lating to Commercial Auto-		
mobile Driver Training		
Schools	\$6,500.00	
FROM THE GENERAL FUND.		
For reimbursement in lieu of ex-		—Reimburse-
penses incurred while serving		ment, certain
as duly elected and qualified		state officers.
officials at the seat of the gov-		
ernment for the Secretary of		
State, the State Treasurer, the		
State Auditor, the Attorney		
General, the Superintendent of		
Public Instruction, the Com-		
missioner of Public Lands and		
the Insurance Commissioner, at		
the rate of \$200.00 per month		
each to [be] distributed upon		
their respective vouchers there-		
for	\$33,600.00	

SEC. 3. This act is necessary for the immediate Emergency.
preservation of public peace, health and safety, for

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 14, 1957.

Passed the Senate March 14, 1957.

Approved by the Governor March 26, 1957, with the exception of certain items which are vetoed.

Veto message,
excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"I disapprove and veto the item 'CITY OF CHENEY, assessment against Eastern Washington College of Education for storm sewer installation \$50,341.73' for the reason that it appears that the amount contemplated by this appropriation is out of proportion to the benefits received by the Eastern Washington College of Education. It appears that the problem arises from the distribution of natural drainage, and it would seem that it might be a proper procedure to establish a local improvement district with notice to the proper state officials as prescribed by law in order that the true liability of the property involved might be established and the state pay its just share as contemplated by existing statutes.

"I disapprove and veto the item 'FOR THE DEPARTMENT OF PUBLIC ASSISTANCE—DIVISION OF MEDICAL CARE: Deficiency, to cover cost of operation of Whatcom County Hospital for the biennium ending June 30, 1957, \$45,556.00' for the reason that this is a duplication of an appropriation made by House Bill No. 466.

"I disapprove and veto the item 'FOR THE DEPARTMENT OF COMMERCE: Salaries, wages and operations \$1,500,000.00' for the reason that this is a duplication of an appropriation made by Senate Bill No. 282, already approved.

"I disapprove and veto the item 'To carry out the provisions of Senate Bill No. 331, relating to the appointment of the Tax Commission: Salaries, Wages and Operations \$6,420.00' for the reason that the additional expense created by Senate Bill No. 331 can be paid from the regular appropriation for the State Tax Commission.

"I disapprove and veto the item 'For the State Capitol Committee: Purchase of land and construction of parking facilities \$110,000.00' for the reason that this is a duplication of an appropriation made by House Bill No. 653, already approved.

"I disapprove and veto the item 'FROM THE GENERAL FUND. Deficiency to cover cost of operation of King county hospital for the biennium ending June 30, 1957, \$168,000.00' for the reason that this is a duplication of an appropriation made by House Bill No. 466.

"I disapprove and veto the item 'FOR THE SECRETARY OF STATE: For salaries, wages and operations To carry out provisions of Senate Bill No. 180, \$20,000.00' for the reason that Senate Bill No. 180 has been vetoed, making this appropriation unnecessary.

"I disapprove and veto the item 'FOR THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF PUBLIC LANDS: Salaries, Wages and Operations \$500,000.00' for the reason that increased appropriations made to this department by Substitute Senate Bill No. 400 should prove sufficient for the operation of this department.

"I disapprove and veto the item 'FOR TRANSFER TO THE FOREST INSECT AND DISEASE CONTROL FUND \$57,000.00' for the reason that it has not been necessary in recent years to make use of this fund. This is a standby fund for emergency use to control insect infestation. At the present time there remains unexpended \$43,000.00 from the appropriation of \$100,000.00 made in 1951, which would appear to be ample to meet the normal needs for insect control. Should an abnormal condition arise, necessitating an expenditure in excess of this balance, allotment therefor can be made from emergency funds available to the Governor.

"I am reluctantly obliged to veto the item 'FOR FIRLAND SANATORIUM: Salaries, Wages and Operations \$3,000,000.00' for the reason that the wording of this appropriation is defective for the purpose intended. The appropriation should have been for the Department of Institutions and not for the Firland Sanatorium. This appropriation had been intended to be used by the Depart-

ment of Institutions for the purpose of providing a program of custodial care for retarded children at the Firland Sanatorium. I am very much in favor of this program and intend to provide for the necessary expense to carry out the legislative intent by the use of funds available for allocation by the Governor.

"I disapprove and veto the item 'For the Olympia Freeway Approach \$151,800.00' for the reason that this duplicates an appropriation included in House Bill No. 654, already approved.

"With the exception of the foregoing items, which are vetoed, the remainder of Substitute House Bill No. 719 is approved."

Veto message, excerpt from.

CHAPTER 301.

[Sub. S. B. 400.]

GENERAL APPROPRIATIONS.

AN ACT making appropriations for the payment of salaries of certain officers and employees of the state and for the operation, maintenance and other expenses of certain state institutions, departments and offices, for the purchase, condemnation and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for transfers, and for deficiencies, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes, for the fiscal biennium beginning July 1, 1957, and ending June 30, 1959, except as otherwise provided, defining terms, limiting allowances and payments, and declaring that this act shall take effect immediately.

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

SECTION 1. The words "capital outlay" whenever used in this act, shall mean and include the purchase, condemnation and improvement of land and erection of buildings, including necessary salaries and wages incident thereto.

Definitions.
"Capital outlay."

The words "salaries and wages" whenever used in this act, shall mean and include salaries of executive officers and employees of state offices, departments and institutions, and all compensation for direct labor or personal service rendered to the state.

"Salaries and Wages."

The word "operations" whenever used in this act, shall mean and include necessary traveling expenses of officers and employees, and all expenses

"Operations."

General
appropriations.
Definitions.
"Operations."

Proviso.

Proviso.

necessary for housing cost, supplies, material, services and maintenance of the various institutions, departments and offices of the state government, other than salaries and wages: *Provided*, That no portion of the appropriations made hereunder shall be expended for coupon or scrip books, or other evidences of advance payment for future delivery: *Provided further*, That allowances made for subsistence and lodging for the elective or appointive officers and employees while away from their domicile on state business shall equal actual expenses incurred therefor or per diem rates as provided by law, but in no event shall actual expenses claimed exceed per diem rates provided by law.

Appropriations
—Purpose.

SEC. 2: The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the moneys in the several funds in the state treasury hereinafter named for the payment of salaries of certain officers and employees of the state, and for the operation of certain state institutions, departments and offices, and for the purchase, condemnation and improvement of land and construction of buildings, and improvements for the various state institutions, and for deficiencies, and for emergencies, and for refunds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of Congress, and for miscellaneous purposes hereinbelow designated and mentioned and hereinafter expressed, for the fiscal biennium beginning July 1, 1957, and ending June 30, 1959, except as otherwise provided.

Any official who incurs any deficiency shall be considered to have violated the expressed intent of the legislature in making these appropriations.

FROM THE GENERAL FUND.

FOR THE GOVERNOR:			For—Governor
Salaries, Wages and Operations	\$174,162.00		
Investigation and Emergency Purposes, to be distributed on vouchers approved by the Governor	16,000.00		
Extradition Expenses (including deficiencies)	34,000.00		
Auditing Records of the State Auditor	7,000.00		
Total	<u>231,162.00</u>	\$231,162.00	
FOR THE GOVERNOR'S MANSION:			—Governor's Mansion.
Maintenance, to be distributed on vouchers approved by the Governor		\$24,000.00	
FOR THE LIEUTENANT GOVERNOR:			—Lieutenant Governor.
Salary of the Lieutenant Governor	\$12,000.00		
Other Salaries, Wages, Operations, and Compensation when serving as Governor	17,226.00		
Total	<u>29,226.00</u>	\$29,226.00	
FOR THE SECRETARY OF STATE:			—Secretary of State.
Salaries and Wages	\$308,345.00		
Operations	86,600.00		
Corporation Field Examiners:			
Salaries, Wages and Operations	34,000.00		
To carry out provisions of chapter 211, Laws of 1955, Relating to Registration of Marks	6,000.00		
Printing and Distributing Temporary Session Laws	14,200.00		} Vetoed.
Checking, Printing, Advertising and Mailing Initiative and Referendum Measures and Constitutional Amendments: <i>Provided, That no portion of this appropriation shall be expended for salaries of regular employees or office expense of the Secretary of State</i>	75,000.00		

General ap- propriations. For—Secretary of State.	To carry out provisions of chapter 14, Laws of 1950, special method of voting for Service voters	10,000.00	
	Total	<u> </u>	\$534,145.00
—State Treasurer.	FOR THE STATE TREASURER: Salaries and Wages.....	\$247,036.00	
	Operations	62,108.00	
	Total	<u> </u>	\$309,144.00
—State Auditor.	FOR THE STATE AUDITOR: Salaries and Wages.....	\$636,213.00	
	Operations	172,513.00	
	Special Printing	10,000.00	
	Total	<u> </u>	\$818,726.00
	FROM THE MOTOR VEHICLE FUND.		
	Salaries and Wages.....	\$66,074.00	
	Operations	12,720.00	
	Total	<u> </u>	\$78,794.00
	FROM THE WAR VETERANS' COMPENSATION FUND.		
	Salaries and Wages.....	\$72,470.00	
	Operations	19,513.00	
	Payment of War Veterans' Compensation (Expenditures hereunder not to exceed the unexpended balance of ap- propriation made by chapter 180, Laws of 1949).....	835,000.00	
	Total	<u> </u>	\$926,983.00
	FROM THE GENERAL FUND.		
—Attorney General.	FOR THE ATTORNEY GENERAL: Salaries and Wages.....	\$503,147.00	
	Operations, Printing Briefs, Court Costs and Expenses of Special Litigation in State and Federal Courts.....	142,000.00	
	Total	<u> </u>	\$645,147.00
—Superinten- dent of Public Instruction.	FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION: Salaries and Wages.....	\$737,663.00	
	Operations	288,000.00	
	Total	<u> </u>	\$1,025,663.00
—Insurance Commissioner.	FOR THE INSURANCE COMMISSIONER: Salaries and Wages.....	\$511,191.00	
	Operations	151,000.00	
	Total	<u> </u>	\$662,191.00

FOR LEGISLATIVE EXPENSE:		For—Legisla-
Printing, Indexing, Binding and Editing Session Laws, Senate and House Journals, Other Legislative Printing and Binding Public Documents of the Thirty-fifth Legislature.	\$93,000.00	tive Expense.
Salaries of Members of Legislature	348,000.00	
Employer's Contributions for Retirement Plans	32,000.00	
Legislative Council:		Legislative Council.
Salaries, Wages and Operations	140,000.00	
Legislative Budget Committee:		Legislative Budget Committee.
Salaries, Wages and Operations	83,800.00	
Total	<u> </u>	\$696,800.00
FROM THE GENERAL FUND.		
FOR THE SUPREME COURT:		—Supreme Court.
Salaries and Wages.....	\$553,411.87	
Operations	63,189.94	
Total	<u> </u>	\$616,601.81
FOR THE STATE LAW LIBRARY:		—State Law Library.
Salary of the Law Librarian..	\$16,800.00	
Salaries, Wages and Operations	91,630.00	
Total	<u> </u>	\$108,430.00
FOR THE PERMANENT STATUTE LAW COMMITTEE:		—Statute Law Committee.
To carry out provisions of chapter 157, Laws of 1951:		
Salaries and Wages.....	\$127,579.00	
Operations	25,000.00	
Publication of RCW Supplementary Material and Index	75,000.00	
To Provide Copies of Revised Code and Supplements to Certain Members of the Legislature	6,000.00	} Vetoed.
Total	<u> </u>	
FOR THE JUDICIAL COUNCIL:		—Judicial Council.
Salaries, Wages and Operations		\$5,277.00
FOR THE UNIFORM LAW COMMISSION:		—Uniform Law Commission.
Operations		\$3,223.03

General ap- propriations. For— Superior Court Judges.	FOR THE SUPERIOR COURT JUDGES: Salaries and Wages.....	\$807,258.00	
	Expenses, Judges in Joint Dis- tricts	10,000.00	
	Total	<u> </u>	\$817,258.00
Vetoed.	{ FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES: Operations		\$5,000.00
—Judges Re- tirement Fund.	FOR THE JUDGES' RETIREMENT FUND: To be expended in accordance with the provisions of chap- ter 229, Laws of 1937 (in- cluding deficiencies)	\$96,275.05	
	Additional Retirement Fund Contributions in Event of Deficit	130,000.00	
	Total	<u> </u>	\$226,275.05
—State Board of Account- ancy.	FOR THE STATE BOARD OF AC- COUNTANCY: Salaries and Wages.....	\$35,562.00	
	Operations	44,500.00	
	(Expenditures not to exceed revenues accruing under the Accountancy Act)		
	Total	<u> </u>	\$80,062.00
—State Aero- nautics Com- mission.	FOR THE STATE AERONAUTICS COM- MISSION: Salaries and Wages.....	\$47,081.00	
	Operations	35,000.00	
	Total	<u> </u>	\$82,081.00
—State Ath- letic Commis- sion.	FOR THE STATE ATHLETIC COMMIS- SION: Salaries and Wages.....	\$10,632.00	
	Operations	4,114.33	
	Total	<u> </u>	\$14,746.33
	FROM THE PERSONNEL REVOLVING FUND.		
Vetoed.	{ FOR THE STATE PERSONNEL BOARD: Salaries, Wages and Operations: To carry out the provisions of Senate Bill No. 402.....		\$1,056,432.00
	FROM THE GENERAL FUND—CEMETERY ACCOUNT.		
—Cemetery Board.	FOR THE CEMETERY BOARD: Salaries, Wages and Operations		\$6,850.00
	FROM THE MOTOR VEHICLE EXCISE FUND.		
—State Census Board.	FOR THE STATE CENSUS BOARD: Salaries, Wages and Operations		\$35,000.00

FROM THE GENERAL FUND.

FOR THE STATE BOARD OF EDUCATION:

Salaries and Wages.....	\$439,173.00	
Operations	114,566.00	
Total	<u> </u>	\$553,739.00

For—State
Board of Edu-
cation.FROM THE STATE EMPLOYEES' RETIREMENT
SYSTEM EXPENSE FUND.FOR THE STATE EMPLOYEES' RE-
TIREMENT BOARD:

Salaries and Wages.....	\$299,506.00	
Operations	134,387.00	
Total	<u> </u>	\$433,893.00

—State Em-
ployees' Re-
tirement
Board.

FROM THE RETIREMENT SYSTEM FUND.

Pensions, Awards, Disability Payments, Adjustments and Refunds		\$15,000,000.00
--	--	-----------------

FROM THE GENERAL FUND.

FOR THE STATE FINANCE COMMITTEE:

Salaries and Wages.....	\$27,316.00	
Operations	3,477.00	
Total	<u> </u>	\$30,793.00

—State Fi-
nance Com-
mittee.

FROM THE MOTOR VEHICLE FUND.

For Expenses Incident to the Issuance and Sale of Bonds..		\$25,875.00
--	--	-------------

FROM THE ACCIDENT FUND.

FOR THE BOARD OF INDUSTRIAL IN-
SURANCE APPEALS:

Salaries and Wages.....	\$239,920.50	
Operations	91,645.00	
Total	<u> </u>	\$331,565.50

—Board of In-
dustrial Insur-
ance Appeals.

FROM THE MEDICAL AID FUND.

Salaries and Wages.....	\$239,920.50	
Operations	91,645.00	
Total	<u> </u>	\$331,565.50

FROM THE GENERAL FUND.

FOR THE INSTITUTE OF FOREST
PRODUCTS:

Salaries, Wages and Operations		\$65,000.00
--------------------------------	--	-------------

—Institute of
Forest Pro-
ducts.

General appropriations.
For—Interstate Compact Commission.

FOR THE INTERSTATE COMPACT COMMISSION:

To carry out provisions of chapter 113, Laws of 1951, Relating to the Division, Apportionment and Use of Waters of the Columbia River and its Tributaries..... \$20,000.00

—State Library Commission.

FOR THE STATE LIBRARY COMMISSION:

Salaries and Wages..... \$211,790.00
 Operations 100,000.00
 To carry out provisions of chapter 170, Laws of 1955, Relating to Library Services to the Blind..... 12,000.00
 County Library Development.. 50,000.00
 Total \$373,790.00

FROM THE GENERAL FUND—PARKS AND PARKWAYS ACCOUNT.

—State Parks and Recreation.

FOR THE STATE PARKS AND RECREATION COMMISSION:

Salaries and Wages..... \$1,009,701.00
 Operations 630,000.00
 Capital Outlays and Major Repairs, Including Purchase, Condemnation and Improvement of Land, Boat Moorages, Construction of Buildings and Other Improvements, Including Necessary Salaries and Wages Incident Thereto \$835,726.00
 Total \$2,475,427.00

FROM THE GENERAL FUND—MILLERSYLVANIA PARK CURRENT ACCOUNT.

Improvement, Maintenance and Upkeep of Millersylvania Park \$400.00

FROM THE GENERAL FUND.

—State Board of Pharmacy.

FOR THE STATE BOARD OF PHARMACY:

Salaries and Wages..... \$77,299.00
 Operations 37,400.00
 (Expenditures not to exceed fees heretofore or hereafter collected)
 Total \$114,699.00

FROM THE GENERAL FUND—PUGET SOUND
PILOTAGE ACCOUNT.

FOR THE STATE BOARD OF PILOTAGE COMMISSIONERS:		For—State Board of Pilotage Commissioners.
Salaries and Wages.....	\$4,830.00	
Operations	1,336.00	
Total	<u>6,166.00</u>	\$6,166.00
FROM THE GENERAL FUND.		
FOR THE POLLUTION CONTROL COMMISSION:		—Pollution Control Commission.
Salaries and Wages.....	\$210,306.00	
Operations	86,000.00	
Extension and Improvement of Water Pollution Control... (Expenditures limited to receipts from Federal Government)	80,000.00	
Total	<u>376,306.00</u>	\$376,306.00
FOR THE BOARD OF PRISON TERMS AND PAROLES:		—Board of Prison Terms and Paroles.
Salaries, Wages and Operations	\$829,783.00	
FOR THE SOIL CONSERVATION COMMITTEE:		—Soil Conservation Committee.
Salaries, Wages and Operations	\$44,078.00	
FROM THE TEACHERS' RETIREMENT FUND.		
FOR THE BOARD OF TRUSTEES OF THE STATE TEACHERS' RETIREMENT SYSTEM:		—Board of Trustees, State Teachers Retirement System.
Salaries and Wages.....	\$210,644.00	
Operations	64,300.00	
For the Payment of Annuities, Awards and Refunds as provided by law.....	13,640,000.00	
Total	<u>13,914,944.00</u>	\$13,914,944.00
FROM THE GENERAL FUND.		
FOR THE VETERANS' REHABILITATION COUNCIL:		—Veterans' Rehabilitation Council.
To carry out provisions of chapter 110, Laws of 1947...	\$450,000.00	
FOR THE STATE BOARD FOR VOCATIONAL EDUCATION:		—State Board for Vocational Education.
To carry out the provisions of chapter 183, Laws of 1939, as amended, providing for vocational education	\$1,694,437.00	

General appropriations For—State Board for Vocational Education.

To carry out the provisions of chapter 176, Laws of 1933, as amended, providing for civilian vocational rehabilitation	2,292,181.00	
To carry out the provisions of chapter 380, Laws of 1955, Relating to Vocational Rehabilitation of Certain Non-disabled Persons	150,000.00	
Total	<u> </u>	\$4,136,618.00

FROM THE VOLUNTEER FIREMEN'S RELIEF AND PENSION FUND.

—State Board for Volunteer Firemen.

FOR THE STATE BOARD FOR VOLUNTEER FIREMEN:		
Salaries and Wages.....	\$13,505.00	
Operations	8,350.00	
Claims, Awards and Other Expenses allowed by Law (including deficiencies)	160,000.00	
Total	<u> </u>	\$181,855.00

FROM THE WASHINGTON STATE PATROL RETIREMENT FUND.

—State Patrol Retirement Board.

FOR THE WASHINGTON STATE PATROL RETIREMENT BOARD:		
Pensions, Benefits, Awards and Refunds		\$80,000.00

FROM THE GENERAL FUND.

—State Board Against Discrimination in Employment.

FOR THE WASHINGTON STATE BOARD AGAINST DISCRIMINATION IN EMPLOYMENT:		
To carry out provisions of chapter 183, Laws of 1949:		
Salaries, Wages and Operations		\$93,411.00

—State Safety Council.

FOR THE WASHINGTON STATE SAFETY COUNCIL:		
Salaries and Wages.....	\$29,491.00	
Operations	23,200.00	
Total	<u> </u>	\$52,691.00

FROM THE GENERAL FUND.

—Adjutant General—Military Department.

FOR THE ADJUTANT GENERAL—MILITARY DEPARTMENT:		
Salaries and Wages.....	\$481,124.00	
Operations	351,020.00	

Uniform Allowance	97,300.00	
Medical Aid and Compensation	5,500.00	
Retirement Contributions for Federally Paid Civilian Employees	344,000.00	
Total	<hr/>	\$1,278,944.00
FOR THE DEPARTMENT OF AGRICULTURE:		
Salaries and Wages.....	\$765,436.00	
Operations	313,951.00	
Bang's and Diseased Animal Indemnities, Purchase of Biologies, Tuberculosis and Paratuberculosis Indemnities, Regulatory, Bang's Animal Disease and Tuberculosis Inspection, Laboratory Analysis of Animal Diseases, Control of Insect Pests and Plant Diseases, Apiary Inspection, Analysis of Market Facilities, Farm Production Reports, Daily Marketing Releases		
Salaries and Wages.....	666,871.00	
Operations	322,191.00	
Indemnities for Condemnation and slaughter of Bovine Animals Infected with Highly Contagious or Communicable Diseases Other than Tuberculosis and Bang's Disease, to be Paid in Accordance with RCW 16.40.080.....	50,000.00	} Vetoed.
Bang's Disease and Tuberculosis Indemnities	105,000.00	
Agricultural Marketing Act:		
Salaries and Wages.....	19,376.00	
Operations	33,300.00	
For Research of Irish Potatoes, Including Diseases, Pests, Nutrition, Physiological Conditions, Production, Harvesting, Handling, and Marketing: Provided, That the Department May Expend Only so Much Hereof as is Matched by Funds Deposited with it, the State College of Washing-		

General Appropria-
tions. For—Depart-
ment of Agri-
culture.

ton, or the United States De- partment of Agriculture by the Washington State Potato Commission	50,000.00	
To Revise and Recodify the Laws of this State Relating to Agriculture and the De- partment of Agriculture, and to Prepare a Report Contain- ing Specific Recommenda- tions, Including Drafts of Bills to Accomplish such Re- vision and Recodification and Mail Copies of such Report, not Later than December 1, 1958, to Persons Elected as Members of the Thirty-sixth Legislature	25,000.00	
Total	—————	\$2,351,125.00

FROM THE GENERAL FUND—EGG ACCOUNT.

Salaries and Wages	\$133,079.00	
Operations	64,827.00	
(Expenditures not to exceed fees heretofore or hereafter collected)		
Total	—————	\$197,906.00

FROM THE GENERAL FUND—FERTILIZER, AGRICULTURAL
MINERAL AND LIME ACCOUNT.

Salaries and Wages	\$33,418.00	
Operations	18,820.00	
(Expenditures not to exceed fees heretofore or hereafter collected)		
Total	—————	\$52,238.00

FROM THE GENERAL FUND—FEED AND FERTILIZER
ACCOUNT.

Salaries and Wages	\$7,553.00	
Operations	3,159.00	
(Expenditures not to exceed fees heretofore or hereafter collected)		
Total	—————	\$10,712.00

FROM THE GRAIN AND HAY INSPECTION FUND.

Salaries and Wages	\$1,314,066.00
Operations	310,629.00

SESSION LAWS, 1957.

[Ch. 301.

(Expenditures not to exceed fees heretofore or hereafter collected)

For—Department of Agriculture.

Total \$1,624,695.00

FROM THE GENERAL FUND—COMMERCIAL FEED ACCOUNT.

Salaries and Wages..... \$63,552.00
 Operations 29,277.00
 (Expenditures not to exceed fees heretofore or hereafter collected)
 Total \$92,829.00

FROM THE GENERAL FUND—COMMISSION MERCHANTS' ACCOUNT.

Salaries and Wages..... \$97,799.00
 Operations 45,993.00
 (Expenditures not to exceed fees heretofore or hereafter collected)
 Total \$143,792.00

FROM THE GENERAL FUND—NURSERY INSPECTION ACCOUNT.

Salaries and Wages..... \$68,977.00
 Operations 26,665.00
 (Expenditures not to exceed fees heretofore or hereafter collected)
 Total \$95,642.00

FROM THE GENERAL FUND—SEED ACCOUNT.

Salaries and Wages..... \$104,426.00
 Operations 59,317.00
 (Expenditures not to exceed fees heretofore or hereafter collected)
 Total \$163,743.00

FROM THE GENERAL FUND.

FOR THE OFFICE OF DIRECTOR OF BUDGET:

—Office, Director of Budget.

Salaries and Wages..... \$348,286.00
 Operations 101,422.00
 Personnel Office:
 Salaries and Wages..... 74,740.00
 Operations 13,465.00
 Total \$537,913.00

General appropriations. For—Department of Conservation and Development.

FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:

General Office, Including Divisions of Hydraulics and Flood Control Administration:

Salaries, Wages and Operations \$326,193.00

Division of Mines and Geology Including Archaeological Surveys:

Salaries, Wages and Operations 138,099.00

Columbia Basin Commission:

Salaries, Wages and Operations 51,279.00

Stream Gaging and Ground Water Surveys:

Operations 75,000.00

To Conduct Studies of the Construction of a Plant or Plants for the Generation of Electricity by Steam, Including but not Limited to Engineering, Financial, Economic and Legal: *Provided*, That this Appropriation shall become available only after the Director of Conservation and Development has Determined that the Undertaking is Feasible and that the Appropriation Should be Drawn upon, Preceding Revenue Bonds or other Utility Financing: *Provided further*, That any Expenditures from this Appropriation shall be Repaid by the Constructing Agency from the Proceeds of Revenue Bond or Other Utility Financing as soon as Practicable after such Financing.....

275,000.00

Flood Control Maintenance:

To be expended in accordance with the provisions of chapter 240, Laws of 1951.

1,000,000.00

Total

\$1,865,571.00

Vetoed.

FROM THE GENERAL FUND—RECLAMATION
REVOLVING ACCOUNT.

For—Department of Conservation and Development.

Reclamation Division:	
Salaries, Wages and Operations	\$34,782.00
Natural Resources Surveys:	
Salaries, Wages and Operations	97,500.00
Financing of Reclamation Districts as Provided by Law (Expenditures from Reclamation Revolving Account not to exceed cash on hand and available for expenditure)	500,000.00
Total	<u>\$632,282.00</u>

FROM THE GENERAL FUND.

FOR THE EMPLOYMENT SECURITY DEPARTMENT:

—Employment Security Department.

To carry out provisions of chapter 184, Laws of 1951, Relating to Coverage of Employees of Political Subdivisions of the State Under the Federal OASI System	\$65,000.00
--	-------------

FOR THE DEPARTMENT OF FISHERIES:

—Department of Fisheries.

Salaries and Wages.....	\$1,953,088.00
Operations	1,108,605.00
Pacific Marine Fisheries Commission:	
Expenses of Participation...	10,200.00
Capital Outlays, Major Repairs and Betterments	200,000.00
Research to Safeguard Migrating Salmon of the Columbia River at Corps of Engineers' Dams	200,000.00
(Expenditures to be limited to approved projects upon which reimbursement of 100% will be made by the Federal Government)	
Fish Passage Research—Snake River Dams	25,000.00
(Expenditures to be limited to approved projects upon which reimbursement of	

General Ap-
propriations.
For—Depart-
ment of Fisher-
ies.

100% will be made by the Federal Government)		
Lower Columbia River De- velopment	2,192,547.00	
(Expenditures for Lower Co- lumbia River Development to be limited to approved pro- jects upon which reimburse- ment of 100% will be made by the Federal Government)		
Total	—————	\$5,689,440.00

FROM THE GENERAL FUND—LEWIS RIVER
HATCHERY ACCOUNT.

Salaries and Wages.....	\$23,847.00	
Operations	3,142.00	
Total	—————	\$26,989.00

FROM THE GAME FUND.

—Department
of Game.

FOR THE DEPARTMENT OF GAME:		
Salaries and Wages.....	\$3,524,278.00	
Operations	2,893,489.00	
Payment of Game Animal Dam- ages and Expense.....	50,000.00	
Wild Life Restoration and Re- search, Including the Pur- chase, Condemnation or Leas- ing of Lands.....	900,000.00	
(Expenditures to be limited to approved projects upon which reimbursement of 75% will be made by the Federal Government)		
Fish Restoration and Manage- ment projects	400,000.00	
(Expenditures to be limited to approved projects upon which reimbursement of 75% will be made by the Federal Government)		
Special Research Investigations of Game and Game Fish Pro- grams	60,000.00	
(Expenditures to be limited to approved projects upon which reimbursement of 100% will be made by the Federal Government or other organizations)		

Lower Columbia River Development:			For—Department of Game.
Salaries, Wages and Operations:			
Skamania Hatchery	150,000.00		
Beaver Creek Hatchery	80,000.00		
Construction of Lower Columbia River Hatchery	400,000.00		
(Expenditures for Lower Columbia River Development to be limited to approved projects upon which reimbursement of 100% will be made by the Federal Government)			
Capital Outlays, Major Repairs and Betterments	200,000.00		
Acquisition of Lands for Public Hunting and Fishing Areas, Game Habitat Area, Access Areas to Lakes and Streams and Other Like Purposes	500,000.00		
Total	<u> </u>	\$9,157,767.00	

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION:			—Department of General Administration.
General Office, Including Division of Purchasing:			
Salaries and Wages	\$532,809.00		
Operations	130,511.00		
Division of Banking:			
Salaries and Wages	167,605.00		
Operations	61,000.00		
Division of Savings and Loan Associations:			
Salaries and Wages	159,892.00		
Operations	59,000.00		
Capitol Buildings and Grounds:			
Salaries and Wages	1,012,647.00		
Operations	617,000.00		
Painting, Repairs and Alterations to Buildings	50,000.00		
Total	<u> </u>	\$2,790,464.00	

FROM THE GENERAL FUND—CAPITOL BUILDING CONSTRUCTION ACCOUNT.

Completion of General Administration Building		\$242,077.00	
---	--	--------------	--

General Ap-
ropriations...
For—Depart-
ment of Health

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF HEALTH:

General Administration:	
Salaries and Wages.....	\$1,222,594.00
Operations	694,610.00
Crippled Children's Program:	
Salaries and Wages.....	107,974.00
Operations and Assistance...	162,503.00
Conservation of Hearing Pro- gram:	
Salaries and Wages.....	31,939.00
Operations	83,477.00
Cerebral Palsy Field Program:	
Salaries and Wages.....	33,867.00
Operations	35,900.00
Cerebral Palsy Center:	
Salaries and Wages.....	124,763.00
Operations	20,600.00
Cleft Lip and Palate Program:	
Operations	23,000.00
Congenital Heart Program:	
Operations	24,000.00
Rheumatic Fever Program:	
Salaries, Wages and Opera- tions	51,709.00
Community Mental Retardation Program:	
Salaries, Wages and Opera- tions	80,000.00
Public Health Work (including deficiencies, Expenditures not to exceed amounts received and credited to the General Fund from the Federal Gov- ernment for Public Health Work)	1,498,118.00
County Public Health Work:	
Salaries, Wages and Opera- tions	180,000.00
Tuberculosis Casefinding:	
Salaries, Wages and Opera- tions	152,750.00
Community Mental Health Pro- gram:	
Salaries and Wages.....	50,000.00
Total	<u> </u> \$4,577,804.00

FOR THE DEPARTMENT OF INSTITUTIONS:

For—Department of Institutions.

Salaries and Wages.....	\$1,311,965.00	
Operations	620,000.00	
Diagnostic and Treatment Center or Other State Institutions:		
Salaries, Wages and Operations	750,000.00	
Total	<u> </u>	\$2,681,965.00

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES:

—Department of Labor and Industries.

Salaries and Wages.....	\$1,244,791.00	
Industrial Relations Division:		
Salaries and Wages.....	191,994.00	
Operations	61,642.00	
Boiler Inspection Division:		
Salaries and Wages.....	54,651.00	
Operations	26,425.00	
To carry out provisions of chapter 233, Laws of 1947, for the Payment of Additional Pensions	3,400,000.00	
To carry out provisions of House Bill No. 617 of the 1957 Legislature, for the payment of additional pensions.....	2,800,000.00	
To carry out provisions of chapter 195, Laws of 1949, Relating to the Industrial Welfare Commission:		
Salaries and Wages.....	21,433.00	
Operations	7,745.00	
For Ascertaining the Qualifications of Industrial Establishments for Furnishing Other Training On-the-Job to Veterans	36,099.00	
(Expenditures not to exceed receipts from the Federal Government)		
Total	<u> </u>	\$7,844,780.00

FROM THE MEDICAL AID FUND.

Salaries, Wages and Operations	\$2,122,581.00
Safety Division:	
Operations	240,270.00

General Appropria-
tions. For—Depart-
ment of Labor
and Industries.

Appeal Costs:		
Salaries and Wages.....	145,431.00	
Operations	153,978.00	
Rehabilitation Center:		
Salaries and Wages.....	302,152.00	
Operations	151,098.00	
Proposed Rehabilitation Center:		
Salaries and Wages.....	108,465.00	
Operations	37,813.00	
Purchase or Construction of Rehabilitation Center, Includ- ing Equipment and Land..	1,000,000.00	
Medical Services and Refunds (including deficiencies)	15,000,000.00	
Total	<u>19,261,788.00</u>	\$19,261,788.00

FROM THE ACCIDENT FUND.

Safety Division:		
Salaries and Wages.....	\$810,068.00	
Operations	138,450.00	
Appeal Costs:		
Salaries and Wages.....	145,431.00	
Operations	153,978.00	
Catastrophe Injury Claims....	500,000.00	
Second Injury Claims.....	2,000,000.00	
Claims, Awards and Refunds (including deficiencies)	24,000,000.00	
Total	<u>\$27,747,927.00</u>	\$27,747,927.00

FROM THE RESERVE FUND.

Pensions and Lump Sum Pay- ments	\$10,500,000.00
---	-----------------

FROM THE GENERAL FUND—ELECTRICAL
LICENSE ACCOUNT.

Salaries and Wages.....	\$139,086.00	
Operations	54,133.00	
Total	<u>\$193,219.00</u>	\$193,219.00

FROM THE GENERAL FUND.

—Department
of Licenses.

FOR THE DEPARTMENT OF LICENSES:		
Salaries, Wages and Operations.....	\$642,386.00	

FROM THE GENERAL FUND—OPTOMETRY ACCOUNT.

Salaries, Wages and Operations.....	\$12,567.00
-------------------------------------	-------------

FROM THE GENERAL FUND—REAL ESTATE
COMMISSION ACCOUNT.

To carry out provisions of chap-
ter 235, Laws of 1953, Re-

lating to Real Estate Brokers and Salesmen: Salaries, Wages and Operations	\$459,493.00
---	--------------

FROM THE MOTOR VEHICLE FUND.

Salaries, Wages and Operations	\$4,509,959.00	
Liquid Fuel Tax Refunds.....	6,500,000.00	
Total	\$11,009,959.00	

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF NATURAL RESOURCES AND THE COMMISSIONER OF PUBLIC LANDS:

For—Department of Natural Resources, Commissioner of Public Lands.

General Office:		
Salaries, Wages and Operations	\$1,330,218.00	
Maps and Surveys:		
Salaries, Wages and Operations	60,500.00	
Inventory of State Owned Lands:		
Salaries, Wages and Operations	297,400.00	
District Headquarters Unit at Clearwater		117,500.00
Total	\$1,805,618.00	

FROM THE GENERAL FUND—FOREST DEVELOPMENT ACCOUNT.

General Office:		
Salaries, Wages and Operations	\$458,452.00	
Bond Retirement and Interest	14,965.11	
Total	\$473,417.11	

FROM THE GENERAL FUND.

Division of Forestry:		
Salaries, Wages and Operations	\$2,217,100.00	
Reforestation:		
Salaries, Wages and Operations	317,689.00	
Forest Rehabilitation:		
Salaries and Wages.....	187,445.00	
Operations	372,113.00	
Capital Outlays	47,000.00	
Capital Outlays	175,000.00	
Total	\$3,316,348.00	

General Ap-
propriations.
For—Depart-
ment of Pub-
lic Assistance.

FOR THE DEPARTMENT OF PUBLIC ASSISTANCE:	
General Administration, Including Child Welfare and Blind Vocational Rehabilitation:	
Salaries, Wages and Operations	\$14,199,098.00
Medical Care:	
Salaries, Wages and Operations	2,380,785.00
Division of Old Age Assistance:	
Senior Citizen Grants	91,156,870.00
Division of Public Assistance:	
Aid to the Permanently Disabled	9,999,833.00
General Home Assistance....	18,984,346.00
Division for Children:	
Child Welfare Services:	
Assistance as Provided by Law	4,801,969.00
Aid to Dependent Children:	
Assistance as Provided by Law	27,559,472.00
Division for the Blind:	
Assistance as Provided by Law Including Self-supporting Aid to Blind....	1,614,187.00
Assistance Grants:	
To be Allocated Among the Above Programs Upon Written Approval of the Governor	4,111,403.00
Division of Public Assistance:	
Burials	1,424,375.00
Vocational Rehabilitation for the Blind:	
Assistance	97,852.00
Other Case Services to the Blind	273,250.00
Medical Care Program:	
Medical Services (including deficiencies)	31,950,773.00
<i>(Provided, That expenditures for support of county hospitals and infirmaries shall not exceed the following:</i>	

King County		
Hospital System	\$7,600,000.00	
Pierce County		
Hospital	2,450,000.00	
Clark County		
Hospital	873,500.00	
Whatcom County		
Hospital	650,000.00	
All other hospitals and infirmaries	776,500.00)	
Disability Freeze Program:		
Salaries, Wages and Operations		341,458.00
(Expenditures not to exceed receipts from the Federal Government)		
Total		————— \$208,895,671.00

For—Department of Public Assistance.

FROM THE PUBLIC SERVICE REVOLVING FUND.

FOR THE WASHINGTON PUBLIC SERVICE COMMISSION:		
Salaries and Wages	\$1,500,751.00	
Operations	663,816.00	
Special Investigations:		
Salaries, Wages and Operations		125,000.00
Refunds as Authorized by chapter 224, Laws of 1955 (including deficiencies)		34,000.00
(Expenditures not to exceed fees heretofore or hereafter collected, but in no event shall any warrant be drawn on the Public Service Revolving Fund in excess of actual cash on deposit in the State Treasury)		
Total		————— \$2,323,567.00

—Public Service Commission.

FROM THE HIGHWAY SAFETY FUND.

FOR THE WASHINGTON STATE PATROL:		
Salaries, Wages and Operations		\$3,506,051.00

—State Patrol.

General
Appropriations.
For—State
Patrol.

FROM THE MOTOR VEHICLE FUND—STATE PATROL
HIGHWAY ACCOUNT.

Salaries, Wages and Operations	\$7,200,000.00	
Weight Control:		
Salaries, Wages and Operations	1,089,560.00	
Communications System:		
Capital Outlays	270,000.00	
Capital Outlays and Major Repairs	115,800.00	
Total		<u>\$8,675,360.00</u>

FROM THE GENERAL FUND.

—Civil De-
fense.

Civil Defense:		
Salaries, Wages and Operations	\$190,000.00	
Supply Matching Fund Program	189,560.00	
(Expenditures to be limited to programs upon which reimbursements of 50% will be made by the Federal or Local Governments)		
To carry out provisions of chapter 223, Laws of 1953, Relating to Compensation for Injured Civil Defense Workers and Their Dependents	5,000.00	
Total		<u>\$384,560.00</u>

—Tax Commis-
sion.

FOR THE TAX COMMISSION OF THE STATE OF WASHINGTON:		
Salaries and Wages	\$3,450,305.00	
Operations	893,300.00	
County Property Tax Revaluation Program:		
Salaries, Wages and Operations	282,500.00	
Purchase of Cigarette Stamps	19,700.00	
Refunds of Taxes, Costs, Penalties and Interest as provided by chapter 180, Laws of 1935, and all laws amendatory thereto, and chapter 119, Laws of 1941 and all laws amendatory thereto	400,000.00	
Refunds of Escheated Property	20,000.00	
Total		<u>\$5,065,805.00</u>

FROM THE MOTOR VEHICLE EXCISE FUND.

Refunds as Provided by chapter 152, Laws of 1945 (including deficiencies).....	\$200,000.00
--	--------------

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF INSTITUTIONS:

State School for the Blind: Salaries, Wages and Operations	\$660,393.00	For—Department of Institutions. State School for the Blind.
Cedar Creek Youth Forestry Camp: Salaries, Wages and Operations	\$241,033.00	Cedar Creek Youth Forestry Camp.
State School for the Deaf: Salaries, Wages and Operations	\$1,112,762.00	State School for the Deaf.
Eastern State Hospital: Salaries and Wages..... \$6,076,398.00 Operations	2,741,302.00	Eastern State Hospital.
Total	\$8,817,700.00	
State Forestry Inmate Honor Camps: Salaries and Wages..... \$221,631.00 Operations	263,232.00	State Forestry Inmate Honor Camps.
Total	\$484,863.00	
Green Hill School: Salaries and Wages..... \$1,134,476.00 Operations	533,356.00	Green Hill School.
Total	\$1,667,832.00	
Lakeland Village: Salaries and Wages..... \$2,563,056.00 Operations	1,423,764.20	Lakeland Village.
Total	\$3,986,820.20	
Maple Lane School: Salaries and Wages..... \$768,345.00 Operations	319,760.00	Maple Lane School.
Total	\$1,088,105.00	
Mental Health Research Institute: Salaries and Wages..... \$108,366.00 Operations	78,546.00	Mental Health Research Institute.
Total	\$186,912.00	
Northern State Hospital: Salaries and Wages..... \$4,578,970.00 Operations	1,979,640.00	Northern State Hospital.
Total	\$6,558,610.00	
Washington State Penitentiary: Salaries and Wages..... \$2,491,771.00 Operations	2,325,928.06	State Penitentiary.

General appropriations. For—Department of Institutions, State Penitentiary.

Prisoners' Aid Fund.....	52,800.00	
Repairs and Replacements of Steam, Vacuum and Hot Water Lines	15,000.00	
Repair and Repaint Existing Buildings and Facilities...	15,000.00	
Remodel and Repair Older Institutional Buildings....	10,000.00	
Purchase and Install Refrigeration Unit in Women's Quarters Including Necessary Remodeling	5,000.00	
Total	<u> </u>	\$4,915,499.06

FROM THE GENERAL FUND—

STATE INSTITUTIONAL REVOLVING ACCOUNT.

Industrial Operations:	
Salaries, Wages and Operations	\$4,500,000.00

FROM THE GENERAL FUND.

Rainier State School.

Rainier State School:		
Salaries and Wages.....	\$3,869,138.00	
Operations	2,212,681.40	
Total	<u> </u>	\$6,081,819.40

State Reformatory.

Washington State Reformatory:		
Salaries and Wages.....	\$2,009,950.00	
Operations	1,148,324.00	
Prisoners' Aid Fund.....	72,000.00	
Total	<u> </u>	\$3,230,274.00

FROM THE GENERAL FUND—

STATE INSTITUTIONAL REVOLVING ACCOUNT.

Industrial Operations:		
Salaries, Wages and Operations	\$2,500,000.00	
Purchase and Installation of Equipment for New Industries	50,000.00	
Total	<u> </u>	\$2,550,000.00

FROM THE GENERAL FUND.

State Soldiers' Home and Colony.

State Soldiers' Home and Colony:		
Salaries and Wages.....	\$486,914.00	
Operations	271,622.00	
Total	<u> </u>	\$758,536.00

Veterans' Home.

Washington Veterans' Home:		
Salaries and Wages.....	\$1,253,381.00	
Operations	870,729.00	
Rehabilitate the Institution's Reservoirs	8,000.00	

Repair and Paint Auditorium and Hospital Buildings....	16,000.00	
Replace Steam and Hot Water Lines to Hospital.....	12,500.00	
Construction of an Additional Oil Storage Tank.....	10,000.00	
Total	—————	\$2,170,610.00
Western State Hospital:		
Salaries and Wages.....	\$7,660,627.00	For—Depart- ment of Insti- tutions. Western State Hospital.
Operations	3,188,015.00	
Total .....	—————		$10,848,642.00
FOR THE UNIVERSITY OF WASHINGTON:		—University of Washing- ton.
Salaries and Wages.....	\$23,780,587.00	
Operations, including Repairs..	5,798,060.00	
School of Medicine and Dentistry:		
Salaries and Wages.....	5,135,687.00	
Operations and Maintenance	1,100,070.00	
Total	—————	\$35,814,404.00
(None of the funds herein shall be used by the medical school for extension or post-graduate training from which any licensed physician or surgeon is excluded by reason of classification)		
FOR THE STATE COLLEGE OF WASHINGTON:		—State College of Washing- ton.
College Teaching:		
Salaries and Wages.....	\$11,595,728.00	
Operations	3,389,250.00	
State Services—Agricultural and Industrial:		
Salaries and Wages.....	755,467.00	
Operations	423,500.00	
Division of Industrial Research:		
Salaries and Wages.....	806,615.00	
Operations	104,081.00	
Agricultural Extension Work:		
Salaries and Wages.....	1,452,383.00	
Operations	302,324.00	
Agricultural Experiment Stations:		
Main Experiment Station, Pullman and Walla Walla:		
Salaries and Wages.....	1,295,854.00	
Operations	681,450.00	
Western Washington Experi- ment Station, Puyallup:		
Salaries and Wages.....	838,377.00	

General Appropriations. For—State College of Washington.	Operations	382,045.00	
	Irrigation Branch Station, Prosser:		
	Salaries and Wages.....	550,946.00	
	Operations	252,565.00	
	Tree Fruit Branch Station, Wenatchee:		
	Salaries and Wages.....	320,268.00	
	Operations	118,173.00	
	Dry Land Branch Station, Lind:		
	Salaries and Wages.....	47,016.00	
	Operations	17,440.00	
	Cranberry, Blueberry Branch Station, Ilwaco:		
	Salaries and Wages.....	43,942.00	
	Operations	9,511.00	
	Northwestern Washington Experiment Station, Mt. Vernon:		
	Salaries and Wages.....	109,981.00	
	Operations	63,898.00	
Southwestern Experiment Station, Vancouver:			
Salaries and Wages.....	75,978.00		
Operations	21,366.00		
Total	—————	\$23,658,158.00	

FROM THE GENERAL FUND.

—Central Washington College of Education.	FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:		
	Salaries, Wages and Operations		\$3,142,696.00
—Eastern Washington College of Education.	FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:		
	Salaries, Wages and Operations	\$2,839,911.00	
Vetoed.	{ Purchase of Land.....	75,000.00	
	Total	—————	\$2,914,911.00
—Western Washington College of Education.	FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:		
	Salaries, Wages and Operations	\$3,484,667.00	
	Repairs to Light, Heat and Water Systems	7,500.00	
	Replacement of Heating Plant in Senior Hall	1,700.00	
	Total	—————	\$3,493,867.00
Vetoed.	{ FOR THE GOVERNOR:		
	Contingency, Salaries, Wages and Operations to be Allotted to the Colleges of Education on the		

Basis of \$465.50 for each Student in Excess of the Following Full Time (15 credit hours) Equivalent Basis as Shown by the Certificate of each President of his Respective Institution as being in Attendance on the Eleventh Day of Instruction of the Fall Quarter of the Respective Years:

Central Washington College of Education:
 1957 1730 Students
 1958 1730 Students
 Eastern Washington College of Education:
 1957 1548 Students
 1958 1548 Students
 Western Washington College of Education:
 1957 2229 Students
 1958 2282 Students

\$550,000.00

Vetoed.

FROM THE CAPITOL BUILDING BOND REDEMPTION FUND.

FOR BOND RETIREMENT AND INTEREST \$1,034,147.50

For—Bond Retirement, Interest.

FROM THE HIGHWAY BOND RETIREMENT FUND.

FOR BOND RETIREMENT AND INTEREST \$7,895,393.75

FROM THE INSTITUTIONAL BUILDING BOND REDEMPTION FUND.

FOR BOND RETIREMENT AND INTEREST \$2,551,125.00

FROM THE PUBLIC SCHOOL BUILDING BOND REDEMPTION FUND.

FOR BOND RETIREMENT AND INTEREST \$5,102,250.00

FROM THE PUBLIC SCHOOLS BUILDING BOND REDEMPTION FUND OF 1955.

FOR BOND RETIREMENT AND INTEREST \$4,500,000.00

FROM THE SCHOOL EMERGENCY CONSTRUCTION BOND REDEMPTION FUND.

FOR BOND RETIREMENT AND INTEREST \$5,073,312.50

General Appropria-
tions.
For—Bond
Retirement,
Interest.

FROM THE WAR VETERANS' COMPENSATION
BOND RETIREMENT FUND.

FOR BOND RETIREMENT AND IN-
TEREST \$8,931,693.25

FROM THE GENERAL FUND.

—State Capitol
Historical As-
sociation.

FOR THE STATE CAPITOL HISTORICAL
ASSOCIATION:
Salaries and Wages..... \$31,714.00
Operations 16,206.00
Total \$47,920.00

—Council of
State Govern-
ments.

FOR THE COUNCIL OF STATE GOV-
ERNMENTS:
To be distributed on vouchers
approved by the Governor.. \$7,000.00

—Criminal
Cost Bills.

FOR CRIMINAL COST BILLS (in-
cluding deficiencies) \$25,000.00

—Eastern
Washington
State Histori-
cal Society.

FOR THE EASTERN WASHINGTON
STATE HISTORICAL SOCIETY:
Salaries and Wages..... \$30,548.00
Operations 11,592.00
Capital Outlays and Major Re-
pairs 3,250.00
Total \$45,390.00

FROM THE CONTINGENT RECEIPTS FUND.

—Carry out
Laws 1945 c
243, as
amended.

To Be Expended in Accordance
with the Provisions of chapter
243, Laws of 1945, and Laws
Amendatory or Supplementary
There to \$20,000,000.00

FROM THE GENERAL FUND.

—Carry out
Laws 1925 c
9 § 10, Laws
1929 c 162 § 6.

For the Payment of Warrants
Drawn for Emergency Purposes
Approved during the Biennium
July 1, 1957, to June 30, 1959,
Pursuant to Sec. 10, Chap. 9,
Laws of 1925, as amended by
Sec. 6, Chap. 162, Laws of 1929.. \$250,000.00

—Governor
(Emergen-
cies).

FOR THE GOVERNOR:
To be allocated to various state
departments, offices and in-
stitutions for salaries, wages,
operations, for the carrying
on of the necessary work re-
quired by law of any depart-
ment, office, or institution for

which insufficient or no appropriation has been made, and emergency construction or repairs of public buildings: *Provided*, That this appropriation shall become available only upon filing with the Secretary of State, from time to time, allotments to said departments, offices and institutions, setting forth the purpose and amount allocated therefor, approved by the Governor

For—Governor (Emergencies).

\$3,250,000.00

FROM THE CURRENT SCHOOL FUND.

For apportionment to Counties for School Districts in accordance with the Provisions of chapter 141, Laws of 1945, and Acts Amendatory or Supplementary Thereto, and to Carry Out Provisions of section 31, chapter 157, Laws of 1955, including kindergarten support: *Provided*, That the apportionment on the educational unit basis shall be \$1,840.35 for 1957-1958 and \$1,863.35 for 1958-1959: *Provided*, That \$23,413,244.00 of this appropriation shall be used exclusively for the purpose of increasing the salaries of certificated employees of the several school districts in this state during the 1957-1959 biennium over the salaries paid in the 1956-1957 school year. The said sum at the rate of \$505.50 per certificated employee for 1957-1958 and \$505.50 per certificated employee for 1958-1959. The board of directors of each school district shall establish the basis for distributing the district's portion of the \$23,413,244.00 allotted to it among the certificated employees employed by such district..

—Counties (school districts). Carry out Laws 1945 c 141, Laws 1955 c 157 § 31, as amended.

\$236,374,677.00

FROM THE GENERAL FUND.

General Appropria-
tions.
For—Carry
out Laws 1943
c 120, Laws
1947 c 240,
as amended.

To be expended in accordance with the provisions of chapter 120, Laws of 1943, laws amendatory and supplementary thereto, and chapter 240, Laws of 1947, relating to educational services for handicapped children, including programs of in-service preparation for teachers of handicapped children approved by the State Board of Education and research related to educational services for exceptional children not to exceed one percent of the appropriation \$4,250,000.00

FROM THE STATE SCHOOL EQUALIZATION FUND.

—Counties.
Carry out
Laws 1949 c
31, as
amended.

For Distribution to Counties as provided by chapter 31, Laws of 1949 and Acts amendatory or supplementary thereto..... \$23,500,000.00

FROM THE GENERAL FUND.

—Carry out
Laws 1935
c 154, as
amended.

To be expended in accordance with the provisions of chapter 154, Laws of 1935, as amended, providing assistance for Blind Students \$25,000.00

—Carry out
Laws 1947 c
224, as
amended.

To be expended in accordance with the provisions of chapter 224, Laws of 1947, Providing Educational Aid to Children of Veterans \$15,000.00

—Education,
Indian
children.

For Education of Indian Children:
To carry out provisions of the Johnson-O'Malley Act, April 16, 1934 (Expenditures not to exceed Amounts Received from the Federal Government) \$385,000.00

—School
Lunch Pro-
gram.

For School Lunch Program:
To carry Out Provisions of The National School-Lunch Act, Public Law 396, 79th Congress (Expenditures not to exceed Amounts Received

from the Federal Govern- ment)	\$2,850,000.00	
For Special School Milk Pro- gram:		For—School Milk Program.
To Carry Out Provisions of The National Special School Milk Program, Public Law 690, 83rd Congress (Expenditures not to exceed amounts re- ceived from the Federal Gov- ernment)	\$3,588,000.00	
For Distribution to "Firemen's Relief and Pension Funds" as Provided by chapter 91, Laws of 1947, as Amended (includ- ing deficiencies)	\$725,000.00	—Firemen's Relief and Pension Funds Distribution to.
For Distribution of Federal Flood Control Funds Provided under Payments to States, Flood Con- trol Act, June 28, 1938 as Amended—60 Statute at Large, page 642, chapter 596, section 5 (including deficiencies)	\$30,000.00	—Federal Flood Con- trol Funds, Distribution of.
FROM THE FOREST RESERVE FUND.		
For Distribution of Moneys Re- ceived from the Federal Gov- ernment from Forest Reserves as provided by chapter 185, Laws of 1907 (including defi- ciencies)	\$10,000,000.00	—Forest Re- serve, Distri- bution of moneys re- ceived from.
FROM THE GENERAL FUND—HARBOR IMPROVEMENT ACCOUNT.		
For Distribution in accordance with chapters 168, 169 and 170, Laws of 1913, based on receipts (including deficiencies)	\$220,000.00	—Distribution, carry out 1913 c c 168, 169, 170.
FROM THE LIQUOR EXCISE TAX FUND.		
For Distribution to Counties, Cities and Towns as Provided by Chapter 396, Laws of 1955 (including deficiencies)	\$5,000,000.00	—Counties, Cities, Towns, Carry out Laws 1955 c 396.
FROM THE GENERAL FUND.		
FOR THE STATE LIBRARY COMMIS- SION:		

General Appropria-
tions.
For—State
Library Com-
mission.

To carry out Provisions of Pub-
lic Law No. 597—84th
Congress:
State Matching Funds..... \$150,000.00
Federal Funds (Expenditures
limited to receipts from the
Federal Government) 160,000.00
Total 310,000.00

—State Audi-
tor, L.I.D. as-
sessments,
Laws 1947 c
205.

FOR THE STATE AUDITOR:
For the Payment of Local Im-
provement District Assess-
ments as provided by chapter
205, Laws of 1947..... \$75,000.00

FROM THE MOTOR VEHICLE EXCISE FUND.

—Cities and
Towns, Carry
out Laws 1943
c 144, Laws
1953 c 7.

For Transfers and Distribution to
Cities and Towns as provided
by chapter 144, Laws of 1943
and chapter 7, Laws of 1953,
Extraordinary Session and Acts
Amendatory or Supplementary
Thereto (including deficiencies) \$40,000,000.00

FROM THE GENERAL FUND.

—State Audi-
tor, Claims
for supplies.

FOR THE STATE AUDITOR:
Payment of claims for supplies
furnished various depart-
ments in previous bienniums
(Payments to be made in ac-
cordance with the provisions
and limitations of chapter
186, Laws of 1953) \$100,000.00

FROM THE SUSPENSE FUND.

—State Audi-
tor, Carry out
Laws 1955
c 226.

FOR THE STATE AUDITOR:
To carry Out the Provisions of
chapter 226, Laws of 1955... \$3,000,000.00
(Expenditures Not to Exceed
Receipts)

FROM THE GENERAL FUND.

—Tuberculosis
Hospitali-
zation.

FOR TUBERCULOSIS HOSPITALIZATION:
State Aid to Counties (includ-
ing deficiencies) \$5,865,000.00
For Distribution of Funds Re-
ceived under the Federal Act
of June 28, 1934, 48 Stat. 1273,
Section 10 (including deficien-

cies). These Funds to Be Distributed to Counties from which Receipts were Derived..... \$20,000.00

FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

For—State Historical Society.

Salaries and Wages..... \$76,141.00
 Operations 26,480.00
 Capital Outlays and Major Repairs 6,200.00
 Total \$108,821.00

FOR TRANSFERS:

—Transfers. State Teachers' Retirement Fund. State Teachers' Retirement Pension Reserve Fund.

To State Teachers' Retirement Fund \$8,800,000.00
 To State Teachers' Retirement Pension Reserve Fund..... 11,410,000.00
 (Transfers to be made from time to time and in such amounts as the Governor shall determine)
 Total \$20,210,000.00

FROM THE GENERAL FUND—PENITENTIARY REVOLVING ACCOUNT.

To General Fund—State Institutional Revolving Account (Transfers to be made in such amounts as the Governor shall determine) \$50,000.00 } Vetoed.

FROM THE MOTOR VEHICLE FUND.

Transfer: —Transfers. State Patrol Highway account.
 From Motor Vehicle Fund To State Patrol Highway Account \$3,000,000.00
 To the Authority Revolving Fund: Authority Revolving Fund.
 To Increase the Permanent Authority Revolving Fund. 125,000.00
 Total \$3,125,000.00

FROM THE MOTOR VEHICLE EXCISE FUND.

FOR THE UNIVERSITY OF WASHINGTON: —University of Washington.
 Bureau of Governmental Research:
 Municipal Research and Service \$135,000.00

FROM THE HIGHWAY SAFETY FUND.

To Washington State Patrol Retirement Fund: —State Patrol Retirement Fund.

General Appropria-
tions.
For—State
Patrol Retirement Fund.

For Contributions for Prior Service Credits	\$50,000.00
For Contributions for Current Service Credits	612,930.00
(Transfers to be made from time to time and in such amounts as the Governor shall determine)	
Total	\$662,930.00

Emergency.

SEC. 3. This act is necessary for the immediate preservation of public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 10, 1957.

Passed the House March 14, 1957.

Approved by the Governor March 26, 1957, with the exception of certain items which are vetoed.

Veto message, excerpt from.

Note: Excerpt of Governor's veto message reads as follows:

"I disapprove and veto the item 'Printing and Distributing Temporary Session Laws \$14,200.00' for the reason that House Bill No. 398, already approved, provides for this activity.

"I disapprove and veto the item 'To provide Copies of Revised Code and Supplements to Certain Members of the Legislature \$6,000.00' for the reason that furnishing copies of the code to members of the legislature desiring the same, should be paid for from appropriations for legislative expense instead of being charged as a cost of the Permanent Statute Law Committee.

"I disapprove and veto the item 'FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES: Operations \$5,000.00' for the reason that House Bill No. 57, already approved, provides for an annual meeting of the judges and includes its own appropriation to carry out the provisions of that act.

"I disapprove and veto the item 'FROM THE PERSONNEL REVOLVING FUND. FOR THE STATE PERSONNEL BOARD: Salaries, Wages and Operations: To carry out the provisions of Senate Bill No. 402 \$1,056,432.00' for the reason that Senate Bill No. 402 failed of passage.

"I disapprove and veto the item 'Indemnities for Condemnation and Slaughter of Bovine Animals Infected with Highly Contagious or Communicable Diseases Other than Tuberculosis and Bang's Disease, to be Paid in Accordance with RCW 16.40.080 \$50,000.00' for the reason that this is a duplication of the appropriation contained in House Bill No. 453, already approved.

"I disapprove and veto the item 'To Conduct Studies of the Construction of a Plant or Plants for the Generation of Electricity by Steam, including but not Limited to Engineering, Financial, Economic and Legal: PROVIDED, That this Appropriation shall become available only after the Director of Conservation and Development has Determined that the Undertaking is Feasible and that the Appropriation Should be Drawn upon, Preceding Revenue Bonds or other Utility Financing: PROVIDED FURTHER, That any Expenditures from this Appropriation shall be Repaid by the Constructing Agency from the Proceeds of Revenue Bond or other Utility Financing as soon as Practicable after such Financing \$275,000.00' for the reason that this is a duplication of the appropriation contained in House Bill No. 47, already approved.

"I disapprove and veto the item 'Purchase of Land \$75,000' for the reason that Substitute Senate Bill No. 468 makes provision for the construction and equipment and purchase of land for the Laboratory School at the Eastern College of Education, the only

request for land included in the budget submitted by the institution.

"I disapprove and veto the item 'FOR THE GOVERNOR: Contingency, Salaries, Wages and Operations to be Allotted to the Colleges of Education on the Basis of \$465.50 for each Student in Excess of the Following Full Time (15 credit hours) Equivalent Basis as Shown by the Certificate of each President of his Respective Institution as being in Attendance on the Eleventh Day of Instruction of the Fall Quarter of the Respective Years:

Central Washington College of Education:

1957 1730 Students

1958 1730 Students

Eastern Washington College of Education:

1957 1548 Students

1958 1548 Students

Western Washington College of Education:

1957 2229 Students

1958 2282 Students

\$550,000.00' for the reason that it would appear that ample provision has been made in the appropriations for each college of education to cover the normal expected increase in enrollment. Should the enrollment exceed present expectations to such a degree that existing appropriations would prove to be inadequate, consideration will be given to meeting the financial needs from emergency funds at the disposal of the Governor.

"I disapprove and veto the item 'FROM THE GENERAL FUND—PENITENTIARY REVOLVING ACCOUNT. To General Fund—State Institutional Revolving Account \$50,000.00 (Transfers to be made in such amounts as the Governor shall determine)' for the reason that Senate Bill No. 205, already approved, has abolished the Penitentiary Revolving Account in the General Fund and makes this transfer unnecessary.

"With the exception of the foregoing items, which are vetoed, the remainder of Substitute Senate Bill No. 400 is approved."

Veto message, excerpt from.

AUTHENTICATION

I, Victor A. Meyers, Secretary of State of the State of Washington, do hereby certify that I have caused to be carefully compared the foregoing published laws passed by the Thirty-Fifth Legislative Session of the State of Washington, held from January 14, 1957, until March 14, 1957, inclusive, with the original enrolled laws, now on file in this office, and find the same to be a full, true and correct copy of said originals with the exception of such corrections in spelling and use of words bracketed, thus [], as provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Dated at Olympia, Washington, this 1st day of October, 1957.

A handwritten signature in cursive script, reading "Victor A. Meyers", with a long horizontal flourish extending to the right.

VICTOR A. MEYERS,
Secretary of State

MEASURES AND TABLES

HISTORY OF STATE MEASURES FILED WITH THE SECRETARY OF STATE

INITIATIVES TO THE PEOPLE

(Each of these measures required at least 50,000 valid signatures of registered voters in order to appear upon ballot)

- INITIATIVE MEASURE NO. 1 (**State Wide Prohibition**)—Filed January 2, 1914. Refiled as Initiative Measure No. 3.
- INITIATIVE MEASURE NO. 2 (**Eight Hour Law**)—Filed January 3, 1914. Refiled as Initiative Measure No. 5.
- *INITIATIVE MEASURE NO. 3 (State Wide Prohibition)**—Filed January 8, 1914. Submitted to the voters November 3, 1914; **passed. Now identified as Chapter 2, Laws of 1915.**
- INITIATIVE MEASURE NO. 4 (**Drugless Healers**)—Filed January 13, 1914. No petition filed.
- INITIATIVE MEASURE NO. 5 (**Eight Hour Law**)—Filed January 15, 1914. No petition filed. See Initiative Measure No. 13, covering same subject.
- INITIATIVE MEASURE NO. 6 (**Blue Sky Law**)—Filed January 30, 1914. Submitted to the voters November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 7 (**Abolishing Bureau of Inspection**)—Filed January 30, 1914. Submitted to the voters November 3, 1914; failed to pass.
- *INITIATIVE MEASURE NO. 8 (Abolishing Employment Offices)**—Filed January 30, 1914. Submitted to the voters November 3, 1914; **passed. Now identified as Chapter 1, Laws of 1915.**
- INITIATIVE MEASURE NO. 9 (**First Aid to Injured**)—Filed January 29, 1914. Submitted to the voters November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 10 (**Convict Labor Road Measure**)—Filed January 29, 1914. Submitted to the voters November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 11 (**Fish Code**)—Filed January 29, 1914. Petition failed.
- INITIATIVE MEASURE NO. 12 (**Abolishing Tax Commission**)—Filed January 29, 1914. Petition failed.
- INITIATIVE MEASURE NO. 13 (**Eight Hour Law**)—Filed February 10, 1914. Submitted to the voters November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 14 (**Legislative Reapportionment**)—Filed May 13, 1914. No petition filed.
- INITIATIVE MEASURE NO. 15 (**Fundamental Reform Act**)—Filed May 15, 1914. No petition filed.
- INITIATIVE MEASURE NO. 16 (**Legislative Reapportionment**)—Filed May 20, 1914. No petition filed.
- INITIATIVE MEASURE NO. 17 (**State Road Measure**)—Filed June 13, 1914. No petition filed.

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 18 (**Brewers' Hotel Bill**)—Filed December 14, 1914. Submitted to the voters November 7, 1914; failed to pass.
- INITIATIVE MEASURE NO. 19 (**Non-Partisan Election and Presidential Primary**)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 20 (**First Aid**)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 21 (**Home Rule**)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 22 (**Fisheries Code**)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 23 (**Politicians' Code**)—Filed March 29, 1916. No petition filed.
- INITIATIVE MEASURE NO. 24 (**Brewers' Bill**)—Filed April 20, 1916. Submitted to the voters November 7, 1916; failed to pass.
- INITIATIVE MEASURE NO. 25 (**Repealing State Wide Prohibition**)—Filed May 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 26 (**Making the State a Prohibition District**)—Filed October 13, 1916. No petition filed.
- INITIATIVE MEASURE NO. 27 (**Repealing Chapter 57, Laws of 1915, Relating to Regulation of Common Carriers**)—Filed October 13, 1916. No petition filed.
- INITIATIVE MEASURE NO. 28 (**Non-Partisan Elections**)—Filed October 26, 1916. No petition filed.
- INITIATIVE MEASURE NO. 29 (**Capitol Removal Bill**)—Filed November 27, 1916. No petition filed.
- INITIATIVE MEASURE NO. 30 (**Eight Hour Law**)—Filed January 9, 1918. No petition filed.
- INITIATIVE MEASURE NO. 31 (**Municipal Marketing Measure**)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 32 (**Picketing Measure**)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 33 (**Non-Partisan Elections and Presidential Primary**)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 34 (**Relating to Salmon Fishing**)—Filed February 8, 1918. No petition filed.
- INITIATIVE MEASURE NO. 35 (**Repealing Chapter 174, Laws of 1919, Relating to Prevention of Criminal Syndicalism**)—Filed October 7, 1920. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 36 (**Municipal Marketing Measure**)—Filed November 16, 1920. No petition filed.
- INITIATIVE MEASURE NO. 37 (**Relating to Ownership of Land by Aliens**)—Filed November 19, 1920. No petition filed.
- INITIATIVE MEASURE NO. 38 (**Repealing Chapter 209, Laws of 1907, Relating to the Nomination of Candidates for Public Office**)—Filed January 11, 1922. No petition filed.

- INITIATIVE MEASURE NO. 39 (**Repealing Chapter 138, Laws of 1913, Relating to the Initiative Procedure**)—Filed January 11, 1922. No petition filed.
- *INITIATIVE MEASURE NO. 40 (**Repealing Chapter 174, Laws of 1921, Relating to the Poll Tax**)—Filed January 18, 1922. Submitted to the voters November 7, 1922; passed. Now identified as Chapter 1, Laws of 1923.
- INITIATIVE MEASURE NO. 41 (**Non-Partisan Elections**)—Filed January 18, 1922. No petition filed.
- INITIATIVE MEASURE NO. 42 (**Workmen's Compensation Measure**)—Filed January 24, 1922. Same as Initiative Measure No. 47; no petition filed.
- INITIATIVE MEASURE NO. 43 (**Relating to Injunctions in Labor Disputes**)—Filed January 24, 1922. No petition filed.
- INITIATIVE MEASURE NO. 44 (**Relating to Municipal Ownership**)—Filed January 28, 1922. No petition filed.
- INITIATIVE MEASURE NO. 45 (**Legislative Reapportionment**)—Filed February 14, 1922. No petition filed.
- INITIATIVE MEASURE NO. 46 (**"30-10" School Plan**)—Filed February 21, 1922. Submitted to the voters November 7, 1922; failed to pass.
- INITIATIVE MEASURE NO. 47 (**Workmen's Compensation Measure**)—Filed March 27, 1922. No petition filed.
- INITIATIVE MEASURE NO. 48 (**Compulsory School Attendance**)—Filed January 7, 1924. No petition filed.
- INITIATIVE MEASURE NO. 49 (**Compulsory School Attendance**)—Filed January 15, 1924. Submitted to the voters November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 50 (**Limitation of Taxation**)—Filed February 21, 1924. Submitted to the voters November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 51 (**Pertaining to Salmon Fishing**)—Filed April 2, 1924. No petition filed.
- INITIATIVE MEASURE NO. 52 (**Electric Power Measure**)—Filed April 8, 1924. Submitted to the voters November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 53 (**Relating to Sanipractic**)—Filed February 4, 1926. No petition filed.
- INITIATIVE MEASURE NO. 54 (**State Commission to License and Regulate Horse-racing, Pool-selling, etc.—Pari-mutuel Measure**)—Filed February 5, 1926. No petition filed.
- INITIATIVE MEASURE NO. 55 (**Prohibiting Use of Purse Seines, Fish Traps, Fish Wheels, etc.**)—Filed February 16, 1928. No petition filed.
- INITIATIVE MEASURE NO. 56 (**Re-districting State for Legislative Purposes**)—Filed April 24, 1930. Re filed as Initiative Measure No. 57.
- *INITIATIVE MEASURE NO. 57 (**Re-districting State for Legislative Purposes**)—Filed April 25, 1930. Submitted to the voters November 4, 1930; passed. Now identified as Chapter 2, Laws of 1931.
- *INITIATIVE MEASURE NO. 58 (**Permanent Registration**)—Filed January 9, 1932. Submitted to the voters November 8, 1932; passed. Now identified as Chapter 1, Laws of 1933.
- INITIATIVE MEASURE NO. 59 (**Tax Free Homes**)—Filed January 9, 1932. No petition filed.

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 60 (**Licensing of Mercantile Establishments**)—
Filed January 9, 1932. No petition filed.
- *INITIATIVE MEASURE NO. 61 (**Relating to Intoxicating Liquors**)—Filed
January 9, 1932. Submitted to the voters November 8, 1932; **passed. Now
identified as Chapter 2, Laws of 1933.**
- *INITIATIVE MEASURE NO. 62 (**Creating Department of Game**)—Filed
January 9, 1932. Submitted to the voters November 8, 1932; **passed. Now
identified as Chapter 3, Laws of 1933.**
- INITIATIVE MEASURE NO. 63 (**Exemption of Homes from Taxation**)—Filed
January 9, 1932. No petition filed.
- *INITIATIVE MEASURE NO. 64 (**Limits Tax Levy on Real and Personal
Property to 40 Mills**)—Filed January 9, 1932. Submitted to the voters
November 8, 1932; **passed. Now identified as Chapter 4, Laws of 1933.**
- INITIATIVE MEASURE NO. 65 (**Cascade Mountain Tunnel**)—Filed February
19, 1932. No petition filed.
- INITIATIVE MEASURE NO. 66 (**Scientific Birth Control**)—Filed February
26, 1932. No petition filed.
- INITIATIVE MEASURE NO. 67 (**Abolishes Excise Tax on Butter Substitutes**)
—Filed March 7, 1932. No petition filed.
- INITIATIVE MEASURE NO. 68 (**Unemployment Insurance**)—Filed March
21, 1932. No petition filed.
- *INITIATIVE MEASURE NO. 69 (**Income Tax Measure**)—Filed March 22,
1932. Submitted to the voters November 8, 1932; **passed. Now identified
as Chapter 5, Laws of 1933. (State Supreme Court ruled act unconstitu-
tional.)**
- INITIATIVE MEASURE NO. 70 (**Compulsory Military Training Prohibited**)—
Filed April 4, 1932. No petition filed.
- INITIATIVE MEASURE NO. 71 (**Liquor Control**)—Filed January 8, 1934. No
petition filed.
- INITIATIVE MEASURE NO. 72 (**Distribution of Highway Funds**)—Filed
January 8, 1934. No petition filed.
- INITIATIVE MEASURE NO. 73 (**Catching of Fish**)—Filed January 8, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 74 (**Tax Free Homes**)—Filed January 8, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 75 (**Unemployment Insurance**)—Filed January
19, 1934. No petition filed.
- INITIATIVE MEASURE NO. 76 (**Tax Free Homes**)—Filed January 22, 1934.
No petition filed.
- *INITIATIVE MEASURE NO. 77 (**Fish Traps and Fishing Regulations**)—Filed
February 1, 1934. Submitted to the voters November 6, 1934; **passed. Now
identified as Chapter 1, Laws of 1935.**
- INITIATIVE MEASURE NO. 78 (**Distribution of Highway Funds**)—Filed
February 9, 1934. No petition filed.
- INITIATIVE MEASURE NO. 79 (**Liquor Control**)—Filed February 20, 1934.
No petition filed.

* Indicates initiative measure was approved into law.

-
- INITIATIVE MEASURE NO. 80 (**Liquor Control**)—Filed February 24, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 81 (**Liquor Control**)—Filed February 28, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 82 (**Fishing Regulations**)—Filed March 10, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 83 (**State Sale of Gasoline**)—Filed March 16, 1934. No petition filed.
- INITIATIVE MEASURE NO. 84 (**Blanket Primary**)—Filed March 17, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 85 (**State Fire Insurance**)—Filed March 17, 1934. No petition filed.
- INITIATIVE MEASURE NO. 86 (**State Fire Insurance**)—Filed March 21, 1934. No petition filed.
- INITIATIVE MEASURE NO. 87 (**Workmen's Compensation**)—Filed March 22, 1934. No petition filed.
- INITIATIVE MEASURE NO. 88 (**Liquor Control**)—Filed March 24, 1934. No petition filed.
- INITIATIVE MEASURE NO. 89 (**One Man Grand Jury**)—Filed March 30, 1934. No petition filed.
- INITIATIVE MEASURE NO. 90 (**Criminal Appeals**)—Filed March 30, 1934.
No petition filed.
- INITIATIVE MEASURE NO. 91 (**Regulating Motor Carriers**)—Filed March 31, 1934. No petition filed.
- INITIATIVE MEASURE NO. 92 (**Regulating Motor Carriers**)—Filed April 9, 1934. No petition filed.
- INITIATIVE MEASURE NO. 93 (**Distribution of Highway Funds**)—Filed May 10, 1934. Insufficient number of signatures on petition; failed.
- *INITIATIVE MEASURE NO. 94 (40-Mill Tax Limit)**—Filed May 18, 1934.
Submitted to the voters November 6, 1934; **passed. Now identified as Chapter 2, Laws of 1935.**
- INITIATIVE MEASURE NO. 95 (**Liquor Control**)—Filed May 26, 1934. No petition filed.
- INITIATIVE MEASURE NO. 96 (**Repeal of Business Occupation Tax**)—Filed June 4, 1934. No petition filed.
- INITIATIVE MEASURE NO. 97 (**Dog Racing**)—Filed June 7, 1934. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 98 (**Business and Occupation Tax**)—Filed January 4, 1936. No petition filed.
- INITIATIVE MEASURE NO. 99 (**Distribution of Highway Funds**)—Filed January 4, 1936. No petition filed.
- INITIATIVE MEASURE NO. 100 (**40-Mill Tax Limit**)—Filed January 4, 1936.
No petition filed.
- INITIATIVE MEASURE NO. 101 (**Civil Service**)—Filed January 14, 1936.
Submitted to the voters November 3, 1936; failed to pass.
-

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 102 (**Creating "State Government Bank" Department**)—Filed January 21, 1936. No petition filed.
- INITIATIVE MEASURE NO. 103 (**Old Age Pension**)—Filed January 17, 1936. No petition filed.
- INITIATIVE MEASURE NO. 104 (**Tax on Gasoline**)—Filed February 27, 1936. No petition filed.
- INITIATIVE MEASURE NO. 105 (**Relating to Gill Nets**)—Filed March 3, 1936. No petition filed.
- INITIATIVE MEASURE NO. 106 (**Voter's Identification Certificate**)—Filed March 3, 1936. No petition filed.
- INITIATIVE MEASURE NO. 107 (**Tax on Gasoline**)—Filed March 7, 1936. No petition filed.
- INITIATIVE MEASURE NO. 108 (**40-Mill Tax Limit**)—Filed March 12, 1936. No petition filed.
- INITIATIVE MEASURE NO. 109 (**Admission of Sick to Hospitals**)—Filed March 14, 1936. No petition filed.
- INITIATIVE MEASURE NO. 110 (**Annuity for Crippled and Blind**)—Filed March 27, 1936. No petition filed.
- INITIATIVE MEASURE NO. 111 (**Admission of Sick to Hospitals**)—Filed April 8, 1936. No petition filed.
- INITIATIVE MEASURE NO. 112 (**Abolishing Compulsory Military Training**)—Filed April 9, 1936. No petition filed.
- INITIATIVE MEASURE NO. 113 (**Tax on Gasoline**)—Filed April 15, 1936. No petition filed.
- *INITIATIVE MEASURE NO. 114 (40-Mill Tax Limit)**—Filed April 21, 1936. Submitted to the voters November 3, 1936; passed. Now identified as **Chapter 1, Laws of 1937.**
- INITIATIVE MEASURE NO. 115 (**Old Age Pension**)—Filed April 21, 1936. Submitted to the voters November 3, 1936; failed to pass.
- INITIATIVE MEASURE NO. 116 (**Tax on Gasoline**)—Filed April 24, 1936. No petition filed.
- INITIATIVE MEASURE NO. 117 (**Production for Use**)—Filed May 1, 1936. No petition filed.
- INITIATIVE MEASURE NO. 118 (**Liens for Labor**)—Filed May 5, 1936. No petition filed.
- INITIATIVE MEASURE NO. 119 (**Production for Use**)—Filed May 9, 1936. Submitted to the voters November 3, 1936; failed to pass.
- INITIATIVE MEASURE NO. 120 (**Tax on Gasoline**)—Filed May 11, 1936. No petition filed.
- INITIATIVE MEASURE NO. 121 (**Beer on Sunday**)—Filed May 14, 1936. No petition filed.
- INITIATIVE MEASURE NO. 122 (**Pertaining to Bribery and Grafting**)—Filed May 21, 1936. No petition filed.
- INITIATIVE MEASURE NO. 123 (**Business and Occupation Tax**)—Filed January 27, 1938. No petition filed.

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 124 (**Distribution of Highway Funds**)—Filed February 9, 1938. No petition filed.
- INITIATIVE MEASURE NO. 125 (**Tax on Intoxicating Liquors**)—Filed February 15, 1938. No petition filed.
- ***INITIATIVE MEASURE NO. 126 (Non-Partisan School Election)**—Filed February 24, 1938. Submitted to the voters November 8, 1938; **passed. Now identified as Chapter 1, Laws of 1939.**
- INITIATIVE MEASURE NO. 127 (**Distribution of Highway Funds**)—Filed March 14, 1938. No petition filed.
- INITIATIVE MEASURE NO. 128 (**Civil Service**)—Filed March 14, 1938. No petition filed.
- ***INITIATIVE MEASURE NO. 129 (40-Mill Tax Limit)**—Filed March 18, 1938. Submitted to the voters November 8, 1938; **passed. Now identified as Chapter 2, Laws of 1939.**
- INITIATIVE MEASURE NO. 130 (**Regulation of Labor Disputes**)—Filed April 6, 1938. Submitted to the voters November 8, 1938; failed to pass.
- INITIATIVE MEASURE NO. 131 (**Civil Service**)—Filed April 7, 1938. No petition filed.
- INITIATIVE MEASURE NO. 132 (**Old Age Assistance**)—Filed April 12, 1938. No petition filed.
- INITIATIVE MEASURE NO. 133 (**Relating to Licensing Gambling**)—Filed April 15, 1938. No petition filed.
- INITIATIVE MEASURE NO. 134 (**Old Age Assistance**)—Filed April 19, 1938. No petition filed.
- INITIATIVE MEASURE NO. 135 (**40-Mill Tax Limit**)—Filed May 14, 1938. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 136 (**Relating to Retail Beer and Wine Licenses**)—Filed June 3, 1938. No petition filed.
- INITIATIVE MEASURE NO. 137 (**Relating to Gambling**)—Filed June 9, 1938. No petition filed.
- INITIATIVE MEASURE NO. 138 (**Relating to Gambling**)—Filed June 13, 1938. No petition filed.
- INITIATIVE MEASURE NO. 139 (**P. U. D. Bonds**)—Filed January 5, 1940. Submitted to the voters November 5, 1940; failed to pass.
- INITIATIVE MEASURE NO. 140 (**Liquor Control**)—Filed January 9, 1940. No petition filed.
- ***INITIATIVE MEASURE NO. 141 (Old Age Pension)**—Filed January 11, 1940. Submitted to the voters November 5, 1940; **passed. Now identified as Chapter 1, Laws of 1941.**
- INITIATIVE MEASURE NO. 142 (**Chain Store Tax**)—Filed January 16, 1940. No petition filed.
- INITIATIVE MEASURE NO. 143 (**Relating to State Sale of Gas and Oil**)—Filed February 2, 1940. No petition filed.
- INITIATIVE MEASURE NO. 144 (**Unicameral Legislature**)—Filed February 23, 1940. Withdrawn. Re filed as Initiative Measure No. 147.

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 145 (**Government Reorganization**)—Filed March 18, 1940. No petition filed.
- INITIATIVE MEASURE NO. 146 (**Relating to Sabbath Breaking**)—Filed March 22, 1940. No petition filed.
- INITIATIVE MEASURE NO. 147 (**Unicameral Legislature**)—Filed April 9, 1940. No petition filed.
- INITIATIVE MEASURE NO. 148 (**Liquor Control**)—Filed May 18, 1940. No petition filed.
- INITIATIVE MEASURE NO. 149 (**Anti-Subversive Activities**)—Filed May 23, 1940. No petition filed.
- INITIATIVE MEASURE NO. 150 (**Intoxicating Liquor Sold by the Drink**)—Filed January 3, 1942. No petition filed.
- INITIATIVE MEASURE NO. 151 (**Old Age Assistance**)—Filed January 3, 1942. Submitted to the voters November 3, 1942; failed to pass.
- INITIATIVE MEASURE NO. 152 (**Creating State Elective Offices of Director of Labor and Industries, Director of Social Security and Director of Agriculture**)—Filed January 27, 1942. No petition filed.
- INITIATIVE MEASURE NO. 153 (**Re-constitution of Board of State Land Commissioners**)—Filed February 24, 1942. No petition filed.
- INITIATIVE MEASURE NO. 154 (**After Discharge Benefits to Persons in the Armed Forces**)—Filed April 28, 1942. No petition filed.
- INITIATIVE MEASURE NO. 155 (**Washington Employment Peace Act**)—Filed January 10, 1944. No petition filed.
- INITIATIVE MEASURE NO. 156 (**Liberalization of Old Age Assistance Laws**)—Filed February 19, 1944. Refiled as Initiative Measure No. 157.
- INITIATIVE MEASURE NO. 157 (**Liberalization of Old Age Assistance Laws**)—Filed March 3, 1944. Submitted to the voters November 7, 1944; failed to pass.
- INITIATIVE MEASURE NO. 158 (**Liberalization of Old Age Assistance Laws by the Townsend Clubs of Washington**)—Filed March 28, 1944. Submitted to the voters November 7, 1944; failed to pass.
- INITIATIVE MEASURE NO. 159 (**Increase of Injured Workmen's Compensation**)—Filed January 5, 1946. Insufficient signatures presented July 10, 1946, and measure not certified to general election ballot.
- INITIATIVE MEASURE NO. 160 (**Increase of Injured Workmen's Compensation**)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 161 (**Changing Form of General Election Ballot to Conform with Primary Election Ballot**)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 162 (**Prohibiting the Governor from employing members of the Legislature during the term for which he shall have been elected**)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 163 (**Prohibiting the Sale of Beer or Wine by any Person other than the State of Washington**)—Filed January 9, 1946. Insufficient signatures presented July 6, 1946, and measure not certified to general election ballot.

- INITIATIVE MEASURE NO. 164 (**Prohibiting the Sale of Fortified Wines**)—Filed February 25, 1946. No petition filed.
- INITIATIVE MEASURE NO. 165 (**Providing for the Sale of Liquor by the Drink**)—Filed March 1, 1946. Insufficient signatures presented July 8, 1946, and measure not certified to the general election ballot.
- INITIATIVE MEASURE NO. 166 (**Relating to Public Utility Districts; requiring approval of voters as prerequisite to acquisition of any operating electrical utility properties, etc.**)—Filed April 24, 1946. Signature petitions filed June 29, 1946, and found sufficient. Measure rejected by voters at November 5, 1946, State General Election.
- INITIATIVE MEASURE NO. 167 (**Providing Liquor by the Drink at Licensed Establishments**)—Filed January 2, 1948. Insufficient valid signatures presented July 6, 1948, and measure not certified to state general election ballot.
- INITIATIVE MEASURE NO. 168 (**Providing Liquor by the Drink for Consumption on Premises Where Sold**)—Filed January 2, 1948. No signature petitions filed for canvassing.
- *INITIATIVE MEASURE NO. 169 (**Providing Bonus to Veterans of World War II**)—Filed January 2, 1948. Signature petitions filed July 9, 1948, and found sufficient. **Measure approved into law at November 2, 1948, State General Election and became identified as Chapter 4, Laws of 1949.** However, State Supreme Court ruled measure unconstitutional February 4, 1949. As consequence similar measure passed into law by 1949 Legislature (Chapter 180, Laws of 1949).
- INITIATIVE MEASURE NO. 170 (**Relating to Liberalization of Social Security Laws**)—Filed January 13, 1948. Because sponsor desired changes in text of proposed law, measure refiled as Initiative Measure No. 172.
- *INITIATIVE MEASURE NO. 171 (**Providing Liquor by the Drink with Certain Restrictions**)—Filed January 19, 1948. Signature petitions filed July 7, 1948, and found sufficient. **Measure certified to November 2, 1948, State General Election Ballot and approved into law. Now identified as Chapter 5, Laws of 1949.**
- *INITIATIVE MEASURE NO. 172 (**Relating to Liberalization of Social Security Laws**)—Filed February 26, 1948. Signature petitions filed July 9, 1948, and found sufficient. **Measure certified to November 2, 1948, State General Election Ballot and approved into law. Now identified as Chapter 6, Laws of 1949.**
- INITIATIVE MEASURE NO. 173 (**Providing for the Observance of Daylight Saving Time in the State of Washington**)—Filed May 20, 1948. No signature petitions presented for canvassing.
- INITIATIVE MEASURE NO. 174 (**Making application to Congress to call a Convention for the sole purpose of proposing an amendment to the Constitution of the United States to expedite and insure participation of the United States in a world federal government**)—Filed January 16, 1950. No signature petitions presented for canvassing.
- INITIATIVE MEASURE NO. 175 (**Establishing a Department of Youth Protection to operate the Washington State Training School and the State School**

* Indicates initiative measure was approved into law.

- for Girls under non-partisan control**)—Filed March 31, 1950. No signature petitions presented for canvassing. Essential provisions of this measure enacted by the 1951 Legislature (Chapter 234, Laws of 1951).
- INITIATIVE MEASURE NO. 176 (**Increasing to sixty-five dollars monthly the minimum grant for certain categories of public assistance, otherwise extending the social security program, and making an appropriation**)—Filed April 20, 1950. Submitted to the voters November 7, 1950; failed to pass.
- INITIATIVE MEASURE NO. 177—Filed May 1, 1950. Refiled May 5, 1950, as Initiative Measure No. 178.
- *INITIATIVE MEASURE NO. 178 (**Modifying the Citizens' Security Act of 1948 (Initiative Measure No. 172) and transferring the public assistance medical program to the State Department of Health**)—Filed May 5, 1950. Submitted to the voters November 7, 1950; passed. Now identified as Chapter 1, Laws of 1951.
- INITIATIVE MEASURE NO. 179 (**Liberalizing unemployment compensation benefits and repealing that portion of the Unemployment Compensation Act providing for employer experience rating**)—Filed May 5, 1950. No signature petitions presented for canvassing.
- *INITIATIVE MEASURE NO. 180 (**Authorizing the Manufacture, Sale and Use of Colored Oleomargarine**)—Filed February 4, 1952. Submitted to the voters November 4, 1952; passed. Now identified as Chapter 1, Laws of 1953.
- *INITIATIVE MEASURE NO. 181 (**Prescribing the Observance of Standard Time**)—Filed February 27, 1952. Submitted to the voters November 4, 1952; passed. Now identified as Chapter 2, Laws of 1953.
- INITIATIVE MEASURE NO. 182 (**Repealing Sunday Blue Laws**)—Filed March 24, 1952. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 183 (**Petitioning Congress to declare a policy of the United States to live in peaceful coexistence with other nations and to call a conference of the heads of leading nations to negotiate a settlement of existing differences**)—Filed March 26, 1952. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 184 (**Liberalizing Old Age Pension Laws**)—Filed April 3, 1952. Submitted to the voters November 4, 1952; failed to pass.
- INITIATIVE MEASURE NO. 185 (**Liberalizing Old Age Pension Laws**)—Filed April 11, 1952. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 186 (**Providing a Civil Service System for Employees of County Sheriffs**)—Filed April 14, 1952. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 187 (**Permitting a Modified Coloring of Oleomargarine**)—Filed May 15, 1952. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 188 (**Raising Standards for Chiropractic Examinations**)—Filed January 4, 1954. Submitted to the voters November 2, 1954; failed to pass.

* Indicates initiative measure was approved into law.

- INITIATIVE MEASURE NO. 189 (**Legislative Reapportionment**)—Filed January 4, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 190 (**Presidential Preference Primary**)—Filed January 6, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 191 (**Attorneys' Fees in Probate**)—Filed January 21, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 192 (**Regulation of Commercial Salmon Fishing**)—Filed February 16, 1954. Submitted to the voters November 2, 1954; failed to pass.
- INITIATIVE MEASURE NO. 193 (**Statewide Daylight Saving Time**)—Filed February 23, 1954. Submitted to the voters November 2, 1954; failed to pass.
- INITIATIVE MEASURE NO. 194 (**Restricting Television Alcoholic Beverage Advertising**)—Filed March 26, 1954. Submitted to the voters November 2, 1954; failed to pass.
- INITIATIVE MEASURE NO. 195 (**State Toll Commission**)—Filed March 30, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 196 (**Amending the Unemployment Compensation Act**)—Filed April 23, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 197 (**Restricting Dams: Columbia River Tributaries**)—Filed May 12, 1954. No signature petitions presented for checking.
- INITIATIVE MEASURE NO. 198 (**Affecting Employer-Employee Relations**)—Filed January 19, 1956. Submitted to the voters at the November 6, 1956 state general election and measure rejected.
- *INITIATIVE MEASURE NO. 199 (**Legislative Reapportionment and Redistricting**)—Filed February 16, 1956. Submitted to the voters at the November 6, 1956 state general election and measure approved into law. **Now identified as Chapter 5, Laws of 1957.** However, 1957 Legislature extensively amended this act by passing Chapter 289, Laws of 1957 by two-thirds approval of both branches of the Legislature. Test case now pending before State Supreme Court to determine which act controls.
- INITIATIVE MEASURE NO. 200 (**Increasing Public Assistance Benefits**)—Filed February 27, 1956. No signature petitions submitted for checking.
- INITIATIVE MEASURE NO. 201 (**Washington Fair Labor Standards Act**)—Filed March 2, 1956. No signature petitions submitted for checking.

* Indicates initiative measure was approved into law.

INITIATIVES TO THE LEGISLATURE

(Each of these measures required at least 50,000 valid signatures of registered voters in order to be certified to the Legislature)

***INITIATIVE TO THE LEGISLATURE NO. 1 (District Power Measure)**—Filed October 25, 1928. Submitted to the voters November 4, 1930; passed. Now identified as Chapter 1, Laws of 1931.

***INITIATIVE TO THE LEGISLATURE NO. 2 (Blanket Primary Ballot)**—Filed August 21, 1934. Passed by the Legislature February 21, 1935. Now identified as Chapter 26, Laws of 1935.

INITIATIVE TO THE LEGISLATURE NO. 3 (Tax Free Homes)—Filed August 25, 1934. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 4 (Unemployment Insurance)—Filed September 5, 1934. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 5 (Prohibiting Fishing with Purse Seines)—Filed November 20, 1934. Insufficient number of signatures on petition; failed.

INITIATIVE TO THE LEGISLATURE NO. 6 (Legal Holiday on Saturday)—Filed August 17, 1938. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 7 (Pension for Blind)—Filed October 7, 1938. Refined as Initiative to the Legislature No. 8.

INITIATIVE TO THE LEGISLATURE NO. 8 (Pension for Blind)—Filed October 10, 1938. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 9 (Relating to Intoxicating Liquors)—Filed December 8, 1938. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 10 (Unicameral Legislature)—Filed May 23, 1940. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 11 (Re-apportionment of State Legislative Districts)—Filed July 8, 1942. No petition filed.

***INITIATIVE TO THE LEGISLATURE NO. 12 (Public Power Resources)**—Filed August 29, 1942. Passed by the Legislature February 17, 1943. Now identified as Chapter 15, Laws of 1943. Act invalidated through Referendum Measure No. 25.

INITIATIVE TO THE LEGISLATURE NO. 13 (Restricting Sales of Beer and Wine to State Liquor Stores)—This measure the same as Initiative Measure No. 163 and was filed August 23, 1946. Signature petitions filed January 3, 1947, and found sufficient. Certified to 1947 Legislature which took no final action. Measure submitted to the voters November 2, 1948, State General Election. Voted down.

INITIATIVE TO THE LEGISLATURE NO. 14 (Re-apportionment of State Legislative Districts)—Filed September 19, 1946. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 15 (Establishing a Civil Service System for the Employees of the State of Washington)—Filed October 16, 1946. No petition filed.

INITIATIVE TO THE LEGISLATURE NO. 16 (Providing for the Election of State Game Commissioners)—Filed September 8, 1948. No signature petitions presented.

* Indicates initiative measure became law.

- INITIATIVE TO THE LEGISLATURE NO. 17 (**Regulating Legislative Committee Hearings**)—Filed October 16, 1948. No signature petitions filed.
- INITIATIVE TO THE LEGISLATURE NO. 18 (**Petitioning Congress to declare that it is the policy of the United States to live in peaceful coexistence with other nations, etc.**)—This measure the same as Initiative Measure No. 183 and was filed September 3, 1952. No signature petitions presented for checking.
- INITIATIVE TO THE LEGISLATURE NO. 19 (**Repealing the Subversive Activities Act**)—Filed September 19, 1952. No signature petitions presented for checking.
- INITIATIVE TO THE LEGISLATURE NO. 20 (**Legislative and Congressional Districting**)—Filed April 16, 1954. Sponsors dissatisfied with ballot title and, as a consequence, measure (with some minor changes, all occurring in section 5) was refiled as of May 17, 1954 and measure refiled as Initiative No. 22 to the Legislature.
- INITIATIVE TO THE LEGISLATURE NO. 21 (**Professional Practice Boards**)—Filed April 20, 1954. No signature petitions presented for checking.
- INITIATIVE TO THE LEGISLATURE NO. 22 (**Legislative and Congressional Districting**)—Filed May 17, 1954. No signature petitions presented for checking.
- INITIATIVE TO THE LEGISLATURE NO. 23 (**Civil Service for Sheriff's Employees**)—Measure filed August 7, 1956. Signature petitions filed December 5, 1956, and found sufficient. Measure certified to the 1957 Legislature which took no final action. For this reason, measure will be submitted to the voters at the November 4, 1958 state general election for acceptance or rejection.
- INITIATIVE TO THE LEGISLATURE NO. 24 (**Limiting Dams in Fish Sanctuaries**)—Measure filed September 18, 1956. Signature petitions containing approximately 85,600 signatures filed January 3, 1957. However, attorney general ruled that provisions of the 30th amendment to the state constitution approved by the voters at the 1956 state general election applied at the time signatures were presented. This amendment provided that the number of signatures necessary to validate an initiative must be equal to at least 8% of the votes cast on the position of governor at the last preceding gubernatorial election. This computation set the necessary number as 90,319 valid signatures. Sponsors appealed to the State Supreme Court which held that the attorney general was correct. For this reason the Secretary of State did not check signature petitions and the initiative was not certified to the 1957 Legislature.

REFERENDUM MEASURES

(Each of these measures required 30,000 signatures of registered voters in order to appear upon ballot)

- REFERENDUM MEASURE NO. 1 (**Teachers' Retirement Fund**)—Filed March 11, 1913. Submitted to the people November 3, 1914; ***failed to pass.**
- REFERENDUM MEASURE NO. 2 (**Quincy Valley Irrigation Measure**)—Filed March 25, 1913. Submitted to the people November 3, 1914; ***failed to pass.**
- REFERENDUM MEASURE NO. 3 (**Chapter 54, Laws of 1915, Relating to Initiative and Referendum**)—Filed March 18, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 4 (**Chapter 55, Laws of 1915, Recall of Elective Public Officers**)—Filed March 18, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 5 (**Chapter 52, Laws of 1915, Party Conventions Act**)—Filed March 25, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 6 (**Chapter 181, Laws of 1915, Anti-Picketing**)—Filed March 25, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 7 (**Chapter 178, Laws of 1915, Certificate of Necessity Act**)—Filed March 25, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 8 (**Chapter 46, Laws of 1915, Port Commission**)—Filed March 25, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 9 (**Chapter 49, Laws of 1915, Budget System**)—Filed March 25, 1915. Submitted to the people November 7, 1916; ***failed to pass.**
- REFERENDUM MEASURE NO. 10 (**Chapter 19, Laws of 1917, Bone Dry Law**)—Filed February 20, 1917. Submitted to the people November 5, 1918; passed.
- REFERENDUM MEASURE NO. 11 (**Chapter 167, Laws of 1917, Capitol Building Fund Bonds**)—Filed April 23, 1917. No petition filed.
- REFERENDUM MEASURE NO. 12A (**Chapter 77, Laws of 1919, Salary of Judges**)—Filed April 14, 1919. No petition filed.
- REFERENDUM MEASURE NO. 12B (**Chapter 59, Laws of 1921, Certificate of Necessity**)—Filed March 26, 1921. Submitted to the people November 7, 1922; ***failed to pass.**
- REFERENDUM MEASURE NO. 13A (**Chapter 112, Laws of 1919, Death Penalty**)—Filed April 14, 1919. No petition filed.
- REFERENDUM MEASURE NO. 13B (**Chapter 175, Laws of 1921, Physical Examination of School Children**)—Filed April 4, 1921. Submitted to the people November 7, 1922; ***failed to pass.**
- REFERENDUM MEASURE NO. 14A (**Senate Joint Resolution No. 1, Laws of 1919, Intoxicating Liquor**)—Filed March 20, 1919. Insufficient number of signatures on petition.

* Term "failed to pass" indicates sponsor of Referendum was successful in attempt to prevent measure from becoming effective law.

- REFERENDUM MEASURE NO. 14B (**Chapter 177, Laws of 1921, Primary Nominations and Registrations**)—Filed April 9, 1921. Submitted to the people November 7, 1922; ***failed to pass.**
- REFERENDUM MEASURE NO. 15 (**Chapter 176, Laws of 1921, Party Conventions**)—Filed April 9, 1921. Submitted to the people November 7, 1922; ***failed to pass**
- REFERENDUM MEASURE NO. 16 (**Chapter 22, Laws of 1923, Butter Substitutes**)—Filed March 22, 1923. Submitted to the people November 4, 1924; ***failed to pass.**
- REFERENDUM MEASURE NO. 17 (**Chapter 115, Laws of 1929, Creating Department of Highways**)—Filed April 27, 1929. No petition filed.
- REFERENDUM MEASURE NO. 18 (**Chapter 51, Laws of 1933, Cities and Towns; Electric Energy**)—Filed April 7, 1933. Submitted to the people November 6, 1934; passed.
- REFERENDUM MEASURE NO. 19 (**Chapter 55, Laws of 1933, Horse Racing**)—Filed April 3, 1933. No petition filed.
- REFERENDUM MEASURE NO. 20 (**Chapter 118, Laws of 1935, Regulating Pilots**)—Filed February 8, 1935. No petition filed.
- REFERENDUM MEASURE NO. 21 (**Chapter 26, Laws of 1935, Blanket Primary Ballot**)—Filed April 8, 1935. No petition filed.
- REFERENDUM MEASURE NO. 22 (**Chapter 209, Laws of 1941, Industrial Insurance**)—Filed April 3, 1941. Submitted to the people November 3, 1942; passed.
- REFERENDUM MEASURE NO. 23 (**Chapter 158, Laws of 1941, Providing for Legal Advisor for Grand Juries**)—Filed April 16, 1941. Submitted to the people November 3, 1942; ***failed to pass.**
- REFERENDUM MEASURE NO. 24 (**Chapter 191, Laws of 1941, Prosecuting Attorneys; Providing that they shall no longer give advice to Grand Juries**)—Filed April 16, 1941. Submitted to the people November 3, 1942; ***failed to pass.**
- REFERENDUM MEASURE NO. 25 (**Chapter 15, Laws of 1943, Relating to Public Utility Districts**)—Filed March 18, 1943. Submitted to the people November 7, 1944; ***failed to pass.**
- REFERENDUM MEASURE NO. 26 (**Chapter 37, Laws of 1945, Relating to appointment of State Game Commissioners by the Governor**)—Filed April 3, 1945. Signature petitions filed June 6, 1945, and found sufficient. Submitted to the people November 5, 1946; ***failed to pass.**
- REFERENDUM MEASURE NO. 27 (**Chapter 202, Laws of 1945, Relating to the creation of a State Timber Resources Board**)—Filed April 3, 1945. Signature petitions filed June 6, 1945, and found sufficient. Submitted to the people November 5, 1946; ***failed to pass.**
- REFERENDUM MEASURE NO. 28 (**Portion of Chapter 235, Laws of 1949, Relating to accident and health insurance covering employees eligible for unemployment compensation**)—Filed March 30, 1949. Signature petitions filed June 8, 1949, and found sufficient. Submitted to the people November 7, 1950; ***failed to pass.**

* Term "failed to pass" indicates sponsor of Referendum was successful in attempt to prevent measure from becoming effective law.

REFERENDUM MEASURE NO. 29 (**Portion of Chapter 190, Laws of 1949 amending State Insurance Code**)—Filed April 2, 1949. No signature petitions presented for canvassing.

REFERENDUM MEASURE NO. 30 (**Chapter 280, Laws of 1957—Inheritance Tax on Insurance Proceeds**)—Filed April 12, 1957. Signature petitions filed June 17, 1957, and found sufficient. Measure will be submitted to the voters at the November 4, 1958 state general election for acceptance or rejection.

REFERENDUM BILLS

(Measures passed by the Legislature and referred to the voters)

- REFERENDUM BILL NO. 1 (**Chapter 99, Laws of 1919, State System Trunk Line Highways**)—Filed March 13, 1919. Submitted to the people November 2, 1920; failed to pass.
- REFERENDUM BILL NO. 2 (**Chapter 1, Laws Extraordinary Session, 1920, Soldiers' Equalized Compensation**)—Filed March 25, 1920. Submitted to the people November 2, 1920; passed.
- REFERENDUM BILL NO. 3 (**Chapter 87, Laws of 1923, Electric Power Bill**)—Filed March 22, 1923. Submitted to the people November 4, 1924; failed to pass.
- REFERENDUM BILL NO. 4 (**Chapter 164, Laws of 1935, Flood Control; Creating Sinking Fund**)—Filed March 22, 1935. Submitted to the people November 3, 1936; failed to pass.
- REFERENDUM BILL NO. 5 (**Chapter 83, Laws of 1939, 40-Mill Tax Limit**)—Filed March 10, 1939. Submitted to the people November 5, 1940; passed.
- REFERENDUM BILL NO. 6 (**Chapter 176, Laws of 1941, Taxation of Real and Personal Property**)—Filed March 22, 1941. Submitted to the people November 3, 1942; passed.
- REFERENDUM BILL NO. 7 (**Chapter 229, Laws of 1949—\$40,000,000.00 Bond Issue to Give State Assistance in Construction of Public School Plant Facilities**)—Filed March 22, 1949. Submitted to the people November 7, 1950; passed.
- REFERENDUM BILL NO. 8 (**Chapter 230, Laws of 1949—\$20,000,000.00 Bond Issue to Provide Funds for Buildings at State Operated Institutions**)—Filed March 22, 1949. Submitted to the people November 7, 1950; passed.
- REFERENDUM BILL NO. 9 (**Chapter 231, Laws of 1949—\$20,000,000.00 Bond Issue to Provide Funds for Buildings at State Institutions of Higher Learning**)—Filed March 22, 1949. Submitted to the people November 7, 1950; failed to pass.
- REFERENDUM BILL NO. 10 (**Chapter 299, Laws of 1957—\$25,000,000 Bond Issue to Provide Funds for Buildings at State Operated Institutions and State Institutions of Higher Learning**)—Filed March 26, 1957. Measure will be submitted to the voters for acceptance or rejection at the November 4, 1958 state general election.

HISTORY OF ADOPTED CONSTITUTIONAL AMENDMENTS SINCE STATEHOOD

- No. 1. To Section 5, Article XVI. Re: **Permanent School Fund**. Adopted November, 1894.
- No. 2. To Section 1, Article VI. Re: **Qualification of Electors**. Adopted November, 1896.
- No. 3. To Section 2, Article VII. Re: **Uniform Rates of Taxation**. Adopted November, 1900.
- No. 4. To Section 11, Article I. Re: **Religious Freedom**. Adopted November, 1904.
- No. 5. To Section 1, Article VI. Re: **Equal Suffrage**. Adopted November, 1910.
- No. 6. To Section 10, Article III. Re: **Succession in Office of Governor**. Adopted November, 1910.
- No. 7. To Section 1, Article II. Re: **Initiative and Referendum**. Adopted November, 1912.
- No. 8. To Sections 33 and 34, Article I. Re: **Recall**. Adopted November, 1912.
- No. 9. To Section 16, Article I. Re: **Taking of Private Property**. Adopted November, 1922.
- No. 10. To Section 22, Article I. Re: **Right of Appeal**. Adopted November, 1922.
- No. 11. To Section 4, Article VIII. Re: **Appropriation**. Adopted November, 1922.
- No. 12. To Section 5, Article XI. Re: **Consolidation of County Offices**. Adopted November, 1924.
- No. 13. To Section 15, Article II. Re: **Vacancies in the Legislature**. Adopted November, 1930.
- No. 14. To Article VII. Re: **Revenue and Taxation**. Adopted November, 1930.
- No. 15. To Section 1, Article XV. Re: **Harbors and Harbor Areas**. Adopted November, 1932.
- No. 16. To Section 11, Article XII. Re: **Double Liability of Stockholders**. Adopted November, 1940.
- No. 17. To Section 2, Article VII. Re: **40-Mill Tax Limit**. Adopted November, 1944.
- No. 18. To Article II, creating a Section 40. Re: **Restriction of motor vehicle license fees and excise taxes on motor fuels to highway purposes only**. Adopted November, 1944.
- No. 19. To Article VII, creating a Section 3. Re: **State to tax the United States and its instrumentalities to the extent that the laws of the United States will allow**. Adopted November, 1946.
- No. 20. To Section 1, Article XXVII. Re: **Legislature to fix the salaries of state elective officials**. Adopted November, 1948.
- No. 21. To Section 4, Article XI. Re: **Permit counties to adopt "Home Rule" charters**. Adopted November, 1948.

-
- No. 22. Repealing Section 7 of Article XI. Re: **County elective officials.** (These officials can now hold same office more than two terms in succession.) Adopted November, 1948.
- No. 23. To Article XI, creating a Section 16. Re: **Permit the formation, under a charter, of combined city and county municipal corporations having a population of 300,000 or more.** Adopted November, 1948.
- No. 24. To Article II, Section 33. **Permits ownership of land by Canadians who are citizens of provinces wherein citizens of the State of Washington may own land.** (All provinces of Canada authorize such ownership.) Adopted November, 1950.
- No. 25. To Article IV, creating a Section 3(a). Re: **Establishing Retirement Age for Judges of Supreme and Superior Courts.** Adopted November, 1952.
- No. 26. To Article II, creating a Section 41. Re: **Permitting the Legislature to Amend Initiative Measures.** Adopted November, 1952.
- No. 27. To Section 6 of Article VIII. Re: **Extending Bonding Powers of School Districts.** Adopted November, 1952.
- No. 28. To Sections 6 and 10 of Article IV. Re: **Increasing Monetary Jurisdiction of Justice Courts.** Adopted November, 1952.
- No. 29. To Article II, Section 33. **Redefines "Alien," thereby permitting the Legislature to determine the policy of the state respecting the ownership of land by corporations having alien shareholders.** Adopted November, 1954.
- No. 30. Adding a new section to Article II. Re: **Increasing the number of signatures necessary to certify a state initiative or referendum measure.** Adopted November, 1956.
- No. 31. To Section 25, Article III. Re: **Removing the restriction prohibiting the state treasurer from being elected for more than one successive term.** Adopted November, 1956.
- No. 32. Amending the 13th Amendment. Re: **Filling vacancies in the state legislature.** Adopted November, 1956.

**TEXT OF CONSTITUTIONAL AMENDMENTS APPROVED BY
THE VOTERS AT STATE GENERAL ELECTION
HELD NOVEMBER 6, 1956**

Amendment 30: (S.J.R. No. 4 of 1955 Legislature) **Increasing Signatures: Initiative and Referendum.**

Art. 2, Sec. 1 (a). Hereafter, the number of valid signatures of legal voters required upon a petition for an initiative measure shall be equal to eight per centum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. Hereafter, the number of valid signatures of legal voters required upon a petition for a referendum of an act of the legislature or any part thereof, shall be equal to four per centum of the number of voters registered and voting for the office of governor at the last preceding regular gubernatorial election. These provisions supersede the requirements specified in section 1 of this article as amended by the seventh amendment to the Constitution of this state. (Effective December 6, 1956.)

Amendment 31: (S.J.R. No. 6 of 1955 Legislature) **Successive Terms for State Treasurer.**

Art. 3, Sec. 25. No person, except a citizen of the United States and a qualified elector of this state, shall be eligible to hold any state office. The compensation for state officers shall not be increased or diminished during the term for which they shall have been elected. The legislature may in its discretion abolish the offices of the lieutenant governor, auditor and commissioner of public lands. (Effective December 6, 1956.)

Amendment 32: (S.J.R. No. 14 of 1955 Legislature) **Filling Vacancies in State Legislature.**

Amending the 13th Amendment of our State Constitution to read as follows:

Such vacancies as may occur in either house of the legislature or in any partisan county elective office shall be filled by appointment by the board of county commissioners of the county in which the vacancy occurs: *Provided*, That the person appointed to fill the vacancy must be from the same legislative district and the same political party as the legislator whose office has been vacated, and shall be one of three persons who shall be nominated by the county central committee of that party, and the person so appointed shall hold office until his successor is elected at the next general election, and shall have qualified: *Provided*, That in case of a vacancy occurring in the office of joint senator or joint representative, the vacancy shall be filled from a list of three nominees selected by the state central committee, by appointment by the joint action of the boards of county commissioners of the counties composing the joint senatorial or joint representative district, the person appointed to fill the vacancy must be from the same legislative district and of the same political party as the legislator whose office has been vacated, and in case a majority of said county commissioners do not agree upon the appointment within sixty days after the vacancy occurs, the governor shall within thirty days thereafter, and from the list of nominees provided for herein, appoint a person who shall be from the same legislative district and of the same political party as the legislator whose office has been vacated. (Effective December 6, 1956.)

SUBSTITUTE SENATE JOINT RESOLUTION NO. 9

***BALLOT TITLE**

OFFICIALS: COMPENSATION AND ELIGIBILITY

Shall the state constitution be amended to provide that the legislature may increase or decrease the compensation of all elected officials of the state and county and that any change in compensation shall be effective immediately; subject to the people's power of referendum, and also amended to allow a legislator to be appointed or elected to a civil office created, or the emoluments of which are increased, during the term for which he was elected?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified voters of this state, for their approval and ratification, or rejection, an amendment to the Constitution of the State of Washington, by striking from Article II all of section 13, and by striking from Article XXVIII all of section 1, and inserting in lieu of Article XXVIII, section 1, as section 1, the following, so that the same shall read as follows:

Article XXVIII, Section 1. Compensation of all elected officials of the state and of the county officials shall be fixed by the legislature, and such compensation may in all cases go into effect immediately, subject only to the limitations of Article II, section 41 of this Constitution. The provisions of section 25 of Article II, of section 25 of Article III, of section 13 of Article IV and of section 8 of Article XI, insofar as they are inconsistent herewith, are hereby repealed.

Be It Further Resolved, That the Secretary of State shall cause the foregoing constitutional amendment to be published for at least three months preceding the election in a weekly newspaper in every county where a newspaper is published in the state.

Adopted by the Senate March 14, 1957.

Adopted by the House March 14, 1957.

* As prepared by John J. O'Connell, Attorney General.

SENATE JOINT RESOLUTION NO. 10

***BALLOT TITLE**

STATE BOUNDARIES; MODIFICATION BY COMPACT

Shall Article XXIV, Section 1 of the state constitution be amended to authorize the modification of the boundaries of the state of Washington by appropriate interstate compacts duly approved by the Congress of the United States?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article XXIV, section 1 of the Constitution of the State of Washington, to read as follows:

Article XXIV, Section 1. STATE BOUNDARIES. The boundaries of the State of Washington shall be as follows: Beginning at a point in the Pacific ocean one marine league due west of and opposite the middle of the mouth of the north ship channel of the Columbia river thence running easterly to and up the middle channel of said river and where it is divided by islands up the middle of the widest channel thereof to where the forty-sixth parallel of north latitude crosses said river near the mouth of the Walla Walla river; thence east on said forty-sixth parallel of latitude to the middle of the main channel of the Shoshone or Snake river, thence follow down the middle of the main channel of Snake river to a point opposite the mouth of the Kooskooskia or Clear Water river, thence due north to the forty-ninth parallel of north latitude, thence west along said forty-ninth parallel of north latitude to the middle of the channel which separates Vancouver's island from the continent, that is to say to a point in longitude 123 degrees, 19 minutes and 15 seconds west, thence following the boundary line between the United States and British possessions through the channel which separates Vancouver's island from the continent to the termination of the boundary line between the

* As prepared by John J. O'Connell, Attorney General.

United States and British possessions at a point in the Pacific ocean equi-distant between Bonnilla point on Vancouver's island and Tatoosh island light house, thence running in a southerly course and parallel with the coast line, keeping one marine league off shore to place of beginning; until such boundaries are modified by appropriate interstate compacts duly approved by the Congress of the United States.

And Be It Further Resolved, That the Secretary of State shall cause the foregoing amendment to be published for at least three months next preceding the election in a weekly newspaper in every county wherein a newspaper is published throughout the state.

Adopted by the Senate February 16, 1957.

Adopted by the House March 5, 1957.

SENATE JOINT RESOLUTION NO. 12

***BALLOT TITLE**
REQUIRING LEGISLATIVE AND CONGRESSIONAL
REAPPORTIONMENT

Shall the state constitution be amended to provide that, upon the legislature's failure to reapportion its members and to revise legislative and congressional district boundaries after each federal census, or to revise congressional district boundaries after each congressional reapportionment, such redistricting and/or reapportionment shall be undertaken by a seven-member commission, including one each from labor, industry and agriculture appointed by the governor, the secretary of state, a supreme court judge, and two state legislators, one from each major party?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified electors of this state, for their approval and ratification, or rejection, an amendment to the Constitution of the State of Washington, by striking all of section 3 from Article II, and all of section 13 from Article XXVII, and inserting in lieu thereof the following, to be known as section 3 of Article II:

Section 3. (1) At the first legislative session after the final population figures determined for the State of Washington by the United States decennial census have been made available, and the first legislative session after each succeeding decennial census the legislature shall reapportion the members of the senate and house of representatives, and shall revise legislative and congressional district boundaries, according to the number of inhabitants as determined by the preceding federal decennial census, so that each senatorial, representative, and congressional district will have, as nearly as practicable, a number of inhabitants equal to that of like districts: *Provided*, That in the event the number of members of the United States House of Representatives allotted to the State of Washington is changed by congressional reapportionment, congressional redistricting shall be

* As prepared by John J. O'Connell, Attorney General.

accomplished by the legislature at the first legislative session to which the reapportionment certificate is made available.

The number of congressional districts shall be equal to the number of members of the United States House of Representatives allotted to this state.

The legislature may provide for a determination of the population of any or all parts of the state to be used for the purpose of reapportionment and redistricting of the legislature and congressional redistricting, if a federal decennial census fails to supply the requisite information in a period of two years.

(2) Each legislative and each congressional district shall be of compact and contiguous territory, and all members of the legislature shall be elected by single districts. Legislation enacted in order to effect reapportionment and redistricting of the legislature shall be separate from that for congressional redistricting. Each reapportionment and redistricting of the legislature and each congressional redistricting shall be appropriately mapped and shall become effective at the state-wide general election which next succeeds its accomplishment. When so effected, reapportionment and redistricting of the legislature and congressional redistricting shall thereafter be subject to alteration only for corrections or minor revisions, until the time specified herein, after the next succeeding federal decennial census: *Provided*, If the number of members in the United States House of Representatives shall be changed after any congressional redistricting as herein provided, then the next session of the legislature shall again redistrict the congressional districts as herein provided.

(3) A reapportionment and redistricting commission of the State of Washington (hereinafter referred to as "the commission") is hereby established, which shall be composed of the following seven members: The secretary of state, who shall be chairman thereof, three persons to be appointed by the governor, one to be a representative of labor, one of agriculture, and one of industry, no more than two of whom shall be from the same political party, one member of the supreme court to be appointed by the chief justice of the supreme court, and two members to be appointed jointly by the president of the senate and speaker of the house of representatives at the last preceding regular ses-

sion of the legislature, one being from each of the two major political parties. A majority of said commission shall constitute a quorum.

If the legislation effecting either reapportionment and redistricting of the legislature or congressional redistricting, or both, is not enacted at any of the first legislative sessions designated in subsection (1) of this section, the commission shall meet within twenty days after the adjournment of that session and shall, within one hundred and eighty days immediately thereafter, in accordance with the requirements of subsection (1) and (2) of this section, complete and file with the secretary of state the reapportionment and redistricting of the legislature or the congressional redistricting, or both, which has not been accomplished by legislative enactment. The reapportionment and redistricting of the legislature shall be embodied in a document separate from that for congressional redistricting.

Reapportionment and redistricting of the legislature of congressional redistricting accomplished by the commission shall be signed by four or more members of the commission; when so executed and filed with the secretary of state, they shall have the force and effect of an act of the legislature, and shall be subject only to judicial review.

Any act reapportioning and redistricting the legislature, or congressional redistricting act, passed by the legislature and vetoed, in whole or in part, during any legislative session, shall thereby be rendered entirely inoperative, unless thereafter approved by the legislature in accordance with constitutional requirements so as to become law during that session, and if vetoed, in whole or in part, after the legislature has adjourned, shall not be presented to the legislature at its next session for further action, notwithstanding the veto provisions of section 12 of Article III of the Constitution of the State of Washington, and the commission shall meet within twenty days after the adjournment of such session, and shall function in the manner and within the time herein prescribed.

If the required legislation is enacted, referred to the people, and rejected by referendum vote, the commission shall meet within twenty days after the adjournment of the legislative session next following the election at which the measure was

submitted to referendum, and shall function in the manner and within the time herein prescribed. The legislature shall not act on reapportionment or redistricting at that session.

Any complaint contesting the validity of a reapportionment and redistricting of the legislature or congressional redistricting accomplished either by the legislature or by the commission shall be filed with the clerk of the state supreme court within ninety days, either after the adjournment of the legislative session during which the legislation was enacted or after the date on which the commission files its reapportionment and redistricting of the legislature and congressional redistricting with the secretary of state, as the case may be, and the supreme court shall file its opinion with respect thereto with the clerk of the court at the earliest practicable date, but not later than one hundred and eighty days after the date on which the complaint is filed.

If a reapportionment and redistricting of the legislature, or the commission, or congressional redistricting is held invalid, in whole or in part, by the supreme court, it shall be inoperative, and the commission shall meet within twenty days after the supreme court opinion is filed and has become final, exclusive of court costs, and shall function in the manner and within the time herein prescribed.

(4) If, by reason of removal, resignation, death, or disability, any member of the commission is unable to perform the duties of the office which qualifies him to serve as a member of the commission, as specified in subsection (3) of this section, his duties shall be performed by his successor in office but if there be none then the governor shall appoint a person to perform such duties: *Provided*, That if such vacancy occurs in the position of either of the committee chairmen such vacancy shall be filled from the membership of the committee of which he was chairman.

(5) The state supreme court shall have original jurisdiction (to be exercised on application of any citizen and taxpayer) to compel (by mandamus or otherwise) the commission to perform its duties, and to determine the validity of any legislative reapportionment and redistricting and congressional redistricting accomplished either by the legislature or by the commission.

(6) All members of the commission shall be reimbursed for travel, subsistence, clerical, technical, and professional aid, and all other necessary expenses incurred by them in the performance of their duties. Vouchers therefor may be drawn upon funds appropriated generally for legislative expenses, or upon any special fund which may be provided.

(7) The existing section 3 of Article II and section 13 of Article XXVII of the Constitution of the State of Washington are repealed.

Adopted by the Senate March 12, 1957.

Adopted by the House March 11, 1957.

SENATE JOINT RESOLUTION NO. 14

***BALLOT TITLE**

STATE INSTITUTIONS: EMPLOYMENT OF CHAPLAINS

Shall Article I, Section 11 of the state constitution as amended by Amendment 4 be further amended to provide that the legislature may authorize the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as seems justified to the legislature?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified electors of this state, for their approval and ratification, or rejection, an amendment to Article I, section 11 of the Constitution of the State of Washington, as amended by Amendment 4, to read as follows:

Article I, Section 11. Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. No public money or property shall be appropriated for or applied to any religious worship, exercise or instruction, or the support of any religious establishment: *Provided, however*, That this article shall not be so construed as to forbid the employment by the state of a chaplain for such of the state custodial, correctional and mental institutions as in the discretion of the legislature may seem justified. No religious qualification shall be required for any public office or employment, nor shall any person be incompetent as a witness or juror, in consequence of his opinion on matters of religion, nor be questioned in any court of justice touching his religious belief to affect the weight of his testimony.

* As prepared by John J. O'Connell, Attorney General.

Be It Further Resolved, That the Secretary of State shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Adopted by the Senate March 5, 1957.

Adopted by the House March 12, 1957.

SENATE JOINT RESOLUTION NO. 18

***BALLOT TITLE**

PENSIONS AND EMPLOYEES' EXTRA COMPENSATION

Shall Article II, Section 25 of the state constitution be amended to prohibit the legislature from granting any extra compensation to any public employee after the services have been rendered or the contract entered into and to provide that Article II, Section 25 shall not be deemed to prevent increases in pensions after such pensions have been granted?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified voters of this state for their adoption and approval, or rejection, an amendment to Article II, section 25 of the Constitution of the State of Washington, to read as follows:

Section 25. The legislature shall never grant any extra compensation to any public officer, agent, employee, servant, or contractor, after the services shall have been rendered, or the contract entered into, nor shall the compensation of any public officer be increased or diminished during his term of office. Nothing in this section shall be deemed to prevent increases in pensions after such pensions shall have been granted.

And Be It Further Resolved, That the Secretary of State shall cause the foregoing amendment to be published for at least three months next preceding the election, in a weekly newspaper in every county where a newspaper is published throughout the state.

Adopted by the Senate February 18, 1957.

Adopted by the House March 6, 1957.

* As prepared by John J. O'Connell, Attorney General.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4

***BALLOT TITLE**

SCHOOL DISTRICTS: INCREASING LEVY PERIODS

Shall the state constitution be amended to permit school district electors to authorize excess tax levies at a specified maximum rate for up to two years for operations and/or up to six years for capital outlay, if the proposition or propositions therefor shall be approved by a three-fifths majority, and the number of electors voting thereon constitutes not less than forty percentum of the votes cast at the last preceding general election in such district?

Be It Resolved, By the Senate and House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1958, there shall be submitted to the qualified electors of the state, for their approval and ratification, or rejection, an amendment to Article 7, section 2 as amended by Amendment 17, of the Constitution of the State of Washington, by adding thereto a new subsection designated as subsection (d), which shall read as follows:

Article 7, Section 2, Subsection (d). By any school district for the purposes and in the manner in this subsection provided. School district tax levy or levies at a specified maximum rate for each year may be authorized at any single election for a specified number of years not in excess of two years for a levy for operations or six years for a levy for capital outlay, or both when the proposition therefor has been approved by a majority of at least three-fifths of the electors voting thereon at which election the number of persons voting on the proposition shall constitute not less than forty percentum of the total number of votes cast at the last preceding general election in such district. If any tax levy is authorized pursuant to the provisions of this subsection, the governing body of the school district shall determine annually thereafter the amount of funds required from the authorized levy or levies for the current use of the schools of the district and/or for capital purposes, and within the limits of each tax levy so authorized a levy shall be made at

* As prepared by John J. O'Connell, Attorney General.

the rate required to produce the amount of funds determined as aforesaid.

The proposition or propositions to authorize additional tax levies for current operations or capital outlays or both may be submitted to the electors of a school district at any election, whether called specially for this purpose, or called for any other purpose, but may be submitted not more than twice in any one year.

No district shall submit to the electorate upon authority of this subsection a proposition to authorize additional levies for current operations or capital outlays for any year for which such electors have previously approved a levy under the authority of this subsection for the same purpose. A district may however at any time submit to the electorate a proposition to substitute for any prior authorization, a new authorization for the same purpose: *Provided*, (1) That the levy authorized by the substituted authorization will be adequate to fulfill all contractual obligations of the district incurred by reason of the prior authorization, and (2) that the substitute proposition shall by its terms supersede the prior authorization and by its terms shall not become effective until the first tax levy year following the date of the election at which it was authorized and then be in lieu of any tax levy authorized by the superseded authorization.

The procedures specified in this subsection shall be deemed cumulative to the other procedures specified in this section.

And Be It Resolved, That the Secretary of State shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Adopted by the House February 19, 1957.

Adopted by the Senate March 11, 1957.

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 2.04.090	amended	260	1 1024
Section 2.08.090	amended	260	2 1024
Section 2.12.030	amended	243	1 945
Section 2.12.060	amended	243	2 946
Section 2.16.030	repealed	259	12 1023
Section 2.16.060	amended	259	10 1022
Section 2.32.180	amended	244	1 948
Section 2.32.210	amended	244	2 950
Section 2.32.220	amended	244	3 951
Section 2.32.240	amended	244	4 951
Section 2.32.280	amended	244	5 952
Section 2.48.130	amended	138	1 499
Section 3.12.021	amended	203	1 778
Section 3.12.071	amended	203	2 778
Section 4.08.140	enacted	7	1 22
Section 4.08.200	amended	9	1 35
Section 4.24.070	amended	7	2 23
Section 4.24.080	amended	7	3 23
Section 4.24.090	amended	7	4 23
Section 4.24.110	repealed	7	10 25
Section 4.28.080	amended	202	1 776
Section 4.44.280	amended	7	5 23
Section 4.44.350	amended	9	2 36
Section 4.48.080	amended	9	3 36
Section 4.64.080	amended	7	6 24
Section 4.64.090	enacted	7	8 25
Section 4.64.110	enacted	7	9 25
Section 4.72.010	amended	9	4 36
Section 4.80.060	repealed	7	10 25
Section 4.80.070	repealed	7	10 25
Section 4.80.080	repealed	7	10 25
Section 4.80.090	repealed	7	10 25
Section 4.80.100	repealed	7	10 25
Section 4.80.110	repealed	7	10 25
Section 4.80.120	repealed	7	10 25
Section 4.80.130	repealed	7	10 25
Section 4.88.010	repealed	7	10 25
Section 4.88.020	repealed	7	10 26
Section 4.88.030	repealed	7	10 26
Section 4.88.040	repealed	7	10 26
Section 4.88.050	repealed	7	10 26
Section 4.88.060	repealed	7	10 26
Section 4.88.070	repealed	7	10 26
Section 4.88.080	repealed	7	10 26
Section 4.88.090	repealed	7	10 26
Section 4.88.100	repealed	7	10 26
Section 4.88.110	repealed	7	10 26
Section 4.88.120	repealed	7	10 26
Section 4.88.130	repealed	7	10 26
Section 4.88.140	repealed	7	10 26
Section 4.88.150	repealed	7	10 26
Section 4.88.160	repealed	7	10 26
Section 4.88.170	repealed	7	10 26
Section 4.88.180	repealed	7	10 26
Section 4.88.190	repealed	7	10 26
Section 4.88.200	repealed	7	10 27
Section 4.88.210	repealed	7	10 27
Section 4.88.220	repealed	7	10 27
Section 4.88.230	repealed	7	10 27
Section 4.88.240	repealed	7	10 27

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 4.88.250	7	10	27
Section 4.88.270	7	10	27
Section 4.88.280	7	10	27
Section 4.88.300	7	10	27
Section 4.88.310	7	10	27
Section 4.88.320	7	10	27
Section 5.04.020	50	1	180
Section 5.04.030	50	1	180
Section 5.04.040	50	1	180
Section 5.04.050	50	1	180
Section 5.04.060	50	1	180
Section 5.08.010	50	1	181
Section 5.08.020	50	1	181
Section 5.08.030	50	1	181
Section 5.08.040	50	1	181
Section 5.08.050	50	1	181
Section 5.08.060	50	1	181
Section 5.08.070	50	1	181
Section 5.08.080	50	1	181
Section 5.08.090	50	1	181
Section 5.08.100	50	1	181
Section 5.12.010	50	1	181
Section 5.12.020	50	1	182
Section 5.12.030	50	1	182
Section 5.12.040	50	1	182
Section 5.12.050	50	1	182
Section 5.12.060	50	1	182
Section 5.16.010	50	1	182
Section 5.16.020	50	1	181
Section 5.20.010	50	1	182
Section 5.20.020	50	1	182
Section 5.20.030	50	1	182
Section 5.20.040	50	1	182
Section 5.20.050	50	1	182
Section 5.20.060	50	1	182
Section 5.32.010	50	1	183
Section 5.36.010	50	1	183
Section 5.48.060	9	5	37
Section 6.04.030	8	1	29
Section 6.04.070	8	2	30
Section 6.04.120	8	3	30
Section 6.08.030	8	4	31
Section 6.08.060	9	6	38
Section 6.20.020	8	5	31
Section 6.24.210	8	6	31
Section 6.32.010	8	7	32
Section 7.08.080	9	7	38
Section 7.08.110	9	8	38
Section 7.12.060	51	1	184
Section 7.12.150	9	9	39
Section 7.12.160	51	2	186
Section 7.12.190	51	3	186
Section 7.12.210	51	4	186
Section 7.12.220	51	5	187
Section 7.12.320	9	13	40
Section 7.16.120	51	6	187
Section 7.16.280	51	7	188
Section 7.20.120	51	8	188
Section 7.36.040	9	10	39
Section 7.40.010	9	11	39
Section 7.40.080	51	9	188

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 7.40.150	9	12	39
Section 7.40.220	9	13	40
Section 7.44.021	51	10	189
Section 7.48.040	51	11	189
Section 7.48.200	51	12	190
Section 7.48.250	45	1	169
Section 7.48.260	45	2	169
Section 7.48.261	45	5	171
Section 7.48.270	45	3	170
Section 7.52.160	51	13	190
Section 7.52.340	51	14	190
Section 7.64.040	51	15	190
Section 7.64.060	51	16	191
Section 7.64.070	51	17	191
Section 9.41.250	93	1	384
Section 9.66.040	45	4	170
Section 9.72.010	46	1	172
Section 9.72.060	46	2	172
Section 9.87.040	10	3	44
Section 9.91.100	10	3	43
Section 9.92.060	227	1	889
Section 9.94.030	112	1	448
Section 9.94.050	112	2	448
Section 9.95.200	227	3	890
Section 9.95.210	227	4	890
Section 9.95.220	227	5	891
Section 9.95.230	227	6	892
Section 9.95.240	227	7	892
Section 9.95.250	227	8	893
Section 10.25.120	10	3	44
Section 10.37.075	10	3	44
Section 10.40.070	10	1	42
Section 10.40.080	10	2	43
Section 10.58.050	10	3	43
Section 10.73.020	10	3	44
Section 10.73.050	10	3	44
Section 10.73.060	10	3	44
Section 10.76.060	48	1	175
Section 10.76.070	48	2	176
Section 10.76.090	48	3	177
Section 10.82.060	10	3	43
Section 11.08.220	125	1	472
Section 11.92.040	64	1	263
Section 12.04.160	89	1	358
Section 12.04.200	89	3	359
Section 12.04.201	89	4	359
Section 12.04.203	89	5	360
Section 12.04.204	89	6	361
Section 12.04.205	89	7	361
Section 12.04.206	89	8	362
Section 12.04.207	89	9	362
Section 12.04.208	89	10	363
Section 12.08.030	89	11	363
Section 12.12.010	89	12	364
Section 12.20.030	89	13	364
Section 12.24.040	89	14	364
Section 12.24.050	89	15	364
Section 12.24.060	89	16	365
Sections 13.12.010-13.12.110 incl.	297	8	1189
Section 14.08.120	14	1	56
Section 14.08.130	14	1	56

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 14.08.140	reenacted	14	1 56
Section 14.08.150	reenacted	14	1 56
Section 14.08.320	reenacted	14	1 56
Section 15.04.040	amended	163	3 605
Section 15.04.060	enacted	163	4 605
Section 15.04.070	enacted	163	5 605
Section 15.04.080	enacted	163	6 606
Section 15.08.280	enacted	163	8 606
Section 15.16.040	enacted	163	9 606
Section 15.16.050	amended	163	10 607
Section 15.16.060	amended	163	11 607
Section 15.16.070	amended	163	12 608
Section 15.54.010	amended	151	1 545
Section 15.66.150	amended	133	1 485
Section 16.28.010	enacted	22	2 70
Section 16.28.040	amended	22	3 70
Section 16.36.110	enacted	22	5 71
Section 16.40.130	amended	22	6 71
Section 16.44.180	amended	22	7 71
Section 16.46.020	amended	55	1 221
Section 16.46.030	amended	55	2 221
Section 17.04.240	enacted	13	2 51
Section 17.04.250	amended	13	3 51
Section 17.04.260	amended	13	4 52
Section 17.08.050	amended	13	6 52
Section 17.08.060	amended	13	7 53
Section 17.08.070	enacted	13	8 53
Section 17.08.080	amended	13	9 54
Section 17.08.090	amended	13	10 54
Section 17.08.100	amended	13	12 54
Section 17.08.110	enacted	13	13 54
Section 18.15.010	amended	52	1 195
Section 18.15.040	amended	101	1 402
Section 18.15.060	amended	101	14 407
Section 18.15.100	amended	101	2 403
Section 18.15.130	amended	101	4 405
Section 18.15.140	enacted	101	5 405
Section 18.15.150	enacted	101	6 405
Section 18.18.050	enacted	52	3 196
Section 18.18.060	enacted	52	4 196
Section 18.18.070	enacted	52	5 196
Section 18.18.150	enacted	52	6 197
Section 18.18.160	enacted	52	7 197
Section 18.18.170	enacted	52	8 197
Section 18.18.190	enacted	52	9 197
Section 18.18.210	enacted	52	10 198
Section 18.18.260	enacted	52	11 198
Section 18.18.270	enacted	52	12 199
Section 18.22.020	reenacted	52	13 199
Section 18.22.060	reenacted	52	14 199
Section 18.22.110	reenacted	52	15 199
Section 18.22.160	enacted	52	17 200
Section 18.22.180	repealed	52	18 200
Section 18.32.020	{ enacted	52	20 200
	} amended	98	1 398
Section 18.32.030	amended	52	21 201
Section 18.32.050	enacted	52	23 203
Section 18.32.060	enacted	52	24 203
Section 18.32.090	enacted	52	27 203
Section 18.32.100	enacted	52	28 203
Section 18.32.110	enacted	52	29 204

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>	
Section 18.32.120	enacted	52	30	204
Section 18.32.170	enacted	52	25	203
Section 18.32.240	enacted	52	32	205
Section 18.32.250	enacted	52	33	205
Section 18.32.260	enacted	52	34	205
Section 18.32.270	enacted	52	35	206
Section 18.32.280	enacted	52	36	206
Section 18.32.350	enacted	52	38	206
Section 18.32.360	enacted	52	39	207
Section 18.71.010	amended	60	2	245
Section 18.71.050	amended	60	3	245
Section 18.71.090	amended	60	5	246
Section 18.85.180	enacted	52	41	208
Section 18.85.190	enacted	52	42	208
Section 18.85.200	enacted	52	43	208
Section 18.85.240	reenacted	52	45	209
Section 18.85.290	reenacted	52	46	209
Section 18.85.310	enacted	52	44	208
Section 18.85.350	enacted	52	48	210
Section 18.85.360	enacted	52	49	211
Sections 19.12.010-19.12.060 incl.	repealed	86	1	345
Section 19.12.080	repealed	86	1	345
Section 22.24.010	enacted	12	1	49
Section 23.28.010	amended	198	1	768
Section 23.28.020	amended	198	2	769
Section 23.28.060	amended	198	3	769
Section 23.28.240	amended (<i>vetoed</i>)	198	5	771
Section 23.52.010	amended	198	4	770
Section 27.24.070	amended	31	1	94
Section 27.48.010	amended	47	1	173
Section 27.48.020	amended	47	2	173
Section 27.48.030	amended	47	3	174
Section 28.09.010	enacted	179	2	689
Section 28.09.020	amended	179	3	689
Section 28.09.030	enacted	179	4	690
Section 28.09.040	enacted	179	5	690
Section 28.10.010	amended	223	1	879
Section 28.10.020	amended	223	2	879
Section 28.10.030	amended	223	3	880
Section 28.10.050	amended	223	5	880
Section 28.13.030	amended (<i>vetoed</i>)	297	1	1185
Section 28.41.070	amended	297	7	1188
Section 28.57.070	amended	129	1	478
Section 28.57.090	amended	296	1	1182
Section 28.57.160	amended (<i>vetoed</i>)	296	2	1184
Section 28.58.070	amended	155	1	573
Section 28.58.080	amended	67	1	266
Section 28.58.360	amended	281	1	1118
Section 28.76.240	amended	256	1	1015
Section 28.77.040	amended	254	6	1010
Section 28.81.010	enacted	147	2	532
Section 28.81.020	amended	147	3	532
Section 29.01.030	enacted	251	2	992
Section 29.01.150	enacted	251	3	992
Section 29.07.010	amended	251	4	992
Section 29.07.020	enacted	251	5	992
Section 29.07.040	amended	251	7	993
Section 29.07.100	amended	251	10	994
Section 29.07.110	amended	251	11	994
Section 29.07.170	enacted	251	8	993
Section 29.33.010	amended	195	2	754

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 29.33.100	enacted	195	3
Section 29.33.160	enacted	195	4
Section 29.39.010	amended	169	1
Section 29.48.020	enacted	195	6
Section 29.48.080	amended	195	7
Section 29.54.080	enacted	195	9
Section 29.54.090	amended	195	10
Section 29.54.100	enacted	195	11
Section 29.54.110	amended	195	12
Section 29.54.120	enacted	195	13
Section 29.54.130	enacted	195	14
Section 29.62.020	enacted	195	15
Section 29.62.030	enacted	195	16
Section 29.62.040	enacted	195	17
Section 29.68.010	repealed	149	1
Section 29.68.020	repealed	149	1
Section 29.68.060	repealed	149	1
Section 30.08.020	amended	248	1
Section 30.08.050	amended	248	2
Section 30.08.140	amended	248	3
Section 30.12.010	amended	190	1
Section 31.12.010	amended	23	2
Section 31.12.020	enacted	23	3
Section 31.12.030	amended	23	4
Section 31.12.190	amended	23	5
Section 31.12.210	amended	23	6
Section 31.12.240	amended	23	7
Section 31.12.260	amended	23	9
Section 31.12.270	amended	23	11
Section 31.12.280	amended	23	12
Section 31.12.290	amended	23	13
Section 32.08.060	amended	80	1
Section 32.08.140	amended	80	2
Section 32.08.150	amended	80	3
Section 32.12.010	amended	80	4
Section 32.12.090	amended	80	5
Section 32.16.050	amended	80	6
Section 35.02.020	enacted	173	2
Section 35.02.030	enacted	173	3
Section 35.02.040	enacted	173	4
Section 35.02.050	enacted	173	5
Section 35.02.060	enacted	173	6
Section 35.02.070	amended	173	7
Section 35.02.080	enacted	173	8
Section 35.02.100	enacted	173	9
Section 35.02.110	enacted	173	10
Section 35.13.100	enacted	239	2
Section 35.13.110	amended	239	3
Section 35.13.150	enacted	239	5
Section 35.13.160	amended	239	6
Section 35.13.220	amended	119	1
Section 35.13.260	amended	175	14
Section 35.13.270	amended	175	15
Section 35.21.280	amended	126	1
Section 35.22.205	amended	113	1
Section 35.22.270	amended	123	1
Section 35.23.340	amended	224	1
Section 35.23.352	amended	121	1
Section 35.24.010	amended	56	1
Section 35.24.240	amended	97	9
Section 35.31.010	amended	224	2

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 35.31.020	amended	224	3 882
Section 35.31.040	amended	224	4 883
Section 35.33.100	amended	44	1 167
Section 35.33.150	amended	44	2 168
Section 35.43.040	amended	144	2 515
Section 35.43.050	enacted	144	14 524
Section 35.43.080	enacted	144	15 525
Section 35.43.090	enacted	144	5 518
Section 35.43.110	enacted	144	3 518
Section 35.43.120	enacted	144	6 519
Section 35.43.130	amended	144	7 519
Section 35.43.140	enacted	144	8 521
Section 35.43.150	enacted	144	9 522
Section 35.43.160	amended	144	10 522
Section 35.43.170	enacted	144	11 523
Section 35.43.180	amended	144	12 523
Section 35.44.010	enacted	144	16 526
Section 35.44.030	enacted	144	17 526
Section 35.44.040	amended	144	18 527
Section 35.44.050	enacted	144	19 528
Section 35.44.200	amended	143	2 512
Section 35.44.210	enacted	143	3 513
Section 35.44.220	enacted	143	4 513
Section 35.44.230	enacted	143	5 513
Section 35.44.240	enacted	143	6 513
Section 35.44.250	amended	143	7 514
Section 35.44.260	amended	143	8 514
Section 35.44.270	enacted	143	9 514
Section 35.63.070	amended	130	1 481
Section 35.63.120	amended	194	1 753
Section 35.79.010	amended	156	2 574
Section 35.79.020	enacted	156	3 574
Section 35.79.030	amended	156	4 575
Section 36.16.070	amended	219	2 867
Section 36.17.020	amended	219	3 868
Section 36.23.070	amended	201	3 775
Section 36.32.330	amended	224	5 884
Section 36.32.400	amended	106	1 425
Section 36.37.030	repealed	124	2 472
Section 36.37.040	amended	124	1 471
Section 36.37.060	repealed	124	2 472
Section 36.37.070	repealed	124	2 472
Section 36.37.080	repealed	124	2 472
Section 36.38.010	amended	126	2 474
Section 36.45.010	amended	224	7 885
Section 36.45.020	enacted	224	8 885
Section 36.45.030	amended	224	9 886
Section 36.91.030	enacted	221	2 871
Section 36.91.040	amended	221	3 871
Section 38.12.010	amended	250	2 988
Section 38.12.020	enacted	250	3 989
Section 38.40.060	amended	236	1 936
Sections 40.08.010-40.08.050 incl.	repealed	246	9 968
Sections 40.12.010-40.12.110 incl.	repealed	246	9 968
Section 41.16.080	amended	82	2 330
Section 41.16.090	amended	82	3 331
Section 41.16.100	enacted	82	4 332
Section 41.16.110	enacted	82	5 332
Section 41.16.120	amended	82	6 332
Section 41.16.130	amended	82	7 332
Section 41.16.140	enacted	82	8 333

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 41.16.150	enacted	82	9
Section 41.16.160	enacted	82	10
Section 41.16.170	enacted	82	11
Section 41.16.180	enacted	82	12
Section 41.16.190	enacted	82	13
Section 41.20.050	amended	84	1
Section 41.20.060	amended	84	2
Section 41.20.080	amended	84	3
Section 41.24.030	amended	116	1
Section 41.24.150	amended	159	1
Section 41.24.160	amended	159	2
Section 41.24.210	amended	159	3
Section 41.24.220	amended	159	4
Section 41.24.230	amended	159	5
Section 41.24.240	amended	159	6
Section 41.32.520	amended	183	3
Section 41.40.010	amended	231	1
Section 41.40.120	amended	231	2
Section 41.40.360	repealed	231	3
Section 41.44.100	amended	158	1
Section 41.44.120	amended	158	2
Section 41.44.130	amended	158	3
Section 41.44.150	amended	158	4
Section 41.44.170	amended	158	5
Section 41.44.210	amended	158	6
Section 41.48.030	amended	170	1
Section 42.24.030	amended	77	1
Section 43.09.090	amended	20	1
Section 43.17.010	amended	215	19
Section 43.17.020	amended	215	20
Section 43.19.190	amended	187	1
Section 43.19.280	amended	272	7
Section 43.21.010	amended	215	21
		284	1
Section 43.21.170	repealed	215	24
Section 43.21.180	amended	157	4
	repealed	215	24
Section 43.21.190	amended	215	22
Section 43.21.200	amended	215	23
Section 43.27.180	amended	172	31
Section 43.28.010	amended	272	1
Section 43.43.140	amended	162	1
Section 43.43.220	amended	162	2
Section 43.43.250	amended	162	3
Section 43.43.260	amended	162	4
Section 43.52.270	repealed	295	9
Section 43.52.280	repealed	295	9
Section 43.52.310	repealed	295	9
Section 43.52.320	repealed	295	9
Section 43.52.330	repealed	295	9
Section 43.52.341	repealed	295	9
Section 43.52.3415	repealed	295	9
Section 43.52.342	repealed	295	9
Section 43.52.3425	repealed	295	9
Section 43.52.343	amended	295	7
Section 43.52.344	repealed	295	9
Section 43.52.345	repealed	295	9
Section 43.52.346	repealed	295	9
Section 43.52.347	repealed	295	9
Section 43.52.348	repealed	295	9
Section 43.52.349	repealed	295	9

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 43.52.360	amended	295	1 1171
Section 43.52.370	amended	295	2 1175
Section 43.52.390	repealed	295	9 1181
Section 43.52.420	repealed	295	9 1181
Section 43.55.010	amended	127	1 476
Sections 43.58.010-43.58.040 incl.	provisionally repealed	90	5 376
Section 43.62.010	amended	175	1 671
Section 43.62.020	amended	175	2 672
Section 43.62.030	amended	175	3 672
Section 43.62.040	amended	175	4 674
Section 43.66.090	enacted	175	6 674
Section 43.66.100	amended	175	7 674
Section 43.66.110	amended	175	8 675
Section 43.66.120	repealed	175	9 675
Section 43.79.330	amended	115	6 452
Section 44.04.020	repealed	5	58 17
		289	58 1161
Section 44.04.030	repealed	135	1 489
Section 44.04.080	amended	3	1 9
Section 44.04.110	repealed	5	58 17
		289	58 1161
Section 44.08.010	repealed	5	58 17
		289	58 1161
Section 44.08.020	repealed	5	58 17
		289	58 1161
Section 44.08.060	repealed	5	58 17
		289	58 1161
Section 44.08.061	repealed	5	58 17
		289	58 1161
Section 44.12.010	repealed	5	58 17
		289	58 1161
Section 44.12.020	repealed	5	58 17
		289	58 1161
Section 45.76.010	repealed	73	1 308
Section 45.76.100	amended	65	1 264
Section 46.08.080	amended	132	1 484
Section 46.16.060	amended	105	1 423
	amended (<i>vetoed</i>)	261	6 1026
Section 46.16.070	amended	273	1 1068
Section 46.16.072	amended	273	2 1069
Section 46.16.080	amended	269	17 1052
Section 46.16.090	amended	273	13 1075
Section 46.16.160	amended	273	3 1070
Section 46.16.210	amended (<i>vetoed</i>)	261	7 1027
	amended	273	5 1073
Section 46.16.220	amended	261	8 1028
Section 46.16.230	amended	261	9 1028
Section 46.20.090	amended	294	1 1169
Section 46.20.290	amended	273	7 1073
Section 46.20.300	enacted	273	8 1074
Section 46.20.310	enacted	273	9 1075
Section 46.20.320	enacted	273	10 1075
Section 46.20.330	enacted	273	11 1075
Section 46.20.370	repealed	273	24 1086
Section 46.37.190	amended	66	1 265
Section 46.44.030	amended	273	14 1077
Section 46.44.034	amended	273	15 1077
Section 46.44.037	amended	273	16 1078
Section 46.44.040	amended	273	17 1078
Section 46.44.095	amended	273	18 1079
Section 46.44.097	amended	273	19 1082

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 46.60.050	amended	96	1 392
Section 46.60.320	amended	96	2 393
Section 46.64.040	amended	75	1 310
Section 46.68.030	amended	105	2 423
Section 46.68.040	amended	294	2 1170
Section 46.68.060	amended	104	1 422
Section 46.68.100	amended	271	3 1060
	{	175	10 675
Section 46.68.110	amended	175	11 675
Section 46.68.120	amended	109	1 432
Section 46.68.130	amended	105	3 424
	{	271	4 1060
Section 46.70.100	amended	273	20 1083
Section 46.76.010	amended	107	1 426
Section 46.76.040	amended	107	2 427
Section 46.76.060	amended	107	3 427
Section 46.76.075	repealed	107	4 427
Section 46.80.060	amended	273	21 1083
Section 46.84.020	amended	273	22 1083
Section 46.84.050	amended	273	23 1085
Section 47.16.010	amended	172	2 631
Section 47.16.080	amended	172	9 633
Section 47.16.110	amended	172	13 636
Section 47.16.140	amended	172	10 634
Section 47.16.190	amended	172	11 635
Section 47.20.010	amended	172	14 636
Section 47.20.030	amended	172	15 637
Section 47.20.060	amended	172	3 631
Section 47.20.110	amended	172	16 638
Section 47.20.130	amended	172	5 632
Section 47.20.140	amended	172	6 632
Section 47.20.150	enacted	172	7 633
Section 47.20.160	enacted	172	8 633
Section 47.20.170	amended	172	18 638
Section 47.20.180	amended	172	19 639
Section 47.20.210	amended	172	20 639
Section 47.20.320	amended	172	21 640
Section 47.20.380	amended	172	12 635
Section 47.20.410	amended	172	23 640
Section 47.20.420	enacted	172	24 641
Section 47.20.430	amended	172	25 642
Section 47.24.010	amended	83	2 336
Section 47.24.020	amended	83	3 337
Section 47.36.180	amended	204	1 779
Section 47.52.020	amended	235	2 928
Section 47.52.025	enacted	235	3 928
Section 47.52.090	amended	235	4 929
Section 47.56.280	repealed	266	7 1040
Section 47.56.300	repealed	266	7 1040
Sections 47.59.010-47.59.220 incl.	repealed	211	1 801
Sections 47.59.500, 47.59.510	repealed	211	1 801
Sections 47.59.900-47.59.930 incl.	repealed	211	1 801
Section 47.60.070	amended	230	1 895
Section 47.60.113	amended	152	1 547
Section 47.60.114	amended	152	2 548
Section 47.60.115	amended	152	3 548
Section 47.64.060	amended	271	7 1061
Section 48.05.040	amended	193	1 726
Section 48.05.120	amended	193	3 727
Section 48.07.050	amended	193	21 752
Section 48.09.020	repealed	193	22 752

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 48.09.030	repealed	193	22 752
Section 48.09.040	repealed	193	22 752
Section 48.09.050	repealed	193	22 752
Section 48.09.060	repealed	193	22 752
Section 48.09.070	repealed	193	22 752
Section 48.09.080	repealed	193	22 752
Section 48.09.090	amended	193	5 729
Section 48.11.110	amended	193	6 729
Section 48.12.150	amended	193	7 730
Section 48.17.500	amended	193	9 736
Section 48.18.120	amended	193	10 738
Section 48.18.140	amended	193	11 739
Section 48.18.480	amended	193	12 740
Section 48.19.050	amended	193	13 740
Section 48.19.280	amended	193	14 741
Section 48.23.350	amended	193	15 743
Section 48.29.030	amended	193	16 750
Section 48.29.040	amended	193	17 750
Section 48.30.150	amended	193	18 750
Section 49.16.010	enacted	70	2 273
Section 49.60.010	amended	37	1 107
Section 49.60.020	amended	37	2 108
Section 49.60.030	amended	37	3 108
Section 49.60.040	amended	37	4 109
Section 49.60.050	amended	37	5 111
Section 49.60.090	amended	37	6 112
Section 49.60.120	amended	37	7 112
Section 49.60.180	amended	37	9 113
Section 49.60.190	amended	37	10 113
Section 49.60.200	amended	37	11 114
Section 49.60.210	amended	37	12 114
Section 49.60.220	amended	37	13 114
Section 49.60.230	amended	37	16 116
Section 49.60.240	amended	37	17 117
Section 49.60.250	amended	37	18 118
Section 49.60.260	amended	37	21 120
Section 49.60.270	amended	37	22 121
Section 49.60.280	enacted	37	23 122
Section 49.60.290	amended	37	24 122
Section 49.60.300	enacted	37	25 122
Section 49.60.310	amended	37	26 122
Section 50.04.150	amended	264	1 1035
Section 51.04.020	enacted	70	3 274
Section 51.04.070	enacted	70	4 275
Section 51.04.080	enacted	70	5 275
Section 51.08.020	enacted	70	6 275
Section 51.08.030	enacted	70	7 276
Section 51.08.050	enacted	70	8 276
Section 51.08.070	enacted	70	9 276
Section 51.08.080	enacted	70	10 276
Section 51.08.090	enacted	70	11 277
Section 51.08.100	enacted	70	12 277
Section 51.08.110	enacted	70	13 277
Section 51.08.120	enacted	70	14 277
Section 51.08.130	enacted	70	15 277
Section 51.08.140	enacted	70	16 277
Section 51.08.150	enacted	70	17 277
Section 51.08.160	enacted	70	18 278
Section 51.08.170	enacted	70	19 278
Section 51.08.180	enacted	70	20 278
Section 51.08.190	enacted	70	21 278

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>	
Section 51.16.010	enacted	70	53	296
Section 51.16.020	enacted	70	54	297
Section 51.16.060	enacted	70	47	294
Section 51.16.070	amended	70	48	294
Section 51.16.090	enacted	70	49	295
Section 51.16.110	enacted	70	50	295
Section 51.16.130	amended	70	22	278
Section 51.24.010	amended	70	23	279
Section 51.24.020	enacted	70	24	280
Section 51.28.060	enacted	70	25	280
Section 51.32.010	enacted	70	26	280
Section 51.32.020	enacted	70	27	281
Section 51.32.030	enacted	70	28	281
Section 51.32.040	enacted	70	29	281
Section 51.32.050	amended	70	30	282
Section 51.32.060	amended	70	31	285
Section 51.32.070	amended	196	1	764
Section 51.32.080	amended	70	32	285
Section 51.32.090	amended	70	33	288
Section 51.32.100	enacted	70	34	289
Section 51.32.120	enacted	70	35	290
Section 51.32.130	amended	70	45	293
Section 51.32.140	enacted	70	36	290
Section 51.32.150	enacted	70	37	290
Section 51.32.160	enacted	70	38	291
Section 51.44.030	enacted	70	39	291
Section 51.44.050	enacted	70	40	291
Section 51.44.060	enacted	70	41	291
Section 51.44.070	enacted	70	42	291
Section 51.44.080	enacted	70	43	292
Section 51.44.090	enacted	70	44	292
Section 51.52.050	enacted	70	55	298
Section 51.52.060	amended	70	56	298
Section 51.52.070	enacted	70	57	299
Section 51.52.080	enacted	70	58	299
Section 51.52.090	enacted	70	59	300
Section 51.52.100	enacted	70	60	300
Section 51.52.110	amended	70	61	301
Section 51.52.115	enacted	70	62	303
Section 51.52.130	enacted	70	63	304
Section 51.52.140	enacted	70	64	304
Section 52.12.010	amended	238	1	938
Section 53.08.100	repealed	41	1	134
Section 53.12.250	amended	72	1	306
Section 53.16.010	amended	69	2	271
Section 53.40.010	amended	59	1	241
Section 53.40.020	amended	59	3	241
Section 53.40.030	amended	59	4	242
Section 53.40.040	amended	59	5	242
Section 53.40.050	amended	59	6	243
Section 53.40.060	repealed	59	11	244
Section 53.40.070	repealed	59	11	244
Section 53.40.080	repealed	59	11	244
Section 53.40.090	repealed	59	8	243
Section 53.40.100	repealed	59	9	243
Section 53.40.120	enacted	59	10	243
Section 54.04.040	enacted	278	9	1109
Section 54.12.080	amended	140	2	504
Section 54.24.010	amended	140	1	503
Section 54.28.010	enacted	278	7	1108
Section 54.28.020	amended	278	2	1105

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 54.28.030	amended	278	3 1106
Section 54.28.040	enacted	278	4 1106
Section 54.28.050	amended	278	5 1107
Section 54.28.060	enacted	278	6 1108
Section 54.28.080	enacted	278	8 1108
Section 60.04.020	amended	214	1 845
Section 61.20.020	amended	249	1 985
Section 61.20.080	amended	249	2 987
Section 66.24.410	enacted	263	2 1033
Section 66.24.430	repealed	263	4 1034
Section 66.40.010	enacted	263	3 1034
Section 68.16.010	amended	99	1 399
Section 68.16.130	amended	39	1 131
Section 69.28.080	amended	103	1 421
Section 69.33.080	amended	161	1 597
Section 70.44.040	amended	11	1 47
Section 70.46.050	amended	100	1 400
Section 71.02.090	amended	28	1 87
Section 71.02.130	amended	49	1 178
Section 71.02.230	amended	24	1 82
Section 71.02.590	amended	54	1 220
Section 71.04.270	amended	29	1 88
Section 71.04.280	amended	29	2 88
Section 71.04.290	amended	29	3 90
Section 71.04.300	amended	29	4 90
Section 71.06.010	amended	184	1 707
Section 71.06.240	amended	35	1 99
Section 71.06.260	amended	26	1 84
Sections 71.12.170-71.12.200 incl.	repealed	136	21 495
Section 71.12.620	amended	225	1 887
Section 72.04.040	amended	188	1 714
Section 72.04.090	amended	25	1 83
Section 72.08.070	amended	115	5 451
Section 72.08.250	amended	19	1 67
Section 72.08.342	repealed	21	2 70
Section 72.12.080	amended	19	2 67
Sections 72.28.010-72.28.160 incl.	repealed	102	26 421
Sections 72.32.010-72.32.180 incl.	repealed	102	26 421
Section 74.04.300	amended	63	3 259
Section 74.08.010	amended	63	1 254
Section 74.08.040	amended	63	2 258
Section 74.08.111	repealed	63	11 262
Section 74.08.270	amended	63	5 260
Section 74.08.274	repealed	63	11 262
Section 74.08.275	repealed	63	11 262
Section 74.08.300	repealed	63	11 262
Section 74.10.070	amended	63	7 261
Section 74.12.010	amended	63	10 261
Sections 74.32.010-74.32.100 incl.	repealed	253	21 1006
Section 75.28.380	amended	171	5 629
Section 76.04.010	enacted (<i>vetoed</i>)	111	2 440
Section 76.04.050	amended (<i>vetoed</i>)	111	3 441
Section 76.04.140	amended	111	4 442
Section 76.04.190	amended	111	5 443
Section 76.04.225	amended	111	6 444
Section 76.04.230	amended	154	1 570
Section 76.04.250	amended	111	7 444
Section 76.04.300	amended	111	8 447
Section 76.08.010	amended	79	1 316
Section 76.08.040	amended	79	2 317
Section 76.08.050	amended	79	3 318

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 76.12.030	amended	167	1 617
Section 76.28.020	amended	33	1 97
Section 76.32.030	amended	34	1 98
Section 76.36.030	amended	36	1 101
Section 76.36.040	amended	36	2 102
Section 76.36.050	amended	36	3 103
Section 76.36.060	amended	36	4 103
Section 76.36.070	amended	36	5 104
Section 76.36.090	amended	36	6 104
Section 76.36.130	amended	36	7 104
Section 76.36.140	amended	36	8 105
Section 76.36.150	amended	36	9 105
Section 76.40.010	amended	182	1 693
Section 76.40.020	amended	182	2 694
Section 76.40.030	amended	182	3 694
Section 76.40.040	amended	182	4 695
Section 76.40.050	amended	182	5 695
Section 76.40.070	amended	182	6 697
Section 76.40.110	amended	182	7 698
Section 76.40.127	amended	182	8 698
Section 77.12.280	amended	177	1 685
Section 77.12.290	amended	177	2 687
Section 77.12.300	amended	177	3 687
Section 77.16.155	repealed	241	1 944
Section 77.32.020	amended	176	1 679
Section 77.32.060	amended	176	2 681
Section 77.32.100	amended	176	3 681
Section 77.32.103	amended	176	4 681
Section 77.32.105	amended	176	5 682
Section 77.32.110	amended	176	6 682
Section 77.32.113	amended	176	7 682
Section 77.32.130	amended	176	8 682
Section 77.32.140	repealed	176	12 683
Section 77.32.150	amended	176	9 683
Section 77.32.160	amended	176	10 683
Section 77.32.190	amended	176	11 683
Section 79.24.200	amended	62	1 249
Section 79.24.210	amended	62	2 249
Section 79.24.220	amended	62	3 250
Section 79.24.240	amended	62	4 250
Section 79.24.260	amended	62	5 251
Section 79.24.270	amended	62	6 252
Section 79.44.170	repealed	277	4 1104
Section 80.40.010	amended	209	2 796
	amended (<i>vetoed</i>)	288	2 1142
Section 80.40.020	enacted	209	3 797
	288	3	1144
Section 80.40.030	enacted	209	4 797
	288	4	1144
Section 80.40.040	enacted	209	5 798
	288	5	1144
Section 80.40.050	enacted	209	6 798
	288	6	1144
Section 80.40.060	enacted	209	7 798
	288	7	1145
Section 80.40.200	amended	288	8 1145
Section 80.40.210	repealed	288	9 1146
Section 81.08.010	amended	205	2 782
Section 81.24.010	amended	185	1 708
Section 81.28.050	amended	205	3 783
Section 81.80.040	amended	205	4 783

AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 81.80.130	amended	205	5 784
Section 81.80.150	amended	205	6 785
Section 81.80.160	repealed	205	9 788
Section 81.80.320	amended	205	7 786
Section 81.80.355	amended	205	8 788
Section 82.04.050	amended	279	1 1112
Section 82.04.190	amended	279	2 1114
Section 82.04.235	repealed	279	6 1116
Section 82.04.296	amended	279	5 1116
Section 82.08.150	amended	279	4 1115
Section 82.16.026	amended	279	3 1115
Section 82.32.140	amended	88	1 356
Section 82.36.020	amended	247	1 969
Section 82.36.030	amended	247	2 970
Section 82.36.040	amended	247	3 971
Section 82.36.050	amended	247	4 971
Section 82.36.070	amended	247	5 972
Section 82.36.100	amended	247	6 973
Section 82.36.160	amended	247	7 974
Section 82.36.200	amended	218	1 858
Section 82.36.220	enacted	247	9 975
Section 82.36.230	amended	247	10 976
Section 82.36.240	enacted	247	11 978
Section 82.36.250	enacted	247	12 979
Section 82.36.260	amended	247	13 979
Section 82.36.270	amended	218	3 860
Section 82.36.280	enacted	218	4 860
Section 82.36.290	enacted	218	5 861
Section 82.36.300	enacted	218	6 861
Section 82.36.310	amended	218	7 861
Section 82.36.320	amended	218	8 862
Section 82.36.330	amended	218	9 862
Section 82.36.340	amended	218	10 863
Section 82.36.350	enacted	218	11 863
Section 82.36.360	amended	218	12 863
Section 82.36.370	enacted	218	13 864
Section 82.44.010	amended	269	18 1053
Section 82.44.020	amended	261	10 1029
Section 82.44.060	amended (vetoed)	261	11 1030
	amended	269	15 1051
Section 82.44.110	amended	128	1 477
Section 82.44.150	amended	175	12 676
Section 82.50.010	amended	269	1 1044
Section 82.50.020	amended	269	2 1044
Section 82.50.030	amended	269	3 1045
Section 82.50.070	amended	269	4 1045
Section 82.50.080	repealed	269	19 1053
Section 82.50.090	amended	269	11 1049
Section 82.50.100	repealed	269	19 1053
Section 82.50.110	amended	269	6 1046
Section 82.50.130	amended	269	7 1047
Section 82.50.150	repealed	269	19 1053
Section 82.50.160	amended (vetoed)	269	9 1048
Section 82.50.170	amended (vetoed)	269	10 1048
Section 82.50.180	amended	269	8 1048
Section 83.16.010	amended	285	2 1126
Section 83.16.080	amended	280	2 1117
Section 83.40.050	amended (vetoed)	285	1 1125
Section 83.40.050	repealed	280	3 1118
Section 83.56.090	amended	285	3 1126
Section 83.56.110	amended	285	4 1126

AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 84.52.050	amended 262	1	1032
Section 84.52.052	amended 32	1	95
	58	15	231
Section 87.36.050	amended 68	1	269
Section 89.12.010	amended 165	1	610
Section 89.12.040	amended 165	2	610
Section 89.12.050	amended 165	3	611
Section 89.12.100	amended 165	4	615

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1854:	Ch.	Sec.	Page	
Page 98, sec. 128.....	repealed	10	3	43
Page 109, sec. 41.....	repealed	10	3	43
Page 150, sec. 103.....	amended	51	15	190
Page 151, sec. 105.....	amended	51	16	191
Page 151, sec. 106.....	amended	51	17	191
Page 153, sec. 117.....	amended	51	9	188
Page 174, sec. 237.....	amended	7	6	24
Page 179, sec. 256.....	amended	8	5	31
Page 189, sec. 306.....	repealed	50	1	180
Page 189, sec. 307.....	repealed	50	1	180
Page 189, sec. 308.....	repealed	50	1	180
Page 189, sec. 309.....	repealed	50	1	180
Page 190, sec. 310.....	repealed	50	1	180
Page 190, sec. 314.....	repealed	50	1	181
Page 191, sec. 315.....	repealed	50	1	181
Page 191, sec. 316.....	repealed	50	1	181
Page 191, sec. 317.....	repealed	50	1	181
Page 192, sec. 318.....	repealed	50	1	181
Page 192, sec. 319.....	repealed	50	1	181
Page 192, sec. 320.....	repealed	50	1	181
Page 192, sec. 321.....	repealed	50	1	182
Page 193, sec. 322.....	repealed	50	1	182
Page 193, sec. 323.....	repealed	50	1	181
Page 193, sec. 327.....	repealed	50	1	182
Page 194, sec. 328.....	repealed	50	1	182
Page 194, sec. 329.....	repealed	50	1	182
Page 194, sec. 330.....	repealed	50	1	182
Page 194, sec. 331.....	repealed	50	1	182
Page 195, sec. 332.....	repealed	50	1	183
Page 219, sec. 488.....	repealed	51	18	191
Page 220, sec. 493.....	repealed	51	18	192
Page 220, sec. 499.....	amended	8	3	30
Page 226, sec. 19.....	repealed	89	17	365
Page 229, secs. 32-37 incl.....	repealed	89	17	365
Page 230, sec. 42.....	amended	89	1	358
Page 231, sec. 45.....	amended	89	11	363
Page 232, sec. 56.....	amended	89	12	364
Page 236, secs. 74, 75.....	repealed	89	17	365
Page 237, sec. 83.....	amended	89	13	364
Page 238, sec. 89.....	amended	89	15	364
Page 238, sec. 90.....	amended	89	16	365
Page 238, sec. 91.....	amended	89	14	364
Page 241, sec. 104.....	repealed	89	17	366
Page 241, sec. 105.....	repealed	89	17	366
Page 253, sec. 19.....	amended	89	2	359
Page 376, sec. 1.....	repealed	10	3	44
Page 378, sec. 4.....	amended	8	4	31
LAWS 1860:				
Page 242, sec. 19.....	repealed	89	17	365
Page 246, secs. 32-37 incl.....	repealed	89	17	365
Page 254, secs. 74, 75.....	repealed	89	17	365
Page 259, sec. 104.....	repealed	89	17	366
Page 259, sec. 105.....	repealed	89	17	366
LAWS 1863:				
Page 339, sec. 13.....	repealed	89	17	365
Page 343, secs. 26-31 incl.....	repealed	89	17	365
Page 348, secs. 55, 56.....	repealed	89	17	365
Page 354, sec. 85.....	repealed	89	17	366

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1863—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Page 354, sec. 86.....	repealed 89	17	366
Page 370, sec. 17.....	amended 89	2	359

LAWS 1869:

Page 36, sec. 143.....	amended 51	15	190
Page 36, sec. 145.....	amended 51	16	191
Page 37, sec. 146.....	amended 51	17	191
Page 39, sec. 157.....	amended 51	9	188
Page 56, sec. 230.....	amended 7	5	23
Page 76, sec. 312.....	amended 7	6	24
Page 85, sec. 334.....	amended 8	4	31
Page 89, sec. 347.....	amended 8	5	31
Page 107, sec. 399.....	repealed 50	1	180
Page 107, sec. 401.....	repealed 50	1	180
Page 107, sec. 402.....	repealed 50	1	180
Page 107, sec. 403.....	repealed 50	1	180
Page 108, sec. 405.....	repealed 50	1	181
Page 109, sec. 407.....	repealed 50	1	181
Page 110, sec. 412.....	repealed 50	1	182
Page 111, sec. 413.....	repealed 50	1	182
Page 111, sec. 415.....	repealed 50	1	181
Page 113, sec. 419.....	repealed 50	1	182
Page 113, sec. 420.....	repealed 50	1	182
Page 113, sec. 421.....	repealed 50	1	182
Page 114, sec. 422.....	repealed 50	1	182
Page 114, sec. 423.....	repealed 50	1	182
Page 114, sec. 424.....	repealed 50	1	183
Page 136, sec. 520.....	amended 51	13	190
Page 140, sec. 539.....	enacted 51	14	190
Page 145, sec. 562.....	amended 51	11	189
Page 170, sec. 678.....	amended 51	8	188
Page 174, sec. 694.....	amended 8	3	30

LAWS 1873:

Page 114, sec. 412.....	repealed 50	1	181
Page 333, sec. 13.....	repealed 89	17	365
Page 342, secs. 45-50 incl.....	repealed 89	17	365
Page 344, sec. 54.....	amended 89	1	358
Page 344, sec. 57.....	amended 89	11	363
Page 346, sec. 68.....	amended 89	12	364
Page 348, secs. 73, 74.....	repealed 89	17	365
Page 350, sec. 82.....	amended 89	13	364
Page 351, sec. 88.....	amended 89	15	364
Page 351, sec. 89.....	amended 89	16	365
Page 352, sec. 90.....	amended 89	14	364
Page 354, sec. 103.....	repealed 89	17	366
Page 354, sec. 104.....	repealed 89	17	366
Page 373, sec. 16.....	amended 89	2	359
Page 396, sec. 233.....	repealed 10	3	43

LAWS 1875:

Page 80, sec. 8.....	amended 51	12	190
Page 81, sec. 14.....	amended 45	1	169
Page 81, sec. 15.....	amended 45	2	169
Page 81, sec. 16.....	repealed 45	5	171
Page 81, sec. 17.....	amended 45	3	170
Page 90, sec. 2.....	repealed 10	3	44

LAWS 1877:

Page 6, sec. 21.....	enacted 7	1	22
Page 7, sec. 24.....	amended 9	1	35

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1877—CONTINUED:

	Ch.	Sec.	Page	
Page 30, sec. 145.....	amended	51	15	190
Page 31, sec. 147.....	amended	51	16	191
Page 31, sec. 148.....	amended	51	17	191
Page 32, sec. 153.....	amended	9	11	39
Page 33, sec. 159.....	amended	51	9	188
Page 34, sec. 166.....	amended	9	12	39
Page 35, sec. 173.....	repealed	9	13	40
Page 47, sec. 230.....	amended	7	5	23
Page 49, sec. 239.....	amended	9	2	36
Page 52, sec. 259.....	amended	9	3	36
Page 63, sec. 314.....	amended	7	6	24
Page 71, sec. 341.....	amended	9	6	38
Page 71, sec. 342.....	amended	8	4	31
Page 75, sec. 354.....	amended	8	5	31
Page 89, sec. 406.....	repealed	50	1	180
Page 89, sec. 408.....	repealed	50	1	180
Page 89, sec. 409.....	repealed	50	1	180
Page 89, sec. 410.....	repealed	50	1	180
Page 90, sec. 412.....	repealed	50	1	180
Page 90, sec. 413.....	repealed	50	1	181
Page 90, sec. 414.....	repealed	50	1	182
Page 90, sec. 415.....	repealed	50	1	181
Page 91, sec. 418.....	repealed	50	1	181
Page 91, sec. 419.....	repealed	50	1	181
Page 91, sec. 420.....	repealed	50	1	181
Page 92, sec. 421.....	repealed	50	1	181
Page 92, sec. 422.....	repealed	50	1	181
Page 92, sec. 423.....	repealed	50	1	181
Page 92, sec. 424.....	repealed	50	1	182
Page 93, sec. 425.....	repealed	50	1	182
Page 93, sec. 426.....	repealed	50	1	182
Page 93, sec. 427.....	repealed	50	1	182
Page 93, sec. 428.....	repealed	50	1	182
Page 93, sec. 429.....	repealed	50	1	182
Page 94, sec. 430.....	repealed	50	1	183
Page 96, sec. 438.....	amended	9	4	36
Page 119, sec. 570.....	amended	51	13	190
Page 122, sec. 590.....	amended	51	14	190
Page 127, sec. 613.....	amended	51	11	189
Page 138, sec. 671.....	amended	9	10	39
Page 150, sec. 741.....	amended	51	8	188
Page 151, sec. 747.....	enacted	7	1	22
Page 152, sec. 757.....	amended	8	3	30

LAWS 1879:

Page 98, sec. 5.....	amended	7	3	23
Page 98, sec. 3.....	amended	7	2	23
Page 98, sec. 2.....	amended	7	4	23
Page 133, sec. 3.....	repealed	7	10	25

LAWS 1881:

Sec. 586.....	enacted	51	14	190
---------------	---------	----	----	-----

CODE 1881:

Sec. 21.....	enacted	7	1	22
Sec. 24.....	amended	9	1	35
Sec. 145.....	amended	51	15	190
Sec. 147.....	amended	51	16	191

INDEX TO AMENDMENTS, SESSION LAWS

CODE 1881—CONTINUED:		Ch.	Sec.	Page
Sec. 148	.....amended	51	17	191
Sec. 153	.....amended	9	11	39
Sec. 159	.....amended	51	9	188
Sec. 166	.....amended	9	12	39
Sec. 173	.....repealed	9	13	40
Sec. 226	.....amended	7	5	23
Sec. 235	.....amended	9	2	36
Sec. 255	.....amended	9	3	36
Sec. 310	.....amended	7	6	24
Sec. 337	.....amended	9	6	38
Sec. 338	.....amended	8	4	31
Sec. 351	.....amended	8	5	31
Sec. 404	.....repealed	50	1	180
Sec. 405	.....repealed	50	1	180
Sec. 406	.....repealed	50	1	180
Sec. 407	.....repealed	50	1	180
Sec. 408	.....repealed	50	1	180
Sec. 410	.....repealed	50	1	181
Sec. 411	.....repealed	50	1	181
Sec. 412	.....repealed	50	1	182
Sec. 413	.....repealed	50	1	181
Sec. 414	.....repealed	50	1	181
Sec. 415	.....repealed	50	1	181
Sec. 416	.....repealed	50	1	181
Sec. 417	.....repealed	50	1	181
Sec. 418	.....repealed	50	1	181
Sec. 419	.....repealed	50	1	181
Sec. 420	.....repealed	50	1	181
Sec. 421	.....repealed	50	1	181
Sec. 422	.....repealed	50	1	182
Sec. 423	.....repealed	50	1	182
Sec. 424	.....repealed	50	1	182
Sec. 425	.....repealed	50	1	182
Sec. 426	.....repealed	50	1	182
Sec. 427	.....repealed	50	1	182
Sec. 428	.....repealed	50	1	183
Sec. 436	.....amended	9	4	36
Sec. 567	.....amended	51	13	190
Sec. 585	.....enacted	51	14	190
Sec. 608	.....amended	51	11	189
Sec. 668	.....amended	9	10	39
Sec. 736	.....amended	51	8	188
Sec. 742	.....enacted	7	1	22
Sec. 748	.....repealed	51	18	191
Sec. 750	.....repealed	51	18	192
Sec. 752	.....amended	8	3	30
Sec. 1025	.....repealed	10	3	44
Sec. 1046	.....amended	10	1	42
Sec. 1113	.....repealed	10	3	43
Sec. 1242	.....amended	51	12	190
Sec. 1248	.....amended	45	1	169
Sec. 1249	.....amended	45	2	169
Sec. 1250	.....repealed	45	5	171
Sec. 1251	.....amended	45	3	170
Sec. 1254	.....amended	7	4	23
Sec. 1255	.....amended	7	2	23
Sec. 1257	.....amended	7	3	23
Sec. 1272	.....repealed	10	3	44
Sec. 1706	.....repealed	89	17	365
Secs. 1746-1751 incl.	.....repealed	89	17	365
Sec. 1755	.....amended	89	1	358

INDEX TO AMENDMENTS, SESSION LAWS

CODE 1881—CONTINUED:	Ch.	Sec.	Page
Sec. 1758	amended	89	11 363
Sec. 1769	amended	89	12 364
Secs. 1774, 1775	repealed	89	17 365
Sec. 1783	amended	89	13 364
Sec. 1789	amended	89	15 364
Sec. 1790	amended	89	16 365
Sec. 1791	amended	89	14 364
Sec. 1804	repealed	89	17 366
Sec. 1805	repealed	89	17 366
Sec. 1885	amended	89	2 359
Sec. 1887	repealed	89	17 366
Sec. 1934	repealed	10	3 43
Sec. 2061	repealed	7	10 25
Sec. 2550	repealed	22	8 72
Sec. 2551	repealed	22	8 72
Secs. 2716, 2741, 2767	amended	219	1 867
Secs. 3093, 3094, 3095, 3098	amended	195	8 758
LAWS 1886:			
Page 40, sec. 6	amended	51	1 184
Page 42, sec. 15	amended	9	9 39
Page 42, sec. 16	amended	51	2 186
Page 43, sec. 20	amended	51	3 186
Page 44, sec. 25	amended	51	4 186
Page 44, sec. 26	amended	51	5 187
Page 46, sec. 36	repealed	9	13 40
Page 174, sec. 1	amended	219	1 867
LAWS 1888:			
Page 29, sec. 1	repealed	50	1 181
LAWS 1890:			
Page 85, sec. 7	amended	9	7 38
Page 86, sec. 10	amended	9	8 38
Page 133, sec. 2	amended	173	1 662
Page 340, sec. 7	amended	9	5 37
LAWS 1891:			
Ch. 11, sec. 17	repealed	10	3 44
Ch. 19, sec. 4	repealed	50	1 180
Ch. 19, sec. 5	repealed	50	1 180
Ch. 19, sec. 6	repealed	50	1 180
Ch. 19, sec. 7	repealed	50	1 181
Ch. 19, sec. 8	repealed	50	1 182
Ch. 19, sec. 9	repealed	50	1 182
Ch. 19, sec. 10	repealed	50	1 181
Ch. 19, sec. 11	repealed	50	1 181
Ch. 19, sec. 12	repealed	50	1 181
Ch. 19, sec. 13	repealed	50	1 181
Ch. 19, sec. 14	repealed	50	1 181
Ch. 19, sec. 15	repealed	50	1 181
Ch. 19, sec. 17	repealed	50	1 182
Ch. 19, sec. 18	repealed	50	1 182
Ch. 28, sec. 40	repealed	10	3 44
Ch. 28, sec. 51	amended	10	2 43
Ch. 42, sec. 2	amended	51	10 189
Ch. 72, sec. 1	repealed	22	8 72
Ch. 126, sec. 2	amended	77	1 314
Ch. 147, sec. 15	amended	115	5 451
Ch. 147, sec. 29	amended	25	1 83

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1893:	Ch.	Sec.	Page
Ch. 27, sec. 7	repealed 22	8	72
Ch. 27, sec. 10	repealed 22	8	72
Ch. 60, sec. 8	repealed 7	10	25
Ch. 60, sec. 9	repealed 7	10	25
Ch. 60, sec. 10	repealed 7	10	25
Ch. 60, sec. 11	repealed 7	10	25
Ch. 60, sec. 12	repealed 7	10	25
Ch. 60, sec. 14	repealed 7	10	25
Ch. 60, sec. 15	repealed 7	10	25
Ch. 60, sec. 16	repealed 7	10	25
Ch. 61, sec. 1	repealed 7	10	26
Ch. 61, sec. 2	repealed 7	10	26
Ch. 61, sec. 4	repealed 7	10	26
Ch. 61, sec. 5	repealed 7	10	26
Ch. 61, sec. 6	repealed 7	10	26
Ch. 61, sec. 7	repealed 7	10	26
Ch. 61, sec. 8	repealed 7	10	27
Ch. 61, sec. 9	repealed 7	10	27
Ch. 61, sec. 10	repealed 7	10	26
Ch. 61, sec. 11	repealed 7	10	26
Ch. 61, sec. 12	repealed 7	10	26
Ch. 61, sec. 13	repealed 7	10	26
Ch. 61, sec. 16	repealed 7	10	26
Ch. 61, sec. 18	repealed 7	10	26
Ch. 61, sec. 19	repealed 7	10	26
Ch. 61, sec. 20	repealed 7	10	26
Ch. 61, sec. 21	repealed 7	10	26
Ch. 61, sec. 22	repealed 7	10	26
Ch. 61, sec. 23	repealed 7	10	27
Ch. 61, sec. 24	repealed 7	10	27
Ch. 61, sec. 25	repealed 7	10	27
Ch. 61, sec. 26	repealed 7	10	27
Ch. 61, sec. 27	repealed 7	10	27
Ch. 61, sec. 28	repealed 7	10	27
Ch. 61, sec. 32	repealed 10	3	44
Ch. 61, sec. 35	repealed 7	10	27
Ch. 61, sec. 36	repealed 7	10	27
Ch. 61, sec. 38	repealed 7	10	27
Ch. 112, sec. 2	amended 195	8	758
Ch. 121, sec. 1	amended 224	5	884
Ch. 127, sec. 7	amended 202	1	776
Ch. 133, sec. 1	amended 8	7	32
LAWS 1895:			
Ch. 65, sec. 12	amended 51	6	187
Ch. 65, sec. 28	amended 51	7	188
Ch. 149, sec. 5	repealed 10	3	43
LAWS 1897:			
Ch. 100, sec. 1	repealed 50	1	180
LAWS 1899:			
Ch. 49, sec. 1	repealed 7	10	26
Ch. 53, sec. 15	amended 8	6	31
Ch. 93, sec. 1	amended 8	7	32
Ch. 121, secs. 7, 8, 9, 12	repealed 52	50	212
LAWS 1901:			
Ch. 26, sec. 1	repealed 50	1	182
Ch. 26, sec. 2	repealed 50	1	182

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1901—CONTINUED:

	Ch.	Sec.	Page
Ch. 26, sec. 3	50	1	182
Ch. 31, sec. 1	7	10	26
Ch. 84, sec. 1	156	1	574
Ch. 84, sec. 2	156	4	575
Ch. 119, sec. 7	188	1	714
Ch. 146, sec. 15	22	8	72
Ch. 172, sec. 14	101	3	404

LAWS 1903:

Ch. 41, sec. 1	51	1	184
Ch. 78	297	8	1189
Ch. 85, sec. 1	195	8	758

LAWS 1905:

Ch. 26, sec. 1	50	1	182
Ch. 60, secs. 1, 2, 3	219	1	867
Ch. 70	102	26	421
Ch. 119, sec. 1	34	1	98
Ch. 164, secs. 1, 2	111	1	440

LAWS 1907:

Ch. 30, sec. 6	48	2	176
Ch. 30, sec. 8	48	1	175
Ch. 30, sec. 9	10	3	43
Ch. 30, sec. 10	48	3	177
Ch. 52, sec. 1	33	1	97
Ch. 60	10	3	43
Ch. 166, sec. 6	188	1	714
Ch. 241, sec. 36	224	1	881
Ch. 245, sec. 5	239	1	939

LAWS 1909:

Ch. 38 secs. 1-7 incl.	246	9	968
Ch. 83, sec. 1	224	2	882
Ch. 97, subch. 3, secs. 1, 2	147	1	532
Ch. 97, subch. 4, Art. II, sec. 13	155	1	573
Ch. 97, subch. 6, secs. 1, 2, 3, 4, 5, 6, 7, 8	102	26	421
Ch. 150, sec. 1	209	1	796
	288	1	1142
Ch. 192, secs. 1, 2, 5, 13, 16	52	50	212
Ch. 192, sec. 6	60	1	244
Ch. 213, secs. 4, 6	52	50	212
Ch. 215, secs. 2-7 incl., 9	52	50	212
Ch. 235	52	50	212
Ch. 249, sec. 42	10	3	43
Ch. 249, sec. 99	46	1	172
Ch. 249, sec. 104	46	2	172
Ch. 249, sec. 240	10	3	43
Ch. 249, sec. 251	45	4	170
Ch. 249, sec. 253	10	3	43
Ch. 249, sec. 265	93	1	384
Ch. 249, sec. 292	10	3	43
Ch. 249, sec. 443	10	3	43
Ch. 249, sec. 444	10	3	43

LAWS 1911:

Ch. 74, sec. 4	70	52	296
Ch. 74, sec. 5	70	1	272
Ch. 74, sec. 20	70	52	296
Ch. 77, sec. 1	214	1	845

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1911—CONTINUED:	Ch.	Sec.	Page
Ch. 98, secs. 1, 15, 58	amended 144	1	515
Ch. 98, secs. 9, 16, 17, 18	amended 144	4	518
Ch. 98, sec. 22	amended 143	1	512
Ch. 117, sec. 15	amended 205	3	783
Ch. 125, sec. 1	amended (<i>vetoed</i>) 111	1	440
Ch. 125, sec. 4	amended (<i>vetoed</i>) 111	1	440
 LAWS 1913:			
Ch. 27, sec. 4	amended 40	1	132
Ch. 41, sec. 2	amended 203	2	778
Ch. 58, sec. 3	amended 195	1	754
Ch. 58, sec. 12	amended 195	5	756
Ch. 58, sec. 14	amended 195	8	758
Ch. 116, sec. 2	repealed 7	10	26
Ch. 126, sec. 1	amended 244	1	948
Ch. 126, sec. 3	amended 244	2	950
Ch. 116, sec. 2	repealed 7	10	26
Ch. 126, sec. 5	amended 244	4	951
Ch. 126, sec. 9	amended 244	5	952
Ch. 173	repealed 102	26	421
 LAWS 1915:			
Ch. 63, sec. 1	repealed 50	1	183
Ch. 66, sec. 3	amended 254	6	1010
Ch. 73, sec. 1	amended 20	1	68
Ch. 104, sec. 2	repealed 7	10	26
Ch. 104, sec. 7	repealed 7	10	26
Ch. 104, sec. 9	repealed 7	10	26
Ch. 114, sec. 1	amended 195	1	754
Ch. 114, sec. 8	amended 195	8	758
Ch. 148, sec. 2	amended 224	4	883
Ch. 184, sec. 1	amended 56	1	222
Ch. 184, sec. 34	amended 97	9	397
 LAWS 1917:			
Ch. 32, sec. 3	repealed 124	2	472
Ch. 38, sec. 14	amended 52	16	200
Ch. 38, sec. 20	repealed 52	50	211
Ch. 64	repealed 102	26	421
Ch. 96, sec. 1	amended 224	3	882
Ch. 105, sec. 6	amended (<i>vetoed</i>) 111	1	440
Ch. 151, sec. 1	repealed 10	3	44
Ch. 156, sec. 205	amended 64	1	263
 LAWS 1919:			
Ch. 4, secs. 1, 2, 3, 7, 13, 16	repealed 52	50	212
Ch. 5, secs. 1, 2, 3, 13	repealed 52	50	211
Ch. 36, secs. 1, 2, 5	repealed 52	50	211
Ch. 130, secs. 2, 3, 22	amended 70	1	272
Ch. 134, sec. 11	amended 60	5	246
Ch. 144, secs. 3, 4, 10, 14, 16	repealed 52	50	212
Ch. 148, sec. 1	amended 22	1	70
Ch. 149, sec. 1	amended 224	6	885
Ch. 160, sec. 3	amended 179	1	688
Ch. 163, sec. 21	amended 195	8	758
Ch. 168, sec. 2	amended 219	1	867
Ch. 202, sec. 1	repealed (<i>vetoed</i>) 297	9	1189
Ch. 205, sec. 2	repealed 52	50	211

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1921:	Ch.	Sec.	Page
Ch. 7, sec. 61.....amended	215	21	854
	284	1	1123
Ch. 182, sec. 9.....amended	70	1	272
Ch. 184, secs. 1, 2.....amended	219	1	867
 LAWS 1923:			
Ch. 75, sec. 1.....amended	52	1	195
Ch. 75, sec. 3.....amended	101	1	402
Ch. 75, sec. 5.....amended	101	2	403
Ch. 75, sec. 7.....	repealed 52	50	211
	amended 101	14	407
Ch. 75, sec. 16.....amended	101	3	404
Ch. 81, sec. 4.....amended	218	2	859
Ch. 130, sec. 2.....amended	7	6	24
Ch. 136, sec. 7.....amended	70	52	296
Ch. 180, secs. 8, 11.....repealed	52	50	212
 LAWS 1925:			
Ch. 18, sec. 1.....amended	127	1	476
 LAWS 1925 EX. SESS.:			
Ch. 37, sec. 1.....repealed	50	1	181
Ch. 37, sec. 2.....repealed	50	1	181
Ch. 148, sec. 6.....amended	219	1	867
Ch. 150, sec. 7.....repealed	10	3	44
Ch. 152, sec. 1.....repealed	41	1	134
Ch. 154, sec. 3.....amended	36	1	101
Ch. 154, sec. 4.....amended	36	2	102
Ch. 154, sec. 5.....amended	36	3	103
Ch. 154, sec. 6.....amended	36	4	103
Ch. 154, sec. 7.....amended	36	5	104
Ch. 154, sec. 9.....amended	36	6	104
Ch. 154, sec. 13.....amended	36	7	104
Ch. 154, sec. 14.....amended	36	8	105
 LAWS 1927:			
Ch. 93, sec. 1.....amended	8	6	31
Ch. 96, sec. 1.....repealed	50	1	181
Ch. 211, sec. 1.....amended	52	1	195
Ch. 211, sec. 6.....repealed	52	50	211
Ch. 153, sec. 1.....repealed	7	10	26
Ch. 153, sec. 2.....repealed	7	10	26
Ch. 165, sec. 33.....amended	22	4	71
Ch. 209, sec. 4.....amended	144	4	518
Ch. 212, sec. 9.....amended	19	2	67
Ch. 266, secs. 2, 3, 4.....repealed	124	2	472
Ch. 280, sec. 1.....amended	127	1	476
Ch. 305, sec. 3.....amended	19	1	67
Ch. 310, sec. 5.....amended	70	1	272
 LAWS 1929:			
Ch. 17, sec. 1.....repealed	7	10	25
Ch. 25, sec. 1.....amended	8	1	29
Ch. 25, sec. 7.....amended	8	2	30
Ch. 60, sec. 3.....amended	7	7	25
Ch. 97, sec. 1.....amended	144	4	518
Ch. 97, sec. 2.....amended	144	13	524
Ch. 125, sec. 5.....amended	13	1	51
Ch. 141, secs. 1, 2, 3, 4.....repealed	86	1	345
Ch. 160, sec. 1.....repealed	246	9	968
Ch. 192, sec. 4.....amended	123	1	470
Ch. 209, sec. 4.....	repealed 52	50	211
	amended 101	14	407

INDEX TO AMENDMENTS, SESSION LAWS

	Ch.	Sec.	Page
LAWS 1931:			
Ch. 2	repealed	58	17
Ch. 26, secs. 1, 2, 3	repealed	58	1161
Ch. 28, sec. 1	repealed	1	345
Ch. 28, sec. 2	repealed	1	534
Ch. 28, sec. 6	repealed	1	534
Ch. 134, sec. 1	repealed	3	1118
LAWS 1933:			
Ch. 1, sec. 6	amended	9	994
Ch. 1, sec. 10	amended	6	993
Ch. 20	repealed	58	17
Ch. 58, sec. 5	amended	58	1161
Ch. 58, sec. 7	amended	1	969
Ch. 58, sec. 11	amended	2	970
Ch. 58, sec. 17	amended	7	974
Ch. 58, sec. 18	amended	8	975
Ch. 74	repealed	2	859
		58	17
Ch. 83, sec. 1	amended	58	1161
Ch. 122, sec. 1	repealed	56	1
Ch. 145, secs. 1, 2	amended	1	222
Ch. 173, sec. 1	amended	135	1
Ch. 173, sec. 15	amended	69	1
Ch. 173, sec. 17	amended	23	271
Ch. 173, sec. 20	amended	23	74
Ch. 173, sec. 21	amended	5	75
Ch. 173, sec. 23	amended	6	76
Ch. 176, sec. 1	amended	23	9
Ch. 176, sec. 2	amended	23	78
Ch. 176, sec. 3	amended	7	77
Ch. 176, sec. 5	amended	23	79
Ch. 176, sec. 1	amended	10	2
Ch. 176, sec. 2	amended	2	879
Ch. 176, sec. 3	amended	1	879
Ch. 176, sec. 5	amended	223	3
Ch. 176, sec. 2	amended	223	880
Ch. 176, sec. 3	amended	223	880
Ch. 176, sec. 5	amended	223	880
LAWS 1933 EX. SESS.:			
Ch. 17, sec. 3	amended	8	1145
Ch. 17, sec. 4	repealed	9	1146
Ch. 54, sec. 2	amended repealed	157	4
		215	24
Ch. 54, sec. 3	amended	215	22
Ch. 54, sec. 4	amended	215	23
Ch. 58, sec. 3	repealed	259	12
Ch. 58, sec. 6	amended	259	1023
Ch. 58, sec. 6	amended	259	1022
LAWS 1935:			
Ch. 20, sec. 6	amended	8	758
Ch. 44, sec. 9	amended	1	753
Ch. 44, sec. 11	amended	1	481
Ch. 109, sec. 2	amended	2	859
Ch. 112, sec. 4	amended	52	26
Ch. 112, secs. 6, 25	amended	52	19
Ch. 112, sec. 9	amended	52	31
Ch. 112, sec. 11	amended	52	203
Ch. 112, sec. 18	amended	52	37
Ch. 180, sec. 115	amended	280	2
Ch. 180, sec. 197	amended	88	1
Ch. 184, sec. 13	repealed	205	9
Ch. 184, sec. 13	repealed	205	788
LAWS 1937:			
Ch. 10	repealed	102	6
Ch. 23, secs. 1, 2, 3	amended	147	1

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1937—CONTINUED:

	Ch.	Sec.	Page
Ch. 24, sec. 2.....	amended	84	2 342
Ch. 24, sec. 3.....	amended	84	3 343
Ch. 27.....	repealed	90	5 376
Ch. 45, sec. 1.....	amended	52	37 206
Ch. 53, sec. 62.....	amended	204	1 779
Ch. 70, sec. 1.....	amended	198	1 768
Ch. 70, sec. 2.....	amended	198	4 770
Ch. 70, sec. 4.....	amended	198	2 769
Ch. 70, sec. 5.....	amended	198	3 769
Ch. 70, sec. 32.....	amended (vetoed)	198	5 771
Ch. 75, sec. 17.....	repealed	22	8 72
Ch. 112, secs. 1-5 incl.....	repealed	86	1 345
Ch. 114, sec. 1.....	amended	63	10 261
Ch. 134, sec. 3.....	amended	157	4 557
	repealed	215	24 855
Ch. 166, sec. 9.....	amended	205	5 784
Ch. 188, sec. 24.....	amended	273	3 1070
Ch. 188, sec. 50.....	amended	294	1 1169
Ch. 188, sec. 66.....	amended	273	6 1073
Ch. 188, sec. 71.....	amended	294	2 1170
Ch. 188, sec. 81.....	amended	104	1 422
Ch. 189, sec. 49.....	amended	273	14 1077
Ch. 189, sec. 78.....	amended	96	1 392
Ch. 189, sec. 104.....	amended	96	2 393
Ch. 189, sec. 121.....	amended	132	1 484
Ch. 189, sec. 129.....	amended	75	1 310
Ch. 190, sec. 1.....	amended	172	2 631
Ch. 194, sec. 3.....	amended	13	5 52
Ch. 194, sec. 4.....	amended	13	11 54
Ch. 197, sec. 3.....	amended	219	1 867
Ch. 207, sec. 12.....	amended	172	22 640
Ch. 211, sec. 2.....	amended	70	1 272
Ch. 212, sec. 1.....	amended	70	1 272
Ch. 215, secs. 3, 5, 17.....	amended	52	2 196
Ch. 219, sec. 2.....	amended	218	2 859
Ch. 229, sec. 3.....	amended	243	1 945
Ch. 229, sec. 6.....	amended	243	2 946

LAWS 1939:

Ch. 15, sec. 1.....	amended	251	1 992
Ch. 31, sec. 1.....	amended	221	1 871
Ch. 34, sec. 22.....	amended	238	1 938
Ch. 41, sec. 2.....	amended	70	1 272
Ch. 94, sec. 1.....	amended	8	6 31
Ch. 113, sec. 1.....	amended	236	1 936
Ch. 125, sec. 1.....	amended	227	2 890
Ch. 177, sec. 5.....	amended	247	6 973
Ch. 181, sec. 4.....	amended	175	11 675
Ch. 181, sec. 5.....	amended	109	1 432
Ch. 183, sec. 2.....	amended	179	1 688
Ch. 199, sec. 39.....	amended	103	1 421
Ch. 202, sec. 5.....	amended	280	2 1117
Ch. 202, sec. 10.....	amended	285	2 1126

LAWS 1941:

Ch. 92, sec. 2.....	amended	52	26 203
Ch. 92, sec. 3.....	amended	52	19 200
Ch. 109, secs. 1-10 incl.....	repealed	246	9 968
Ch. 119, sec. 7.....	amended	285	3 1126
Ch. 119, sec. 9.....	amended	285	4 1126

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1941—CONTINUED:	Ch.	Sec.	Page	
Ch. 136, sec. 1.....amended	172	13	636	
Ch. 169, sec. 1.....amended	70	1	272	
Ch. 173, sec. 1.....amended	3	1	9	
Ch. 209, sec. 2.....amended	70	45	293	
Ch. 209, sec. 3.....amended	70	1	272	
Ch. 245, secs. 1, 3a.....amended	278	1	1105	
Ch. 246, sec. 1.....amended	105	3	424	
Ch. 246, sec. 1.....amended	271	4	1060	
Ch. 252, sec. 18.....amended	52	40	207	
Ch. 252, secs. 21, 22.....amended	52	47	210	
 LAWS 1943:				
Ch. 69, sec. 4.....amended	244	4	951	
Ch. 69, sec. 5.....amended	244	5	952	
Ch. 70.....repealed	253	21	1006	
Ch. 71, sec. 2.....amended	249	1	985	
Ch. 71, sec. 8.....amended	249	2	987	
Ch. 80, sec. 1.....amended	126	1	473	
Ch. 83, sec. 1.....amended	175	10	675	
Ch. 83, sec. 1.....amended	271	3	1060	
Ch. 84, sec. 1.....amended	247	2	970	
Ch. 84, sec. 5.....amended	218	2	859	
Ch. 118, sec. 4.....amended	52	40	207	
Ch. 130, sec. 16.....amended	250	1	988	
Ch. 131, sec. 1.....amended	23	1	74	
Ch. 131, sec. 14.....amended	23	6	76	
Ch. 131, sec. 17.....amended	23	7	77	
Ch. 144, sec. 2.....amended	261	10	1029	
Ch. 144, sec. 6.....amended	269	15	1051	
Ch. 184, sec. 1.....repealed	273	24	1086	
Ch. 239, sec. 7.....amended	172	4	632	
Ch. 239, sec. 9.....amended	172	22	640	
Ch. 240, sec. 1.....amended	52	19	200	
Ch. 260, sec. 1.....amended	219	1	867	
Ch. 269, sec. 1.....amended	126	2	474	
Ch. 275, sec. 1.....amended	165	1	610	
Ch. 275, sec. 4.....amended	165	2	610	
 LAWS 1945:				
Ch. 4, sec. 1.....amended	3	1	9	
Ch. 24, sec. 2.....amended	244	3	951	
Ch. 38, sec. 1.....amended	218	1	859	
Ch. 45, sec. 1.....amended	84	1	341	
Ch. 74, sec. 1.....amended	251	6	993	
Ch. 77, sec. 1.....amended	77	1	314	
Ch. 100.....repealed	253	21	1006	
Ch. 111, sec. 7.....amended	52	40	207	
Ch. 128, secs. 4, 5.....amended	239	4	940	
Ch. 152, sec. 5.....amended	175	12	676	
Ch. 154, sec. 1.....amended	244	1	948	
Ch. 162, sec. 3.....amended	238	1	938	
Ch. 173, sec. 1.....amended	215	21	854	
	284	1	1123	
Ch. 173, sec. 2.....	repealed	215	24	855
	amended	157	4	577
Ch. 173, sec. 3.....	repealed	215	24	855
Ch. 182, sec. 8.....enacted	14	1	56	
Ch. 183, sec. 5.....amended	100	1	400	
Ch. 184, sec. 2.....	repealed	280	3	1118
	amended (vetoed)	285	1	1125
Ch. 190, sec. 1.....amended	144	1	515	

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1945—CONTINUED:

	Ch.	Sec.	Page
Ch. 261, sec. 15.....	amended 159	1	592
Ch. 261, sec. 16.....	amended 159	2	593
Ch. 261, sec. 21.....	amended 159	3	594
Ch. 261, sec. 22.....	amended 159	4	595
Ch. 261, sec. 23.....	amended 159	5	595
Ch. 261, sec. 24.....	amended 159	6	595

LAWS 1947:

Ch. 6, sec. 13.....	amended 39	1	131
Ch. 51, sec. 1.....	amended 175	2	672
Ch. 51, sec. 2.....	amended 175	1	671
Ch. 56, secs. 1(a-1).....	amended 70	1	273
Ch. 68, sec. 1.....	amended 251	9	994
Ch. 71, sec. 10.....	amended 158	1	580
Ch. 71, sec. 12.....	amended 158	2	583
Ch. 71, sec. 13.....	amended 158	3	586
Ch. 71, sec. 15.....	amended 158	4	588
Ch. 71, sec. 17.....	amended 158	5	590
Ch. 71, sec. 21.....	amended 158	6	591
Ch. 77, sec. 33.....	amended 195	1	754
Ch. 79, sec. .05.04.....	amended 193	1	726
Ch. 79, sec. .05.12.....	amended 193	3	727
Ch. 79, sec. .07.05.....	amended 193	21	752
Ch. 79, sec. .09.02.....	repealed 193	22	752
Ch. 79, sec. .09.03.....	repealed 193	22	752
Ch. 79, sec. .09.04.....	repealed 193	22	752
Ch. 79, sec. .09.05.....	repealed 193	22	752
Ch. 79, sec. .09.06.....	repealed 193	22	752
Ch. 79, sec. .09.07.....	repealed 193	22	752
Ch. 79, sec. .09.08.....	repealed 193	22	752
Ch. 79, sec. .09.09.....	amended 193	5	729
Ch. 79, sec. .11.11.....	amended 193	6	729
Ch. 79, sec. .12.15.....	amended 193	7	730
Ch. 79, sec. .17.50.....	amended 193	9	736
Ch. 79, sec. .18.12.....	amended 193	10	738
Ch. 79, sec. .18.14.....	amended 193	11	739
Ch. 79, sec. .18.48.....	amended 193	12	740
Ch. 79, sec. .19.05.....	amended 193	13	740
Ch. 79, sec. .19.28.....	amended 193	14	741
Ch. 79, sec. .23.35.....	amended 193	15	743
Ch. 79, sec. .29.03.....	amended 193	16	750
Ch. 79, sec. .29.04.....	amended 193	17	750
Ch. 79, sec. .30.15.....	amended 193	18	750
Ch. 91, sec. 8.....	amended 82	1	330
Ch. 97, sec. 1.....	amended 107	1	426
Ch. 97, sec. 4.....	amended 107	2	427
Ch. 97, sec. 6.....	amended 107	3	427
Ch. 116, secs. 2, 7.....	amended 182	1	693
Ch. 116, sec. 4.....	amended 182	4	695
Ch. 116, sec. 8.....	amended 182	6	697
Ch. 135, sec. 1.....	amended 247	4	971
Ch. 155, sec. 1.....	amended 144	13	524
Ch. 157.....	repealed 102	26	421
Ch. 168, sec. 1.....	amended 60	1	244
Ch. 202, sec. 2.....	amended 235	1	927
Ch. 202, sec. 8.....	amended 235	4	929
Ch. 203, sec. 4.....	amended 52	40	207
Ch. 203, sec. 6.....	amended 52	47	210
Ch. 213, sec. 2.....	amended 23	9	78
Ch. 214, sec. 1.....	amended 209	1	796
	288	1	1142

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1947—CONTINUED:

	Ch.	Sec.	Page
Ch. 215, sec. 3.....	amended 264	1	1035
Ch. 218, sec. 3.....	amended 79	2	317
Ch. 218, sec. 4.....	amended 79	3	318
Ch. 233, sec. 1.....	amended 196	1	764
Ch. 243, sec. 2.....	amended 254	6	1010
Ch. 247, sec. 1.....	amended 70	{ 1	273
		46	294
		52	296
Ch. 250, sec. 3.....	amended 162	1	599
Ch. 250, sec. 11.....	amended 162	2	601
Ch. 250, sec. 14.....	amended 162	3	602
Ch. 250, sec. 15.....	amended 162	4	603
Ch. 262, sec. 6.....	amended 273	21	1083
Ch. 264, sec. 4.....	amended 205	6	785
Ch. 266, sec. 4.....	amended (<i>vetoed</i>) 296	2	1184
Ch. 266, sec. 10.....	amended 67	1	266
Ch. 266, sec. 19.....	amended 129	1	478
Ch. 277, sec. 1.....	amended 201	3	775

LAWS 1949:

Ch. 5, sec. 2.....	reenacted 263	1	1033
Ch. 5, sec. 4.....	repealed 263	4	1034
Ch. 6, sec. 3.....	amended 63	1	254
Ch. 6, sec. 5.....	amended 63	2	258
Ch. 14, sec. 1.....	amended 156	4	575
Ch. 28, sec. 1.....	amended 144	4	518
Ch. 51, sec. 3.....	amended 101	2	403
Ch. 54, sec. 1.....	amended 155	1	573
Ch. 59, sec. 1.....	amended 227	2	890
Ch. 60, sec. 1.....	amended 175	2	672
Ch. 76, sec. 1.....	amended 227	1	889
Ch. 77, sec. 1.....	amended 227	2	890
Ch. 89, sec. 1.....	amended 163	2	604
Ch. 90, sec. 1.....	amended 261	9	1028
Ch. 103, sec. 2.....	amended 68	1	269
Ch. 105, sec. 6.....	amended 103	1	421
Ch. 122, sec. 1.....	amended 59	1	241
Ch. 122, sec. 2.....	amended 59	2	241
Ch. 122, sec. 3.....	amended 59	6	243
Ch. 122, sec. 4.....	amended 59	5	242
Ch. 122, sec. 5.....	repealed 59	11	244
Ch. 122, sec. 6.....	repealed 59	11	244
Ch. 122, sec. 7.....	amended 59	7	243
Ch. 133, sec. 1.....	amended 205	4	783
Ch. 143, sec. 1.....	amended 175	11	675
Ch. 148, sec. 5.....	amended 271	7	1061
Ch. 160, sec. 1.....	amended 47	1	173
Ch. 160, sec. 2.....	amended 47	2	173
Ch. 160, sec. 3.....	amended 47	3	174
Ch. 183, sec. 1.....	amended 37	1	107
Ch. 183, sec. 2.....	amended 37	3	108
Ch. 183, sec. 3.....	amended 37	4	109
Ch. 183, sec. 7.....	amended 37	8	112
Ch. 183, sec. 9.....	amended 37	20	120
Ch. 183, sec. 10.....	amended 37	26	122
Ch. 183, sec. 12.....	amended 37	2	108
Ch. 187, sec. 1.....	amended 175	5	674
Ch. 193, sec. 1.....	amended 163	7	606
Ch. 198, sec. 20.....	amended 225	1	887
Ch. 198, secs. 21, 22, 23, 24.....	repealed 136	21	495
Ch. 200, sec. 1.....	amended 219	1	867

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1949—CONTINUED:	Ch.	Sec.	Page
Ch. 216, sec. 1.....amended	36	9	105
Ch. 219, sec. 1.....amended	70	1	273
Ch. 220, sec. 13.....amended	247	8	975
Ch. 227, sec. 1.....amended	278	1	1105
 LAWS 1950 EX. SESS.:			
Ch. 14, sec. 1.....amended	169	1	620
 LAWS 1951:			
Ch. 1, sec. 9.....amended	63	5	260
Ch. 16, sec. 2.....amended	101	1	402
Ch. 31, sec. 10.....amended	22	1	70
Ch. 34, sec. 1.....amended	126	2	474
Ch. 35, sec. 1.....amended	126	1	473
Ch. 57, sec. 1.....amended	215	21	854
	284	1	1123
Ch. 58, sec. 1.....amended (<i>vetoed</i>)	111	1	440
Ch. 79, sec. 1.....amended	243	1	945
Ch. 79, sec. 2.....amended	243	2	946
Ch. 82, sec. 2.....amended	271	7	1061
Ch. 91, sec. 1.....amended	167	1	617
Ch. 96, sec. 1.....amended	175	1	671
Ch. 96, sec. 2.....amended	175	3	672
Ch. 96, sec. 3.....amended	175	4	674
Ch. 103, sec. 4.....amended	159	5	595
Ch. 107, sec. 1.....amended	13	1	51
Ch. 115, sec. 5.....amended	70	1	273
Ch. 117, sec. 20.....repealed	253	21	1006
Ch. 130, sec. 1.....amended	52	19	200
Ch. 130, sec. 2.....amended	52	26	203
Ch. 139, sec. 17.....amended	28	1	87
Ch. 139, sec. 28.....amended	49	1	178
Ch. 139, sec. 48.....amended	54	1	220
Ch. 139, sec. 51.....amended	24	1	82
Ch. 140, sec. 3.....amended	162	2	601
Ch. 140, sec. 4.....amended	162	3	602
Ch. 145, secs. 1-6 incl.....repealed	246	9	968
Ch. 150, sec. 13.....amended	273	20	1083
Ch. 152, sec. 1.....repealed	21	2	70
Ch. 156, sec. 2.....amended	203	2	778
Ch. 167, sec. 5.....amended	235	1	928
Ch. 173, sec. 9.....amended	65	1	264
Ch. 173, sec. 10.....repealed	73	1	308
Ch. 176, sec. 7.....amended	63	7	261
Ch. 180, secs. 2, 3, 4, 9.....amended	52	2	196
Ch. 200, sec. 1.....amended	165	3	611
Ch. 200, sec. 3.....amended	165	4	615
Ch. 210, sec. 2.....amended	244	3	951
Ch. 211, sec. 1.....amended	121	1	467
Ch. 213, sec. 1.....amended	13	5	52
Ch. 221.....repealed	5	58	17
	289	58	1161
Ch. 222, sec. 19.....amended	52	40	207
Ch. 223, sec. 2.....amended	184	1	707
Ch. 223, sec. 23.....amended	35	1	99
Ch. 223, sec. 27.....amended	26	1	84
Ch. 225, secs. 5-9 incl., 11, 14, 15, 17, 19.....amended	70	52	296
Ch. 234, sec. 4.....amended	272	7	1065
Ch. 236, secs. 1, 7.....amended	70	1	272
Ch. 236, sec. 2.....amended	70	52	296

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1951—CONTINUED:

	Ch.	Sec.	Page
Ch. 236, sec. 4.....	amended 70	46	294
Ch. 247, sec. 12.....	amended 172	31	649
Ch. 248, sec. 1.....	amended 119	1	461
Ch. 248, sec. 5.....	amended 175	13	677
Ch. 252, sec. 1.....	amended { 209	1	796
	288	1	1142
Ch. 263, sec. 1.....	amended 218	2	860
Ch. 267, sec. 1.....	amended 247	6	973
Ch. 269, sec. 22.....	amended 273	14	1077
Ch. 269, sec. 24.....	amended 273	15	1077
Ch. 269, sec. 41.....	amended 273	19	1082
Ch. 273, sec. 10.....	amended 172	22	640
Ch. 274, sec. 1.....	repealed 63	11	262
Ch. 274, sec. 2.....	repealed 63	11	262
Ch. 275, sec. 8.....	amended 158	2	583
Ch. 275, sec. 9.....	amended 158	3	586

LAWS 2ND EX. SESS. 1951:

Ch. 18, sec. 1.....	amended 111	5	443
Ch. 22, sec. 8.....	amended 161	1	597

LAWS 1953:

Ch. 17, sec. 8.....	amended 22	4	71
Ch. 24, sec. 1.....	amended 111	4	442
Ch. 24, sec. 6.....	amended 111	8	447
Ch. 26, secs. 1, 2.....	amended 144	4	518
Ch. 30, sec. 1.....	amended 235	1	927
Ch. 41, sec. 1.....	amended 99	1	399
Ch. 44, sec. 1.....	amended 79	1	316
Ch. 48, sec. 4.....	amended 23	5	75
Ch. 48, sec. 6.....	amended 23	10	79
Ch. 48, sec. 7.....	amended 23	10	79
Ch. 48, sec. 8.....	amended 23	10	79
Ch. 85, sec. 2.....	amended 151	1	545
Ch. 88, sec. 4.....	amended 161	1	597
Ch. 89, sec. 2.....	amended 13	11	54
Ch. 93, sec. 1.....	amended 52	19	200
Ch. 93, sec. 3.....	amended 52	22	203
Ch. 93, secs. 4, 5.....	amended 52	26	203
Ch. 93, sec. 6.....	amended 52	31	205
Ch. 93, sec. 7.....	amended 52	37	206
Ch. 95, sec. 9.....	amended 205	2	782
Ch. 95, sec. 22.....	amended 205	8	788
Ch. 135, sec. 1.....	amended (<i>vetoed</i>) 297	1	1185
Ch. 140, sec. 11.....	amended 182	5	695
Ch. 140, sec. 12.....	amended 182	7	698
Ch. 144, sec. 1.....	amended 260	1	1024
Ch. 144, sec. 2.....	amended 260	2	1024
Ch. 150, sec. 1.....	amended 247	8	975
Ch. 155, sec. 1.....	amended 107	1	426
Ch. 157, sec. 1.....	amended 218	1	858
Ch. 174, sec. 1.....	amended 215	19	853
Ch. 174, sec. 2.....	amended 215	20	853
Ch. 174, sec. 17.....	amended 63	1	254
Ch. 174, sec. 18.....	amended 63	2	258
Ch. 174, sec. 24.....	amended 63	10	261
Ch. 174, sec. 34.....	repealed 63	11	262
Ch. 174, sec. 35.....	amended 63	3	259
Ch. 174, sec. 36.....	repealed 63	11	262
Ch. 175, sec. 1.....	amended 262	1	1032
Ch. 177, sec. 1.....	amended 144	4	518

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1953—CONTINUED:

	Ch.	Sec.	Page
Ch. 178, sec. 1.....	reenacted 14	1	56
Ch. 192, secs. 1, 3.....	repealed 266	7	1040
Ch. 195, sec. 1.....	repealed 279	6	1116
Ch. 197, sec. 7.....	amended 193	9	736
Ch. 200, sec. 18.....	repealed 231	3	903
Ch. 219, secs. 1, 2, 3, 4, 5.....	amended 173	1	662
Ch. 221, sec. 1.....	amended 294	1	1169
Ch. 226, sec. 1.....	amended 281	1	1118
Ch. 228, sec. 3.....	amended 158	1	580
Ch. 228, sec. 6.....	amended 158	4	588
Ch. 228, sec. 7.....	amended 158	5	590
Ch. 232, sec. 1.....	amended 29	1	88
Ch. 232, sec. 2.....	amended 29	2	88
Ch. 232, sec. 3.....	amended 29	3	90
Ch. 232, sec. 4.....	amended 29	4	90
Ch. 235, sec. 13.....	amended 52	40	207
Ch. 235, sec. 16.....	amended 52	47	210
Ch. 249, sec. 1.....	amended 31	1	94
Ch. 253, sec. 1.....	amended 159	1	592
Ch. 253, sec. 2.....	amended 159	2	593
Ch. 253, sec. 7.....	amended 159	4	595
Ch. 254, sec. 9.....	amended 172	37	652
Ch. 254, sec. 14.....	amended 273	19	1082
Ch. 256, sec. 1.....	amended 138	1	499
Ch. 264, sec. 1.....	amended 219	1	867
Ch. 265, sec. 1.....	amended 244	2	950
Ch. 280, sec. 1.....	amended 172	9	633
Ch. 280, sec. 6.....	amended 172	4	632
Ch. 280, sec. 11.....	amended 172	22	640
Ch. 281, sec. 2.....	repealed 295	9	1180
Ch. 281, sec. 3.....	repealed 295	9	1180
Ch. 281, sec. 6.....	repealed 295	9	1181
Ch. 281, sec. 7.....	repealed 295	9	1181
Ch. 281, sec. 8.....	repealed 295	9	1181
Ch. 281, sec. 12.....	amended 295	1	1171
Ch. 281, sec. 13.....	amended 295	2	1175
Ch. 281, sec. 15.....	repealed 295	9	1181
Ch. 281, sec. 18.....	repealed 295	9	1181
Ch. 285, sec. 2.....	amended 172	22	640

LAWS 1ST EX. SESS. 1953:

Ch. 2, sec. 2.....	amended 3	1	9
--------------------	-----------	---	---

LAWS 1955:

Ch. 11, sec. 12.....	amended 203	1	778
Ch. 12, sec. 75.28.380.....	amended 171	5	629
Ch. 13, sec. 32.08.060.....	amended 80	1	319
Ch. 13, sec. 32.08.140.....	amended 80	2	320
Ch. 13, sec. 32.08.150.....	amended 80	3	322
Ch. 13, sec. 32.12.010.....	amended 80	4	323
Ch. 13, sec. 32.12.090.....	amended 80	5	323
Ch. 13, sec. 32.16.050.....	amended 80	6	325
Ch. 17, sec. 1.....	amended 152	1	547
Ch. 17, sec. 2.....	amended 152	2	548
Ch. 17, sec. 3.....	amended 152	3	548
Ch. 21, sec. 1.....	amended 230	1	895
Ch. 27, sec. 1.....	amended 182	2	694
Ch. 31, sec. 1.....	amended 193	3	727
Ch. 33, sec. 30.08.020.....	amended 248	1	980
Ch. 33, sec. 30.08.050.....	amended 248	2	981
Ch. 33, sec. 30.08.140.....	amended 248	3	981

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1955—CONTINUED:	Ch.	Sec.	Page
Ch. 33, sec. 30.12.010.....	amended	190	1 721
Ch. 36, sec. 77.12.280.....	amended	177	1 685
Ch. 36, sec. 77.12.290.....	amended	177	2 687
Ch. 36, sec. 77.12.300.....	amended	177	3 687
Ch. 36, sec. 77.16.155.....	repealed	241	1 944
Ch. 36, sec. 77.32.020.....	amended	176	1 679
Ch. 36, sec. 77.32.060.....	amended	176	2 681
Ch. 36, sec. 77.32.100.....	amended	176	3 681
Ch. 36, sec. 77.32.103.....	amended	176	4 681
Ch. 36, sec. 77.32.105.....	amended	176	5 682
Ch. 36, sec. 77.32.110.....	amended	176	6 682
Ch. 36, sec. 77.32.113.....	amended	176	7 682
Ch. 36, sec. 77.32.130.....	amended	176	8 682
Ch. 36, sec. 77.32.140.....	repealed	176	12 683
Ch. 36, sec. 77.32.150.....	amended	176	9 683
Ch. 36, sec. 77.32.160.....	amended	176	10 683
Ch. 36, sec. 77.32.190.....	amended	176	11 683
Ch. 38, sec. 8.....	repealed	259	12 1023
Ch. 38, sec. 11.....	amended	259	10 1022
Ch. 51, sec. 1.....	amended	106	1 425
Ch. 55, sec. 11.....	amended	67	1 266
Ch. 69, sec. 3.....	amended	84	1 341
Ch. 69, sec. 5.....	amended	84	2 342
Ch. 69, sec. 6.....	amended	84	3 343
Ch. 74, sec. 8.....	amended	70	1 272
Ch. 79, sec. 8.....	amended	205	7 786
Ch. 82, sec. 1.....	amended	11	1 47
Ch. 89, sec. 1.....	amended	261	8 1028
Ch. 89, sec. 2.....	amended (vetoed)	261	7 1027
	amended	273	5 1073
Ch. 90, sec. 1.....	amended	218	2 860
Ch. 93, sec. 1.....	amended	32	1 95
	amended	58	15 231
Ch. 94, sec. 4.....	repealed	21	2 70
Ch. 108, sec. 3.....	amended	182	3 694
Ch. 108, sec. 7.....	amended	182	8 698
Ch. 109, secs. 2, 3.....	amended	175	5 674
Ch. 123, sec. 1.....	amended	256	1 1015
Ch. 124, sec. 5.....	amended	140	2 504
Ch. 124, sec. 7.....	amended	140	1 503
Ch. 125, sec. 4.....	amended	185	1 708
Ch. 139, sec. 1.....	amended	269	1 1044
Ch. 139, sec. 2.....	amended	269	2 1044
Ch. 139, sec. 3.....	amended	269	3 1045
Ch. 139, sec. 7.....	amended	269	4 1045
Ch. 139, sec. 8.....	repealed	269	19 1053
Ch. 139, sec. 9.....	amended	269	11 1049
Ch. 139, sec. 10.....	repealed	269	19 1053
Ch. 139, sec. 11.....	amended	269	6 1046
Ch. 139, sec. 13.....	amended	269	7 1047
Ch. 139, sec. 15.....	repealed	269	19 1053
Ch. 139, sec. 16.....	amended (vetoed)	269	9 1048
Ch. 139, sec. 17.....	amended (vetoed)	269	10 1048
Ch. 139, sec. 18.....	amended	269	8 1048
Ch. 139, sec. 22.....	amended	269	17 1052
Ch. 139, sec. 25.....	amended (vetoed)	261	11 1030
Ch. 139, sec. 25.....	amended	269	15 1051
Ch. 142, sec. 5.....	amended	111	6 444
Ch. 142, sec. 8.....	amended	154	1 570
Ch. 142, sec. 10.....	amended	111	7 444
Ch. 179, secs. 2, 3.....	amended	83	1 336

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1955—CONTINUED:	Ch.	Sec.	Page
Ch. 185, sec. 1.....	amended 273	18	1079
Ch. 187, sec. 4.....	amended 297	7	1188
Ch. 191, sec. 14.....	amended 133	1	485
Ch. 195, sec. 1.....	amended 272	1	1063
Ch. 205, sec. 15.....	amended 64	1	263
Ch. 207, sec. 1.....	amended 247	1	969
Ch. 207, sec. 3.....	amended 247	3	971
Ch. 207, sec. 4.....	amended 247	5	972
Ch. 223, sec. 1.....	amended 116	1	454
Ch. 241, sec. 3.....	amended 112	1	448
Ch. 241, sec. 5.....	amended (<i>vetoed</i>) 112	2	448
Ch. 243, sec. 1.....	amended 109	1	432
Ch. 244, sec. 2.....	amended 162	4	603
Ch. 254, sec. 10.....	amended 125	1	472
Ch. 258, sec. 2.....	repealed 295	9	1181
Ch. 258, sec. 3.....	amended 295	1	1171
Ch. 258, sec. 4.....	repealed 295	9	1181
Ch. 258, sec. 6.....	repealed 295	9	1181
Ch. 258, sec. 7.....	repealed 295	9	1181
Ch. 258, sec. 8.....	repealed 295	9	1181
Ch. 258, sec. 9.....	repealed 295	9	1181
Ch. 258, sec. 10.....	amended 295	7	1180
Ch. 258, sec. 11.....	repealed 295	9	1181
Ch. 258, sec. 12.....	repealed 295	9	1181
Ch. 258, sec. 13.....	repealed 295	9	1181
Ch. 258, sec. 14.....	repealed 295	9	1181
Ch. 258, sec. 15.....	repealed 295	9	1181
Ch. 258, sec. 16.....	repealed 295	9	1181
Ch. 259, sec. 4.....	amended 105	2	423
Ch. 259, sec. 5.....	amended 294	2	1170
Ch. 259, sec. 6.....	amended 128	1	477
Ch. 264, sec. 1.....	amended 269	18	1053
Ch. 268, secs. 1-28 incl.....	repealed 211	1	801
Ch. 269, sec. 19.....	amended 66	1	265
Ch. 270, sec. 2.....	amended 37	5	111
Ch. 270, sec. 6.....	amended 37	6	112
Ch. 270, sec. 8.....	amended 37	7	112
Ch. 270, sec. 15.....	amended 37	16	116
Ch. 270, sec. 16.....	amended 37	17	117
Ch. 270, sec. 17.....	amended 37	18	118
Ch. 274, sec. 25.....	amended 183	3	705
Ch. 277, sec. 1.....	amended 231	1	897
Ch. 277, sec. 2.....	amended 231	2	901
Ch. 279, sec. 1.....	amended 62	1	249
Ch. 279, sec. 2.....	amended 62	2	249
Ch. 279, sec. 3.....	amended 62	3	250
Ch. 279, sec. 5.....	amended 62	4	250
Ch. 279, sec. 7.....	amended 62	5	251
Ch. 279, sec. 8.....	amended 62	6	252
Ch. 285, sec. 2.....	amended 215	19	853
Ch. 285, sec. 3.....	amended 215	20	853
Ch. 285, sec. 12.....	amended 187	1	711
Ch. 297, sec. 1.....	amended 124	1	471
Ch. 307, sec. 2.....	amended 15	1	61
Ch. 307, sec. 3.....	amended 15	2	61
Ch. 323, sec. 5.....	amended 195	1	754
Ch. 337, sec. 34.....	amended 44	1	167
Ch. 337, sec. 35.....	amended 44	2	168
Ch. 339, sec. 1.....	amended 77	1	314
Ch. 348, sec. 4.....	amended 72	1	306
Ch. 349, sec. 2.....	amended 55	1	221

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1955—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Ch. 349, sec. 3.....	amended	55	2 221
Ch. 354, sec. 1.....	amended	113	1 449
Ch. 363, sec. 2.....	amended	273	1 1068
Ch. 363, sec. 3.....	amended	273	2 1069
Ch. 363, sec. 5.....	amended	269	17 1052
Ch. 363, sec. 6.....	amended	273	13 1075
Ch. 370, sec. 1.....	amended	115	6 452
Ch. 371, sec. 1.....	amended	223	5 880
Ch. 381, sec. 2.....	amended	273	22 1083
Ch. 381, sec. 5.....	amended	273	23 1085
Ch. 383, sec. 4.....	amended	172	11 635
Ch. 383, sec. 5.....	amended	172	10 634
Ch. 383, sec. 7.....	amended	172	14 636
Ch. 383, sec. 9.....	amended	172	15 637
Ch. 383, sec. 12.....	amended	172	3 631
Ch. 383, sec. 17.....	amended	172	16 638
Ch. 383, sec. 20.....	amended	172	18 638
Ch. 383, sec. 21.....	amended	172	19 639
Ch. 383, sec. 24.....	amended	172	20 639
Ch. 383, sec. 33.....	amended	172	21 640
Ch. 383, sec. 38.....	amended	172	12 635
Ch. 384, sec. 3.....	amended	273	16 1078
Ch. 384, sec. 4.....	amended	273	17 1078
Ch. 384, sec. 11.....	amended	105	1 423
Ch. 384, sec. 11.....	amended (vetoed)	261	6 1026
Ch. 384, sec. 15.....	repealed	107	4 427
Ch. 384, sec. 17.....	amended	273	3 1070
Ch. 384, sec. 26.....	amended	172	37 652
Ch. 389, sec. 6.....	amended	279	1 1112
Ch. 389, sec. 20.....	amended	279	2 1114
Ch. 389, sec. 29.....	amended	279	3 1115
Ch. 395, sec. 4.....	amended	129	1 478
Ch. 395, sec. 5.....	amended	296	1 1182
Ch. 396, sec. 1.....	amended	279	4 1115

LAWS EX. SESS. 1955:

Ch. 4, sec. 3.....	amended	170	1 621
Ch. 5, sec. 1.....	repealed	277	4 1104
Ch. 6.....	provisionally repealed	90	5 376
Ch. 10, sec. 1.....	amended	279	5 1116

LAWS 1957:

Ch. 5, sec. 1.....	reenacted	289	1 1147
Ch. 5, sec. 2.....	reenacted	289	2 1147
Ch. 5, sec. 3.....	reenacted	289	3 1148
Ch. 5, sec. 4.....	amended	289	4 1148
Ch. 5, sec. 5.....	amended	289	5 1148
Ch. 5, sec. 6.....	amended	289	6 1148
Ch. 5, sec. 7.....	amended	289	7 1149
Ch. 5, sec. 8.....	amended	289	8 1149
Ch. 5, sec. 9.....	amended	289	9 1149
Ch. 5, sec. 10.....	amended	289	10 1150
Ch. 5, sec. 11.....	amended	289	11 1150
Ch. 5, sec. 12.....	amended	289	12 1150
Ch. 5, sec. 13.....	amended	289	13 1150
Ch. 5, sec. 14.....	reenacted	289	14 1150
Ch. 5, sec. 15.....	amended	289	15 1150
Ch. 5, sec. 16.....	amended	289	16 1150
Ch. 5, sec. 17.....	amended	289	17 1151
Ch. 5, sec. 18.....	amended	289	18 1151
Ch. 5, sec. 19.....	amended	289	19 1151

INDEX TO AMENDMENTS, SESSION LAWS

LAWS 1957—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Ch. 5, sec. 20.....reenacted	289	20	1151
Ch. 5, sec. 21.....amended	289	21	1151
Ch. 5, sec. 22.....reenacted	289	22	1152
Ch. 5, sec. 23.....amended	289	23	1152
Ch. 5, sec. 24.....reenacted	289	24	1152
Ch. 5, sec. 25.....amended	289	25	1152
Ch. 5, sec. 26.....amended	289	26	1152
Ch. 5, sec. 27.....amended	289	27	1152
Ch. 5, sec. 28.....amended	289	28	1153
Ch. 5, sec. 29.....amended	289	29	1153
Ch. 5, sec. 30.....amended	289	30	1153
Ch. 5, sec. 31.....amended	289	31	1154
Ch. 5, sec. 32.....amended	289	32	1154
Ch. 5, sec. 33.....amended	289	33	1155
Ch. 5, sec. 34.....amended	289	34	1155
Ch. 5, sec. 35.....amended	289	35	1156
Ch. 5, sec. 36.....amended	289	36	1156
Ch. 5, sec. 37.....amended	289	37	1156
Ch. 5, sec. 38.....amended	289	38	1156
Ch. 5, sec. 39.....amended	289	39	1156
Ch. 5, sec. 40.....amended	289	40	1156
Ch. 5, sec. 41.....amended	289	41	1157
Ch. 5, sec. 42.....amended	289	42	1157
Ch. 5, sec. 43.....amended	289	43	1157
Ch. 5, sec. 44.....amended	289	44	1157
Ch. 5, sec. 45.....amended	289	45	1157
Ch. 5, sec. 46.....amended	289	46	1158
Ch. 5, sec. 47.....amended	289	47	1158
Ch. 5, sec. 48.....amended	289	48	1158
Ch. 5, sec. 49.....amended	289	49	1158
Ch. 5, sec. 50.....amended	289	50	1159
Ch. 5, sec. 51.....amended	289	51	1159
Ch. 5, sec. 52.....reenacted	289	52	1160
Ch. 5, sec. 53.....amended	289	53	1160
Ch. 5, sec. 54.....reenacted	289	54	1160
Ch. 5, sec. 55.....reenacted	289	55	1161
Ch. 5, sec. 56.....repealed	289	56	1161
Ch. 5, sec. 57.....amended	289	57	1161
Ch. 5, sec. 58.....reenacted	289	58	1161
Ch. 52, sec. 20.....amended	98	1	398

TOPICAL INDEX

GENERAL INDEX—REGULAR SESSION, 1957

A

	Ch.	Sec.	Page
ABSENTEE VOTERS:			
Absentee service voters, definitions.....	169	1	620
ADJUTANT GENERAL:			
Appropriations (see APPROPRIATIONS)			
Chief of staff of militia, bond required, removal.....	250	1	988
Powers and duties.....	250	2	988
ADMINISTRATOR FOR THE COURTS (see COURTS)			
ADMISSION TAXES (see TAXATION)			
ADVERTISING:			
Commercial drivers' training schools, advertising operator's license guaranteed, prohibited.....	87	10	351
Common carrier or contract carrier, advertising transportation of property for compensation without permit, penalty	205	8	788
Discrimination, prohibited practices in employment, advertising concerning	37	9	113
Highway signs, restrictions	204	1	779
Nursery stock, deceptive advertising prohibited.....	122	1	469
Unfair cigarette sales act, advertising restrictions.....	286	4, 6	1132
ADVISORY COUNCIL, TAXATION (see TAX ADVISORY COUNCIL)			
AERONAUTICS:			
Commission, appropriations	301	2	1238
Posting notice of law prohibiting disposal of lighted materials in forest and grain areas required, receptacles required, penalty	111	8	447
Powers of municipalities concerning airports, RCW corrections	14	1	56
Revenue bonds, issuance, funding and refunding of, purposes, procedure	53	1-3	215
AGED, BOARDING HOME LICENSES (see BOARDING HOMES)			
AGENTS, INSURANCE:			
Expiration and renewal of licenses.....	193	9	736
AGRICULTURE:			
Agricultural commodities marketing enabling act, levy of assessments, marketing orders, refunds, etc.....	133	1	485
Animals, RCW corrections	22	1-8	70
Bovine animals, diseased, condemned slaughtering authorized, indemnity payments, appropriation.....	160	1-3	596
Department of agriculture, appropriations (see APPROPRIATIONS, subtitle Agriculture, department of)			
director of agriculture, horticulture inspectors, duties concerning.....	163	1-14	604
peaches, inspection fees fixed by, duties.....	192	1-5	724
weed extermination areas, duties, RCW corrections..	13	7-10, 12	53
Eggs, trading stamp coupons, use of as to marketing of.....	221	3	871
Employment security, agricultural employment exempted...	264	1	1035
Fairs, lease of county property for agricultural fairs authorized	134	1	488
Farm trucks, special rates for licensing of.....	273	13	1075
Fertilizers, agricultural minerals and limes, definitions.....	151	1	545
Honey, grade, quality and state seal required on containers..	103	1	421

AGRICULTURE.

AGRICULTURE—CONTINUED:

	Ch.	Sec.	Page
Horticultural inspection, districts	163	13	608
inspectors, examinations, salaries and expenses, duties, assignments	163	3, 5, 6, 9	605
trust fund established, payments into.....	163	1	604
Marketing enabling act, rate of assessments, marketing orders, refunds, etc.	133	1	485
Milk, trading stamp coupons, use of concerning marketing of milk	221	3	871
Nursery stock, false representations concerning prohibited...	122	1	469
Peaches, inspection required, fee, standards of grades and packs, penalty	192	1-5	724
Poultry, disease diagnostic laboratories, appropriation, allocations, payments	55	1, 2	221
trading stamp coupons, use of in marketing poultry.....	221	3	871
Transportation of products by motor vehicles, study of monthly licensing by joint fact-finding committee on highways, streets and bridges.....	172	33	649
Trucks, special rate for licensing farm trucks.....	273	13	1075
Wheat, commodity assessment	133	1	485

AIR FORCE:

Public employee members of, military leave for.....	236	1	936
---	-----	---	-----

AIR POLLUTION CONTROL DISTRICTS:

Advisory council, membership, expenses.....	232	24	915
Board of directors, powers, officers, expenses, membership...	232	10	909
City selection committee, meetings, notice	232	12	910
membership	232	11	910
Control officers	232	17	912
hearings	232	22	914
investigations	232	20	914
notice of violations, orders	232	21	914
Definitions	232	3	906
Dissolution of districts.....	232	26	916
Elections, tax levies	232	8, 9	908
Formation by cities, towns, counties, authorized	232	6	907
ordinances and resolutions.....	232	7	908
General powers to prevent pollution.....	232	14	911
Policy	232	1	905
Purpose	232	2	906
Rules and regulations.....	232	15	911
enforcement	232	16	912
supersession of existing rules and regulations, extent.....	232	23	915
variances, hearing required.....	232	18, 19	913
Tax levies for.....	232	8, 9	908
Unlawful to permit air pollution.....	232	4	906
Violations, hearings	232	22	914
notice of, orders.....	232	21	914

AIRCRAFT (see AERONAUTICS)

ALCOHOLISM:

Aiding or abetting escape of alcoholic from mental institu- tion, penalty	225	1	887
Alcoholism, division of, created, powers and duties, personnel, facilities, rules and regulations, voluntary admittance, etc.	136	1-19	490

APPROPRIATIONS.

ALLEYS:	Ch.	Sec.	Page
Vacation of, procedure.....	156	1-4	574
AMATEUR RADIO OPERATORS:			
Special motor vehicle license plates.....	145	1-6	529
AMUSEMENT PLACES:			
Discrimination, unfair practices, civil rights act.....	37	1-26	107
ANIMALS: (see also AGRICULTURE)			
Diseased bovine animals, indemnity payments for condemned slaughtering, appropriation.....	160	1-3	596
RCW corrections	22	1-8	70
APPEALS (see COURTS)			
APPORTIONMENT:			
Legislative districts	5	1-58	11
	289	1-58	1147
APPROPRIATIONS:			
Aberdeen Post Number Five, American Legion, relief.....	300	2	1225
Accident fund, from, to the general fund for expenditures for belated claims... ..	300	2	1222
Accounting system for state agencies.....	300	2	1228
Adams county, local improvement assessments.....	300	2	1210
Adjutant general—Military department, capital outlays, armories, to carry out chapter 181, Laws of 1953	300	2	1203
medical aid and compensation.....	301	2	1243
retirement contributions for federally paid civilian em- ployees	301	2	1243
salaries, wages and operations.....	301	2	1242
uniform allowance	301	2	1243
Agriculture, department of, agricultural marketing act.....	301	2	1243
bang's disease and tuberculosis indemnities.....	301	2	1243
condemnation and slaughter of infected bovine animals..	301	2	1243
diseased animal indemnities.....	301	2	1243
grain and terminal warehouse commodity inspection, for.	74	1	309
Irish potatoes, research of.....	301	2	1243
revise and recodify laws.....	301	2	1244
salaries, wages and operations.....	301	2	1243 1244 1245
slaughtering of diseased bovine animals, for.....	160	3	596
American Legion, Aberdeen Post Number Five, relief.....	300	2	1225
Attorney general, operations, printing briefs, court costs and expenses of special litigation	301	2	1236
reimbursement in lieu of expenses incurred.....	300	2	1231
salaries and wages.....	301	2	1236
Authority revolving fund.....	301	2	1267
Baila, John, damage claim.....	300	2	1219
Bain, William J., relief.....	300	2	1213
Baker, C. E., damage claim.....	300	2	1219
Barrett, Arthur L., and Fidelity and Casualty Company of New York, relief.....	300	2	1215
Beehler, Christine C., et al., relief.....	300	2	1213
Belfair state park.....	228	1	894
Bender, Paul, refund.....	300	2	1212
Biggs Rapids toll bridge, appropriation from motor vehicle fund for	142	2	508

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Birch Bay state park.....	228	1	894
Blind students	301	2	1264
Board of industrial insurance appeals.....	301	2	1239
Board of prison terms and paroles.....	301	2	1241
Board of trustees of state teachers' retirement system.....	301	2	1241
Boker, Joe, deceased, administrator of estate, refund.....	300	2	1211
Bolme, Alice E., damage claim.....	300	2	1218
Bonds,			
retirement and interest,			
capitol building bond redemption fund, from.....	301	2	1261
highway bond retirement fund, from.....	301	2	1261
institutional building bond redemption fund, from....	301	2	1261
public schools building bond redemption fund, from..	301	2	1261
public schools building bond redemption fund of 1955,			
from	301	2	1261
school emergency construction bond redemption fund,			
from	301	2	1261
war veterans' compensation bond retirement fund,			
from	301	2	1262
deficiency	18	1	66
Bounds, Robert I. (State of Washington vs. Billie Charley),			
judgment	300	2	1211
Boyd, Basil A., relief.....	300	2	1214
Bremerton oil delivery, relief.....	300	2	1216
Brigham, Edmund T. (State of Washington vs. Harrison B.			
Rose), judgment	300	2	1211
Brooks memorial state park.....	228	1	894
Brown Point-Ocean City vicinity (park)	228	1	894
Brown, Robert L., Jr., and United Pacific Insurance Company,			
damage claim	300	2	1217
Budget, office of director of.....	301	2	1245
Bunker, Gordon, relief.....	300	2	1215
Camano Island state park.....	228	1	894
Campbell, Claude, damage claim.....	300	2	1219
Capitol committee (see State capitol committee, this title)			
Cemetery board	301	2	1238
Central Washington college of education,			
allocations by governor.....	301	2	1260
salaries, wages and operations.....	301	2	(Vetoed) 1260
Chavelle and Millard (State of Washington vs. B. A. Kelly),			
judgment	300	2	1211
Cheney, city of, refund.....	300	2	1212
			(Vetoed)
Children,			
exceptional children, education of.....	301	2	1264
handicapped, education of.....	301	2	1264
Indian, education of.....	301	2	1264
veterans, educational aid to children of.....	301	2	1264
Cigarette fee account, from,			
to carry out provisions of Senate Bill No. 332 (chapter			
286, Laws of 1957).....	300	2	1226
Cities and towns,			
deficiency appropriation	18	1	66
distribution from liquor excise tax fund.....	301	2	1265
motor vehicle fund, from.....	172	55	660
transfers and distributions to.....	301	2	1266
Civil defense,			
compensation for injured civil defense workers and their			
dependents	301	2	1256
matching fund program.....	301	2	1256
salaries, wages and operations.....	301	2	1256

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Clark County, local improvement assessments.....	300	2	1210
Clark, Frederick A., relief.....	300	2	1215
Columbia Basin Commission, deficiency appropriation.....	300	2	1221
Commerce and economic development, department of.....	215	25	855
world fair, for.....	174	12	669
Commerce, department of,			
salaries, wages and operations.....	300	2	1225
			(Vetoed)
Commissioner of public lands (see Public lands, commissioner of, this title)			
Conservation and development, department of,			
Columbia Basin Commission.....	301	2	1246
division of mines and geology.....	301	2	1246
financing of reclamation districts.....	301	2	1247
flood control maintenance.....	301	2	1246
general office	301	2	1246
generation of electricity by steam, study of.....	301	2	1246
			(Vetoed)
natural resources surveys.....	301	2	1247
power resources division act, administration of.....	284	5	1125
reclamation division	301	2	1247
soil conservation committee.....	301	2	1241
stream gaging and ground water surveys.....	301	2	1246
weather modification and control.....	245	21	962
Contingent receipts fund, from,			
to be expended in accordance with the provisions of chapter 243, Laws of 1945.....	301	2	1262
to the general fund for expenditures for belated claims...	300	2	1222
Corbin water district, disruption of water pipe lines, for...	172	58	661
Council of state governments.....	301	2	1262
Counties,			
distribution from liquor excise tax fund.....	301	2	1265
federal funds, distribution of.....	301	2	1266
motor vehicle fund, from.....	172	56	661
Cowlitz county treasurer, local improvement assessments and delinquent taxes	300	2	1229
Criminal cost bills.....	301	2	1262
Curlew Lake vicinity (park).....	228	1	894
Current school fund, from county apportionment for school districts	301	2	1263
Deficiencies	300	2	1220
Definitions	{ 300	1	1201
	{ 301	1	1233
Delinquent taxes and local improvement assessments.....	300	2	1229
Devita, Joe, damage claim.....	300	2	1218
Discrimination in employment, Washington state board against	301	2	1242
Duckabush-Brinnon vicinity (park).....	228	1	894
East Fork Lewis River vicinity (state park).....	228	1	894
Eastern Washington college of education,			
allocations by governor.....	301	2	1260
			(Vetoed)
purchase of land.....	301	2	1260
			(Vetoed)
salaries, wages and operations.....	301	2	1260
Eastern Washington state historical society.....	301	2	1262
Emergency warrants	301	2	1262
Employment security, department of,			
employees of political subdivisions of the state under federal OASI	301	2	1247
Erickson, Carl V., relief.....	300	2	1214

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Evergreen trails, refund.....	300	2	1212
Federal flood control funds.....	301	2	1265
Fettis, Clemma M. Olsen, relief.....	300	2	1226
Fiddler, administrator of the estate of Ira A. Ellis, refund...	300	2	1224
Field Spring state park.....	228	1	894
Firemen's relief and pensions.....	301	2	1265
volunteer firemen's relief and pension fund.....	301	2	1242
Firland sanatorium, salaries, wages and operations.....	300	2	1230 (Vetoed)
Fisheries, department of, capital outlays, major repairs and betterments.....	301	2	1247
reappropriation	300	2	1204
fish passage research—Snake river dams.....	301	2	1247
lower Columbia river development	301	2	1248
reappropriation	300	2	1203
oyster research study, for.....	237	4	937
Pacific marine fisheries commission.....	301	2	1247
refunds	300	2	1212
research to safeguard migrating salmon of the Columbia river at corps of engineers' dams.....	301	2	1247
reappropriation	300	2	1203
salaries, wages and operations.....	301	2	1243 1248
Fletcher oil company, refund.....	300	2	1213
Flood control funds, federal.....	301	2	1265
Forest development fund, from.....	110	2	439 (Vetoed)
Forest insect and disease control fund, transfer.....	300	2	1230 (Vetoed)
Forest products, institute of.....	301	2	1239
Forest reserves distribution.....	301	2	1265
Fort Okanogan and Chief Joseph dam vicinity (state park)...	228	1	894
Fox Island toll bridge, for retirement of bonds.....	270	2	1055
Franklin county treasurer, local improvement assessments and delinquent taxes	300	2	1229
Game, department of, acquisition of lands for public hunting and fishing areas.	301	2	1249
capital outlays, major repairs and betterments.....	301	2	1249
construction of lower Columbia river hatchery.....	301	2	1249
fish restoration and management projects.....	301	2	1248
lower Columbia river development.....	301	2	1249
payment of game animal damages and expense.....	301	2	1248
salaries, wages and operations.....	301	2	1248
special research investigations of game and game fish programs	301	2	1248
wild life restoration and research, including the purchase, condemnation or leasing of lands.....	301	2	1248
Game fund, from, damage claims	300	2	1218
to the general fund for expenditures for belated claims...	300	2	1222
Geisler, George C., relief.....	300	2	1215
Geisler, Richard and farmers insurance group, relief.....	300	2	1214
General administration, department of, capitol buildings and grounds.....	301	2	1249
completion of general administration building.....	301	2	1249
division of banking.....	301	2	1249
division of savings and loan associations.....	301	2	1249
general office	301	2	1249
painting, repairs and alterations to buildings.....	301	2	1249
parking facilities	300	2	1227

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
General administration, department of,			
remodeling capitol group buildings.....	300	2	1204
remodeling legislative building.....	300	2	1204
General fund,			
commercial feed account, from,			
to the general fund for expenditures for belated claims	300	2	1222
nursery inspection account, from,			
to the general fund for expenditures for belated claims	300	2	1222
penitentiary revolving account, from,			
to the general fund for expenditures for belated claims	300	2	1222
real estate commission account, from,			
to the general fund for expenditures for belated claims	300	2	1222
reclamation revolving account, from,			
to the general fund for expenditures for belated claims	300	2	1222
United States treasurer, reimbursement.....	300	2	1219
seed inspection account, from,			
to the general fund for expenditures for belated claims	300	2	1222
state egg account, from,			
to the general fund for expenditures for belated claims	300	2	1222
state institutional revolving account, from,			
to the general fund for expenditures for belated claims	300	2	1223
U. S. vocational education account, from,			
to the general fund for expenditures for belated claims	300	2	1223
General fund, from,			
damage claims	300	2	1217
emergency warrants	301	2	1262
to validate expenditures.....	300	2	1219
Ginkgo state park	228	1	894
Glacier orchards, damage claim.....	300	2	1218
Glens Falls Insurance Company, damage claim.....	300	2	1217
Governor,			
accounting system for state agencies.....	300	2	1228
allocations for payment of Federal OASI system em-			
ployer's contribution	300	2	1227
allocations to colleges of education.....	301	2	1260
			(Vetoed)
allocations to the department of institutions if appropria-			
tions are insufficient.....	300	2	1225
allocations to various state departments, offices and insti-			
tutions for salaries, wages, operations, and emergency			
construction or repairs of public buildings.....	301	2	1262
auditing records of state auditor.....	301	2	1235
deficiency allocations for salaries and wages.....	300	2	1228
extradition expenses	301	2	1235
investigation and emergency purposes.....	301	2	1235
mansion	301	2	1235
salaries, wages and operations.....	301	2	1235
western interstate commission for higher education.....	300	2	1225
Graham, Gordon D., and Allstate insurance company, relief..	300	2	1215
Grain and hay inspection fund, from,			
for salaries, wages and operations to carry out chapter			
22.08 RCW	74	1	309
to the general fund for expenditures for belated claims...	300	2	1222
Grant county, local improvement assessments.....	300	2	1210
Graves, Orville R. (State of Washington vs. Thomas August			
Reeder), judgment	300	2	1211
Hagman, Lillian, refund	300	2	1212
Handicapped children, education of.....	301	2	1264
Harbor improvements,			
for distribution in accordance with chapters 168, 169 and			
170, Laws of 1913.....	301	2	1265

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Health, department of,			
cerebral palsy center.....	301	2	1250
cerebral palsy field program.....	301	2	1250
cleft lip and palate program.....	301	2	1250
community mental health program.....	301	2	1250
community mental retardation program.....	301	2	1250
congenital heart program.....	301	2	1250
conservation of hearing program.....	301	2	1250
county public health work.....	301	2	1250
crippled children's program.....	301	2	1250
deficiency appropriations.....	300	2	1221
general administration.....	301	2	1250
medical care program, deficiencies.....	300	2	1229
public health work.....	301	2	1250
rheumatic fever program.....	301	2	1250
shellfish bacteriology research, for.....	233	1	917
tuberculosis case finding.....	301	2	1250
Heller, Paul, refund.....	300	2	1212
Henkell, Arthur C., damage claim.....	300	2	1218
Highway bond retirement fund, transfer to.....	172	57	661
Highway equipment fund, from,			
purchase, repair, replacement of equipment.....	172	52	659
to Washington state highway commission.....	172	43	656
Highways, department of,			
highway commission,			
capital outlay.....	172	53	660
damage claims.....	300	2	1217
designated routes through cities and towns, costs of... ..	172	48	658
federal aid road act, reimbursable services, and in- ventories and salaries.....	172	50	659
highway equipment fund, for.....	172	43	656
location survey on primary state highway No. 17.....	172	29	648
primary state highway No. 2 (Echo Lake Route), rev- enue bond issue, for.....	206	10	793
purchase, repair and replacement of equipment.....	172	52	659
reappropriation,			
section 2, chapter 15, Laws of 1955, ex. sess., bal- ance of.....	172	58	661
section 13, chapter 311, Laws of 1955, balance of... ..	172	46	657
section 52, chapter 383, Laws of 1955, balance of... ..	172	54	660
section 53, chapter 383, Laws of 1955, balance of... ..	172	47	657
section 56, chapter 383, Laws of 1955, balance of... ..	172	49	659
roads within state parks, for.....	172	51	659
salaries, wages and operations.....	172	44	656
sundry supplies and refunds.....	300	2	1213
Tacoma-Seattle-Everett freeway, financing of.....	189	13	720
transfer to highway bond retirement fund.....	172	57	661
Western Washington college of education, approach for.....	283	3	1122
highway commission and joint fact-finding committee on highways, streets and bridges,			
special studies, tests and research.....	172	45	657
study and survey of additions and deletions to pri- mary and secondary highways.....	172	28	643
Holbrook, M. A., and Marion, relief.....	300	2	1224
Holder, Ernest I., and Loyce, damage claims.....	300	2	1217
Housden, Elmer and farmers mutual of Enumclaw, relief....	300	2	1214
Huggins, Leland H., refund.....	300	2	1213
Indian children, education.....	301	2	1264
Industrial insurance (see Labor and industries, department of, this title)			
Industrial insurance appeals, board of.....	301	2	1239

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Ingram, Neal H., relief.....	300	2	1214
Institute of forest products.....	301	2	1239
Institutional revolving account.....	301	2	1267 (Vetoed)
Institutions, department of,			
allocations by governor.....	300	2	1225
Cedar Creek youth forestry camp.....	301	2	1257
construction, improvement, and maintenance of roadways	300	2	1224
diagnostic and treatment center or other state institutions	301	2	1251
Eastern state hospital.....	301	2	1257
main kitchen	300	2	1205
salaries and wages, deficiency.....	18	1	65
water supply system.....	300	2	1206
Green Hill school.....	301	2	1257
architects fees	300	2	1207
construction of outbuildings.....	300	2	1205
industrial operations	301	2	1258
Lakeland Village	301	2	1257
ambulatory infants, building construction.....	300	2	1205
repair buildings	300	2	1205
salaries and wages, deficiency.....	18	1	66
Luther Burbank, parental schools, salaries, wages and operations	300	2	1230
Maple Lane school.....	301	2	1257
painting of buildings.....	300	2	1205
Martha Washington parental schools, salaries, wages and operations	300	2	1230
mental health research institute.....	301	2	1257
motor vehicle license plates and highway signs, for man- ufacture of at state penitentiary.....	199	1	772
Northern state hospital	301	2	1257
farm buildings	300	2	1205
sewage disposal system.....	300	2	1205
vegetable and fruit storage building.....	300	2	1205
Rainier state school.....	301	2	1258
architects fees	300	2	1206
kitchen addition	300	2	1206
outbuildings and pavement construction.....	300	2	1206
salaries and wages, deficiency.....	18	1	66
shop construction	300	2	1206
salaries, wages and operations.....	301	2	1251
state forestry inmate honor camps.....	301	2	1257
state school for the blind.....	301	2	1257
major repairs to buildings and structures.....	300	2	1205
state school for the deaf.....	301	2	1257
improvement of land for athletic field.....	300	2	1205
state soldiers' home and colony.....	301	2	1258
sewage disposal system.....	300	2	1206
x-ray and laboratory equipment.....	300	2	1206
Washington state penitentiary.....	301	2	1257
construction of maintenance shops.....	300	2	1207
construction of root house.....	300	2	1205
dairy buildings	300	2	1205
emergency generator	300	2	1205
hospital wing	300	2	1205
industry buildings	300	2	1205
kitchen and dining hall.....	300	2	1205
purchase of dairy land and drilling of irrigation wells	300	2	1205
remodel dining room and shops.....	300	2	1205
salaries and wages, deficiency.....	18	1	66

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Institutions, department of,			
Washington state reformatory.....	301	2	1258
cottage construction	300	2	1206
dormitory addition at farm No. 2.....	300	2	1206
kitchen repair	300	2	1206
vocational buildings construction.....	300	2	1206
Washington veterans' home.....	301	2	1258
sewage disposal plant.....	300	2	1206
water piping	300	2	1206
watershed protection	300	2	1206
Western state hospital.....	301	2	1259
outbuildings, construction	300	2	1206
salaries and wages, deficiency.....	18	1	66
Insurance commissioner,			
deficiency appropriation	300	2	1220
operations	301	2	1236
reimbursement in lieu of expenses incurred.....	300	2	1231
salaries and wages.....	301	2	1236
Interstate compact commission.....	301	2	1240
Island county, local improvement assessments.....	300	2	1210
Jacobson, F. L., D. M. D., relief.....	300	2	1214
Jaksa, John, refund.....	300	2	1212
Jenkins, Bert L., relief.....	300	2	1215
Johnson, Wendell A., damage claim.....	300	2	1217
Joint fact-finding committee on highways, streets and bridges,			
operations	172	38	653
Judges' retirement fund.....	301	2	1238
Judgments	300	2	1211
Judicial council	301	2	1237
Kadish, Maurice (State of Washington vs. Carl Taylor), judgment	300	2	1211
Kadish, Maurice (State of Washington vs. Lester L. Dinges), judgment	300	2	1211
Kelley, Frank E., damage claim.....	300	2	1217
Kindergarten support	301	2	1263
King county hospital, for operation of.....	276	2	1102
Kirkland, treasurer of city of, local improvement assessments and delinquent taxes	300	2	1230
Kittitas county treasurer, local improvement assessment and delinquent taxes	300	2	1229
Labor and industries, department of,			
appeal costs	301	2	1252
boiler inspection division.....	301	2	1251
catastrophe injury claims.....	301	2	1252
claims, awards and refunds.....	301	2	1252
for ascertaining the qualifications of industrial establishments for furnishing other training on-the-job to veterans	301	2	1251
industrial relations division	301	2	1251
industrial welfare commission.....	301	2	1251
medical services and refunds.....	301	2	1252
operations	301	2	1251
payment of additional pensions.....	301	2	1251
pensions, additional	300	2	1229
pensions and lump sum payments.....	301	2	1252
proposed rehabilitation center.....	301	2	1252
rehabilitation center	301	2	1252
safety division	301	2	1252
salaries and wages.....	301	2	1251
second injury claims.....	301	2	1252
Lake Chelan-Lake Wenatchee state parks.....	228	1	894

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Lake Sammamish-Saltwater state parks.....	228	1	894
Larson, Lottie, relief.....	300	2	1225
Ledbetter Point vicinity (state park).....	228	1	894
Legislative budget committee.....	301	2	1237
Legislative council	301	2	1237
Legislature,			
deficiency contribution for employees' retirement system.....	300	2	1223
employer's contributions for retirement plans.....	301	2	1237
expenses	1	1	7
legislative expenses	300	2	1223
printing	2	1	8
	300	2	1223
salaries of members.....	301	2	1237
session laws, journals, printing, etc.....	301	2	1237
subsistence and lodging.....	4	1	10
Lester, E. R., refund.....	300	2	1213
Lewis county treasurer, damage claims.....	300	2	1217
Licenses, department of,			
amateur radio operator's special license plates, appropriation for	145	5	530
deficiency appropriation	300	2	1221
house trailer excise tax, for administration of.....	269	20	1053
liquid fuel tax refunds.....	301	2	1253
salaries, wages and operations.....	301	2	1252
to carry out provisions of chapter 235, Laws of 1953, relating to real estate brokers and salesmen.....	301	2	1252
to carry out provisions of Senate Bill No. 61 (chapter 292, Laws of 1957)	300	2	1231
to carry out provisions of Senate Bill No. 294 (chapter 87, Laws of 1957).....	300	2	1231
to reimburse the general fund.....	300	2	1209
Lieutenant governor	301	2	1235
other salaries, wages and operations.....	301	2	1235
salary	301	2	1235
Local improvement assessments.....	300	2	1210
Local improvement assessments and delinquent taxes.....	300	2	1229
Lopez Island to San Juan Island toll bridge, appropriation from motor vehicle fund for studies.....	141	1	505
Marll, Vernon, damage claim.....	300	2	1216
Mayflower insurance exchange, damage claim.....	300	2	1217
McBride, James P., relief.....	300	2	1214
Military department,			
deficiency appropriation	300	2	1221
relief	300	2	1214
Müller, F. W., relief.....	300	2	1215
Moran-Rockport state parks.....	228	1	894
Motor insurance corporation, damage claims.....	300	2	1217
Motor vehicle excise fund, from,			
to public service revolving fund for costs incurred in collecting excise taxes.....	300	2	1223
transfers and distributions to cities and towns.....	301	2	1266
Motor vehicle fund,			
amateur radio operator's special motor vehicle license plates, appropriation to department of licenses for... ..	145	5	530
Biggs Rapids toll bridge, appropriation for.....	142	2	598
county road engineer, cost-audit of books and records, to defray expense of.....	146	2	531
highway commission, salaries, wages and operations, for location survey on primary state highway No. 17.....	172	44	656
Lopez Island to San Juan Island toll bridge, moneys appropriated for	141	1	505

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Motor vehicle fund,			
reappropriation from, for Puget Sound or Hood Canal bridges studies	172	40	655
studies and surveys of highway additions and deletions by highway commission and joint fact-finding committee on highways, streets and bridges, for.....	172	28	643
toll bridge on lower Columbia River, studies by toll bridge authority for.....	172	39	653
toll tunnel through Cascade Mountains, studies for.....	172	42	656
Motor vehicle fund, from,			
authority revolving fund.....	301	2	1267
damage claims	300	2	1217
state patrol highway account.....	301	2	1267
state treasurer, reimbursement to department of highways to the general fund for expenditures for belated claims..	300	2	1222
Mount Adams Orchards company, damage claims.....	300	2	1218
Mount Pilchuck state park.....	228	1	894
Mount Spokane state park.....	228	1	894
Mukilteo state park.....	228	1	894
Natural resources, department of,			
bond retirement and interest.....	301	2	1253
capital outlays	301	2	1253
district headquarters unit at Clearwater.....	301	2	1253
division of forestry.....	301	2	1253
forest rehabilitation	301	2	1253
general office	301	2	1253
inventory of state owned lands.....	301	2	1253
maps and surveys.....	301	2	1253
reforestation	301	2	1253
salaries, wages and operations.....	300	2	1230
			(Vetoed)
	301	2	1253
Nicholls, J. R., refund.....	300	2	1213
Nuemann, Felix, relief.....	300	2	1214
OASI contribution fund, from,			
to validate over expenditure of appropriation to carry out the provisions of chapter 184, Laws of 1951.....	300	2	1219
OASI contributions,			
contributions by governor.....	300	2	1227
teachers' retirement fund, from.....	300	2	1227
teachers' retirement pension reserve fund, from.....	300	2	1228
Okanogan county,			
local improvement assessments.....	300	2	1210
public utility district No. 1, relief.....	300	2	1215
Old Guard Post No. 2100, Veterans of Foreign Wars, relief....	300	2	1225
Opticans' account, from.....	43	17	166
Pacific telephone and telegraph company, relief.....	300	2	1215
Pallis, Anthony J., relief.....	300	2	1215
Para, John, damage claim.....	300	2	1219
Pend Oreille county treasurer, refund.....	300	2	1213
Penitentiary revolving account,			
abolished, appropriations paid from moneys in institutional revolving account.....	115	2, 3	451
to institutional revolving account	301	2	1267
			(Vetoed)
Penrose Point-Horsehead Bay state parks.....	228	1	894
Permanent school fund,			
Boker, Joe, deceased, escheat of estate to.....	300	2	1211
Permanent statute law committee (see Statute Law Committee, this title)			
Peterson, Rolf H., relief.....	300	2	1214

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Pierce county,			
removal of dolphins and wing walls of the sixth avenue ferry landing, for.....	178	1	688
Pollution control commission,			
extension and improvement of water pollution control...	301	2	1241
salaries, wages and operations.....	301	2	1241
Prison terms and paroles, board of.....	301	2	1241
Property taxes illegally collected, refunds of.....	6	11	21
Public assistance, department of,			
aid to dependent children.....	301	2	1254
deficiency	18	1	65
assistance grants	301	2	1254
burials	301	2	1254
deficiency	18	1	65
deficiency appropriations	300	2	1221
deficiency assistance grants.....	300	2	1225
disability assistance, deficiency	18	1	65
disability freeze program.....	301	2	1255
division for children.....	301	2	1254
division for the blind, deficiency.....	301	2	1254
{ 18	1		65
division of medical care.....	301	2	1254
deficiency	18	1	65
{ 300	2		1224
			(Vetoed)
King county hospital, operation of.....	276	2	1102
Whatcom county hospital, operation of.....	276	1	1102
division of old aid assistance.....	301	2	1254
deficiency	18	1	65
division of public assistance,			
aid to permanently disabled.....	301	2	1254
burials	301	2	1254
deficiency	18	1	65
general home assistance.....	301	2	1254
foster care, deficiency	18	1	65
general administration	301	2	1254
general assistance, deficiency	18	1	65
King county hospital.....	300	2	1228
			(Vetoed)
medical care program.....	301	2	1254
nursing homes, increase in per diem.....	300	2	1228
other case service to the blind.....	301	2	1254
senior citizen grants	301	2	1254
unallocated, deficiency	18	1	65
vocational rehabilitation for the blind.....	301	2	1254
deficiency	18	1	65
Public institutions (see Institutions, department of, also Gen- eral administration, department of, this title)			
Public instruction, superintendent of,			
operations	301	2	1236
reimbursement in lieu of expenses incurred.....	300	2	1231
salaries and wages.....	301	2	1236
Public lands, commissioner of,			
bond retirement and interest.....	301	2	1253
capital outlays	301	2	1253
district headquarters unit at Clearwater.....	301	2	1253
division of forestry.....	301	2	1253
forest rehabilitation	301	2	1253
general office	301	2	1253
inventory of state owned lands.....	301	2	1253
maps and surveys.....	301	2	1253
reforestation	301	2	1253

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Public lands, commissioner of,			
reimbursement in lieu of expenses incurred	300	2	1231
salaries, wages and operations.....	300	2	1230
	301	2	1253
survey and plat of first class shorelands of Clarkston, for expense of	148	2	533
Public schools building bond redemption fund, from,			
bond retirement and interest.....	300	2	1231
Public service commission,			
refunds as authorized by chapter 224, Laws of 1955.....	301	2	1255
salaries, wages and operations.....	301	2	1255
special investigations	301	2	1255
Public service revolving fund, from,			
to the general fund for expenditures for belated claims...	300	2	1222
Puget Sound transportation stabilization fund, from.....	271	9	1062
Purbaugh, Frank O., relief.....	300	2	1214
Rainier national insurance company, relief.....	300	2	1214
Refunds	300	2	1211
Relief	300	2	1213
Richardson, Clyde, relief.....	300	2	1216
Riverside state park.....	228	1	894
Roberts, Wm. A., relief.....	300	2	1215
Robinson, Charles B., relief.....	300	2	1215
Russert, Wert O., damage claim.....	300	2	1217
Ryder plan tax refunds, for.....	6	11	21
Sacajawea state park.....	228	1	894
Safety council, Washington state.....	301	2	1242
Schons, John M., damage claim.....	300	2	1218
Schools and school districts,			
county apportionment	301	2	1263
deficiency	18	1	66
distribution from state school equalization fund.....	301	2	1264
lunch program	301	2	1264
milk program	301	2	1265
Seattle, treasurer of city of, local improvement assessments and delinquent taxes	300	2	1230
Secretary of state,			
checking, printing, advertising and mailing initiative and referendum measures and constitutional amendments	301	2	1235
corporation field examiners.....	301	2	1235
deficiency appropriation	300	2	1220
			1221
operations	301	2	1235
printing and distributing temporary session laws.....	301	2	1235
			(Vetoed)
registration of trade marks.....	301	2	1235
reimbursement in lieu of expenses incurred.....	300	2	1231
salaries and wages.....	301	2	1235
salaries, wages and operations.....	300	2	1229
			(Vetoed)
deficiency	18	1	65
special method of voting for service voters.....	301	2	1236
Seering, Esther S., relief.....	300	2	1223
Sequim Bay state park.....	228	1	894
Session laws,			
temporary publication	267	1	1040
Skamania county treasurer,			
real estate and fire patrol tax, for.....	300	2	1216
Skinner, Vic, relief	300	2	1216
Smith, Barbara C., refund.....	300	2	1212

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Social security (see Public assistance, department of, this title)			
Soil conservation committee.....	301	2	1241
Spokane, city of, relief.....	300	2	1215
Spokane county treasurer, refund.....	300	2	1213
Stacy, Fred E. (State of Washington vs. Fred Stacy), judgment	300	2	1211
State aeronautics commission.....	301	2	1238
State athletic commission.....	301	2	1238
State auditor,			
local improvement districts assessments, for payment of..	301	2	1266
operations	301	2	1236
payment of claims for supplies furnished various departments in previous bienniums.....	301	2	1266
reimbursement in lieu of expenses incurred.....	300	2	1231
salaries and wages.....	301	2	1236
special printing	301	2	1236
to carry out provisions of chapter 226, Laws of 1955.....	301	2	1266
war veterans' compensation, payment of.....	301	2	1236
State board for vocational education,			
civilian vocational rehabilitation.....	301	2	1242
nondisabled persons, rehabilitation of.....	301	2	1242
vocational education	301	2	1241
vocational rehabilitation	300	2	1228
State board for volunteer firemen.....	301	2	1242
State board of accountancy	301	2	1238
State board of education	301	2	1239
State board of pharmacy	301	2	1240
State board of pilotage commissioners	301	2	1241
State building construction account, for state building construction act	298	5	1192
State building construction bond redemption fund, from, bond retirement and interest.....	300	2	1231
State capitol committee,			
access to capitol grounds.....	258	2	1018
construction of parking facilities.....	300	2	1202
deficiency appropriation	300	2	1221
library building	62	6	252
office building	62	6	252
Olympia freeway approach	300	2	1230
parking facilities on capitol grounds.....	257	3	1017
purchase of land and construction of parking facilities... ..	300	2	1226
repair fish ladder at Capitol lake.....	300	2	1230
State capitol historical association.....	301	2	1262
State census board.....	229	2	1238
	301	2	1238
State college of Washington,			
agricultural experiment stations.....	301	2	1259
agricultural extension work	301	2	1259
capital outlays, major repairs, and betterments.....	300	2	1227
reappropriation	300	2	1208
college teaching	301	2	1259
disease diagnostic laboratories.....	55	1	221
division of industrial research.....	301	2	1259
expansion of utilities to accommodate new buildings....	300	2	1208
Mount Vernon experiment station, capital outlays, reappropriation	300	2	1208
poultry disease diagnostic laboratories, construction and equipment	300	2	1207
science building, equipment	300	2	1208
state services—agricultural and industrial.....	301	2	1259
veterinary clinic building, equipment.....	300	2	1208

(Vetoed)

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
State employees' retirement board,			
operations	301	2	1239
pensions, awards, disability payments, adjustments.....	301	2	1239
salaries and wages.....	301	2	1239
State employees' retirement system,			
employer's contribution on behalf of,			
Andrews, Samuel E.....	300	2	1217
Bell, Milo C.....	300	2	1216
Blackwood, Sadie M.....	300	2	1216
Bruckart, Selma	300	2	1216
Fisher, Wendell	300	2	1217
Fitzgerald, Agnes	300	2	1216
Igou, Bruce	300	2	1216
Lawson, Charles W.....	300	2	1217
Miller, Leo L.....	300	2	1217
State finance committee,			
expenses incident to the issuance and sale of bonds.....	301	2	1239
institutional building general obligation bond issue, pay-			
ment of expenses and redemption.....	299	3	1199
operations	301	2	1239
public school building construction bonds, for expense of			
issuing	234	6	921
salaries and wages.....	301	2	1239
to carry out provisions of chapter 3, Laws of 1955 ex.s.,			
reappropriation	300	2	1209
to carry out provisions of chapter 7, Laws of 1953 1st ex. s.,			
reappropriation	300	2	1209
to carry out provisions of chapter 229, Laws of 1949.....	300	2	1209
State forest board,			
purchase of land authorized by House Bill No. 188 (chap-			
ter 110, Laws of 1957).....	300	2	1224
State institutional revolving account,			
created, appropriations paid from, instead of penitentiary			
revolving account	115	3, 5	451
State insurance commissioner (see Insurance commissioner)			
State law library,			
salaries, wages and operations.....	301	2	1237
salary of law librarian.....	301	2	1237
State library commission,			
county library development.....	301	2	1240
library services to the blind.....	301	2	1240
salaries, wages and operations.....	301	2	1240
to carry out provisions of public law No. 597—84th Con-			
gress	301	2	1266
State liquor revolving fund,			
appropriations from	136	17	495
State parks and recreation commission,			
Belfair state park.....	228	1	894
Birch Bay state park.....	228	1	894
Brooks memorial state park.....	228	1	894
Brown Point-Ocean City vicinity park.....	228	1	894
Camano Island state park.....	228	1	894
capital outlays and major repairs.....	300	2	1203
{	301	2	1240
Curlew Lake vicinity park.....	228	1	894
deficiency appropriation	300	2	1221
Duckabush-Brinnon vicinity park.....	228	1	894
East Fork Lewis River vicinity park.....	228	1	894
Field Spring state park.....	228	1	894
Fort Okanogan and Chief Joseph Dam vicinity (historical			
museum and park).....	228	1	894
Ginkgo state park.....	228	1	894

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
State parks and recreation commission,			
Lake Chelan-Lake Wenatchee state parks.....	228	1	894
Lake Sammamish-Saltwater state parks.....	228	1	894
Ledbetter Point vicinity park.....	228	1	894
Millersylvania park, improvement, maintenance and up-keep	301	2	1240
Moran-Rockport state parks.....	228	1	894
Mount Pilchuck state park.....	228	1	894
Mount Spokane state park.....	228	1	894
Mukilteo state park.....	228	1	894
Penrose Point-Horsehead Bay state parks.....	228	1	894
Riverside state park.....	228	1	894
Sacajawea state park.....	228	1	894
salaries, wages and operations.....	301	2	1240
Sequim Bay state park.....	228	1	894
Sun Lakes state park.....	228	1	894
Upper Lewis park site.....	228	1	894
Wallula Junction state park.....	228	1	894
State patrol (see Washington state patrol, this title)			
State personnel board.....	301	2	1238
			(Vetoed)
State treasurer,			
deficiency appropriation	300	2	1221
operations	301	2	1236
reimbursement in lieu of expenses incurred.....	300	2	1231
reimbursement to department of highways.....	300	2	1212
relief	300	2	1214
salaries and wages.....	301	2	1236
salaries, wages and operations, deficiency.....	18	1	65
State weather modification board, for.....	245	22	962
Statute law committee,			
operations	301	2	1237
publication of RCW supplementary material and index....	301	2	1237
salaries and wages.....	301	2	1237
to provide copies of RCW and supplements to legislators..	301	2	1237
			(Vetoed)
Stevens county treasurer, relief.....	300	2	1214
Stokes, Charles M. (State of Washington vs. Raymond Williams), judgment	300	2	1211
Sun Lakes state park.....	228	1	894
Superintendent of public instruction (see Public instruction, Superintendent of, this title)			
Superior court judges,			
expenses, judges in joint districts.....	301	2	1238
salaries and wages.....	301	2	1238
Superior court judges, association of,			
operations	301	2	1238
			(Vetoed)
Supreme court,			
administrator for the courts act, for.....	259	11	1023
operations	301	2	1237
salaries and wages.....	301	2	1237
Swartz, Thos., refund.....	300	2	1212
Tax advisory council.....	291	6	1164
Tax commission,			
deficiency appropriation	300	2	1221
purchase of cigarette stamps.....	301	2	1256
refunds as provided by chapter 152, Laws of 1945.....	301	2	1257
refunds of escheated property.....	301	2	1256
refunds of taxes, costs, penalties and interest.....	301	2	1256
reevaluation of county property for tax purposes.....	301	2	1256

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Tax commission,			
safe deposit box act, for.....	274	1-7	1086
salaries, wages and operations.....	301	2	1256
to carry out provisions of Senate Bill No. 331 (chapter 127, Laws of 1957).....	300	2	1226
			(Vetoed)
to carry out provisions of Senate Bill No. 332 (chapter 286, Laws of 1957).....	300	2	1226
to carry out provisions of Senate Bill No. 396 (chapter 291, Laws of 1957).....	300	2	1226
Teachers' retirement fund.....	301	2	1267
board of trustees of state teachers' retirement system....	300	2	1227
employees' contributions to OASI.....	300	2	1227
Teachers' retirement pension reserve fund.....	301	2	1267
employer's contribution to OASI.....	300	2	1228
Teachers' retirement system,			
board of trustees.....	301	2	1241
Toll bridge authority,			
authority revolving fund.....	301	2	1267
employees of Puget Sound transportation system, extension of state employees' retirement system to, for....	271	9	1062
Fox Island toll bridge, for.....	270	2	1055
Lake Washington bridge, preliminary expenses, for.....	266	5	1039
Puget Sound or Hood Canal bridges, reappropriation for..	172	40	655
to carry out provisions of sections 14 and 15, chapter 259, Laws of 1951.....	172	41	655
toll bridge on lower Columbia River, studies.....	172	39	653
toll tunnel through Cascade Mountains.....	172	42	656
Tuberculosis hospitalization	301	2	1266
Uniform law commission.....	301	2	1237
United States treasurer,			
reimbursement	300	2	1216
			1219
University of Washington,			
bond retirement fund.....	254	9	1012
building account	254	9	1012
bureau of governmental research.....	301	2	1267
construction of n-w buildings, equipment and remodeling, reappropriation	300	2	1207
Denny Hall, remodeling.....	300	2	1231
mechanical engineering building, construction of.....	300	2	1227
operations, including repairs.....	301	2	1259
salaries and wages.....	301	2	1259
school of medicine and dentistry,			
salaries, wages and operations.....	300	2	1224
	301	2	1259
teaching hospital, construction of.....	300	2	1227
Upper Lewis park site.....	228	1	894
Vaughan, Marvin R., and farmers insurance group, relief....	300	2	1215
Veterans,			
children of	301	2	1264
educational aid to children of.....	301	2	1264
Veterans of Foreign Wars, Old Guard Post No. 2100, relief....	300	2	1225
Veterans' rehabilitation council.....	301	2	1241
Vocational education, state board for.....	300	2	1228
	301	2	1241
Volunteer firemen's relief and pensions.....	301	2	1242
Wallula Junction state park.....	228	1	894
Walsh, William H., and Kathleen G., refund.....	300	2	1212
War veterans' compensation fund, frcm,			
to validate expenditures	300	2	1220
Warrants for emergency purposes.....	301	2	1262

ATOMIC ENERGY.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Washington state board against discrimination in employment	301	2	1242
Washington State college (see State college of Washington, this title)			
Washington state historical society.....	301	2	1267
deficiency appropriation	300	2	1220
Washington state patrol,			
capital outlays and major repairs.....	301	2	1256
communications system	301	2	1256
highway account	301	2	1267
pensions, benefits, awards and refunds.....	301	2	1242
salaries, wages and operations.....	301	2	1255
to reimburse the general fund.....	300	2	1209
weight control	301	2	1256
reappropriation	300	2	1204
Washington state patrol retirement board.....	301	2	1242
pensions, benefits, awards and refunds, deficiency.....	18	1	66
Washington state patrol retirement fund.....	301	2	1267
Washington state power commission,			
steam plants, study, for.....	275	1	1089
Washington state safety council.....	301	2	1242
Western Washington college of education,			
allocations by governor.....	301	2	1260
			(Vetoed)
purchase of land and equipment for science building, re-appropriation	300	2	1208
repairs to lights, heat and water systems.....	301	2	1260
replacement of heating plant in senior hall.....	301	2	1260
salaries, wages and operations.....	301	2	1260
Whatcom county hospital, for operation of.....	276	1	1102
Whatcom county, local improvement assessments.....	300	2	1210
Whatcom county treasurer, local improvement assessments and delinquent taxes	300	2	1230
Whitesitt, Dorothy, damage claim.....	300	2	1217
Williams, George R., damage claim.....	300	2	1217
Wilson, Clara C., damage claim.....	300	2	1218
World fair fund, from.....	174	12	669
Yakima county, local improvement assessments.....	300	2	1211
Yakima county treasurer, local improvement assessments and delinquent taxes	300	2	{ 1229 1230
ARBOR DAY:			
Designation of	220	1	871
ARCHIVES (see PUBLIC RECORDS)			
ARMED FORCES:			
Absentee voting	169	1	620
Public employees, military leave for.....	236	1	936
ASSESSMENTS (see TAXATION)			
ASSESSOR, COUNTY (see COUNTY ASSESSOR)			
ASTORIA, PORT OF:			
Toll bridge on lower Columbia River, duties and authority concerning	172	39	653
ATOMIC ENERGY:			
Advisory council, appointment, expenses, power and duties...	92	6	382
Coordinator, appointment, duties, salary	92	5-10	382
Definitions	92	2	379
License required, injunction	92	3, 11	380
Study by various departments in relation to.....	92	4	381

ATTACHMENT.

ATTACHMENT:	Ch.	Sec.	Page
RCW corrections	9	9	39
	51	1-5	184
ATTORNEY GENERAL:			
Appropriations (see APPROPRIATIONS)			
Atomic energy activities, licensing required, injunction proceedings by	92	11	383
Dispensing opticians, practicing without license, injunction to prevent	43	15	166
Records committee, appointment of person to, by.....	246	5	966
Storage warehouseman, violations, recovery of penalties, by..	205	1	781
ATTORNEYS:			
Bar association annual membership fees.....	138	1	499
AUDITOR, COUNTY (see COUNTY AUDITOR)			
AUDITOR, STATE (see STATE AUDITOR)			
AUTOMOBILE DRIVERS' TRAINING SCHOOLS:			
Licensing required	87	1-27	346
AUTOMOBILES (see MOTOR VEHICLES)			

B

BALLOTS (see ELECTIONS)			
BANKS AND BANKING: (see also SAVINGS AND LOAN ASSOCIATIONS; also TRUST COMPANIES)			
Directors, election, qualifications of, oath of office, vacancies..	190	1	721
Incorporation,			
articles,			
execution, contents	248	1	980
filing and recording of, organization complete.....	248	2	981
powers of banks upon incorporation.....	248	3	981
Metropolitan municipal corporations, investments of banks, trust companies, building and loan associations, savings and loan associations, etc., in bonds and obligations of, authorized	213	51	840
Mutual savings banks,			
deposits, dividends, earnings	80	4, 5	323
extension of corporate existence, procedure.....	80	8	327
investments	80	9, 10	327
not admitted to transact business in state, acquisition of notes and foreclosure of mortgages permitted, service of process	139	1-6	500
officers and employees, restrictions.....	80	6	325
organization, powers, restrictions.....	80	1-3	319
pension payments and retirement benefits, waiver of offsets	80	7	326
Nonadmitted organizations, acquisition of notes and foreclosure of mortgages permitted, service of process.....	139	1-6	500
Publicly-assisted housing, discrimination as to persons seeking financial assistance.....	37	15	115
Safe deposit companies,			
access to safe deposit box after death of owner, agent of tax commission must be present for inheritance tax purposes, penalty	274	1-7	1086
Steam power electric generating facilities, revenue bond issue for construction of, legal investment for.....	275	18	1100
Urban renewal bonds, legal investment for funds of.....	42	11	153

BOARD OF COUNTY COMMISSIONERS.

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
BAR ASSOCIATION:			
Annual membership fees	138	1	499
BARBERING:			
Barber examining committee,			
inspectors, employment of authorized.....	101	13	407
meetings, quorum	101	9	406
membership, terms, removal, vacancies.....	101	7	405
per diem of members.....	101	11	407
qualifications of members.....	101	8	406
rules and regulations.....	101	12	407
secretary, duties, salary.....	101	10, 11	406
Licenses,			
applicants, qualifications, fees.....	101	1	402
fees	101	14, 15	407
revocation of licenses,			
grounds for	101	4	405
hearing	101	5	405
reissuance after revocation.....	101	6	405
RCW corrections	52	1	195
Student barber certificate required, qualifications for, appli- cants	101	2	403
BARBITURATES:			
Drugs excepted from narcotic drug act.....	161	1	597
BATHING (see SWIMMING POOLS)			
BEAUTY CULTURE AND HAIRDRESSING:			
RCW corrections	52	2-12	195
BEAVER (see GAME AND GAME FISH)			
BEER (see INTOXICATING LIQUOR)			
BELLINGHAM, CITY OF:			
Street approach to Western Washington college of education, duties concerning	283	4	1122
BEVERAGES: (see also INTOXICATING LIQUOR)			
Handling of, food and beverage service worker's permit re- quired, fee, penalty	197	1-6	766
BIDS:			
Printing and concession contracts at colleges and universities, bids required	212	1	802
Public utility joint operating agency bonds sold by bid.....	295	7	1180
Purchases by cities of second, third and fourth classes, bids required, when	121	1	467
BIGGS RAPIDS TOLL BRIDGE:			
Authorized, appropriations, bond issue, jurisdiction.....	142	1-6	507
BLIGHTED AREAS:			
Urban renewal law.....	42	1-20	134
BLIND:			
Public assistance, services authorized for self-care.....	63	9	261
School for, construction project authorized, state building construction act	298	8	1194
Students, appropriations	301	2	1264
BOARD OF COUNTY COMMISSIONERS (see COUNTY COM- MISSIONERS, BOARD OF)			

BOARD OF EDUCATION.

BOARD OF EDUCATION (see STATE BOARD OF EDUCATION)

BOARD OF PRISON TERMS AND PAROLES:	Ch.	Sec.	Page
Appropriations	301	2	1241
Probation by court, board of prison terms and paroles to investigate	227	3	890
State parole officer known as state parole and probation officer	227	8	893

BOARD OF STATE LAND COMMISSIONERS:

Abolished and transferred to department of natural resources	38	7	124
--	----	---	-----

BOARDING HOMES:

Advisory boarding home council,			
members, terms, meetings, compensation.....	253	8	1002
rules and regulations.....	253	9	1002
Definitions	253	2	998
Fire protection, inspections.....	253	13	1004
Information confidential	253	12	1004
Inspections	253	11	1003
Licenses,			
applications for	253	4	999
denial, suspension, revocation, appeals.....	253	6, 7	1000
injunction	253	15	1005
issuance, renewal, provisional licenses, fees, display.....	253	5	999
penalty for operating without.....	253	14	1005
required	253	3	999
Local enforcement authorized.....	253	10	1003
Purpose	253	1	998

BONDS:

Abatement of public nuisance, bond required for stay of,			
RCW corrections	45	3	170
Absence of corporate seal on bonds not to affect legality.....	200	1	773
Biggs Rapids toll bridge, revenue bonds, issuance authorized.	142	1-6	507
Capitol building purposes, issuance authorized.....	62	1-5	249
Cigarette wholesalers, surety bond required.....	286	14	1137
Cities and towns, use of parking meter revenue by cities of third and fourth classes to purchase bonds.....	166	1	616
Civil arrest, surety bond required, RCW corrections.....	51	10	189
Fox Island toll bridge bonds, retirement of, agreements concerning	270	1-6	270
Highways,			
primary state highway No. 2 (Echo Lake Route), revenue bond issue for authorized.....	206	1-11	789
Tacoma-Seattle-Everett freeway, bond issue authorized..	189	1-13	715
Injunctions, bond required, RCW corrections.....	51	9	188
Institutional building construction general obligation bond issue authorized	239	1-7	1199
Liquor licensees, repeal of surety bond requirement for class H liquor licensees	263	4	1034
Metropolitan municipal corporations, general obligation bonds and revenue bonds authorized, by.....	213	45-47	834
Mosquito control districts, issuance of general obligation bonds authorized	153	26	562
Municipal revenue bond act.....	117	1-11	456
Nuisances, surety bond required to stay abatement proceedings, RCW corrections	51	11	189
Port districts, issuance authorized.....	59	1-11	241
Printing and concessions, contracts required, bids, surety bond required	212	1	802
Public utility districts, local improvement guaranty fund for payment of bonds authorized.....	150	1-7	538

BUDGET, DIRECTOR OF.

BONDS—CONTINUED:	Ch.	Sec.	Page
Public utility joint operating agency, treasurer of, surety bond required	295	4	1177
School construction, bond issue for, allotments, redemption, interest rate, excise taxes to redeem.....	234	1-11	918
State building construction act, limited obligation bond issue authorized	298	1-10	1190
Steam power electric generating facilities, revenue bond issue to finance authorized	275	1-19	1089
Tacoma-Seattle-Everett freeway, bond issue to finance.....	189	1-13	715
Toll bridge authority, refunding of revenue bonds authorized.....	152	1-3	547
transfers to authority revolving fund.....	230	1	895
Toll bridges, Biggs Rapids, revenue bonds authorized.....	142	1-6	507
Lopez Island to San Juan Island toll bridge, revenue bonds authorized	141	1-4	505
University of Washington building construction, bond issue for, retirement of bonds, tuition fees, projects authorized, appropriations	254	1-10	1007
Urban renewal, bond issue authorized.....	42	10	150
Volunteer firemen's relief and pension trust fund, investment in bonds	116	1	454
World fair, limited obligation bonds authorized for.....	174	6-15	667
 BOOM COMPANIES:			
Filing of plat or survey of property rights proposed to be appropriated, required	33	1	97
Jurisdiction over transferred to department of natural resources	38	11	125
Log patrol regulations, licensing, etc.....	182	1-9	693
Stray boom sticks and boom chains, disposition of.....	182	6	697
Stray logs, disposition of.....	182	5	695
 BOUNDARIES:			
Washington-Oregon boundary compact.....	90	1-5	369
 BOVINE ANIMALS:			
Diseased, indemnity payments for condemned slaughtering, appropriation	160	1-3	596
 BRANDS AND MARKS:			
Forest products and equipment, registration of.....	36	1-10	101
Log marks and brands, jurisdiction transferred to department of natural resources.....	38	11	125
 BRIDGES (see TOLL BRIDGE AUTHORITY)			
 BROKERS:			
Real estate brokers, RCW corrections.....	52	40-49	207
 BUDGET COMMITTEE (see LEGISLATIVE BUDGET COMMITTEE)			
 BUDGET, DIRECTOR OF:			
Apportionments of appropriations, funds and equipment of agencies and functions transferred to the department of natural resources, duties concerning.....	38	24	130
Appropriations for	301	2	1245
Motor vehicle funds, study of, joint fact-finding committee on highways, streets and bridges, to cooperate with.....	172	33	649

BUILDINGS.

BUILDINGS:	Ch.	Sec.	Page
Institutional building and higher education building construction act, general obligation bond issue authorized, allotments, financing, referendum.....	299	1-7	1198
Penitentiary, repair of damages to.....	25	1	83
State building construction act, definitions, limited obligation bond issue authorized for, retail sales excise tax pledged to redeem bonds, projects authorized.....	298	1-10	1190
State capitol buildings (see STATE CAPITOL)			
BUSES: (see also MOTOR VEHICLES)			
Annexation of territory by city or town, public service franchise or permit included in annexed territory, continuation or disposition of, damages.....	282	1	1120
Motor vehicle use fuel tax, exemption from, refund of motor vehicle fuel tax.....	292	1, 2	1165
Passenger transportation systems owned by municipal corporations, powers as to expansion and privately owned systems	114	1	450
Posting notice of law prohibiting disposal of lighted materials in forest and grain areas required, receptacles required, penalty	111	8	447
Railroad crossings, full stop required.....	96	2	393
BUSINESS AND OCCUPATION TAX (see TAXATION)			
BUSINESSES AND PROFESSIONS:			
Barbering (see BARBERING)			
Beauty culture and hairdressing, RCW corrections.....	52	1-12	195
Boarding homes (see BOARDING HOMES)			
Chiropody, RCW corrections.....	52	13-18	199
Dentistry,			
practice of dentistry defined.....	98	1	398
RCW corrections	52	19-39	200
RCW corrections	52	1-50	195
Real estate brokers, RCW corrections.....	52	40-49	207
C			
CAFES:			
Food and beverages, persons handling, permit required, fees, penalty	197	1-6	766
CALIFORNIA:			
Prohibition of salmon net fishing in certain international and coastal waters, action by required.....	108	8	430
CANADA:			
Prohibition of salmon net fishing in certain international and coastal waters, action by required.....	108	8	430
CAPITOL BUILDINGS (see STATE CAPITOL)			
CAPITOL COMMITTEE (see STATE CAPITOL COMMITTEE)			
CASCADE MOUNTAINS:			
Toll tunnel through, studies for.....	172	42	656
CEMETERY DISTRICTS:			
Cemetery board, appropriations	301	2	1238
Establishment of authorized in certain counties.....	99	1	399
Powers generally, boundaries	39	1	131
CENSUS BOARD, STATE (see STATE CENSUS BOARD)			

CITIES AND TOWNS.

CENTRAL WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)

CERTIFICATES (see TRADING STAMPS)

CERTIORARI, WRIT OF:	Ch.	Sec.	Page
RCW corrections	51	6	187

CHICKENS (see POULTRY)

CHILDREN (see MINORS)

CHIROPODY:

RCW corrections	52	13-18	199
-----------------------	----	-------	-----

CHRISTMAS TREES:

Jurisdiction over transferred to department of natural resources	38	10	125
Provisions relating to repealed.....	86	1	345

CIGARETTES:

School construction bond issue, payable from cigarette excise taxes	234	1	918
Throwing away lighted material in forest or grain areas prohibited, penalty	111	8	447
Unfair cigarette sales act,			
advertising restrictions	286	4, 6	1132
contracts, when void.....	286	7	1134
cost surveys	286	10	1135
costs to wholesaler and retailer, how determined.....	286	8, 9	1134
definitions	286	1	1127
disposition of fees and penalty.....	286	19	1139
exemptions	286	5	1133
injunctions, damages	286	11	1135
license required, issuance, conditions, fees, bonds, penalty	286	12-17	1136
penalties	286	2, 17	1131
suspension or revocation of licenses, procedure.....	286	18	1138
violations	286	2	1131
wholesale sales	286	3	1132

CITIES AND TOWNS:

Admission tax authorized, school activities exempted.....	126	1	473
Air pollution control districts,			
advisory council, membership.....	232	24	915
city selection committee,			
meetings, notice	232	12	910
membership	232	11	910
control officers	232	17	912
formation,			
authorized	232	6	907
ordinances and resolutions.....	232	7	908
general powers to prevent pollution.....	232	14	911
ordinances	232	15	911
enforcement of	232	16	912
variances of ordinances, hearing required.....	232	18, 19	913
powers and duties generally.....	232	8	908
tests and surveys, hearings as to prevention.....	232	5	907
Airports,			
operation and powers of municipalities, RCW corrections.	14	1	56
revenue bonds, issuance, funding and refunding of, procedure	53	1-3	215
Alleys, vacation of, procedure.....	156	1-4	574

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Allocation and distribution of state funds,			
annexation of territory, basis for distribution to territory annexed	175	14, 15	677
liquor revolving fund, excess, basis for distribution.....	175	6, 8	674
motor vehicle excise fund, basis of distribution.....	175	12	676
motor vehicle fuel tax, basis for allocations.....	247	1	969
motor vehicle fund net tax amount, basis for distributions	175	10, 11	675
population determined by state census board, powers and duties	271	3	1060
.....	175	2-4	672
Annexation,			
public service business or facility included in annexed territory, continuation of business or disposition of, damages	282	1	1120
unincorporated areas, findings of board of county commissioners, ordinances, assessments and taxation after annexation, effective date of.....	239	1-7	939
water, sewer or fire protection districts, disposition of property, outstanding indebtedness.....	119	1	461
Appropriations (see APPROPRIATIONS)			
Appropriations, lapse of, cities of second, third, and first class under 300,000, claims, how paid.....	44	2	168
Bids for public work, improvement, and purchases required in cities of second, third or fourth class, when.....	121	1	467
Bonds, municipal revenue bond act.....	117	1-11	456
Buses, exemption from motor vehicle use fuel tax, refunds of motor vehicle fuel taxes.....	292	1, 2	1165
Cemetery districts, may embrace cities and towns.....	39	1	131
Claims for damages against,			
first class cities, contents of claim, times for filing, defective sidewalk claims.....	224	2, 3	882
second class cities,			
procedure, contents of claim, presentment.....	224	4	883
time for filing, defective sidewalk claims, how paid..	224	1, 4	881
third class, presentment of claims.....	224	4	883
towns, procedure, times of filing, contents of claim, presentment	224	4	883
Codification of ordinances authorized, procedure.....	97	1-9	394
Dams, navigation restriction removed.....	209	2	796
Elections,			
assumption of indebtedness of annexed water, sewer or fire protection districts.....	119	1	461
incorporation determined by, procedure.....	173	2-10	662
officials and councilmen in cities of first class having mayor-council form of government, time of elections, terms	168	1, 2	618
Emergency expenditures, appropriations in cities of second, third, and first class under 300,000.....	44	1, 2	167
Eminent domain (see Municipal utilities, this title)			
Employees,			
civil service employees' status retained by employees elected or appointed to elective office.....	164	1	609
military leaves of absence.....	236	1	936
retirement system, funds, investments, prior service credits, contributions, annuities, pensions.....	158	1-6	580
salary vouchers, certificate of service part of endorsement	77	1	314
United fund, deduction from salaries and wages of public employees authorized	208	2	795
Excess tax levies.....	32	1	95
.....	58	15	231

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Firemen's relief and pensions, beneficiaries, disability, options, funeral expenses, etc.....	12	1-13	330
First class,			
authorized investments	123	1	470
claims for damages against.....	224	2, 3	882
compensation and duty time of mayor and elected officials	113	1	449
Fourth class,			
bids for public work, improvement, and purchase re- quired, when	121	1	467
claims for damages against.....	224	4	883
parking meter revenue, use of to retire bonds.....	166	1	616
Funds, special fund for revenue bond redemption authorized by ordinance, municipal revenue bond act.....	117	1-11	456
Health districts, representation of cities upon health board...	100	1	400
Highways within, jurisdiction over.....	83	2, 3	336
Historical materials, storage and preservation of.....	47	1, 2	173
Incorporation proceedings	173	2-10	662
territory which is part of county road district, taxes levied paid to city or town, disposition.....	180	1	691
Investments by cities of the first class.....	123	1	470
Justices of the peace in cities over five thousand, number	203	1	778
qualifications	203	2	778
Limited access highways through cities and towns, authority for providing.....	235	2-4	928
board, membership, appointment of, expenses of board..	235	7, 11	933
construction and maintenance of city streets over and under	235	4	929
findings of board.....	235	10	935
hearing of board.....	235	8	934
jurisdiction of state over.....	235	4	929
plan for, study, conferences, hearing, notice.....	235	5	931
procedure before board.....	235	9	934
publication of plan, objections to plan.....	235	6	932
state jurisdiction	83	2	336
storm sewers	235	4	929
testimony before board.....	235	9	934
traffic restrictions	235	4	929
underground facilities	235	4	929
utility franchises	235	4	929
Liquor revolving fund, excess moneys, basis for distribution to cities and towns.....	175	6, 8	674
Local improvements, assessments,			
appeal procedure	143	1-9	512
determination of rate and amount of.....	144	16-19	526
authority generally	144	2	515
initiation of by petition or resolution, procedures, pur- poses, hearing, notice, limitations, protests, prop- erty includable, etc.....	144	3-15	518
Mayor and elected officials in cities of first class, compensa- tion and duty time fixed by ordinance.....	113	1	449
Mayors, municipal revenue bond act, duties concerning.....	117	1-11	456
Metropolitan municipal corporations (see METROPOLITAN MUNICIPAL CORPORATIONS)			
Mobile home excise fund, distribution and apportionment from	269	14	1050
Mosquito control districts (see MOSQUITO CONTROL DIS- TRICTS)			(Vetoed)

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Motor vehicle excise fund,			
allocations to, state census board members, expenses paid			
from	175	1	672
basis for distribution to cities and towns.....	175	12	676
Motor vehicle fuel tax, allocations to.....	247	1	969
Motor vehicle fund, net tax amount, basis for distribution of			
to	175	10, 11	675
	271	3	1060
Municipal revenue bond act.....	117	1-11	456
Municipal utilities,			
asphalt plants, authority to acquire and operate.....	209	4	797
	288	4	1144
gas, electricity, and other power facilities, authority to			
acquire and operate.....	209	6	798
	288	6	1144
municipal revenue bond act.....	117	1-11	456
public markets and cold storage plants, authority to ac-			
quire and operate.....	209	5	798
	288	5	1144
sewerage and garbage systems, authority to acquire and			
operate	209	3	797
	288	3	1144
transportation facilities, authority to acquire and			
operate	209	7	798
	288	7	1145
water, contracts for outside service.....	288	8	1145
water works, authority to acquire and operate.....	209	2	796
	288	2	1142
		(Vetoed)	
Ordinances,			
codification of authorized, procedure.....	97	1-9	394
compensation and duty time of mayor and elected offi-			
cials in city of first class fixed by.....	113	1	449
creation of special fund by, for revenue bond redemption	117	1, 3	456
Park and recreation districts, inclusion of city or town area,			
approval of city or town.....	58	3	227
Parking meter revenue, use of by cities of the third and			
fourth classes to obtain revenue bonds for street im-			
provement	166	1	610
Passenger transportation systems, powers as to expansion			
and privately owned systems.....	114	1	450
Planning commissions,			
cooperation with state authorized.....	157	1	576
plans and regulations, amendments and modifications,			
etc.	194	1	753
Police,			
emergency vehicles, lighting.....	66	1	265
erection or maintenance of certain structures, signs, or			
devices on streets a public nuisance, duties con-			
cerning	204	1	779
pensions, retirement, disability, beneficiaries.....	84	1-3	341
Police chief, notice to of parole of sexual psychopaths or			
psychopathic delinquents	35	1	99
Population determined by census board for allocation of state			
funds	175	2-4	672
Port districts (see PORT DISTRICTS)			
Property municipally owned, revenue bonds for repair, con-			
struction, improvement, etc., authorized.....	117	1-11	456
Property taxes,			
excess levies	32	1	95
	58	15	231

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Property taxes,			
limitation on levies.....	262	1	1032
refunds, procedure for refunds generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.	120	1-17	463
Public funds, disbursement of, certificate of labor and material furnished, penalty for falsifying.....	77	1	314
Public records, destruction of records, submission of lists, transfer of records.....	246	7	967
Public utility districts,			
apportionment of privilege tax.....	278	10	1109
construction of generating facilities within, consent required	278	9	1109
cooperation with in acquiring and operating electric utility properties authorized.....	287	1-4	1140
Public utility joint operating agencies,			
board of directors, members, offices, business, per diem, executive committee	295	2, 3	1175
formation authorized, application, contents, purpose, publication, hearing, appeals.....	295	1	1171
powers and duties.....	295	5	1178
taxes, payment of in lieu of taxes, exceptions.....	295	10	1181
validity of organization of, questioning of, procedure....	295	11	1181
Washington state power commission abolished.....	295	8	1180
Purchases by cities of second, third and fourth classes, bids required, when	121	1	467
Real property acquired by, tax liens part of purchase price or award, segregation of assessment.....	277	1-3	1103
Redevelopment, urban renewal law.....	42	1-20	135
Regional planning commissions authorized.....	130	1	481
Retirement system, funds, investments, prior service credits, contributions, annuities, pensions.....	158	1-6	580
Second class, bids for public work, improvement, and purchase of supplies, etc., or services required, when.....	121	1	467
Service of summons in actions against, civil procedure.....	202	1	776
State funds,			
allocations and distributions to cities and towns, population as basis for determined by state census board..	175	2-4	672
annexation of territory, basis for distribution and allocation	175	14, 15	677
liquor revolving fund excess funds, basis for distribution to cities and towns.....	175	6, 8	674
motor vehicle excise fund, distribution to cities and towns, basis for, purpose.....	175	12	676
motor vehicle fuel tax, basis for allocations.....	247	1	969
motor vehicle fund net tax amount, basis for distribution of	175	10, 11	675
	271	3	1060
Street fund,			
road district annexed to city, taxes levied paid into.....	175	15	678
territory of road district incorporated into city or town, taxes levied paid into city or town street fund.....	180	1	691
Streets,			
construction work, posting of signs required, obedience, penalty	95	1-4	391
erection or maintenance of certain structures, signs, or devices a public nuisance, penalty	204	1	779
jurisdiction when state highways are part of.....	83	2, 3	336
parking meter revenue, use of to obtain bonds to improve vacation procedure	166	1	616
vacation procedure	156	1-4	574
Swimming pools, authorization required from director of health to construct or improve.....	57	1-4	223

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Third class,			
bids for public work, improvement, and purchases re-			
quired, when	121	1	467
claims for damages against, presentment of.....	224	4	883
parking meter revenue, use of to obtain revenue bonds			
for street improvements	166	1	616
powers generally, sale and exchange of property acquired			
for park purposes.....	56	1	222
Township disorganization, distribution of funds to certain			
cities and towns.....	65	1	264
Urban renewal law.....	42	1-20	135
Urban transportation systems, exemption from motor vehicle			
use fuel tax, refunds of motor vehicle fuel tax.....	292	1, 2	1165
Utilities and facilities, fixing of rates by ordinance to redeem			
bonds authorized	117	8, 9	459
Vacation of streets and alleys, procedure.....	156	1-4	574
Volunteer firemen's relief and pensions,			
disability payments, proof, hospital expenses, death bene-			
fits	159	1-6	592
trust fund, payment into.....	116	1	454

CIVIL DEFENSE:

Amateur radio operators, special motor vehicle license plates,			
lists furnished to department of civil defense.....	145	3	530
Appropriations (see APPROPRIATIONS)			

CIVIL PROCEDURE:

Absence of corporate seal on deeds, mortgages, leases, bonds			
not to affect legality.....	200	1	773
Attachment, bonds, sale of property, execution, etc., RCW			
corrections	51	1-5	184
Cities and towns, suits against authorized to compel pay-			
ment of revenue bonds.....	117	7	458
Civil arrest, RCW corrections.....	51	10	189
Code sections pertaining to enacted.....			
{ 7 1-9 22			
{ 9 1-13 35			
{ 51 1-17 184			
{ 7 2-4 23			
{ 51 9 188			
{ 7 8, 9 25			
{ 7 5 23			
Gambling, RCW corrections.....	7	2-4	23
Injunctions, RCW corrections	51	9	188
Judgments, abstract of, RCW corrections.....	7	8, 9	25
Jurors, admonitions to, RCW corrections.....	7	5	23
Justice court procedure, commencement of actions, forms,			
continuances, judgments, execution, repeals, RCW cor-			
rections	89	1-17	358
Nonresident motor vehicle operators, service of summons			
and processes	75	1	310
Nuisances,			
procedure, RCW corrections.....	51	11	189
{ 45 1-6 169			
remedies, RCW corrections.....	51	12	189
stay of execution, bond, etc., RCW corrections.....	51	11	189
Parties to actions, RCW corrections.....	7	1	22
intervenor, RCW corrections.....	9	1	35
Partition proceedings, RCW corrections.....	51	13, 14	190
Personal service, procedure.....	202	1	776
Repeal of sections relating to, RCW corrections.....			
{ 50 1 179			
{ 89 17 365			
{ 51 15-17 190			
Replevin, RCW corrections.....	51	15-17	190
Service of summons, procedure.....	202	1	776

COLLEGES AND UNIVERSITIES.

	Ch.	Sec.	Page
CIVIL RIGHTS: (see also DISCRIMINATION)			
Civil rights act.....	37	1-26	107
Urban renewal, discrimination prohibited.....	42	17	159
CIVIL SERVICE:			
Civil service status retained by employees elected or appointed to elective office.....	164	1	609
CLALLAM COUNTY:			
Purchase of certain federal lands in Clallam county by state authorized	110	1	438
CLAMS (see FOOD FISH AND SHELLFISH)			
CLARK COUNTY:			
Appropriation	300	2	1210
CLARKSTON:			
Survey and plat of first class shorelands of Clarkston.....	148	1	533
CLUBS:			
Liquor license surety bond requirement repealed.....	263	4	1034
Swimming pools, health regulations authorized.....	57	1-4	223
COAST GUARD:			
Military leave, public employees as members of.....	236	1	936
COLLEGES AND UNIVERSITIES:			
Central Washington college of education, appropriations (see APPROPRIATIONS)			
construction projects authorized.....	298	8	1194
printing and concessions, contracts required, bids, surety bond	212	1	802
retirement and annuity plans for faculties authorized, coverage, contributions	76	1-4	312
trustees, membership, terms, vacancies.....	147	3	532
Eastern Washington college of education, appropriations (see APPROPRIATIONS)			
construction projects authorized.....	298	8	1194
printing and concessions, contracts required, bids, surety bond	212	1	802
retirement and annuity plans for faculties authorized, coverage, contributions	76	1-4	312
trustees, membership, terms, vacancies.....	147	3	532
Higher education building construction, general obligation bond issue authorized, allotments to.....	299	1-7	1198
Printing and concessions, contracts required, bids, surety bonds	212	1	802
State census board to develop and maintain student enrollment forecasts for	229	1	894
State college of Washington, appropriations (see APPROPRIATIONS)			
building projects authorized, state building construction act	298	8	1194
institute of agricultural sciences, director of, member of natural resources board.....	38	4	124
poultry disease diagnostic laboratories, deposits of funds, by	55	2	221
president, horticulturist appointed to board of experts on tent caterpillar eradication, by.....	163	8	606
state census board member, appointed by.....	175	1	671
printing and concessions, contracts required, bids, surety bond	212	1	802

COLLEGES AND UNIVERSITIES.

COLLEGES AND UNIVERSITIES—CONTINUED:

	Ch.	Sec.	Page
State college of Washington,			
retirement and annuity plans for faculty and other employees	256	1	1015
weather modification board, member of faculty on.....	245	2	954
weed extermination, cooperation required, RCW corrections	13	6	52
University of Washington,			
appropriations (see APPROPRIATIONS)			
board of regents, building construction, powers and duties concerning	254	1-10	1007
building construction, bond issue for, retirement of bonds, tuition fees, projects authorized, appropriations.....	254	1-10	1007
college of forestry, dean of, member of natural resources board	38	4	124
president,			
horticulturist appointed to board of experts on tent caterpillar eradication, by	163	8	606
state census board member, appointed by.....	175	1	671
printing and concessions, contracts required, bids, surety bond	212	1	802
retirement and annuity plans for faculty and other employees	256	1	1015
teaching hospital, construction of authorized.....	298	8	1194
weather modification board, member of faculty on.....	245	2	954
Western Washington college of education,			
annuity and retirement plans for faculties authorized, coverage, contributions	76	1-4	312
appropriations (see APPROPRIATIONS)			
construction projects authorized.....	298	8	1194
printing and concessions, contracts required, bids, surety bond	212	1	802
street approach for.....	283	1-4	1121
trustees, membership, terms, vacancies.....	147	3	532
COLUMBIA BASIN COMMISSION:			
Deficiency appropriation	300	2	1221
COLUMBIA RIVER:			
Oregon-Washington boundary compact.....	90	1-6	369
COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT OF:			
Advisory council,			
additional advisory groups authorized.....	215	11	850
duties generally	215	10	850
members, terms, vacancies, expenses.....	215	9	850
Appropriations (see APPROPRIATIONS)			
Conservation and development, division of progress and industry development abolished and transferred to department of commerce and economic development...	215	17	852
delivery of property to department of commerce and economic development required.....	215	18	852
Contributions and gifts, acceptance authorized.....	215	14	851
Director of,			
appointment of, salary.....	215	3	847
office of created.....	215	20	853
report to legislature and governor required.....	215	16	851
steam power electric generating facilities, jurisdiction as to construction of, duties concerning.....	275	4	1090
travel, expenses authorized.....	215	13	851
Divisions created	215	4	847
supervisors, travel, expenses authorized.....	215	13	851

CONSERVATION AND DEVELOPMENT, DEPARTMENT OF.

COMMERCE AND ECONOMIC DEVELOPMENT, DEPARTMENT

OF—CONTINUED:

	Ch.	Sec.	Page
Established	215	2, 19	847
Federal grants and matching funds, acceptance of authorized	215	15	851
Industrial development division, powers and duties.....	215	6	849
Policy	215	1	847
Research division, powers and duties.....	215	7	849
Tourist promotion division, powers and duties.....	215	5	848
World fair, powers and duties concerning.....	174	1-15	665

COMMERCIAL AUTOMOBILE DRIVERS' TRAINING SCHOOLS:

Licensing required	87	1-27	346
--------------------------	----	------	-----

COMMON CARRIERS (see PUBLIC SERVICE COMMISSION, subtitle Transportation companies)

CONDEMNATION (see EMINENT DOMAIN)

CONGRESSIONAL DISTRICTS:

Redistricting	149	1-7	534
---------------------	-----	-----	-----

CONSERVATION AND DEVELOPMENT, DEPARTMENT OF:

(see also CONSERVATION, DEPARTMENT OF)

Appropriations (see APPROPRIATIONS)

Atomic energy, study of as to natural resources hazards....	92	4	381
Director,			
public utilities, authority to aid.....	284	3	1124
public utility joint operating agencies, duties as to formation of	295	1	1171
steam generating plants, powers concerning studies and construction of	284	2	1123
steam power electric generating facilities, study, construction of, bond issue for, powers and duties concerning	275	1-19	1089
weather modification board, chairman of.....	245	2	954
Divisions of created.....	215	21	854
	284	1	1123
Forest practices, cutting permits, seed trees, definitions.....	79	1-3	316
Forestry, division of,			
abolished and transferred to department of natural resources	38	7	124
federal funds for forest development, receipt of authorized, disbursement	78	1, 2	315
Forests, state,			
fire protection,			
certificates of clearance.....	154	1	570
regulations, permits, closed areas, logging operations, equipment required, penalties.....	111	4-8	442
state forest land, lands acquired by counties through tax lien foreclosure, deed to state as state forest land.....	167	1	617
Planning commissions, cooperation with authorized.....	157	1-4	576
Power advisory committee created to consult with and advise director of conservation and development.....	284	4	1124
Power resources division,			
powers and duties	284	2	1123
Washington state power commission, reports, surveys, records, etc., of, transferred to custody of.....	284	2	1123
Progress and industry development division, abolished and transferred to department of commerce and economic development	215	17	852
delivery of property to department of commerce and economic development required.....	215	18	852

CONSERVATION AND DEVELOPMENT, DEPARTMENT OF.

CONSERVATION AND DEVELOPMENT, DEPARTMENT OF--

CONTINUED:

	Ch.	Sec.	Page
State forest board, abolished and transferred to department of natural resources	38	7	124
acquisition of federal property in Clallam county author- ized, by	110	1	438
Supervisor of forestry, boom companies, filing of plats and surveys required.....	33	1	97
brands and marks, registration with, duties of.....	36	1-10	101
forest fire protection, duties concerning.....	111	4-8	442
	154	1	570
log driving companies, filing of plats and surveys required	34	1	98
log patrols, licensing and regulation of, duties concerning	182	1-9	693
powers, duties and functions transferred to department of natural resources	38	8	124
 CONSERVATION, DEPARTMENT OF: (see also CONSERVA- TION AND DEVELOPMENT, DEPARTMENT OF)			
Created	215	19	853
Director, office of created.....	215	20	853
Divisions created	215	21	854
 CONSTRUCTION:			
Highways, streets, etc., posting of signs required, penalty....	95	1-4	391
 CONTEMPT:			
RCW corrections	51	8	188
 CONTRACTS:			
Highways, roads, streets, bridges, delay in execution of con- tract, payment to contractor from funds reserved.....	91	1	377
Printing and concessions at state colleges and universities, contracts required, bids, surety bond.....	212	1	802
 CONVEYANCES:			
Sale or exchange of park property by cities of the third class	56	1	222
 CONVICTS (see PENITENTIARY, STATE)			
 CORPORATIONS:			
Absence of corporate seal on deeds, mortgages, leases, bonds, not to affect legality of.....	200	1	773
Boom companies, filing of plats and surveys required.....	33	1	97
Fees, one-half of proceeds to world fair bond redemption fund	174	13	669
Filing fees, domestic corporations	198	1	768
foreign corporations	198	4	770
Foreign, not admitted to transact business in state, acquisi- tion of notes and foreclosure of mortgages permitted, service of process.....	139	1-6	500
License fees, domestic corporations	198	2	769
foreign corporations	198	3	769
Log driving companies, filing of plats and surveys required..	34	1	98
Not admitted to transact business in state, acquisition of notes and foreclosure of mortgages permitted, service of process	139	1-6	500
Service of summons, civil procedure.....	202	1	776
 COUNCIL OF STATE GOVERNMENTS:			
Appropriations	301	2	1262

COUNTIES.

COUNTIES:	Ch.	Sec.	Page
Admission tax authorized, school activities exempted.....	126	2	473
Agricultural fairs, lease of county property for authorized...	134	1	488
Air pollution control districts,			
advisory council, membership.....	232	24	915
control officers	232	17	912
formation,			
authorized	232	6	907
ordinances and resolutions.....	232	7	908
general powers to prevent pollution.....	232	14	911
ordinances	232	15	911
enforcement of	232	16	912
variances, hearing required.....	232	18, 19	913
tests and surveys, hearings as to prevention.....	232	5	907
Allocations and distributions of state funds to counties,			
liquor revolving fund moneys, basis for distribution.....	175	6, 7	674
motor vehicle fuel tax, basis for distribution.....	247	1	969
motor vehicle fund.....	109	1	432
motor vehicle fund net tax amount, basis for distribution {	175	10, 11	675
}	271	3	1060
Appropriations (see APPROPRIATIONS)			
Cemetery districts, establishment of in certain counties			
authorized	99	1	399
Claims for damages against,			
actions on, time limitation.....	224	9	886
contents, procedure	224	8	885
disallowance by board of county commissioners, appeal to			
superior court	224	5	884
time limitation for filing.....	224	7	885
Class AA counties, park and recreation districts authorized,			
provisions relating to (see also PARKS AND RECREA-			
TION)	58	1-32	226
Clerk,			
combination of office with county auditor, salary.....	219	4	870
salary	219	3	868
County commissioners (see COUNTY COMMISSIONERS,			
BOARD OF)			
Courts (see COURTS)			
Current expense fund, horticultural inspectors' salaries paid			
from	163	5	605
Deputies, authority	219	2	867
Employees,			
civil service status retained by employees elected or ap-			
pointed to elective office.....	164	1	609
health care and group insurance, contracts for.....	106	1	425
military leaves of absence.....	236	1	936
salary vouchers, certificate of service part of endorsement	77	1	314
United Fund, deductions from salaries and wages of em-			
ployees for, authorized.....	208	2	795
Fairs,			
agricultural fairs, lease of property for authorized.....	134	1	488
expenditures of money for authorized.....	124	1	471
Federal surplus commodities, receipt and distribution of au-			
thorized	187	5	713
Fifth class and under, limitation on property levies.....	262	1	1032
Funds,			
current expense fund, horticultural inspectors' salaries			
paid from	163	5	605
general fund, property taxes refunded from.....	120	5	464
refund fund for illegally collected taxes.....	6	1-12	18

COUNTIES.

COUNTIES—CONTINUED:	Ch.	Sec.	Page
Health care services and group insurance for employees, contracts for	106	1	425
Health districts, representation upon health board.....	100	1	400
Historical materials, expenditures for storage and preservation of	47	1, 2	173
Horticultural inspectors, payment of salaries, expenses.....	163	3, 5, 11	464
Jails, transfer of felons to, authorized.....	27	1-4	85
Law libraries, payment of fees in support of.....	31	1	94
Liquor revolving fund, excess, basis for distribution.....	175	6, 7	674
Mentally ill, expenses of hospitalization, etc., borne by, transfer to nearest state hospital.....	49	1	178
expenses of hospitalization, transportation, costs, etc., liability for	24	1	82
Metropolitan municipal corporations (see METROPOLITAN MUNICIPAL CORPORATIONS)			
Mosquito control districts (see MOSQUITO CONTROL DISTRICTS)			
Motor vehicle fuel tax, allocation to.....	247	1	969
Motor vehicle fund, allocations and distributions to counties, basis for	109	1	432
Motor vehicle fund net tax amount, basis for distribution to counties	175	10	675
	271	3	1060
Officers, employment of deputies and employees authorized, bond, compensation	219	2	867
salaries	219	3	868
Park and recreation districts authorized, provisions relating to (see also PARKS AND RECREATION).....	58	1-32	226
Planning commissions, cooperation with state authorized.....	157	1-4	576
joint authorized	130	1	481
plans and regulations, amendments and modifications, etc.	194	1	753
Property taxes, excess levies authorized.....	32	1	95
	58	15	231
limitation on levies.....	262	1	1032
refunds, illegally collected under chapter 253, Laws of 1955....	6	1-12	18
procedure for refunds generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.	120	1-17	463
Public funds, disbursement of, certificates of labor and material furnished, perjury for falsifying.....	77	1	314
Public records, destruction of records, submission of lists of records, transfer of records.....	246	7	967
Public utility districts, construction of hydroelectric generating facilities, reimbursement of counties for losses authorized.....	137	7	498
privilege taxes, apportionment to taxing districts.....	278	5	1107
Public utility joint operating agencies, payment of in lieu of taxes, exception	295	10	1181
Real property acquired by, tax liens on property part of purchase price or award, segregation of assessment.....	277	1-3	1103
Real property acquired through tax lien foreclosure, deed to state as state forest land.....	167	1	617
Regional planning commissions, authorized	130	1	481
cooperation with state authorized.....	157	1-4	576

COUNTY AUDITOR.

COUNTIES—CONTINUED:

	Ch.	Sec.	Page
Road districts,			
incorporation of territory in city or town, road district			
taxes paid to city or town.....	180	1	691
limitation on property levies.....	262	1	1032
territory of annexed to cities or towns, taxes levied to be			
paid to city or town.....	175	15	671
Roads,			
construction work, posting of signs required, obedience,			
penalty	95	1-4	391
engineer, cost-audit of books and records provided for...	146	1	531
erection or maintenance of certain structures, signs, or			
devices a public nuisance.....	204	1	779
limited access,			
authority to provide.....	235	2-4	928
state highways across county roads, closing of roads..	235	2	928
motor vehicle fund, allocations and distributions to coun-			
ties for roads.....	109	1	432
relocation, study of equitable policy by joint fact-finding			
committee on highways, streets and bridges.....	172	33	649
study of rural and urban vehicles, use of, by joint fact-			
finding committee on highways, streets and bridges...	172	33	649
Schools and school districts (see SCHOOLS AND SCHOOL			
DISTRICTS)			
Service of summons, civil procedure.....	202	1	776
Sheriff (see COUNTY SHERIFF)			
State funds,			
liquor revolving fund, excess, basis for distribution.....	175	1, 7	674
motor vehicle fuel tax, basis for distribution.....	247	1	969
motor vehicle fund, basis for distribution.....	109	1	432
motor vehicle fund net tax amount, basis for distribution {	175	10	675
}	271	3	1060
Superintendent of schools (see SCHOOLS AND SCHOOL			
DISTRICTS, subtitle County superintendent of schools)			
Swimming pools, health regulations.....	57	4	225
Treasurer (see COUNTY TREASURER)			
World fair, expenditure of funds for authorized.....	124	1	471
 COUNTY ASSESSOR:			
Real property acquired by public bodies, tax liens part of			
purchase price or award, segregation of assessment, by....	277	3	1103
Salaries	219	3	868
 COUNTY AUDITOR:			
Air pollution control districts, city selection committee, re-			
cording officer of.....	232	12	910
Banks and trust companies, filing of articles of incorporation, by	248	2	981
Combination of with office of county clerk	219	4	870
Elections,			
duties concerning	195	1-17	754
registrar of voters in rural precincts.....	251	4	992
Fairs, creation of revolving fund by authorized.....	124	1	471
House trailer excise tax imposed, duties concerning.....	269	1-21	1044
Incorporation proceedings in cities and towns, election con-			
ducted by	173	8	664
Merger of irrigation districts and drainage districts, duties			
concerning	94	3, 7	385
Metropolitan municipal corporations, duties (see METRO-			
POLITAN MUNICIPAL CORPORATIONS)			
Mosquito control districts, duties concerning formation of....	153	1-45	549
Motor vehicle excise tax, remittance of receipts, by.....	128	1	477

COUNTY AUDITOR.

COUNTY AUDITOR—CONTINUED:

	Ch.	Sec.	Page
Park and recreation districts, formation, petitions, elections, duties concerning	58	2-9, 16	226
Registrar of voters in rural precincts.....	251	4	992
Salaries	219	3	868

COUNTY CLERK:

Court records and exhibits, destruction of, conditions, copies and reproductions, duties as to.....	201	1-3	773
Execution docket, RCW corrections.....	7	6	24

COUNTY COMMISSIONERS, BOARD OF:

Admission tax authorized, duties concerning.....	126	2	473
Air pollution control districts, advisory council, chairman of board of county commissioners a member of.....	232	24	915
board of directors, county commissioner a member of....	232	10	909
tax levies for, duties.....	232	8	908
Appeal from decision of, time limitation, procedure, bonds, etc.	224	5	884
Cities and towns, annexation of unincorporated areas, duties concerning..	239	1-7	939
incorporation proceedings, duties concerning.....	173	2-10	662
Claims for damages, actions after disallowance by county commissioners.....	224	5	884
actions on, time limitation.....	224	9	886
contents of claim, procedure.....	224	8	885
time limitation for filing.....	224	7	885
County employees, health care services and group insurance, contracts for, cost.....	106	1	425
County road engineer, audit of books, report submitted to....	146	1	531
Deputies and employees, compensation fixed by.....	219	2	867
Elections, duties concerning.....	195	16, 17	762
Fairs, expenditures of moneys for authorized.....	124	1	471
lease of property for agricultural fairs authorized.....	134	1	488
Federal surplus commodities, expenditures for receipt and distribution of authorized, by.....	187	5	713
Health districts, representation upon health board.....	100	1	400
Horticultural inspections, report to by inspectors.....	163	11	607
request to director of agriculture for, by.....	163	4	605
Limited access on county roads, consent of required.....	235	2	928
Merger of drainage improvement districts with irrigation districts, duties concerning procedure.....	94	2-15	385
Metropolitan municipal corporations (see METROPOLITAN MUNICIPAL CORPORATIONS)			
Mosquito control districts, duties concerning.....	153	1-45	549
Park and recreation districts, formation, boundaries, elections, duties concerning	58	4-8	227
Property tax refunds, duties concerning procedure for.....	120	2, 3, 11, 12	463
Public utility districts, privilege tax apportionment, duties..	278	10	1109
Regional planning commissions authorized to be organized by	130	1	481
Salaries	219	3	868
Weed extermination areas, duties, RCW corrections.....	13	7, 9, 10, 12	53
World fair, expenditures of money for authorized.....	124	1	471

COUNTY CORONER:

Salaries	219	3	868
----------------	-----	---	-----

COUNTY PROSECUTOR (see PROSECUTING ATTORNEY)

COURTS.

COUNTY SHERIFF:

	Ch.	Sec.	Page
Amateur radio operators, special motor vehicle license plates, lists furnished to	145	3	530
Attachment, sale of property, duties, RCW corrections.....	51	4, 5	186
Civil arrest, duties, RCW corrections.....	51	10	189
Erection or maintenance of certain structures, signs, or devices on county roads a public nuisance, duties concerning	204	1	779
Execution of judgments, duties, RCW corrections.....	8	3	30
House trailer excise tax, enforcement of, duties concerning..	269	7	1047
Replevin, duties, RCW corrections.....	51	15, 16	190
Salaries	219	3	868
Sexual psychopaths and psychopathic delinquents, notice of parole of given to.....	35	1	99

COUNTY SUPERINTENDENT OF SCHOOLS (see SCHOOLS AND SCHOOL DISTRICTS, subtitle County superintendent of schools)

COUNTY TREASURER:

Admission tax, remitted to.....	126	2	473
Air pollution control districts, funds, duties	232	8	908
treasurer of	232	8	908
Irrigation districts' local improvement assessments paid to....	68	1	269
Park and recreation districts, treasurer of.....	58	16	233
Property tax refunds, duties concerning.....	120	6, 7, 15	464
Public utility districts, ex officio treasurer of, duties.....	140	1	503
local improvement guaranty funds, duties concerning certificates of delinquencies.....	150	1-7	538
Salaries	219	3	868
Taxation, refunds of illegally collected taxes, duties.....	6	1-12	18
Weed districts, duties, RCW corrections.....	13	3	51

COUPONS (see TRADING STAMPS)

COURTS:

Administrator for the courts, appointment of, qualifications of, salary.....	259	1	1019
assistants	259	2	1019
duties	259	3	1019
Assignment for benefit of creditors, RCW corrections.....	9	7, 8	38
Attachment proceedings, RCW corrections.....	51	1-5	184
Attachment, receiver appointed by, RCW corrections.....	9	9	39
Certiorari, writ of, RCW corrections.....	51	6	187
Cigarettes, unfair cigarette sales act, review of orders of tax commission, procedure before.....	286	18	1138
Clerk, entries on execution docket, RCW corrections.....	7	6	24
exhibits, destruction of.....	201	3	775
records of court, destruction of, conditions, copies and reproductions, admissibility of in evidence.....	201	1, 2	773
Commitment of children to the department of institutions for institutional placement, review of committing order, by..	297	4-6	1187
Contempt, punishment, RCW corrections.....	51	8	188
Criminally insane, procedure for discharge.....	48	1, 2, 3	175
Depositions, when complete for perjury purposes.....	46	1, 2	172
Discrimination, petition by board against, proceedings, judgment, etc., appeals, injunctions.....	37	21, 22, 24	120
Evidence, copies of destroyed records and exhibits, admissibility in	201	2	774
Exhibits, destruction of permitted.....	201	3	775
Habeas corpus writs, RCW corrections.....	9	10	39
Injunctions, RCW corrections.....	51	9	188

COURTS.

COURTS—CONTINUED:	Ch.	Sec.	Page
Intervenors, rights of, RCW corrections.....	9	1	35
Judges,			
administrator of the courts,			
compliance with requests of for information.....	259	5	1021
duties concerning judges.....	259	3	1019
annual conference of judges, expenses.....	259	6, 10	1021
assignment of judges to any county or district, warrant may be withheld, expenses.....	259	4, 7	1021
occupational motor vehicle operator's license, permit allowed when license suspended or revoked, petition filed for with sentencing judge.....	268	1-4	1041
retirement fund, appropriation for.....	301	2	1238
Judgments,			
abstract of, RCW corrections.....	7	8	25
executions of, RCW corrections.....	8	1-7	29
sureties, against, RCW corrections.....	9	6	38
vacation and modification of, RCW corrections.....	9	4	36
Juries, absence of, RCW corrections.....	9	2	36
Jurors, admonitions to, RCW corrections.....	7	5	23
Justices of the peace,			
cities over five thousand,			
number	203	1	778
qualifications	203	2	778
commencement of actions, forms, continuances, judg- ments, executions, repeals, RCW corrections.....	89	1-17	358
law library, payment of fees for.....	31	1	94
transcript to contain judgment, RCW corrections.....	7	9	25
Lost or destroyed records, RCW corrections.....	9	5	37
Mandamus, writ of, RCW corrections.....	51	7	188
Non exeat, RCW corrections.....	51	10	189
Nuisances, stay of proceedings, remedies, RCW corrections	45	1-6	169
	51	11, 12	189
Occupational motor vehicle operator's license, permit al- lowed when license suspended or revoked, petition to court, procedure	268	1-4	1041
Partition proceedings, RCW corrections.....	51	13, 14	190
Perjury, depositions	46	1, 2	172
Prisoners, transfer of felons to other institutions, notice of to court	27	1-4	85
Process, service of on nonresident motorists.....	75	1	310
Public nuisances, abatement procedure, remedies, RCW cor- rections	45	1-6	169
	51	11, 12	189
Records, destruction of permitted, conditions, copies and reproductions, admissibility as evidence.....	201	1, 2	773
Replevin procedure, RCW corrections.....	51	15-17	190
Reporters,			
compensation, expenses, how paid.....	244	2	950
qualifications, examinations as to qualifications, examin- ing committee, appointment, terms of office.....	244	1	948
transcripts, fees	244	4	951
Review, writ of, RCW corrections.....	51	6	187
Superior courts,			
appropriations (see APPROPRIATIONS, subtitle Su- perior court judges)			
attachment, receiver appointed by, RCW corrections.....	9	9	39
board of county commissioners, appeal from decision of, to	224	5	884
boarding home licensing act, appeals to from denial, suspension, or revocation of license.....	253	7	998

CREDIT UNIONS.

COURTS—CONTINUED:

Superior courts,

	Ch.	Sec.	Page
commercial automobile drivers' training schools licensing,			
appeal to	87	24	346
execution docket entries, RCW corrections.....	7	6	24
exhibits of, destruction of, conditions, copies and repro- ductions, admissibility as evidence.....	201	2, 3	774
expenses of mentally ill, order for payment of.....	24	1	82
judges,			
reporters, appointment by.....	244	1	948
retirement payments, widows' pensions, salary deduc- tions, judges' retirement fund, procedure con- cerning	243	1, 2	945
salaries of	260	2	1024
law library, payment of fees for support of.....	31	1	94
local improvement assessments in cities and towns, ap- peals to, procedure.....	143	2-9	512
lost or destroyed records, RCW corrections.....	9	5	37
mentally ill,			
examination of ordered by.....	49	1	178
involuntary hospitalization, application to.....	28	1	87
property tax refunds, actions to recover, judgment.....	120	12, 14	465
psychopathic delinquents,			
expenses of hospitalization, judgment of ability to pay	26	1	84
parole procedure	35	1	99
public utility joint operating agencies, appeal from crea- tion of, to.....	295	1	1171
records of, destruction of, conditions, copies and repro- ductions, admissibility as evidence.....	201	1, 2	773
reporters,			
compensation, expenses, how paid.....	244	2	950
qualifications, examinations, examining committee, appointment, terms	244	1	948
transcripts, fees for.....	244	4	951
restraining orders and injunctions, RCW corrections.....	9	11, 12	39
sexual psychopaths,			
expenses of hospitalization, judgment of ability to pay	26	1	84
parole procedure	35	1	99
state schools for mentally ill and physically deficient, re- view of decisions by proceedings in.....	102	24	409
township dissolution, order signed by.....	65	1	264
vacation or modification of judgments, RCW corrections..	9	4	36
Supreme court,			
administrator for the courts, appointed by.....	259	1	1019
annual conference of judges, purpose, expenses.....	259	6, 10	1021
appropriations (see APPROPRIATIONS)			
assignment of judges to any county or district, salary warrant, expenses	259	4, 7	1021
certiorari, writ of, RCW corrections.....	51	6	187
judges,			
retirement payments, widows' pensions, salary deduc- tions, judges' retirement fund, procedure con- cerning	243	1, 2	945
salaries of	260	1	1024
mandamus, writ of, RCW corrections.....	51	7	188
Trial by referees, RCW corrections.....	9	3	36

COWLITZ COUNTY:

Appropriation	300	2	1229
---------------------	-----	---	------

CREDIT UNIONS:

Definitions, management, shares, dividends, loans, security..	23	1-13	74
---	----	------	----

CREDITORS.

CREDITORS:	Ch.	Sec.	Page
Assignments for benefit of, exceptions, RCW corrections.....	9	7	38
Validity of trust receipt transaction as against.....	249	2	987
 CRIMES AND CRIMINAL PROCEDURE:			
Amateur radio operators, special motor vehicle license plates, failure to notify and surrender license plates.....	145	4	530
Animals, crimes relating to, RCW corrections.....	22	6, 7	70
Beauty culture licensing violations, penalty, RCW corrections	52	12	199
Boarding homes, operating without license, penalty.....	253	14	1005
Cigarettes, unfair cigarette sales act violations, penalties.....	286	2, 17	1131
Commercial automobile drivers' training schools licensing act, penalty for violation	87	25	355
Criminally insane, custody, discharge, procedure.....	48	1, 2, 3	175
Dangerous weapons, manufacture, possession, sale of, penalty	93	1	384
Dentistry, violations of licensing law, RCW corrections.....	52	39	207
Discrimination, board against, interference with.....	37	26	107
Dispensing opticians, practicing without license.....	43	14	166
Elections, canvassing procedure, failure to return total votes.....	195	17	762
failure to transmit returns.....	195	14	761
Erection or maintenance of certain structures, signs, or de- vices on highways, streets, or roads prohibited, penalty..	204	1	779
Escapes, mental hospitals, aiding or abetting, penalty.....	225	1	887
Food and beverage service worker's permit required, pen- alty concerning	197	6	767
Forest fire protection regulations, violation of.....	111	4, 5, 8	442
Game and game fish violations, deer, elk, and goat tags re- quired, penalty	176	1	679
Hostages, holding of by inmates of penal institutions, penalty	112	1	448
House trailer excise tax, issuance of receipt without collect- ing, penalty	269	11	1049
Indians, assumption of criminal jurisdiction over.....	240	1-7	941
Indictments, grounds for setting aside, RCW corrections.....	10	1	42
Informations, grounds for setting aside, RCW corrections.....	10	2	43
Log patrols, violation of rules and regulations of supervisor of forestry, penalty	182	9	693
Mental hospitals, assisting escape from, penalty.....	225	1	887
Motor vehicles, nonresident operators, service upon.....	75	1	310
Occupational motor vehicle operator's license, permit al- lowed when license suspended or revoked, procedure, penalty for violation.....	268	1-4	1041
Peaches, inspection required, fee, standards of grades and packs, penalty for violation.....	192	5	725
Perjury, first degree.....	46	1, 2	172
Prison terms and paroles, offender under charge of parole officer.....	227	1	889
probation, by court, board of prison terms and paroles to inves- tigate	227	3	890
conditions of probation.....	227	4	890
revocation and termination of probation.....	227	5, 6	891
discharge on fulfilling probation.....	227	7	892
Probation, board of prison terms and paroles to investigate.....	227	3	890
conditions of probation.....	227	4	890
discharge on fulfilling probation.....	227	7	892
revocation and termination of probation.....	227	5, 6	891
Public funds, disbursement of, certificate of labor and ma- terials furnished, perjury for falsifying.....	77	1	314
Public nuisances, penalty for maintaining, RCW corrections..	45	1	169

DISTRICTS.

CRIMES AND CRIMINAL PROCEDURE—CONTINUED:	Ch.	Sec.	Page
Safe deposit boxes, person having right of access to, gaining access without notifying death of owner, penalty.....	274	3	1086
Suspended sentences, placement of offender under charge of parole officer	227	1	889
Swimming pools, violation of health regulations, penalty.....	57	4	223
Switch-blade knives, manufacture, possession, sale of, penalty	93	1	384
Weather modification and control act, violations, penalty....	245	20	962

CRIMINAL COST BILLS:			
Appropriations	301	2	1262

D

DAMS:			
Navigation restriction removed.....	209	2	796

DECEPTION PASS MARINE RESEARCH STATION:			
Transfer of to state parks and recreation commission authorized	207	1	794

DEER (see GAME AND GAME FISH)

DEFICIENCY APPROPRIATIONS (see APPROPRIATIONS)

DENTISTRY:			
Practice of dentistry defined.....	98	1	398
RCW corrections	52	19-39	200

DEPOSITIONS:			
When complete, perjury defined.....	46	1, 2	172

DISABLED PERSONS (see PENSIONS; also INDUSTRIAL INSURANCE)

DISBURSEMENTS:			
Public funds, certificates of labor and material furnished, perjury for falsifying	77	1	314

DISCRIMINATION:			
Board against discrimination, complaints filed with, investigation, findings, hearing, petitions	37	16-23	116
created, membership, officers, powers and duties.....	37	5-7	111
interference with, injunctions prohibited, penalty.....	37	24, 26	122
Civil rights act.....	37	1-26	107
Urban renewal law, discrimination prohibited.....	42	17	159

DISEASES:			
Bovine animals, destruction of, indemnity payments.....	160	1-3	596
Persons afflicted with contagious diseases, unlawful to handle food or beverages, permit required, fee, penalty.....	197	1-6	766

DISPENSING OPTICIANS:			
Licensing act	43	1-17	161

DISTRICTS: (see also particular districts)			
Claims for damages against, time limitation for filing.....	224	11	886
Congressional redistricting	149	1-7	534
Legislative redistricting	5	1-58	11
	289	1-58	1147

DOCTORS.

DOCTORS (see MEDICINE AND SURGERY)

	Ch.	Sec.	Page
DOLLIES:			
House moving dollies, license fees.....	105	1	423
DRAINAGE IMPROVEMENT DISTRICTS:			
Merger with irrigation districts authorized, procedure.....	94	2-8	385
DRIVE-INS:			
Admission tax authorized, school activities exempted.....	126	1, 2	473
DRIVERS (see MOTOR VEHICLES, subtitle Operators)			
DRUGS:			
Drugs excepted from narcotics act.....	161	1	597

E

EASTERN STATE HOSPITAL:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Building construction authorized, state building construction act	298	8	1194
Criminally insane, custody, discharge procedure.....	48	1, 2, 3	175

EASTERN WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)

ECHO LAKE ROUTE:

Bond issue authorized for, sale of bonds, interest, redemption fund, appropriation.....	206	1-11	789
---	-----	------	-----

EDUCATION (see SCHOOLS AND SCHOOL DISTRICTS; COLLEGES AND UNIVERSITIES; PUBLIC INSTRUCTION, SUPERINTENDENT OF; STATE BOARD OF EDUCATION)

EGGS:

Trading stamp coupons, use of as to marketing of eggs.....	221	3	871
--	-----	---	-----

ELECTIONS:

Absentee voting, definitions	169	1	620
Additional temporary facilities provided.....	251	12	995
Canvass of votes,			
county canvassing board,			
meetings	195	15	762
procedure	195	17	762
special canvass for county auditor.....	195	16	762
voting machines,			
closing machines, delivery of keys.....	195	13	761
public announcement	195	12	761
regulations	195	10	759
transmittal of returns, penalty.....	195	14	761
verification and certification.....	195	11	760
Certification of results and of returns.....	195	9	758
Cities and towns,			
assumption of indebtedness of annexed water, sewer or fire protection districts.....	119	1	461
incorporation elections	173	2-10	662
officials and councilmen in cities of first class having a mayor-council form of government, time of elections, terms of office.....	168	1, 2	618

EMINENT DOMAIN.

ELECTIONS—CONTINUED:	Ch.	Sec.	Page
City precinct defined.....	251	2	992
Congressional redistricting	149	1-7	534
Drainage improvement districts, merger with irrigation dis- tricts, election to determine.....	94	5, 6, 7	386
Excess tax levies, authorized by.....	{ 32	1	95
	58	18	231
Hospital districts, commissioner, elections.....	11	1	47
Irrigation districts, merger with drainage improvement dis- tricts, election to determine.....	94	14, 15	390
Legislative redistricting and reapportionment.....	{ 5	1-58	11
	289	1-58	1147
Metropolitan municipal corporations (see METROPOLITAN MUNICIPAL CORPORATIONS, subtitle Elections)			
Mosquito control districts (see MOSQUITO CONTROL DIS- TRICTS, subtitle Elections)			
Park and recreation districts' elections.....	58	7-9	228
Polling places, certification of results and of returns.....	195	9	758
time for arrival of officers.....	195	6	756
Port districts, commissioners' salaries determined by.....	72	1	306
Registration, offices and places for, hours for registration.....	251	10, 11	994
temporary residence, registration procedure for.....	251	13	995
Registration officers, certificate of authenticity, delivery of registration files....	251	8	993
city clerk registrar in city precincts.....	251	5	992
compensation and fees, expenses.....	251	7	993
county auditor registrar in rural precincts, appointment of deputies, qualifications	251	4	992
Rural precinct defined.....	251	3	992
School districts, adjustment of bonded indebtedness.....	296	1	1183
election of board of directors.....	67	1	266
formation, alteration and adjustment of school districts, propositions for	129	1	478
formation of new district.....	296	1	1183
Service voters, definitions.....	169	1	620
Temporary additional facilities provided for.....	251	12	995
Voters, temporary residence, registration procedure for.....	251	13	995
Voting machines, canvass of votes, regulations.....	195	10	759
closing machines, delivery of keys.....	195	13	761
public announcement	195	12	761
transmittal of returns, penalty.....	195	14	761
verification and certification.....	195	11	760
definitions	195	2	754
general provisions for use of.....	195	4	755
inspection of before voting, certification.....	195	7	757
use of authorized.....	195	3	755
 ELK (see GAME AND GAME FISH)			
 EMERGENCY WARRANTS:			
Appropriations	301	2	1262
 EMINENT DOMAIN:			
Gas companies, eminent domain proceedings by authorized..	191	1, 2	723
Metropolitan municipal corporations, by.....	213	32	828
Municipal utilities (see PUBLIC UTILITIES, subtitle Muni- cipal utilities)			

EMINENT DOMAIN.

EMINENT DOMAIN—CONTINUED:	Ch.	Sec.	Page
Public utility joint operating agencies, power as to.....	295	5	1178
Real property acquired by public bodies by, tax liens part of purchase price or award.....	277	1-3	1103
School districts, eminent domain proceedings by authorized..	155	1	573
Steam power electric generating facilities, power of eminent domain granted to director of conservation and develop- ment, for	275	6	1093
Urban renewal law, right of eminent domain authorized.....	42	1-20	134
World fair, department of commerce and economic develop- ment authorized to exercise right of eminent domain to acquire site for.....	174	4	666
EMPLOYER AND EMPLOYEES: (see also PUBLIC EMPLOYEES; INDUSTRIAL INSURANCE; EMPLOYMENT SECURITY)			
Civil service status retained by employees elected or ap- pointed to elective office.....	164	1	609
Discrimination in employment, civil rights act, prohibited practices	37	1-26	107
Food, employee's handling of food and beverages, food and beverage service worker's permit required, fees, penalty..	197	1-6	766
Occupational motor vehicle operator's license, permit allowed when license suspended or revoked, procedure, penalty for violations	268	1-4	1041
Railroads, rules and regulations for sanitation and shelter of employees	71	1	305
United Fund, deduction from salaries and wages of state and other public employees for, authorized.....	208	2	795
EMPLOYMENT AGENCIES:			
Discrimination, unfair practices, civil rights act.....	37	1-26	107
EMPLOYMENT SECURITY:			
Appropriations (see APPROPRIATIONS)			
Employment, agricultural labor exempted.....	264	1	1035
"Employment" definition, exclusion of certain salesmen from.	181	1	692
Salesmen, outside commission salesmen excluded from em- ployment definition	181	1	692
EPILEPTICS: (see also MENTALLY ILL)			
Bringing into state, penalty.....	29	4	90
Deportation and removal of, procedure.....	29	1-3	88
ESCAPES:			
Mental institutions, aiding.....	225	1	887
ESCHEATS:			
Real property to the state, supervision over.....	125	1	472
EXCISE TAXES (see TAXATION)			
EYEGASSES:			
Dispensing opticians' licensing act.....	43	1-17	161
EXPLOSIVES:			
Trucks hauling, full stop at railroad crossings required.....	96	2	393
F			
FAIRS: (see also WORLD FAIR)			
Agricultural fairs, lease of property authorized.....	134	1	488
Expenditures by counties for fairs authorized.....	124	1	471

FIRE PROTECTION.

FARMING (see AGRICULTURE)

FEDERAL:

	Ch.	Sec.	Page
Annexation of unincorporated areas by cities of the first class, acceptance of relinquishment of federal jurisdiction over authorized.....	239	7	940
Cities of the first class, investments in United States government securities authorized.....	123	1	470
Commerce and economic development, grants and matching funds, acceptance of authorized.....	215	15	851
Congressional redistricting	149	1-7	534
Federal old-age and survivors insurance, agreement for coverage of state and local governmental employees with secretary of health, education, and welfare, terms, referendum.....	170	1	621
plan for coverage under old-age and survivors insurance of members of state retirement system, approval of plan, terms, definitions, contributions, etc.....	222	1-3	872
teachers' retirement system, plan for coverage of members, terms of.....	183	2	700
toll bridge authority employees, extended to	271	1-10	1059
Flood control funds, appropriation for.....	301	2	1265
Indians, assumption of criminal and civil jurisdiction by state	240	1-7	941
Lands in Clallam county, purchase by state forest board authorized	110	1	438
Planning commissions, acceptance of federal aid authorized...	157	2, 4	577
Reclamation areas, irrigation and reclamation districts, contracts and agreements with, conditions	165	1-3	610
state land in, sale of.....	165	4	615
Regional planning commissions, receipt of federal moneys by authorized	130	1	481
State schools for mentally ill and physically deficient, contracts with federal government for care and maintenance of residents of, authorized.....	102	19	419
Surplus commodities, distribution of by state and counties authorized, procedure	187	1-5	711
Tacoma-Seattle-Everett freeway, use of federal-aid highway act funds for financing of.....	189	4, 10	716
Toll bridge on lower Columbia River, agreements concerning	172	39	653
United States treasurer, reimbursement.....	300	2	1216 1219
United States vocational education account, abolished and moneys transferred to general fund, appropriation, warrants	226	1-4	888
University of Washington building construction, acceptance of federal funds for authorized.....	254	3	1008
Vocational rehabilitation, acceptance of federal benefits authorized	223	5	880

FEEBLE-MINDED (see MENTALLY ILL)

FELONS (see PENITENTIARY, STATE)

FERRIES (see TOLL BRIDGE AUTHORITY)

FERTILIZERS:

Fertilizers, agricultural minerals and limes, definitions.....	151	1	545
--	-----	---	-----

FINANCE COMMITTEE (see STATE FINANCE COMMITTEE)

FIRE PROTECTION:

Forest areas, regulations, closed areas, prohibited activities, logging operations, equipment required, throwing away lighted materials, penalties.....	111	4-8	442
---	-----	-----	-----

FIRE PROTECTION DISTRICTS.

FIRE PROTECTION DISTRICTS:

	Ch.	Sec.	Page
Annexation by cities and towns, disposition of property, outstanding indebtedness	119	1	461
Board of fire commissioners, membership, expenses, terms, authority	238	1	938
Claims for damages against, time limitation for filing.....	224	11	886
Excess levies authorized	32	1	95
	58	15	231

FIREARMS:

Training program for juveniles authorized.....	17	1	64
--	----	---	----

FIREMEN'S RELIEF AND PENSIONS:

Appropriations (see APPROPRIATIONS)			
Pension benefits, beneficiaries, disability, options, funeral expenses, etc.	82	1-13	330
Volunteer firemen's relief and pensions, disability payments, proof, hospital expenses, death benefits	159	1-6	592
trust fund, payments into, fees, insurance premiums, investments, bonds, payments from fund.....	116	1	454

FIREWORKS:

Throwing away in forest or grain areas prohibited, penalty...	111	8	447
---	-----	---	-----

FISHING (see GAME AND GAME FISH; also FOOD FISH AND SHELLFISH)

FLEETS:

Motor vehicles, fleets of four or more, fees and taxes based on highway use	273	22	1083
---	-----	----	------

FOOD:

Handling of, food and beverage service worker's permit required, fee, penalty.....	197	1-6	766
--	-----	-----	-----

FOOD FISH AND SHELLFISH: (see also GAME AND GAME FISH)

Fisheries, department of, appropriations (see APPROPRIATIONS, subtitle Fisheries, department of)			
atomic energy, study of as to natural resources hazards..	92	4	381
building construction authorized, state building construction authorized, state building construction act.....	298	8	1194
Deception Pass marine research station, transfer to state parks and recreation authorized, by.....	207	1	794
oyster industry study, by.....	237	2	937
Fisheries patrol officers, compensation during disability.....	216	1	856
Licenses, districts created, special gear license required, application, forfeiture for violations.....	171	1-5	627
Oyster industry studies authorized.....	237	1-3	937
Salmon net fishing prohibited in certain international and coastal waters, purpose, effective date, cooperation of other states and countries.....	108	2-9	428

FOREIGN CORPORATIONS (see CORPORATIONS)

FORESTS AND FOREST PRODUCTS (see also NATURAL RESOURCES, DEPARTMENT OF)

Boom companies (see BOOM COMPANIES)

Brands and marks, jurisdiction over transferred to department of natural resources	38	11	125
--	----	----	-----

GAME AND GAME FISH.

FORESTS AND FOREST PRODUCTS—CONTINUED:

	Ch.	Sec.	Page
Brands and marks, registration, assignment, etc.....	36	1-10	101
Christmas trees, certain provisions relating to repealed.....	86	1	345
jurisdiction over transferred to department of natural re- sources	38	10	125
Exchange of state timber lands authorized, purpose.....	290	1-3	1163
Fire protection, certificates of clearance, removal or abatement of fire hazards	154	1	570
regulations, closed areas, prohibited operations, snag re- moval, logging operations, equipment required, throw- ing away lighted materials, penalties.....	111	4-8	442
Forest practices, cutting permits, seed trees, definitions.....	79	1-3	316
Forests, state, lands acquired by counties through tax lien foreclosure, deed to state as state forest land.....	167	1	617
Log driving companies (see LOG DRIVING COMPANIES)			
Log patrols (see LOG PATROLS)			
Logging truck tractors and trailers, license fees payable monthly	273	4	1071
Logging trucks, study of monthly licensing of by joint fact- finding committee on highways, streets and bridges.....	172	33	649
State forest board (see NATURAL RESOURCES, DEPART- MENT OF, subtitle State forest board)			
Supervisor of forestry (see NATURAL RESOURCES, DE- PARTMENT OF, subtitle Supervisor of forestry)			
FOR-HIRE VEHICLES:			
Additional fees	172	37	652
FORT WORDEN:			
Purchase of land and buildings by department of institutions for custody of children and youth authorized.....	217	1-5	857
FOX ISLAND TOLL BRIDGE:			
Reduction of tolls, retirement of bonds, agreement concern- ing, appropriation	270	1-6	1055
FRANCHISES:			
Annexation of territory by cities and towns, public service business or facility holding franchise or permit, continu- ation or disposition of, damages.....	282	1	1120
FRANKLIN COUNTY:			
Appropriations	300	2	1229
FUEL TAXES (see TAXATION)			
FUNDS (see PUBLIC FUNDS)			

G

GAMBLING:

RCW corrections	7	2-4	23
-----------------------	---	-----	----

GAME AND GAME FISH:

Damages caused by game, claims, payment of, arbitration.....	177	1	685
notice of claims for damages, time limitation.....	177	2	687
proof of claim, rules and regulations.....	177	3	687

GAME AND GAME FISH.

GAME AND GAME FISH—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Deer, tags required, fees.....	176	1	679
Definitions	176	14	684
Department of game, appropriations (see APPROPRIATIONS, subtitle Game, department of)			
atomic energy, study of as to natural resources hazards...	92	4	381
Elk, tags required, fees.....	176	1	679
Fishing guide license, fee, rules and regulations.....	176	13	684
Fishing license, hunting and fishing, county resident, fee.....	176	6	682
state resident, fee.....	176	3	681
nonresident, state, fee.....	176	9	683
nonresident temporary state fishing license, fee.....	176	10	683
resident, county, fee.....	176	7	682
resident, state, fee.....	176	5	682
Goat, tag required, fees.....	176	1	679
Hunting license, hunting and fishing license, county resident, fee.....	176	6	682
state resident, fee.....	176	3	681
nonresident, state, fee.....	176	8	682
resident, state, fee.....	176	4	681
training program for juveniles as condition precedent to granting	17	1	64
Importation of domesticated game fish, repeal of provision re- lating to	241	1	944
Licenses, persons issuing, fee.....	176	2	681
State game commission, damages caused by game, duties concerning.....	177	1-3	685
fishing guides, rules and regulations concerning.....	176	13	684
hunting licenses, training program for juveniles, estab- lishment by	17	1	64
Tags and seals required, fees.....	176	1	679
Trapping license, resident, fee.....	176	11	683
 GARBAGE SERVICES:			
Metropolitan municipal corporations, powers and duties con- cerning	213	28	825
Municipal utilities, authority of cities and towns to acquire and operate	209	3	797
	288	3	1144
Public service business or facility annexed by city or town, permit or franchise included in annexed territory, contin- uation or disposition of, damages.....	282	1	1120
 GAS COMPANIES:			
Eminent domain, proceedings by authorized.....	191	1, 2	723
 GASOLINE TAXES (see TAXATION, subtitle Motor vehicle fuel taxes)			
 GENERAL ADMINISTRATION, DEPARTMENT OF:			
Appropriations (see APPROPRIATIONS)			
Archives, division of archives, public records, powers and duties concerning	246	1-7	963
Director, lease of state owned land in Olympia, authorization, purpose, duration	210	1-3	799
Federal surplus commodities, receipt and distribution of au- thorized	187	1	711

GRAYS HARBOR.

GENERAL ADMINISTRATION, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Lease of state owned land in Olympia authorized, purpose, duration	210	1-3	799
Purchasing, division of, powers and duties generally.....	187	1	711
Purchasing, supervisor of, preference to materials and supplies produced by institutional industries commission....	30	1-6	91
GHIONE, NOEL M.:			
Quitclaim deed conveying property to.....	293	1	1167
GOVERNOR:			
Adjutant general, removal, report submitted to.....	250	1, 2	988
Administrator of natural resources to submit report to.....	38	20	128
Appropriations (see APPROPRIATIONS)			
Atomic energy,			
advisory council, appointment by.....	92	6	382
coordinator, appointment by	92	5	382
Barber examining committee, appointed by.....	101	7	405
Board against discrimination, appointed by.....	37	5	111
Colleges of education, boards of trustees, appointment of members to, by.....	147	2, 3	532
Commerce and economic development, director and advisory council appointed by.....	215	3, 9	847
Division on alcoholism, report to governor required.....	136	19	495
Federal old-age and survivors insurance,			
agreement for coverage of state and local governmental employees with secretary of health, education, and welfare, terms, referendum, duties concerning.....	170	1	621
plan for coverage under old-age and survivors insurance of members of state retirement system, approval of plan, terms, definitions, contributions, duties concerning	222	1-3	872
Grays Harbor, deed to tidelands, executed by.....	40	1, 2	132
Highways, primary state highway No. 2 (Echo Lake Route), revenue bonds signed by.....	206	3	790
Ilwaco, port of, conveyance of certain state land to authorized, by	85	1	344
Indians, assumption of civil and criminal jurisdiction over, duties	240	1-7	941
Institutional industries commission act, notice by governor to desist from violations	30	5	92
Natural resources, board of, member of.....	38	4	124
Power advisory committee, appointed by.....	284	4	1124
Seattle, city of, sale of certain lands to, executed by.....	252	2	997
State census board member, appointed by.....	175	1	671
State tax commission members appointed by.....	127	1	476
Steam power electric generating facility revenue bonds, signed by	275	16	1100
Steilacoom, town of, deed of certain lands to, executed by....	131	3	484
Tacoma-Seattle-Everett freeway, bonds to finance, signed by	189	5	716
Tax advisory council, appointed by.....	291	1	1164
Weather modification board, appointment of members by....	245	2	954
World fair commission, appointment of members by.....	15	1	61
GRADE CROSSINGS:			
Railroad crossings, approaching vehicles, safety precautions.	96	2	393
GRANT COUNTY:			
Appropriations	300	2	1210
GRAYS HARBOR:			
Deed of tidelands to.....	40	1, 2	132

GREEN HILL SCHOOL.

GREEN HILL SCHOOL:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Dormitory construction authorized, state building construction act	298	8	1194

GUARDIANSHIP:

Duties of guardian in general.....	64	1	263
Personal service, civil procedure.....	202	1	776

GUEST-HOST:

Liability of motor vehicle owner or operator for injury to or death of guest	132	1	484
--	-----	---	-----

GUIDES:

Fishing guides, rules and regulations concerning.....	176	13	684
---	-----	----	-----

H

HABEAS CORPUS:

Writ, granting of, RCW corrections.....	9	10	39
---	---	----	----

HAIRDRESSING:

RCW corrections	52	2-12	195
-----------------------	----	------	-----

HARBOR IMPROVEMENTS:

Appropriations	301	2	1265
----------------------	-----	---	------

HARBOR LINES COMMISSION:

Board of natural resources constitutes.....	38	15	126
---	----	----	-----

HEALTH, DEPARTMENT OF:

Appropriations (see APPROPRIATIONS, subtitle Health, department of)

Atomic energy, study of as to health and safety hazards.....	92	4	381
--	----	---	-----

Boarding homes,

advisory boarding home council,

members, terms, meetings, compensation.....	253	8	1002
---	-----	---	------

rules and regulations by.....	253	9	1002
-------------------------------	-----	---	------

definitions	253	2	998
-------------------	-----	---	-----

fire protection	253	13	1004
-----------------------	-----	----	------

information confidential	253	12	1004
--------------------------------	-----	----	------

inspections	253	11	1003
-------------------	-----	----	------

licenses,

applications for	253	4	999
------------------------	-----	---	-----

denial, suspension, revocation, appeals.....	253	6, 7	1000
--	-----	------	------

injunction	253	15	1005
------------------	-----	----	------

issuance of licenses, renewal, provisional licenses,			
--	--	--	--

fees, display of licenses.....	253	5	999
--------------------------------	-----	---	-----

penalty for operating without.....	253	14	1005
------------------------------------	-----	----	------

required	253	3	999
----------------	-----	---	-----

local enforcement authorized.....	253	10	1003
-----------------------------------	-----	----	------

purpose	253	1	998
---------------	-----	---	-----

Director, air pollution, cooperation with cities, towns and counties to prevent.....	232	5	907
--	-----	---	-----

State board of health, food handling, food and beverage service worker's permit required, fees, duties concerning....	197	1-6	766
---	-----	-----	-----

State schools for mentally ill and physically deficient established, duties concerning	102	7	413
--	-----	---	-----

Swimming pools, regulation of, by, authorized.....	57	1-4	223
--	----	-----	-----

HIGHWAYS.

HEALTH DISTRICTS:

	Ch.	Sec.	Page
Health board,			
appointments, vacancies upon.....	100	1	400
representation upon	100	1	400
Property, powers relating to.....	100	2	401

HIGH SCHOOLS (see SCHOOLS AND SCHOOL DISTRICTS)

HIGHER EDUCATION (see COLLEGES AND UNIVERSITIES)

HIGHWAYS: (see also MOTOR VEHICLES; also COUNTIES, subtitle Roads; also CITIES AND TOWNS, subtitle Streets)

Appropriations (see APPROPRIATIONS, subtitle Highways, department of)			
City streets as part of state highways, jurisdiction over.....	83	2, 3	336
Construction work,			
payment to contractor from funds reserved when work delayed	91	1	377
posting of signs required, obedience, penalty.....	95	1-4	391
Director of highways,			
allocations and distributions to counties from motor vehicle fund, duties concerning.....	109	1	432
reciprocity commission on highway user tax structure, member of	273	23	1085
salary	172	31	649
Echo Lake Route, additional funds to construct, bond issue authorized, sale of bonds, interest, redemption fund, appropriation	206	1-11	789
Erection or maintenance of certain signs, lights, structures forbidden, penalty	204	1	779
Fox Island toll bridge, reduction of tolls, retirement of bonds, appropriation	270	1-6	1055
Freeways, study of by joint fact-finding committee on highways, streets and bridges.....	172	33	649
Ghione, Noel M., quitclaim deed conveying property to.....	293	1	1167
Highway research council, joint fact-finding committee on highways, streets and bridges to review study of.....	172	33	649
Highway safety fund created, purpose.....	104	1	422
Highways, department of,			
appropriations (see APPROPRIATIONS, subtitle Highways, department of)			
atomic energy, study of as to transportation of products joint fact-finding committee on highways, streets and bridges, study and survey of additions and deletions to primary and secondary highways.....	172	28	643
Joint fact-finding committee on highways, streets and bridges, additional fees on trucks, trailers, auto-stages, for-hire vehicles, use of for highway use and weight studies..	172	37	652
allocations and distributions to counties from motor vehicle fund, duties concerning.....	109	1	432
continued, membership, vacancies.....	172	32	649
members, reimbursement for expenses, salaries of employees, payment of.....	172	36	652
reciprocity commission on highway user tax structure, chairman of and vice chairman, members of.....	273	23	1085
studies and surveys authorized.....	172	33	649
budgeting and appropriation of motor vehicle funds..	172	33	649
collection of overweight penalties.....	172	33	649
exemptions from motor vehicle licensing and taxation highway additions and deletions of primary and secondary highways	172	28	643
highway and motor vehicle laws, amendments to.....	172	33	649

HIGHWAYS.

HIGHWAYS—CONTINUED:

	Ch.	Sec.	Page
Joint fact-finding committee on highways, streets and bridges,			
studies and surveys authorized,			
highway relocations	172	33	649
highway safety	172	33	649
irrigation district highway construction.....	172	33	649
license department motor vehicle licensing.....	172	33	649
preemption of motor vehicle licensing.....	172	33	649
Puget Sound transportation system.....	172	33	649
redefinition of rural and urban vehicles for tax allocation purposes	172	33	649
reevaluation of highway needs.....	172	33	649
subsidy to state ferry system.....	271	1-10	1059
tax structure	172	33	649
urban freeways	172	33	649
Washington reciprocity commission, participation with..	172	34	651
Washington state council for highway research, cooperation with authorized	172	35	652
western interstate committee on highway policy problems, participation with	172	34	651
Lake Washington toll bridge, additional bridge authorized, bond issue for, retirement from tolls authorized, appropriations	266	1-6	1037
Lighted materials, throwing away in forest or grain areas in closed seasons, penalty	111	8	447
Lights, certain lights erected near highways forbidden, penalty	204	1	779
Limited access,			
authority of state, counties and cities and towns to provide cities and towns, through,	235	2, 3	927
authority for providing.....	235	2-4	927
board, membership, appointment of, expenses of board construction and maintenance of city streets over and under	235	7, 11	933
finding of board.....	235	4	929
finding of board.....	235	10	935
hearing of board.....	235	8	934
jurisdiction of state over.....	235	4	929
plan for, study, conferences, hearing, notice.....	235	5	931
procedure before board.....	235	9	934
publication of plan, objections to plan.....	235	6	932
storm sewers	235	4	929
testimony before board.....	235	9	934
traffic restrictions	235	4	929
underground facilities	235	4	929
utility franchises	235	4	929
county roads, closing of by state for.....	235	2	928
Locations,			
Lakota to Palmer.....	172	28	643
Midway to Kent.....	172	28	643
Normandy Park to Hobart.....	172	28	643
Three Tree Point to White Center to Renton.....	172	28	643
Maintenance work, posting of signs required, obedience, penalty	95	1-4	391
Passing overtaken vehicle.....	96	1	392
Primary state highway No. 14, relocation of.....	172	28	643
Primary state highways,			
Echo Lake Route on No. 2, additional funds to construct, bond issue authorized, sale of bonds, interest, redemption fund, appropriations	206	1-11	789
establishment of,			
primary state highway No. 1 (Pacific highway).....	172	2	630
primary state highway No. 11 (Columbia Basin highway)	172	13	636

HIGHWAYS.

HIGHWAYS—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Primary state highways, establishment of,			
primary state highway No. 14 (Navy yard highway) ..	172	10	634
primary state highway No. 21 (Kitsap peninsula high- way)	172	11	635
location survey of No. 17 (Marblemount to Mazama)....	172	29	648
primary state highway No. 2, additional funds to construct Echo Lake Route, bond issue, sale of bonds, interest, redemption fund, appropriation for.....	206	1-11	789
primary state highway No. 8 (Evergreen highway).....	172	9	633
realignment and reconstruction of primary state highway No. 1 as part of Tacoma-Seattle-Everett freeway au- thorized	189	3	715
relocation of primary state highway No. 4.....	172	28	643
Puget Sound transportation system, study of by joint fact- finding committee on highways, streets and bridges.....	172	33	649
Railroad intersections, safety regulations for vehicles ap- proaching	96	2	393
Safety, study of by joint fact-finding committee on highways, streets and bridges	172	33	649
Seattle-Tacoma-Everett freeway, authorized, financing, fed- eral grants, bond issue, retirement of bonds, interest, sale of bonds, appropriation.....	189	1-13	715
Seattle-Tacoma-Everett toll road, repeal of toll road act.....	211	1	801
Secondary state highways,			
Bremerton to Keyport	172	28	643
deletion of No. 4B from Lind northerly, study of.....	172	28	643
establishment of branches of primary state highways,			
primary state highway No. 1,			
secondary state highways No. 1A and 1B.....	172	14	636
secondary state highways No. 1E and 1F.....	172	15	637
secondary state highways No. 1K and 1L.....	172	3	631
secondary state highways No. 1V and 1W.....	172	16	638
primary state highway No. 2,			
secondary state highway No. 2J.....	172	17	638
secondary state highways No. 2A and 2B.....	172	5	632
secondary state highways No. 2D and 2E.....	172	6	632
secondary state highways No. 2F and 2G.....	172	7	633
secondary state highways No. 2H and 2I.....	172	8	633
primary state highway No. 3,			
secondary state highway No. 3D.....	172	19	639
secondary state highways No. 3A and 3B.....	172	18	638
secondary state highways No. 3J and 3K.....	172	20	639
primary state highway No. 7,			
secondary state highway No. 7C.....	172	21	640
primary state highway No. 9,			
secondary state highways No. 9E and 9F.....	172	12	635
primary state highway No. 11,			
secondary state highways No. 11A and 11B.....	172	23	640
secondary state highways No. 11C, 11D and 11E....	172	24	641
secondary state highways No. 11F and 11G.....	172	25	642
primary state highway No. 12,			
secondary state highway No. 12H.....	172	26	642
primary state highway No. 21,			
secondary state highway No. 21C.....	172	27	642
extensions of No. 1S, 3R, 12D.....	172	28	643
extension to No. 15B.....	172	28	643
Kennewick to primary state highway No. 3 at Pasco.....	172	28	643

HIGHWAYS.

HIGHWAYS—CONTINUED:

	Ch.	Sec.	Page
Secondary state highways,			
Lind to No. 11G.....	172	28	643
Lyle to Goldendale.....	172	28	643
Malott to primary state highway No. 16.....	172	28	643
PeEll to Grays River.....	172	28	643
realigning No. 21B.....	172	28	643
Renton avenue to Webster street.....	172	28	643
Spokane to primary state highway No. 22.....	172	28	643
Signs, certain signs erected near highways forbidden, penalty	204	1	779
State highway commission,			
additional fees on trucks, trailers, auto-stages, for-hire vehicles, use of for highway use and weight studies..	172	37	652
Biggs Rapids toll bridge, duties concerning.....	142	1-6	507
construction work, payment of contractor from reserve fund when work delayed.....	91	1	377
jurisdiction over highways in cities and towns.....	83	2, 3	336
limited access (see Limited access, this title)			
primary state highway No. 2 (Echo Lake Route), bond issue authorized to construct, duties concerning.....	206	1-11	789
report to legislature concerning highway needs of the state	172	30	648
studies and surveys of highway additions and deletions authorized	172	28	643
Tacoma-Seattle-Everett freeway, authorized, financing, etc., duties concerning.....	189	1-13	715
toll bridge on lower Columbia River, duties and authority concerning	172	39	653
unlawful erection or maintenance of structures, signs, or devices a public nuisance, duties concerning.....	204	1	779
Western Washington college of education, street approach for, duties concerning.....	283	1-4	1121
Tacoma-Seattle-Everett freeway authorized, financing, federal grants, bond issue, retirement of bonds, interest, sale of bonds, appropriation	189	1-13	715
Tacoma-Seattle-Everett toll road, repeal of toll road act.....	211	1	801
Toll bridges (see TOLL BRIDGES; also TOLL BRIDGE AUTHORITY)			
Toll roads, repeal of act relating to.....	211	1	801
Toll tunnel through Cascade Mountains, studies and surveys for	172	42	656
Western interstate highway policy committee, reciprocity commission on highway user tax structure, advisory members of	273	23	1085
HISTORICAL: (see also PUBLIC RECORDS)			
Storage and preservation of historical materials, county ex- penditures for	47	1, 2	173
HONEY:			
Grade, quality and seal required on containers.....	103	1	421
HORTICULTURE (see AGRICULTURE)			
HOSPITAL DISTRICTS:			
Election of commissioners.....	11	1	47
Excess levies authorized.....	32	1	95
	58	15	231
HOSPITALS:			
Eastern state hospital, custody and discharge procedure for criminally insane	48	1, 2, 3	175
HOSTAGES (see PENITENTIARY, STATE, subtitle Prisoners)			

INDUSTRIAL INSURANCE.

	Ch.	Sec.	Page
HOST-GUEST:			
Liability of motor vehicle owner or operator for injury to or death of guest.....	132	1	484
HOTELS:			
Discrimination, unfair practices, civil rights act.....	37	1-26	107
Swimming pools, health regulations for, authorized, definitions	57	1-4	223
HOUSE TRAILERS:			
House trailer excise tax imposed, rate and measure of, enforcement of collection, penalty, exemptions, fees.....	269	1-21	1044
HOUSING:			
Publicly-assisted, discrimination, unfair practices, civil rights act	37	1-26	107
Urban renewal law.....	42	1-20	135
HUNTING (see GAME AND GAME FISH; also LICENSES)			
HYDROELECTRIC GENERATING FACILITIES: (see also PUBLIC UTILITY DISTRICTS)			
Dams, navigation restriction removed.....	209	2	796
I			
ILWACO, PORT OF:			
Conveyance of certain state lands to authorized.....	85	1	344
IMPRISONMENT (see PENITENTIARY, STATE; also REFORMATORY, STATE)			
INDIANS:			
Assumption of criminal and civil jurisdiction over, consent of state	240	1-7	941
Education of children, appropriation for.....	301	2	1264
INDUSTRIAL INSURANCE:			
Actions against third parties, elections, benefits, subrogation, compromises	70	23	279
Aggravation, diminution, or termination of disability.....	70	38	291
Appeals, procedure	70	55-64	298
Appropriations (see APPROPRIATIONS, subtitle Labor and industries, department of)			
Assignment, garnishment, etc., of awards, payment of awards after death	70	29	281
Catastrophe costs, distributions, amount.....	70	22	278
Confidentiality of files and records.....	70	48, 51	294
Death benefits, amounts of.....	70	30	282
Definitions	70	6-21	275
Department of labor and industries, appropriations (see APPROPRIATIONS, subtitle Labor and industries, department of)			
atomic energy, study of as to hazardous working conditions	92	4	381
division of industrial insurance, forwarding notices, orders, and warrants to claimants.....	70	5	275
Employers, determination of cost experience.....	70	49	295
new businesses or resumed operations.....	70	50	295
record of employment, confidentiality of records.....	70	48	294
when entitled to benefits.....	70	28	281
Extrahazardous employment definitions.....	70	2	273
Funds	70	39-44	291

INDUSTRIAL INSURANCE.

INDUSTRIAL INSURANCE—CONTINUED:	Ch.	Sec.	Page
Intentional injury,			
action against employer for.....	70	24	280
by the workmen, rights of dependents.....	70	27	281
Lump sum payments,			
beneficiary outside state.....	70	37	290
death or permanent total disability, amount of payments.....	70	45	293
further accident after lump sum payments.....	70	35	290
Minor workmen, right to compensation.....	70	4	275
Nonresident alien beneficiaries.....	70	36	290
Pensions, additional amounts allowed.....	196	1, 2	764
Permanent partial disabilities, schedule of awards.....	70	32	285
Permanent total disability, amount of awards, personal attendant	70	31	285
Persons entitled to compensation.....	70	26	280
Preexisting diseases	70	34	289
Premium rates, bases for determining.....	70	53, 54	296
Proof of dependency	70	25	280
Quarterly reports of payrolls.....	70	47	294
Temporary total disability.....	70	33	288
INFLAMMABLE LIQUIDS:			
Trucks hauling, full stop at railroad crossings required.....	96	2	393
INFLAMMABLE MATERIAL:			
Disposal of in forest and grain areas prohibited, penalty.....	111	8	447
INHERITANCE TAX (see TAXATION, subtitle Inheritance tax)			
INJUNCTIONS:			
Dispensing opticians, practicing without license, subject to..	43	15	166
RCW corrections	51	9	188
Unfair cigarette sales act, injunction as remedy.....	286	11	1135
INSANE (see MENTALLY ILL)			
INSTITUTIONAL BUILDING CONSTRUCTION ACT:			
General obligation bond issue authorized for institutional building construction, allotments, appropriation, retail sales excise tax, use of to retire bonds.....	299	1-7	1198
INSTITUTIONS, DEPARTMENT OF:			
Adult correction division,			
created	272	13	1066
powers and duties.....	272	16	1066
supervisor, qualifications	272	14, 15	1066
Alcoholism, division on, created, powers and duties, personnel, facilities, rules and regulations, etc.....	136	1-19	490
Appropriations (see APPROPRIATIONS)			
Building construction authorized, state building construction act	298	8	1194
Children and youth services, division of, parental schools, powers and duties concerning.....	297	2-6	1186
Commission, advisory,			
duties	272	6	1065
meetings, per diem.....	272	5	1065
membership, qualifications	272	3	1064
terms of members, vacancies.....	272	4	1064
Destruction of buildings or shops where convicts employed, repair or rebuilding of.....	25	1	83
Director,			
children and youth supervisor, appointment of, qualifications	272	7	1065
created, appointment, vacancies.....	272	1	1063
Fort Worden, purchase of land and buildings, utilization of for children and youth.....	217	1-5	857

INSTITUTIONS, DEPARTMENT OF.

INSTITUTIONS, DEPARTMENT OF—CONTINUED:	Ch.	Sec.	Page
Established	272	1	1063
Fort Worden, purchase of land and buildings, utilization of for children and youth	217	1-5	857
Hospitals for the insane, superintendent and employees quarters and board furnished.....	188	1	714
Insane, feeble-minded and epileptic, deportation of aliens....	29	1	88
Institutional building construction act, general obligation bond issue authorized for, allotments to for institutional building construction	299	1-7	1198
Institutional industries commission, materials and supplies, preference in purchase to institutions, etc.....	30	1-6	91
Mental health division,			
created	272	9	1066
powers and duties.....	272	12	1066
supervisor, qualifications	272	10,11	1066
Mentally ill,			
aiding or abetting escape from mental institution.....	225	1	887
alcoholics, division on alcoholism created, powers and duties, etc.	136	1-19	490
bringing into state, penalty.....	29	4	90
deportation or removal from state, procedure.....	29	1-3	88
hospitalization of,			
counties, transfer to state hospitals, expenses of.....	49	1	178
state hospitals, expenses, costs, etc.....	24	1	82
involuntary hospitalization, application, examination.....	28	1	87
letters of patients.....	54	1	220
schools for (see State schools for mentally ill and physically deficient, this title)			
Parental schools, powers and duties concerning.....	297	2-6	1186
Prisoners (see PENITENTIARY, STATE; also REFORMATORY, STATE)			
Psychopathic delinquents,			
aiding or abetting escape from mental institution.....	225	1	887
definitions	184	1	707
deportation of alien.....	29	1	88
expenses of hospitalization, determination of.....	26	1	84
parole of	35	1	99
Sexual psychopaths,			
aiding or abetting escape from mental institution.....	225	1	887
definitions	184	1	707
deportation of alien.....	29	1	88
expenses of hospitalization, determination of.....	26	1	84
parole of	35	1	99
State schools for mentally ill and physically deficient established,			
clothing for residents provided.....	102	21	419
contracts for care, maintenance, etc.....	102	19	419
definitions	102	2	409
educational departments established.....	102	5	412
Lakeland village established.....	102	3	411
Rainier school established.....	102	3	411
review of decisions.....	102	24	420
superintendents of,			
court witness, exemption as.....	102	10	413
powers and duties.....	102	11-18	414
qualifications, jurisdiction	102	4	411
review of decisions.....	102	24	420
transfers of residents between schools.....	102	22	420
Superintendents, hospitals for the insane, housing and board furnished to	188	1	714

INSURANCE.

INSURANCE:	Ch.	Sec.	Page
Agents, brokers, solicitors, and adjusters, expiration and re- newal of licenses.....	193	9	736
Certificates of authority.....	193	1-3	726
Commercial automobile drivers' training schools, liability coverage required	87	9	350
Companies, service of summons, civil procedure.....	202	1	776
steam power electric generating facilities, revenue bond issue for construction of, legal investment for.....	275	18	1100
urban renewal bonds, legal investments for funds of.....	42	11	153
Directors of domestic insurers, residence requirements.....	193	21	752
Host-guest, liability of owner or operator of motor vehicle for injury to or death of guest.....	132	1	484
Inheritance tax, life insurance proceeds, part of estate for purpose of	280	2	1117
Insurance contracts	193	10-12	738
Insuring powers, additional kinds of insurance.....	193	6	729
Investments	193	8	736
Life insurance and annuities standard forfeiture law.....	193	15	743
Mutual insurer, insurance transactable.....	193	4, 5	728
Rates	193	13, 14	740
Standard valuation law.....	193	7	730
State fire marshal, inspection of boarding homes, duties con- cerning	253	13	1004
Tax on fire insurance premiums, percentage paid into vol- unteer firemen's relief and pension trust fund.....	116	1	454
Title insurance, guaranty fund requirements.....	193	16, 17	750
Unfair practices	193	18-20	750
INSURANCE COMMISSIONER:			
Appropriations (see APPROPRIATIONS)			
Atomic energy development, study of as hazards.....	92	4	381
Washington state retirement system board, member of.....	162	1	599
INTERCOUNTY RURAL LIBRARY DISTRICTS:			
Excess levies authorized.....	32	1	95
	58	15	231
INTERSTATE COMPACT COMMISSION:			
Appropriations	301	2	1240
INTOXICATING LIQUOR:			
Action by landlord against tenant to recover money paid for his liability for acts of intoxicated tenant, repealed.....	7	10	25
Class H licenses, definitions	263	2	1033
election units, local option.....	263	3	1034
repeal of surety bond requirement.....	263	4	1034
Division on alcoholism of department of institutions created, powers and duties, personnel, facilities, rules and regu- lations, etc.	136	1-19	490
Liquor revolving fund, excess moneys, basis for distribution to cities, towns and counties.....	175	6-8	674
Temporary retail sales excise tax imposed.....	279	4	1115
IRRIGATION DISTRICTS:			
Assessments in local improvement districts, payment, disposal of bonds	68	1	269
Federal reclamation areas, contracts and agreements, condi- tions	165	2, 3	610
Highways, construction through irrigation districts, study of by joint fact-finding committee on highways, streets and bridges	172	33	649
Merger with drainage improvement districts authorized, pro- cedure	94	10-15	389

KNIVES.

	Ch.	Sec.	Page
ISLAND COUNTY:			
Appropriation	300	2	1210

J

JAILS (see PENITENTIARY, STATE; also REFORMATORY, STATE)

JOINT FACT-FINDING COMMITTEE (see HIGHWAYS)

JOINT OPERATING AGENCIES (see PUBLIC UTILITY DISTRICTS, subtitle Joint operating agencies)

JUDGES (see COURTS)

JUDGMENTS:

Abstracts of, RCW corrections	7	8	25
Appropriations for	300	2	1211
Entries on execution docket, RCW corrections.....	7	6	24
Executions of, RCW corrections.....	8	1-7	29
Sureties, against, RCW corrections.....	9	6	38
Vacation or modification of, RCW corrections.....	9	4	36

JUDICIAL COUNCIL:

Appropriations	301	2	1237
----------------------	-----	---	------

JURIES:

Absence of, court open, RCW corrections.....	9	2	36
Criminally insane, discharge of, determination by.....	48	1, 2, 3	175

JURORS:

Admonitions to, RCW corrections.....	7	5	23
--------------------------------------	---	---	----

JUSTICES OF THE PEACE (see COURTS, subtitle Justices of the peace)

JUVENILES (see MINORS)

K

KINDERGARTENS:

Appropriations	301	2	1263
----------------------	-----	---	------

KING COUNTY:

Appropriations	276	2	1102
----------------------	-----	---	------

KIRKLAND:

Appropriations	300	2	1230
----------------------	-----	---	------

KITTITAS COUNTY:

Appropriations	300	2	1229
----------------------	-----	---	------

KLICKITAT COUNTY:

Biggs Rapids toll bridge, duties concerning construction of....	142	1-6	507
---	-----	-----	-----

KNIVES:

Switch-blade, manufacture, possession or sale of prohibited, penalty	93	1	384
--	----	---	-----

LABOR AND INDUSTRIES, DEPARTMENT OF.

L

LABOR AND INDUSTRIES, DEPARTMENT OF: (see also INDUSTRIAL INSURANCE)

	Ch.	Sec.	Page
Appropriations (see APPROPRIATIONS)			
Atomic energy, study of as to hazardous working conditions..	92	4	381
Director, duties concerning industrial insurance.....	70	3	274

LABOR UNIONS: (see also EMPLOYER AND EMPLOYEES)

Discrimination in membership and employment prohibited..	37	10, 12	113
--	----	--------	-----

LAKE WASHINGTON TOLL BRIDGE:

Additional toll bridge authorized, bond issue for, tolls authorized, retirement of bonds, appropriation.....	266	1-6	1037
--	-----	-----	------

LAKELAND VILLAGE:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Building construction authorized, state building construction act	298	8	1194
Established	102	3	411

LAND (see REAL PROPERTY; also PUBLIC LANDS)

LANDLORD AND TENANT:

Action by landlord against tenant to recover money paid for liability of acts of intoxicated tenant, repealed.....	7	10	25
Discrimination, unfair practices, civil rights act.....	37	1-26	197

LAW ENFORCEMENT (see WASHINGTON STATE PATROL; also COUNTY SHERIFF)

LAWYERS (see ATTORNEYS)

LEGISLATIVE BUDGET COMMITTEE:

Appropriations	301	2	1237
Motor vehicle funds, study of by joint fact-finding committee on highways, streets and bridges, to cooperate with...	172	33	649
State census board to report student enrollment forecast to...	229	1	895

LEGISLATIVE COUNCIL:

Appropriations	301	2	1237
----------------------	-----	---	------

LEGISLATURE:

Appropriations (see APPROPRIATIONS)			
Division on alcoholism, report to legislature required.....	136	19	495
Fisheries interim committee, oyster industry study, reports to	237	1	937
Judges' retirement fund, solvency guaranteed through appropriations by	243	2	946
Natural resources administrator to submit report to.....	38	20	128
Per diem allowance for members of.....	3	1	9
Public assistance, duty to appropriate funds for.....	63	5	260
Redistricting and reapportionment.....	5	1-58	11
	289	1-58	1147
Toll tunnel through Cascade mountains, toll bridge authority to report to.....	172	42	656
Vacancies in, statutory provision relating to repealed.....	135	1	489
World fair study submitted to.....	15	2	61

LENSES:

Dispensing opticians licensing act.....	43	1-17	161
---	----	------	-----

LICENSES.

	Ch.	Sec.	Page
LEWIS COUNTY:			
Appropriations	300	2	1217
LIBRARIES:			
Payment of fees to support law libraries.....	31	1	94
LIBRARY BUILDING:			
Construction authorized, bonds, location, appropriation, etc.	62	1-8	249
LICENSES:			
Atomic energy activities, license required.....	92	3	380
Automobile drivers' training schools, licenses required.....	87	1-27	346
Barbers,			
applicants, qualifications, fees.....	101	1	402
barber examining committee,			
inspectors, employment of authorized.....	101	13	407
meetings of, quorum	101	9	406
membership, removal, vacancies.....	101	7	405
per diem of members.....	101	11	407
qualifications of members.....	101	8	406
rules and regulations.....	101	12	407
secretary, duties, salary.....	101	10, 11	406
fees	101	14, 15	407
RCW corrections	52	1	195
revocation of licenses,			
grounds	101	4	405
hearing	101	5	405
reissuance after revocation.....	101	6	405
student barber certificate required, qualifications for, ap- plicants	101	2	403
Beauty culture and hairdressing, RCW corrections.....	52	2-12	196
Boarding homes,			
application for licenses.....	253	4	999
denial, suspension, revocation of licenses, appeals.....	253	6, 7	1000
injunction	253	15	1005
issuance, renewal, provisional licenses, fees, display.....	253	5	999
licenses required	253	3	999
penalty for operating without license.....	253	14	1005
Chiropody, RCW corrections.....	52	13-18	199
Cigarette wholesalers and retailers, license required, issu- ance, conditions, fees, bonds, penalty, suspension and rev- ocation of licenses.....	286	12-18	1136
Corporations, license fees,			
domestic	198	2	769
foreign	198	3	769
Dentistry,			
practice of dentistry defined.....	98	1	398
RCW corrections	52	19-39	200
Department of licenses,			
appropriations (see APPROPRIATIONS, subtitle Licenses, department of)			
Director of licenses,			
amateur radio operators, special motor vehicle license plates, duties concerning.....	145	3, 6	530
appropriations (see APPROPRIATIONS, subtitle Licenses, department of)			
automobile drivers' training schools, duties concerning licensing	87	1-27	346
beauty culture and hairdressing, RCW corrections.....	52	2-12	196
chiropody, RCW corrections.....	52	13-18	199
dentistry, RCW corrections.....	52	19-39	200

LICENSES.

LICENSES—CONTINUED:

	Ch.	Sec.	Page
Director of licenses,			
house trailer excise tax, imposition of, rate and measure of, enforcement of collection, penalty, exemptions, fees, appropriation	269	1-21	1044
motor vehicle excise tax, administrative expenses paid from proceeds	128	1	477
motor vehicle fuel distributors and users, report to, examinations of records, duties concerning collection and refunds	218	1-17	858
motor vehicle licensing, study of operations concerning by joint fact-finding committee on highways, streets and bridges	172	33	649
powers and duties as to Christmas trees and log patrols transferred to department of natural resources.....	38	10, 12	125
real estate brokers, RCW corrections.....	52	40-49	207
reciprocity commission on highway user tax structure, member of	273	23	1085
Dispensing opticians	43	1-17	161
Food fish and shellfish licenses, districts created, special gear license, application, forfeiture for violation.....	171	1-5	627
Game and game fish (see GAME AND GAME FISH)			
House trailer excise tax, imposition, rate and measure of, enforcement of collection, penalty, exemptions, fees, appropriation	269	1-21	1044
Insurance agents, brokers, solicitors and adjusters, expiration and renewal of licenses.....	193	9	736
Liquor (see INTOXICATING LIQUOR)			
Log patrols, applications, surety bond, fees, regulations concerning activities of.....	182	1-9	693
Medicine and surgery,			
application, eligibility requirements.....	60	3	245
reciprocity with other states.....	60	5	246
Motor vehicles,			
amateur radio operator's special license plates.....	145	1-6	529
applications,			
recheck of	{ 273	5	1073
	261	7	1027
			(Vetoed)
renewals	{ 273	5	1073
	261	7	1027
			(Vetoed)
combinations of vehicles, permits.....	273	16	1078
dealers, refusal, suspension or revocation of licenses, grounds	273	20	1083
farm trucks, special license fee rate.....	273	13	1075
fleets of four or more, fees or taxes based on highways use	273	22	1083
house moving dollies, special permit.....	105	1	423
license fees	{ 105	1	423
	261	6	1026
			(Vetoed)
logging truck tractors and trailers, monthly license fees..	273	4	1072
operator's license,			
application, contents, fees, transmittal of.....	294	1	1169
disposition of funds.....	294	2	1170
minors, stamping "minor" on licenses, deletion on majority, evidence of age.....	242	2-4	944
occupational operator's license, petition for, fees, duration, violations, penalty.....	268	1-4	1041
suspension and revocation of, grounds for, duration, application for new licenses.....	273	7-11	1073
out-of-state vehicles, permits, gross weight fees.....	273	3	1070

LOCAL IMPROVEMENT DISTRICTS.

LICENSES—CONTINUED:

	Ch.	Sec.	Page
Motor vehicles,			
plates, issuance and display of.....	261	8, 9	1028
registration required	261	1, 2, 4	1025
staggered registration system, fractional registration periods, purpose	261	3	1026
size, weight and load requirements, additional weights, permits	273	18	1079
length restrictions	273	14	1077
penalties	273	19	1082
weight restrictions	273	16	1078
width restrictions	273	15	1077
trailers, semitrailers and pole trailers, gross weight fees..	273	2	1069
transporters, license required, fees, display of plates.....	107	1-3	426
trucks and truck tractors, gross weight fees.....	273	1	1068
wreckers, permit to junk or wreck old motor vehicles.....	273	12	1075
special plates, fees.....	273	21	1083
Occupational motor vehicle operator's license, permit allowed when license suspended or revoked, procedure, penalty for violation	268	1-4	1041
Radio operators, amateur, special motor vehicle license plates	145	1-6	529
Real estate brokers, RCW corrections.....	52	40-49	207
Steam power electric generating facilities, application for....	275	5	1092
Weather modification and control, license required.....	245	8	957

LIENS:

Contracts for highways, streets, bridges, delay in completion, payment from reserve fund, surety bond required to pay liens	91	1	377
House trailer excise tax, liens for collection of.....	269	6	1046
Inheritance tax, lien upon proceeds of life insurance policies	280	1	1117
Materialmen, notice to property owner where materials de- livered	214	1	845
Mosquito control districts, abatement of mosquito breeding places, lien on property to pay abatement expenses.....	153	21, 22	560
Real property acquired by public bodies, tax liens are part of purchase price or award.....	277	1-3	1101

LIEUTENANT GOVERNOR:

Appropriations	301	2	1235
----------------------	-----	---	------

LIGHTS:

Erection or maintenance of certain lights on highways, streets, or roads a public nuisance, penalty.....	204	1	779
---	-----	---	-----

LIMITATION OF ACTIONS:

Claims of damages against certain municipal corporations, time limitation for actions on.....	224	1-11	881
--	-----	------	-----

LIMITED ACCESS (see HIGHWAYS)

LIQUOR (see INTOXICATING LIQUOR)

LIVESTOCK (see AGRICULTURE)

LOANS (see CREDIT UNIONS)

LOCAL IMPROVEMENT DISTRICTS:

Assessments, appropriations (see APPROPRIATIONS, subtitle Local improvement assessments)			
Irrigation districts, local improvement districts within, assess- ments, payment, disposal of bonds.....	68	1	269
Park and recreation districts, local improvement districts au- thorized	58	21-31	234

LOCAL IMPROVEMENTS.

LOCAL IMPROVEMENTS:

	Ch.	Sec.	Page
Cities and towns,			
assessments,	143	1-9	512
appeal procedure	144	16-19	526
determination of rate, amount of.....	144	2	515
authority generally			
initiation of by petition of resolution, procedures, purposes, hearing, notice, limitations, protests, property includable, etc.	144	2-15	515
Public utility districts, local improvement guaranty funds, establishment and maintenance of authorized, purpose...	150	1-7	538

LOCAL OPTION:

Election to determine if sale of liquor permitted.....	263	3	1034
--	-----	---	------

LOG DRIVING COMPANIES:

Filing of plat or survey of property rights proposed to be appropriated	34	1	98
Jurisdiction over, transferred to department of natural resources	38	11	125

LOG PATROLS:

Boom sticks and chains, disposition of.....	182	6	697
Definitions	182	1	693
Jurisdiction over, transferred to department of natural resources	38	12	125
Licensing required, application, surety bond, fees, identification as	182	2-4	694
Revocation or suspension of licenses, procedure.....	182	8	698
Stray logs, disposition and handling of.....	182	5	695

LOGS AND LOGGING (see FORESTS AND FOREST PRODUCTS)

LOPEZ ISLAND TO SAN JUAN ISLAND TOLL BRIDGE:

Toll bridge authorized, appropriation, revenue bond, construction, financing, etc.....	141	1-4	505
--	-----	-----	-----

M

MAPLE LANE SCHOOL:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Building construction authorized, state building construction act	298	8	1194

MARINE RESEARCH STATION, DECEPTION PASS:

Transfer authorized	207	1	794
---------------------------	-----	---	-----

MARINES:

Public employees, military leave for.....	236	1	936
---	-----	---	-----

MATCHES:

Throwing away in forest or grain areas prohibited, penalty...	111	8	447
---	-----	---	-----

MATERIALMEN'S LIENS:

Notice to property owner where materials delivered required, for	214	1	845
--	-----	---	-----

MAYORS (see CITIES AND TOWNS)

METROPOLITAN MUNICIPAL CORPORATIONS.

	Ch.	Sec.	Page
MEDICINE AND SURGERY:			
Definitions	60	2	245
Licenses,			
application, eligibility requirements.....	60	3	245
reciprocity with other states.....	60	5	246
Medical schools, accreditation and approval of.....	60	4	246
MENTALLY ILL: (see also INSTITUTIONS, DEPARTMENT OF, subtitle Mental health division)			
Aiding or abetting escape from mental institution, penalty...	225	1	887
Alcoholics, commitment, treatment, reimbursement for expenses, division on alcoholism created.....	136	1-19	490
Bringing into state, penalty.....	29	4	90
Criminally insane, custody, discharge procedure.....	48	1, 2, 3	175
Deportation or removal from state, procedure.....	29	1-3	88
Hospitalization of,			
counties, transfer to state hospital, expenses.....	49	1	178
state hospitals, expenses, costs, etc.....	24	1	82
Involuntary hospitalization, application, examination.....	28	1	87
Letters of patients.....	54	1	220
State schools for mentally ill and physically deficient (see INSTITUTIONS, DEPARTMENT OF, subtitle State schools for mentally ill and physically deficient)			
MERIT SYSTEM:			
Department of natural resources, employees governed by....	38	27	131
Metropolitan municipal corporations, merit system authorized for	213	37	830
METROPOLITAN MUNICIPAL CORPORATIONS:			
Annexation of territory.....	213	53	841
election	213	55	843
hearing	213	54	842
Borrowing power	213	48	838
Budget	213	41	832
Cities eligible to organize as.....	213	3	805
restriction	213	4	806
Comprehensive planning functions.....	213	31	827
Council,			
compensation of members.....	213	16	816
members of	213	12	813
officers, quorum, business, rules.....	213	13	815
powers	213	35, 36	829
terms of members.....	213	14	816
vacancies	213	15	816
County auditor, certification of aggregate assessed valuation of taxable property	213	44	834
County treasurer, funds, payment into, disbursements, etc....	213	43	833
Creation,			
election for	213	9	809
hearing, notice	213	8	808
procedure	213	7	806
Definitions	213	2	805
Elections,			
annexation of territory.....	213	55	843
formation	213	9	809
functions to be performed.....	213	10	811
tax levy	213	9	809
Eminent domain	213	32	828

METROPOLITAN MUNICIPAL CORPORATIONS.

METROPOLITAN MUNICIPAL CORPORATIONS—CONTINUED:

	Ch.	Sec.	Page
Employees,			
offer to employ employees of facilities acquired.....	213	38	830
pensions, prior employees of acquired facilities.....	213	39	831
personnel merit system.....	213	37	830
sick leave, prior employees of acquired facilities.....	213	40	831
vacations, prior employees of acquired facilities.....	213	40	831
Functions,			
additional, procedure	213	11	813
effective date of commencement of.....	213	19	817
election required, when.....	213	10	811
municipal functions	213	5	806
Funds, payment into, disbursement of.....	213	43	833
Garbage disposal functions.....	213	28	825
General obligation bonds.....	213	45	834
funding or refunding of.....	213	47	837
Investments,			
by banks, etc., in bonds or obligations of metropolitan municipal corporation	213	51	840
funds of metropolitan municipal corporation, by.....	213	52	841
Metropolitan facilities, construction and maintenance au- thorized	213	33	828
Name of metropolitan municipal corporation, how selected...	213	17	817
Parks and parkways functions.....	213	29	826
park board	213	30	827
Personnel merit system.....	213	37	830
Powers generally	213	19	817
Property, disposal of.....	213	34	829
Purpose	213	1	804
Revenue bonds	213	46	835
funding or refunding of.....	213	47	837
Sewerage and drainage functions.....	213	20	817
advisory committee on.....	213	21	819
Supplemental income payable by component cities and counties	213	42	832
Tax levy authorized.....	213	49	839
special assessments	213	50	839
Transportation functions	213	24-26	821
transit commission	213	27	824
Water supply functions.....	213	22	820
advisory committee on.....	213	23	821

METROPOLITAN PARK DISTRICTS:

Property tax refunds, procedure generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.....	120	1-17	463
Property taxes, excess levies authorized.....	32	1	95
	58	15	231
Tacoma, conveyance of land to First Evangelical Lutheran Church by metropolitan park district.....	16	1	63

MILITARY:

Appropriations (see APPROPRIATIONS, subtitle Military department)			
Building construction authorized, state building construction act	298	8	1194
Public employees granted military leaves.....	236	1	936

MILITIA:

Adjutant general, appropriation (see APPROPRIATIONS, subtitle, Adju- tant general—Military department)			
chief of staff, bond required, removal.....	250	1	988
powers and duties.....	250	2	988

MOTELS.

MINORS:

	Ch.	Sec.	Page
Appropriations (see APPROPRIATIONS, subtitle Children)			
Firearms, training program authorized.....	17	1	64
Guardianship duties, probate.....	64	1	263
Motor vehicle operator's license, stamping of "minor" on license authorized, deletion on majority, evidence of age may be required.....	242	2-4	944
Parental schools, authority of department of institutions to provide, commitment to, review by courts.....	297	2-6	1186
Service of summons on, civil procedure.....	202	1	776

MORTGAGES:

Foreclosure by organizations not admitted to state permitted, service of process.....	139	1-6	500
Judgments, sales on execution, RCW corrections.....	8	6	31
Lost gambling, RCW corrections.....	7	4	23
Mortgage companies, unfair practice to discriminate when financing publicly-assisted housing.....	37	15	115

MOSQUITO CONTROL DISTRICTS:

Annexation procedure	153	32-35	564
Board of trustees,			
appointment of	153	11	555
meetings, rules, quorum.....	153	15	557
organization, officers, compensation.....	153	14	557
qualifications of members.....	153	12	556
terms, vacancies	153	13	557
Consolidation of districts.....	153	36-40	566
Counties within which districts authorized.....	153	2	549
Definitions	153	1	549
Dissolution,			
disposition of property.....	153	44	569
election for	153	42, 43	568
indebtedness, collection of taxes to discharge.....	153	45	569
Elections,			
consolidation of districts.....	153	38	567
dissolution	153	42, 43	568
expenses of, payment.....	153	30	563
formation of district.....	153	9	552
tax levies	153	10	554
Formation,			
election for	153	9	552
inclusion of other territory.....	153	7	552
petitions for formation, contents, signatures, sufficiency, publication of, hearings, defects on petitions.....	153	3, 4, 6	550
resolutions of intention to form district, procedure.....	153	5	551
Funds,			
matching funds	153	29	563
withdrawal of funds.....	153	28	563
General obligation bonds authorized.....	153	26	562
Interference with, penalty.....	153	25	561
Powers	153	16	558
Public nuisances, mosquito breeding places, abatement procedure liens for expense of.....	153	17-24	559
Tax levies,			
annual valuation of property for.....	153	31	564
authorized	153	10	554
collection and disposition of revenue.....	153	27	563

MOTELS:

Swimming pools, health regulations authorized.....	57	1-4	223
--	----	-----	-----

MOTOR VEHICLE EXCISE FUND.

MOTOR VEHICLE EXCISE FUND:

Appropriations (see APPROPRIATIONS)

MOTOR VEHICLE FUEL TAXES (see TAXATION, subtitle
Motor vehicle fuel tax)

MOTOR VEHICLE FUND:

	Ch.	Sec.	Page
Additional fees on trucks, trailers, auto-stages, for-hire vehicles, deposited in	172	37	652
Appropriations (see APPROPRIATIONS)			
Counties, allocations and distributions to counties, basis for..	109	1	432
Expenditure of balance in.....	105	3	424
	271	4	1060
Motor vehicle excise taxes, disposition of revenue into, purpose	128	1	477
Net tax amount,			
basis for distribution.....	175	10, 11	671
	271	3	1060
expenditure of balance not distributed.....	105	3	424
	271	4	1060
State patrol highway account of the motor vehicle fund, created, purpose	105	4	424
deposits in and expenditure of unexpended balance.....	105	2, 3	423
Tacoma-Seattle-Everett freeway, financing, bond issue retired from, appropriation from.....	189	1-13	715
Toll bridge on lower Columbia River, appropriations from motor vehicle fund for, considered as loan.....	172	39	653
Vehicle license fees paid into.....	105	2	423

MOTOR VEHICLES:

Auto-stages, additional fees.....	172	37	652
Buses, exemption of urban transportation systems from use fuel tax, refund of motor vehicle fuel taxes.....	292	1, 2	1165
Commercial automobile drivers' training school vehicles, signs and equipment.....	87	9, 11	350
Drivers (see Operators, this title)			
Emergency vehicles, lighting equipment.....	66	1, 2	265
Excise tax,			
disposition of proceeds.....	128	1	477
imposed, collection of, amount of.....	261	10	1029
time for payment, etc.....	269	15	1051
	261	11	1030
			(Vetoed)
Fleets of four or more, fees and taxes based on highway use..	273	22	1083
For-hire vehicles, additional fees.....	172	37	652
Highway user tax structure, fleets of four or more.....	273	22	1083
House moving dollies, license fees.....	105	1	423
	261	6	1026
			(Vetoed)
House trailer excise tax, imposition, rate and measure of, enforcement of collection, penalty, exemptions, fees, appropriations	269	1-21	1044
Licenses for motor vehicles,			
amateur radio operator's special motor vehicle license plates	145	1-6	529
applications,			
recheck of	273	5	1073
	261	7	1027
			(Vetoed)
renewal, filing, penalty.....	273	5	1073
	261	7	1027
			(Vetoed)
combinations of vehicles, permits.....	273	16	1078

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Licenses for motor vehicles,			
dealers, refusal, suspension or revocation of licenses,			
grounds	273	20	1083
farm trucks, special rates.....	273	13	1075
fees for vehicles, amount.....	105	1	423
	261	6	1026
			(Vetoed)
fleets of four or more, fees or taxes based on highway use..	273	22	1083
house moving dollies, license fees.....	105	1	423
	261	6	1026
			(Vetoed)
logging truck tractors and trailers, monthly license fees..	273	4	1072
operators (see Operators, this title)			
out-of-state vehicles, permits, gross weight fees.....	273	3	1070
plates, issuance and display of.....	261	8, 9	1028
registration required	261	1, 2, 4	1025
staggered registration system, fractional registration			
periods, purpose	261	3	1026
size, weight, and load requirements,			
additional weights, permits	273	18	1079
length restrictions	273	14	1077
penalties for violations.....	273	19	1082
weight restrictions	273	16	1078
width restrictions	273	15	1077
trailers, semitrailers and pole trailers, gross weight fees..	273	2	1069
transporters, license required, fees, display of plates.....	107	1-3	426
trucks and truck tractors, gross weight fees.....	273	1	1068
wreckers,			
permit to junk motor vehicles.....	273	12	1075
special plates, fees.....	273	21	1083
Lighting, emergency vehicles, school buses, police.....	66	1, 2	265
Motor vehicle fuel tax (see TAXATION, subtitle Motor ve-			
hicle fuel taxes)			
Motor vehicle use fuel tax, exemption of urban transporta-			
tion systems from	292	2	1166
Occupational operator's licenses, petition for, fees, duration,			
violations, penalties	268	1-4	1041
Operators,			
liability of host for injury to or death of guest.....	132	1	484
licenses,			
application, contents, fees, transmittal of.....	294	1	1169
disposition of funds.....	294	2	1170
minors, stamping "minor" on license, deletion of, evi-			
dence of age.....	242	2-4	944
occupational operator's licenses, petition for, fees,			
duration, violations, penalty.....	268	1-4	1041
suspension or revocation of licenses, grounds for,			
duration, application for new license.....	273	7-11	1073
nonresidents, service of summons and processes on sec-			
retary of state	75	1	310
passing rules	96	1	392
railroad crossings, safety precaution when approaching..	96	2	393
Owners, liability of owner for injury to or death of guest....	132	1	484
Passing rules	96	1	392
Police vehicles, lighting equipment.....	66	1	265
Railroad intersections, safety regulations when approaching..	96	2	393
Reciprocity commission, highway user tax structure.....	273	23	1085
School buses, lighting equipment.....	66	1	265
Trailers, semitrailers and pole trailers, gross weight fees....	273	2	1069
Transporters, license required, fees, display of plates.....	107	1-3	426

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Trucks and trailers (see also PUBLIC SERVICE COMMISSION, subtitle Transportation companies)	172	37	652
additional fees	105	1	423
Vehicle license fees, amount.....	261	6	1026
			(Vetoed)
Wreckers,			
permit to junk or wreck old motor vehicles.....	273	12	1075
special plates, fees.....	273	21	1083
MOVIES:			
Admission tax authorized by cities and towns and counties, school activities exempted.....	126	1-2	473
MUNICIPAL CORPORATIONS: (see also CITIES AND TOWNS; also COUNTIES; and particular districts)			
Counties eligible to organize as.....	213	58	844
County road engineer, cost-audit of books and records by division of municipal corporations.....	146	1	531
Property tax refunds, procedure generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc....	120	1-17	463
Transportation systems, powers as to expansion and purchase, lease or contracts with privately owned systems...	114	1	450
Volunteer firemen's relief and pension trust fund, payment into	116	1	454
MUNICIPALITIES: (see also CITIES AND TOWNS)			
Airports,			
powers, RCW corrections.....	14	1	56
revenue bonds, powers concerning.....	53	1-3	215
Municipal revenue bond act.....	117	1-11	456
Municipal utilities (see PUBLIC UTILITIES, subtitle Municipal utilities)			
Powers concerning airports, RCW corrections.....	14	1	56
Swimming pools, authorization required, regulations.....	57	1-14	223
Urban renewal law.....	42	1-20	134
Volunteer firemen's relief and pension trust fund, payments into	116	1	454
MUSEUMS:			
Historical materials, storage and preservation of, expenditures for	47	1, 2	173
MUTUAL SAVINGS BANKS (see BANKS AND BANKING, subtitle Mutual savings banks)			

N

NARCOTICS:

Drugs exempted from uniform narcotic drug act.....	161	1	597
--	-----	---	-----

NATIONAL GUARD:

Military leave for public employee members of.....	236	1	936
--	-----	---	-----

NATURAL RESOURCES, DEPARTMENT OF:

Administrator	38	5	124
Appropriations (see APPROPRIATIONS)			
Appropriations of various abolished agencies transferred to...	38	23	129
Board of natural resources,			
board of appraisers, constituted by.....	38	15	126
commission on harbor lines, constituted by.....	38	15	126
membership, duties, meetings, etc.....	38	4, 15	124

NORTHWESTERN WASHINGTON EXPERIMENT STATION.

NATURAL RESOURCES, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Board of state land commissioners abolished and transferred to	38	7	124
Capitol committee, powers and duties as to capitol building lands and resources transferred to.....	38	9	125
Commissioner of public lands, administrator of department.....	38	5	124
powers and duties transferred to.....	38	13	125
Created	38	3	124
Definitions	38	2	123
Director of budget to apportion funds, appropriations and equipment as to functions transferred to.....	38	24	130
Forest fire protection, certificates of clearance.....	154	1	570
Forest practices, cutting permits, seed trees, definitions.....	79	1-3	316
Forestry, division of, federal funds for forest development, receipt of authorized, disbursement	78	1, 2	315
transferred to	38	7	124
Licenses, director of, powers and duties as to Christmas trees and log patrols transferred to.....	38	10, 12	125
Log patrols, jurisdiction transferred to.....	38	12	125
licensing of, surety bonds, application for license, fees, regulations concerning	182	1-9	693
Seattle, city of, sale of certain lands to, by, authorized.....	252	1	997
Secretary of state, powers and duties as to booming and log driving companies, log brands and marks transferred to..	38	11	125
State forest board, abolished and transferred to.....	38	7	124
acquisition of federal property in Clallam county authorized, by	110	1	438
lands acquired by counties through tax lien foreclosure, deed to state as state forest land.....	167	1	617
State forest lands, lands acquired by counties through tax lien foreclosure, deed to state as state forest land.....	167	1	617
Supervisor of forestry, forest fire protection, duties concerning.....	154	1	570
log patrols, licensing and regulation of, duties concerning	182	1-9	693
Supervisor of natural resources, appointment of.....	38	6	124
Sustained yield forests, transferred to.....	38	7, 14	124
Tax commission, jurisdiction over log patrols, transferred to..	38	12	125
NAVIGATION:			
Dams, navigation restriction removed.....	209	2	796
NAVY:			
Public employees, military leave granted to.....	236	1	936
NEWSPAPERS:			
Incorporation procedure in cities and towns, notice of election published in	173	4	663
Publication of bids in cities of second, third and fourth classes required	121	1	467
Weather modification and control, notice of intention, publication required	245	14	953
NORTHERN STATE HOSPITAL:			
Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Construction authorized, state building construction act....	298	8	1194
NORTHWESTERN WASHINGTON EXPERIMENT STATION:			
Poultry disease diagnostic laboratories, allocations to.....	55	1	221

NOXIOUS WEEDS.

NOXIOUS WEEDS (see WEED DISTRICTS; also WEED EX-TERMINATION AREAS)

NUCLEAR ENERGY (see ATOMIC ENERGY)

NUISANCES (see PUBLIC NUISANCES)

	Ch.	Sec.	Page
NURSERY STOCK:			
False representations concerning, prohibited.....	122	1	469

O

OATHS:

Perjury defined	46	1	172
-----------------------	----	---	-----

OCCUPATIONAL MOTOR VEHICLE OPERATOR'S LICENSES:

Provisions concerning	268	1-4	1041
-----------------------------	-----	-----	------

OFFICE BUILDING: (see also STATE CAPITOL)

Lease of state owned land in Olympia for office building purposes authorized, duration, reversion.....	210	1-3	799
--	-----	-----	-----

OKANOGAN COUNTY:

Appropriations (see APPROPRIATIONS)

OLD-AGE AND SURVIVORS INSURANCE:

Agreement for coverage of state and local governmental employees, terms, referendum.....	170	1	621
Appropriations (see APPROPRIATIONS)			
Plan for coverage under old-age and survivors insurance of members of state retirement system, approval of plan, terms, definitions, contributions, etc.....	222	1-3	872
Teachers' retirement system, plan for coverage of members, terms of	183	2	700

OLYMPIA, CITY OF: (see also STATE CAPITOL)

Lease of state owned land for office building, authorization, purpose, duration of lease, reversion.....	210	1-3	799
--	-----	-----	-----

OPTICIANS:

Dispensing opticians' licensing act.....	43	1-17	161
--	----	------	-----

ORDINANCES:

Cities and towns, codification of ordinances authorized, procedure	97	1-9	394
--	----	-----	-----

OREGON:

Biggs Rapids toll bridge, agreements with Oregon as to construction of	142	1-6	507
Prohibition of salmon net fishing in certain international and coastal waters, action by required.....	108	8	430
Toll bridge on lower Columbia River, agreements with state of Washington concerning authorized to be made.....	172	39	653

OREGON-WASHINGTON BOUNDARY COMPACT:

Provisions of	90	1-5	369
---------------------	----	-----	-----

OYSTERS:

Oyster industry studies authorized.....	237	1-3	937
---	-----	-----	-----

PENITENTIARY, STATE.

P

PACIFIC MARINE FISHERIES COMMISSION:

Salmon net fishing in certain international and coastal waters, Ch. legislation to prohibit at recommendation of.....	108	2-9	428
--	-----	-----	-----

PARENTAL SCHOOLS:

Authority of department of institutions to provide, commit- ment to, review by court.....	297	2-6	1186
--	-----	-----	------

PARKING:

State capitol grounds, acquisition of property for.....	258	1-3	1018
---	-----	-----	------

PARKS AND RECREATION:

Appropriations (see APPROPRIATIONS, subtitle State parks and recreation)			
Deception Pass marine research station, transfer authorized to state parks and recreation commission.....	207	1	794
Metropolitan municipal corporations, parks and parkways functions, park board.....	213	29, 30	826
Metropolitan park districts (see METROPOLITAN PARK DISTRICTS)			
Motor vehicle operator's license fees deposited in state parks and parkways fund.....	294	2	1170
Park and recreation districts, addition of area to.....	58	20	234
authorized, formation, petition, area, hearing, notice, etc. commissioners,	58	1-4	226
elections, vacancies, compensation, powers and duties	58	9-13, 17	229
expenditures, budget, rules and regulations.....	58	16-19	233
local improvement districts authorized, petitions, hear- ings, levies and assessments, segregations.....	58	21-31	234
name, boundaries, elections.....	58	5-9	227
tax levies, by, bonds, etc.....	58	14, 15	231
Park property, sale and exchange of by third class cities.....	56	1	222
Swimming pools, health regulations.....	57	1-4	223
Urban renewal law.....	42	1-20	135

**PAROLES (see CRIMES AND CRIMINAL PROCEDURE, sub-
title Prison terms and paroles)**

PARTITION (see CIVIL PROCEDURE)

PEACHES:

Inspection required, fees, standards of grades and packs, penalty	192	1-5	724
--	-----	-----	-----

PEND OREILLE:

Appropriations	300	2	1213
----------------------	-----	---	------

PENITENTIARY, STATE:

Advances on warrants for needs of released prisoners.....	20	1	68
Appropriations	300	2	1205
Construction projects authorized, state building construction act	298	8	1194
Destruction of buildings or shops, rebuilding or repairing of..	25	1	83
Institutional industries commission produced materials and supplies, preference	30	1-6	91
Officers, powers and duties of peace officers.....	112	2	448
Penitentiary revolving account, appropriations (see APPROPRIATIONS)			

PENITENTIARY, STATE.

PENITENTIARY, STATE—CONTINUED:

Prison terms and paroles (see CRIMES AND CRIMINAL PROCEDURE, subtitle Prison terms and paroles; also BOARD OF PRISON TERMS AND PAROLES)			
	Ch.	Sec.	Page
Prisoners,			
advances on warrants for needs of released prisoners.....	20	1	68
earnings, crediting of.....	19	1	67
holding hostages, penalty.....	112	1	448
letters written by inmates, study of authorized.....	61	1	248
parole or release, clothing, transportation and funds allowable	21	1	69
transfer of prisoners convicted of a felony, contracts with other institutions	27	1-4	85
State institutional revolving account, moneys received from sales of certain products paid into.....	115	5	451
Warden, notices of transfer of felons, duties.....	27	1-4	85

PENSIONS: (see also INDUSTRIAL INSURANCE)

Colleges of education, retirement and annuity plans for faculties authorized, coverage, contributions.....	76	1-4	312
Federal old-age and survivors insurance,			
agreement for coverage of state and local governmental employees with secretary of health, education, and welfare, terms, referendum.....	170	1	621
plan for coverage under old-age and survivors insurance of members of state retirement system, approval of plan, terms, definitions, contributions, etc.....	222	1-3	872
teachers' retirement system members, coverage plan.....	183	2	700
Firemen's relief and pensions, benefits, disability, options, funeral expenses, etc.....	82	1-13	330
Industrial insurance (see INDUSTRIAL INSURANCE)			
Judges of superior and supreme court.....	243	1, 2	945
Policemen, retirement, service, disability, beneficiaries.....	84	1-3	341
State College of Washington and University of Washington, retirement and income plans.....	256	1	1015
State employees' retirement system,			
definitions	231	1	897
fundable employer liability, contributions, unfunded liability contributions	231	4	903
membership, exceptions	231	2	901
plan for coverage under old-age and survivors insurance.	222	1-3	872
State-wide city retirement system, funds, investments, prior service credits, contributions, annuities, pensions.....	158	1-6	580
Teachers' retirement system, old-age and survivors insurance, coverage plan for members of.....	183	2	700
Toll bridge authority employees, state employees' retirement system extended to, contributions, funds, prior service...	271	1-10	1059
University of Washington and Washington state college, retirement and income plans.....	256	1	1015
Volunteer firemen's relief and pensions,			
disability payments, proof, hospital expenses, death benefits	159	1-6	592
trust fund, payments into, fees, insurance premiums, investments, bonds, payments from fund.....	116	1	454
Washington state patrol retirement system, retirement board, membership, elections, retirement fund, contributions, retirement allowed	162	1-4	599

PER DIEM:

Barber examining committee members.....	101	11	407
Board of natural resources.....	38	15	126
Boarding homes, advisory boarding home council members..	253	8	1002
County officers	219	3	868

POWER COMMISSION.

PER DIEM—CONTINUED:	Ch.	Sec.	Page
Fire protection districts, board of fire commissioners.....	238	1	938
Institutions, advisory commission to the department of institutions, members	272	5	1065
Joint fact-finding committee on highways, streets and bridges, reimbursement of members of.....	172	36	652
Legislators	3	1	9
Mosquito control districts, board of trustees.....	153	14	557
Park and recreation district commissioners.....	58	11	230
Port district commissioners.....	72	1	306
Public utility joint operating agencies, board of directors....	295	2	1175
State census board members.....	175	1	671
Tax advisory council, subsistence expenses.....	291	1	1164
PERJURY:			
Defined	46	1, 2	172
PHYSICIANS AND SURGEONS (see MEDICINE AND SURGERY)			
PIERCE COUNTY (see also COUNTIES)			
Appropriations	178	1	688
Fox Island toll bridge, reduction of tolls, retirement of bonds, appropriation, agreements concerning.....	270	1-6	1055
PLAINTIFF AND DEFENDANT (see CIVIL PROCEDURE)			
PLANNING COMMISSIONS (see CITIES AND TOWNS)			
POLICE (see CITIES AND TOWNS, subtitle Police)			
POLLUTION CONTROL COMMISSION:			
Appropriations	301	2	1241
Atomic energy, study of as to hazards to natural resources...	92	4	381
POOLS (see SWIMMING POOLS)			
PORT DISTRICTS:			
Boundaries of commissioner districts, reestablishment of....	69	2	271
Claims for damages against, time limitations for filing.....	224	11	886
Commissioners, salaries	72	1	306
Property tax levies,			
annual levy authorized, purpose, use.....	265	1, 2	1036
limitation on levies, excepted from.....	262	1	1032
Property tax refunds, procedure generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc...	120	1-17	463
Revenue bonds and warrants, issuance authorized, terms, purposes, form, sale, etc.....	59	1-11	241
Sale of surplus lands in certain districts, provision relating to repealed	41	1	134
PORT TOWNSEND, PORT OF:			
Purchase of Fort Worden by department of institutions, contract with for.....	217	1-5	857
POULTRY:			
Disease diagnostic laboratories, appropriations, allocations, payments	55	1, 2	221
Trading stamps, coupons, use of in marketing.....	221	3	871
POWER COMMISSION (see WASHINGTON STATE POWER COMMISSION)			

POWER RESOURCES DIVISION.

POWER RESOURCES DIVISION:

Created, powers and duties, transfer of reports, surveys, records, etc., of Washington state power commission to custody of	Ch. 284	Sec. 1, 2	Page 1123
---	---------	-----------	-----------

PRISON TERMS AND PAROLES, BOARD OF (see BOARD OF PRISON TERMS AND PAROLES)

PRISONS AND PRISONERS (see PENITENTIARY, STATE; REFORMATORY, STATE; CRIMES AND CRIMINAL PROCEDURE)

PROBATE:

Escheats of real property to the state, supervision and jurisdiction over	125	1	472
Guardians, duties in general.....	64	1	263
Inheritance, property appraisal, basis.....	285	2	1126
Lost or destroyed records, RCW corrections.....	9	5	37
Safe deposit box access.....	274	1-7	1086

PROBATION (see CRIMES AND CRIMINAL PROCEDURE, subtitle Probation)

PROPERTY (see REAL PROPERTY)

PROPERTY TAXES (see TAXATION, subtitle Property taxes)

PROSECUTING ATTORNEY:

Air pollution, injunctions to prevent violations concerning, enforcement by	232	16	912
Criminally insane, discharge of, duties as to.....	48	1, 2, 3	175
Dispensing opticians, practicing without license, injunction to prevent	43	15	166
Horticultural inspections, failure of applicant for inspection to pay fee, suit by prosecutor to collect.....	163	12	608
Mentally ill, involuntary hospitalization, duties as to application for	28	1	87
Salaries	219	3	868

PSYCHOPATHIC DELINQUENTS:

Definitions	184	1	707
Deportation or removal from state.....	29	1-3	88
Escapes, aiding or abetting escape from mental institution...	225	1	887
Expenses of hospitalization.....	26	1	84
Parole of	35	1	99

PUBLIC ASSISTANCE:

Appropriations (see APPROPRIATIONS)			
Boarding homes for aged (see BOARDING HOMES)			
Definitions	63	1	254
Department of, state schools, etc., duties concerning.....	102	8	413
Federal surplus commodities, certification of persons eligible for, expenditures	187	2-4	712
Grants, standards of assistance.....	63	2	258
Property taxes for, limitation on levies.....	262	1	1032
Ratable reduction provision repealed.....	63	11	262
Recovery clause,			
grants not recoverable, exceptions.....	63	4	260
repealed	63	11	262
Recovery of payments improperly received.....	63	3	259
Rehabilitation of recipients, enabling provisions.....	63	6-9	260
Vocational rehabilitation (see VOCATIONAL REHABILITATION)			

PUBLIC FUNDS.

PUBLIC CONTRACTS (see CONTRACTS)

PUBLIC CONVEYANCES:

	Ch.	Sec.	Page
Posting notice of law prohibiting throwing away of lighted materials required, receptacles required.....	111	8	447

PUBLIC EMPLOYEES: (see also CITIES AND TOWNS; COUNTIES; and particular districts)

Colleges and universities (see COLLEGES AND UNIVERSITIES)			
Federal old-age and survivor insurance (see FEDERAL, subtitle Old-age and survivors insurance)			
Firemen (see PENSIONS)			
Fisheries patrol officers, compensation during disability.....	216	1	856
Military leaves of absence for.....	236	1	936
Pensions (see PENSIONS)			
Salary vouchers, certificate of service part of endorsement...	77	1	314
United Fund, deductions from salaries and wages for, authorized	208	1, 2	795

PUBLIC EMPLOYMENT:

Civil service status retained by employees elected or appointed to elective office.....	164	1	609
---	-----	---	-----

PUBLIC FUNDS:

County funds,			
current expense fund, horticultural inspectors' salaries paid from	163	5	605
fair revolving fund authorized, purpose.....	124	1	471
general fund, property taxes refunded from.....	120	5	464
Disbursement of, certificates of labor and material furnished, perjury	77	1	314
Federal funds (see FEDERAL)			
Public utility district fund, establishment of.....	140	1	503
Puget Sound transportation stabilization fund created, purpose	271	1	1059
State funds,			
accounts created in general fund, transfer of funds.....	115	6	452
alcoholism account,			
charges and collections for treatment deposited in... created	136	14	494
created	136	16	495
donations deposited in.....	136	7	492
capitol building bond redemption fund created, purpose.	62	4	250
cigarette fee account	286	19	1139
commercial automobile drivers' training school account established	87	15	353
forestry funds, certificate of clearance fund created, purpose	154	1	570
game fund, fees for supplemental seals and tags paid into	176	1	679
highway safety fund,			
created, purpose	104	1	422
deposit of motor vehicle operator's licenses funds in, expenses paid from.....	294	2	1170
institutional building bond redemption fund created.....	299	4	1200
judges' retirement fund.....	243	1, 2	945
liquor revolving fund,			
appropriations from	136	17	495
distribution of excess funds to cities, towns, and counties, basis for.....	175	6-8	674
log patrol revolving fund, deposit of brands and marks fees in	36	10	106
mobile home excise fund, created, refunds from, apportionment and distribution from.....	269	9, 10, 14	1048

(Vetoed)

PUBLIC FUNDS.

PUBLIC FUNDS—CONTINUED:

State funds,	Ch.	Sec.	Page
motor vehicle excise fund,			
basis for distribution of to cities and towns.....	175	12	676
cities and towns, allocations to, payment of census			
board members' expenses from.....	175	1	671
created, payment of motor vehicle excise taxes into...	128	1	477
motor vehicle fund (see MOTOR VEHICLE FUND)			
opticians' account created.....	43	13	165
park and parkways account, deposit of motor vehicle			
operator's license fees in.....	294	2	1170
penitentiary revolving account, abolished, moneys trans-			
ferred, appropriations and warrants.....	115	1-4	451
public school building bond redemption fund, transfers to	234	3	919
public school building construction account, bond issue			
proceeds deposited in.....	234	2	919
public service revolving fund, storage warehousemen,			
violation of act, penalties deposited in.....	205	1	781
state building construction bond redemption fund created	298	6	1193
state institutional revolving account, creation, transfer of			
funds and appropriations, payment of warrants from,			
payment into of moneys received.....	115	1-6	451
state patrol highway account, deposit of vehicle license			
fees in	105	2	423
Tacoma-Seattle-Everett freeway revenue bonds, legal			
investment for state funds.....	189	6	717
toll bridge authority, revolving fund, transfer of funds to	230	1	895
volunteer firemen's relief and pensions trust fund.....	116	1	454
weather modification board revolving account established,			
fees deposited in.....	245	6	956
world fair fund created, purpose.....	174	11	668
State-wide city employees retirement fund, created, invest-			
ments	158	1	580
United States vocational education account, abolished and			
moneys transferred to general fund, appropriations, war-			
rants	226	1-4	888
Volunteer firemen's relief and pensions trust fund.....	116	1	454

PUBLIC INSTITUTIONS (see INSTITUTIONS, DEPARTMENT OF; also GENERAL ADMINISTRATION, DEPARTMENT OF)

PUBLIC INSTRUCTION, SUPERINTENDENT OF:

Appropriations (see APPROPRIATIONS)			
Automobile drivers' training schools, representative of edu-			
cation on instructor's examination committee.....	87	14	352
Construction of hydroelectric generating facilities, reim-			
bursements by public utilities districts not considered as			
equalization apportionment	137	8	498
Handicapped children, division of, amendment of provision			
relating to aid of school districts.....	297	1	1185
			(Vetoed)
Natural resources board, member of.....	38	4	124
State schools for mentally ill and physically deficient estab-			
lished, assistance to, by.....	102	5, 6	412

PUBLIC LANDS:

Board of state land commissioners abolished and transferred			
to department of natural resources.....	38	7	124
Commissioner of public lands,			
appropriations (see APPROPRIATIONS, subtitle Public			
lands, commissioner of)			

PUBLIC NUISANCES.

PUBLIC LANDS—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Commissioner of public lands,			
Clarkston, survey and plat of first class shorelands of Clarkston, by, purpose.....	148	1	533
escheats of real property to state, copy of decree furnished to, jurisdiction over	125	1	472
exchange of state timber lands authorized, purpose.....	290	1-3	1163
Grays Harbor, deed of tidelands to.....	40	1, 2	132
natural resources,			
administrator of department of.....	38	5	124
member of board of.....	38	4	124
Stellacoom, town of,			
relocation of inner harbor lines at, by.....	131	1	482
tidelands, deed to of certain lands.....	131	2	483
tidelands or shorelands, sale of to municipal corporations or state agencies authorized.....	186	1, 2	710
Escheats of real property to state, decree of, under supervision of commissioner of public lands.....	125	1	472
Forest lands, state,			
lands acquired by counties through tax lien foreclosures, deed to state as state forest land.....	167	1	617
state forest board,			
abolished and transferred to department of natural resources	38	7	124
lands acquired by counties through tax lien foreclosure, deed to state upon demand of state forest board	167	1	617
sustained yield forest committees abolished and transferred to department of natural resources.....	38	7, 14	124
Ilwaco, port of, conveyance of certain state lands to authorized	85	1	344
Lease of state owned land in Olympia for office building purpose authorized, duration, reversion.....	210	1-3	799
Seattle, city of, dedication of certain state lands to for street purposes	81	1	329
State forest board,			
abolished and transferred to department of natural resources	38	7	124
lands acquired by counties through tax lien foreclosure, deed to state upon demand of state forest board....	167	1	617
State lands,			
capitol grounds,			
access to grounds	258	1	1018
parking facilities	258	1-3	1018
exchange of state timber lands, authorized, purpose.....	290	1-3	1163
federal reclamation area, sale of state lands in.....	165	4	615
granted lands for capitol building purposes, use of to retire bonds	62	1	249
Seattle, city of, sale of certain state lands to authorized..	252	1-3	997
Sluinger, conveyance of land to.....	118	1	460
Tacoma, port of, exchange of certain lands with Chicago, Milwaukee, St. Paul and Pacific railroad company authorized	255	1, 2	1013
Tidelands and shorelands, sale of to municipal corporations or agencies of the state authorized.....	186	1, 2	710

PUBLIC NUISANCES:

Abatement, procedure, bond, penalty, RCW corrections..	}	45	1-6	169
		51	11	189
Erection or maintenance of certain structures, signs, devices on highways, streets, or county roads a public nuisance..		204	1	779
Mosquito breeding places, abatement procedure by mosquito control districts		153	17-24	559
Remedies, RCW corrections.....		51	12	190

PUBLIC PLACES.

PUBLIC PLACES:	Ch.	Sec.	Page
Discrimination in use of prohibited, civil rights act.....	37	1-26	107
PUBLIC RECORDS:			
Archives, division of archives, powers and duties concerning	246	2, 3	964
Court records, destruction of permitted, conditions, copies and reproductions, procedure.....	201	1, 2	773
Definitions, classification of records.....	246	1	963
Destruction of, limitations upon destruction, procedure for..	246	6	967
Historical records, storage and preservation of historical ma- terials, county expenditures for.....	47	1, 2	173
Records committee,			
created	246	5	966
duties	246	5, 6	966
meetings	246	5	966
membership upon	246	5	966
Tax advisory council, authority to examine.....	291	3	1164
Transfer of to state archives.....	246	3, 4	965
PUBLIC SERVICE COMMISSION:			
Appropriations (see APPROPRIATIONS)			
Atomic energy, study of as to transportation and public utili- ties' activities	92	4	381
Gas companies, eminent domain authorized for.....	191	1, 2	723
Public utilities, (see also PUBLIC UTILITIES)			
municipal utilities,			
asphalt plants, authority of cities and towns to acquire and operate	209	4	797
	288	4	1144
gas, electricity and other power facilities, authority of cities and towns to acquire and operate.....	209	6	798
	288	6	1144
public markets and cold storage plants, authority of cities and towns to acquire and operate.....	209	5	798
	288	5	1144
sewerage and garbage systems, authority of cities and towns to acquire and operate.....	209	3	797
	288	3	1144
transportation facilities, authority of cities and towns to acquire and operate.....	209	7	798
	288	7	1145
water works, authority of cities and towns to acquire and operate	209	2	796
	288	2	1142
Railroads, adoption of rules and regulations for sanitation and shelter of employees.....	71	1	305
Transportation companies, (see also TRANSPORTATION COMPANIES)			
common carriers generally, notice as to rate changes, etc.	205	3	783
motor freight carriers,			
fees, gross weight	205	7	786
permit required, penalty for advertising as carrier without permit	205	8	788
regulation by commission, authority for.....	205	5	784
tariffs, fixing and publication of.....	205	6	785
vehicles excepted	205	4	783
public service company defined.....	205	2	782
report to commission of gross revenue, fees, rates charged	185	1	708
storage warehousemen, violation of act, penalty.....	205	1	781
PUBLIC UTILITIES:			
Additional temporary tax imposed.....	279	3	1115

PUBLIC UTILITY DISTRICTS.

PUBLIC UTILITIES—CONTINUED:

	Ch.	Sec.	Page
Annexation of territory by city or town, franchise or permit for public service business or facility transferred to annexing city or town, continuation of or disposition of, damages	282	1	1120
Cities and towns, revenues from utilities or facilities for improvements, etc., municipal revenue bond act.....	117	1-11	456
Conservation and development, director to assist.....	284	3	1124
Cooperation between cities and towns and public utility districts in acquiring and operating electric utility properties authorized	287	1-4	1140
Gas companies, eminent domain proceedings by, authorized..	191	1, 2	723
Municipal utilities,			
asphalt plants, authority of cities and towns to acquire and operate	209	4	797
gas, electricity, and other power facilities, authority of cities and towns to acquire and operate.....	288	4	1144
public markets and cold storage plants, authority of cities and towns to acquire and operate.....	209	6	798
sewerage and garbage systems, authority of cities and towns to acquire and operate.....	288	6	1144
transportation facilities, authority of cities and towns to acquire and operate.....	209	5	798
water, contracts for outside service.....	288	5	1144
water works, authority of cities and towns to acquire and operate	209	3	797
	288	3	1144
	209	7	798
	288	7	1145
	288	8	1145
	209	2	796
	288	2	1142
Steam power electric generating facilities, jurisdiction as to construction of	275	4	1090

PUBLIC UTILITY DISTRICTS:

Cities and towns,			
construction within, consent required.....	278	9	1109
cooperation with in acquiring and operating electric utility properties authorized	287	1-4	1140
Claims for damages against, time limitation for filing.....	224	11	886
Commissioners, per diem authorized, insurance, reimbursement of expenses.....	140	2	504
Construction of hydroelectric generating facilities, reimbursement of school districts for loss caused as a result of	137	1-8	496
Counties, hydroelectric construction, voluntary payments authorized to	137	1-8	496
County depositaries, funds deposited in.....	140	1	503
Joint operating agencies,			
board of directors, members, officers, business, per diem, executive committee	295	2, 3	1175
formation authorized, application for, contents of application, purpose, publication, hearing, appeals.....	295	1	1171
powers and duties.....	295	5	1178
revenue bonds, issuance authorized.....	295	6, 7	1179
taxes, payment of in lieu of taxes, exception.....	295	10	1181
treasurer, auditor, funds.....	295	4	1177
validity of organization of, questioning of, procedure....	295	11	1181
Washington state power commission abolished.....	295	8	1180
Local improvement guaranty funds, establishment and maintenance of authorized.....	150	1-7	538

PUBLIC UTILITY DISTRICTS.

PUBLIC UTILITY DISTRICTS—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Privilege tax,			
additional tax, school districts' bonded indebtedness.....	278	8	1108
apportionments of tax to taxing districts, use.....	278	5, 10, 11	1107
computation, payment, disposition of.....	278	4	1106
definitions	278	7, 12	1108
imposed, rates	278	2	1105
interest upon after due date.....	278	6	1108
public service company facilities acquired, amount of tax upon acquired property.....	278	14	1110
reports to tax commission required.....	278	3	1106
Tax rolls, removal of property from resulting from acquisition or construction of generating facilities, voluntary payments authorized, by.....	278	13	1110
Treasurer, disbursements, surety bonds.....	140	1	503

PUBLICATIONS: (see also NEWSPAPERS)

Bids in cities of second, third and fourth classes.....	121	1	467
Cities and towns, incorporation procedure, notice of election published in one or more newspapers.....	173	4	663
Weather modification and control, notice of intention, publication of required.....	245	14	959

PURCHASING, SUPERVISOR OF (see GENERAL ADMINISTRATION, DEPARTMENT OF)

R

RADIO:

Amateur radio operators, special motor vehicle license plates for	145	1-6	529
--	-----	-----	-----

RAILROADS: (see also TRANSPORTATION COMPANIES)

Crossings, approaching vehicles, safety regulations.....	96	2	393
Employees, rules and regulations for sanitation and shelter..	71	1	305
Passenger transportation systems owned by municipal corporations, powers as to expansion and privately owned systems	114	1	450
Posting of law prohibiting throwing away lighted materials required, receptacles required, penalty.....	111	8	447
Service of summons, civil procedure.....	202	1	776

RAINIER STATE SCHOOL:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Construction projects authorized, state building construction act	298	8	1194
Established	102	3	411

RAINMAKERS (see WEATHER MODIFICATION AND CONTROL)

RATABLE REDUCTION (see PUBLIC ASSISTANCE)

REAL ESTATE BROKERS:

RCW corrections	52	40-49	207
-----------------------	----	-------	-----

REAL PROPERTY:

Absence of corporate seal on deeds, mortgages, leases, not to affect legality	200	1	773
Acquired by public bodies, tax liens part of purchase price or award, segregation of assessments.....	277	1-3	1103
Appraisals of property for inheritance tax purposes.....	285	2	1126

RESORTS.

REAL PROPERTY—CONTINUED:

	Ch.	Sec.	Page
Escheats of real property to the state, supervision and jurisdiction over	125	1	472
Sale and exchange of property acquired for park purposes by third class cities.....	56	1	222

REAPPORTIONMENT:

Congressional redistricting and reapportionment.....	149	1-7	534
Legislative redistricting and reapportionment.....	5	1-58	11
		289	1-58	1147

RECLAMATION DISTRICTS:

Federal reclamation areas, contracts and agreements, conditions	165	2, 3	610
---	-----	------	-----

RECORDS (see PUBLIC RECORDS)

REDEMPTION:

Sales on execution of judgments, RCW corrections.....	8	6	31
---	---	---	----

REDISTRICTING:

Congressional redistricting	149	1-7	534
Legislative redistricting and reapportionment.....	5	1-58	11
		289	1-58	1147

REFERENDUM:

Institutional building construction act, general obligation bond issue, allotments, etc., submission of act to people..	299	7	1200
---	-----	---	------

REFORMATORY, STATE:

Appropriations	301	2	1258
Construction projects authorized, state building construction act	298	8	1194
Prisoners,			
advances on warrants for needs of released prisoners	20	1	68
earnings, crediting of.....	19	2	67
holding hostages, penalty.....	112	1	448
letters written by inmates, study of authorized.....	61	1	248
parole or release, clothing, transportation and funds allowable	21	1	69

REFUNDS: (see also TAXATION)

Appropriations	300	2	1211
----------------------	-----	---	------

REGIONAL PLANNING COMMISSIONS:

Authorized	130	1	481
Cooperation between state and regional planning commissions authorized	157	1-4	576
Planning commissions, plans and regulations, amendments and modifications to, etc.....	194	1	753

REGISTRATION (see ELECTIONS; also MOTOR VEHICLES)

REHABILITATION (see VOCATIONAL REHABILITATION)

RELIEF:

Appropriations	300	2	1213
----------------------	-----	---	------

REPLEVIN:

Proceedings, RCW corrections.....	51	15-17	184
-----------------------------------	----	-------	-----

RESORTS:

Discrimination, unfair practices, civil rights.....	37	1-26	107
---	----	------	-----

RESTAURANTS.

RESTAURANTS:	Ch.	Sec.	Page
Discrimination, unfair practices, civil rights act.....	37	1-26	107
Food and beverages, persons handling, permit required, fees, penalty	197	1-6	766
RETIREMENT (see PENSIONS)			
REVENUE (see TAXATION)			
REVENUE BONDS (see BONDS)			
ROAD DISTRICTS:			
Property tax refunds, procedure generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.	120	1-17	463
Uncollected taxes, disposition when road district within cities or towns.....	180	1	691
ROADS (see HIGHWAYS; also CITIES AND TOWNS, subtitle Streets; also COUNTIES, subtitle Roads)			
RURAL COUNTY LIBRARY DISTRICTS:			
Excess levies authorized.....	32	1	95
	58	15	231
RYDER PLAN:			
Tax refunds	6	1-12	18

S

SAFE DEPOSIT COMPANIES:			
Access to safe deposit boxes after death of owner, agent of tax commission must be present for inheritance tax purposes, penalty	274	1-7	1086
SALES TAX (see TAXATION, subtitle Retail sales excise tax)			
SALESMEN:			
Outside salesmen excluded from employment security.....	181	1	692
SALMON (see FOOD FISH AND SHELLFISH)			
SAN JUAN ISLAND TO LOPEZ ISLAND TOLL BRIDGE:			
Toll bridge studies authorized, appropriation, revenue bonds, construction, financing, etc.....	141	1-4	505
SANITATION:			
Food and beverages, handling of, permit required, fees, penalty	197	1-6	766
SAVINGS AND LOAN ASSOCIATIONS:			
Metropolitan municipal corporations, investment in bonds and obligations of, by, authorized.....	213	51	840
Not admitted to transact business in state, acquisition of notes and foreclosure of mortgages permitted, service of process	139	1-6	500
Steam power electric generating facilities, revenue bonds issued for construction of, legal investment for.....	275	18	1100
Urban renewal bonds, legal investment for.....	42	11	153
SAW MILLS:			
Posting law prohibiting throwing away lighted materials required, receptacles required, penalty.....	111	8	447

SCHOOLS AND SCHOOL DISTRICTS.

	Ch.	Sec.	Page
SCHOOL DIRECTORS' ASSOCIATION:			
Schedule of dues, how paid.....	281	1	1118
SCHOOLS AND SCHOOL DISTRICTS: (see also COLLEGES AND UNIVERSITIES)			
Admission taxes imposed by cities and towns, counties, school activities exempted from.....	126	1	473
Apportionment, state funds, total attendance credit.....	297	7	1188
Appropriations (see APPROPRIATIONS)			
Beauty culture schools (see BEAUTY CULTURE AND HAIRDRESSING)			
Buses,			
lighting equipment	66	1	265
railroad crossings, full stop required.....	96	2	393
Commercial automobile drivers' training schools, licensing of	87	1-27	346
County superintendent of schools,			
elections, duties as to propositions voted upon.....	296	1	1182
refunds of property taxes illegally collected, duties.....	6	1-12	18
school district organization, powers and duties concerning	129	1	478
Eminent domain by school districts.....	155	1	573
Handicapped children, aid and special attention to, amendment of provision relating to.....	297	1	1185
			(Vetoed)
Medical schools, accreditation and approval of.....	60	4	246
Mentally ill and physically deficient, schools for (see INSTITUTIONS, DEPARTMENT OF, subtitle State schools for mentally ill and physically deficient)			
Parental schools, authority of department of institutions over, acquisition by state.....	297	2	1186
Public utility districts,			
additional privilege tax, school district bonded indebtedness, payment of from.....	278	8	1108
apportionment of privilege tax due to school districts, basis	278	10	1109
construction of hydroelectric generating facilities, reimbursement of school districts for losses resulting from	137	1-8	496
School building construction, bond issue for, allotments, excise taxes to retire bonds, procedure.....	234	1-11	918
School directors' association, schedule of dues, how paid....	281	1	1118
School districts,			
claims for damages against, time limitation for filing....	224	11	886
county committee on school district organization, powers and duties.....	129	1	478
county superintendent of schools,			
elections, duties as to propositions voted upon.....	296	1	1182
refunds of property taxes illegally collected, duties..	6	1-12	18
school district organization, powers and duties concerning	129	1	478
elections,			
adjustment of bonded indebtedness, proposition for..	296	1	1182
directors, election of board of.....	67	1	266
formation, alteration and adjustments of school districts, propositions for.....	129	1	478
formation of new district, proposition for.....	296	1	1182
eminent domain proceedings by.....	155	1	573
new districts,			
election on formation of.....	296	1	1182
territory, boundaries	296	2	1184
			(Vetoed)
nonhigh school districts, property taxes, limitations on levies	262	1	1032
organization of school districts, alterations and adjustments in	129	1	478

SCHOOLS AND SCHOOL DISTRICTS.

SCHOOLS AND SCHOOL DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
School districts,			
property tax refunds,			
illegally collected under chapter 253, Laws of 1955....	6	1-12	18
procedure generally, taxes refundable, claims, how			
paid, interest rate, actions authorized, etc.....	120	1-17	463
property taxes,			
excess levies authorized.....	32	1	95
	58	15	231
limitation of levies, "forty mill" limit maximum levies	262	1	1032
public utility districts,			
additional privilege tax, payment of school district			
bonded indebtedness from.....	278	8	1108
construction of hydroelectric generating facilities, re-			
imbursement of school districts for losses resulting			
from	137	1-8	496
public utility joint operating agency, payment of in lieu			
of taxes, exception	295	10	1181
school building construction, bond issue for, qualification			
for allotments, allotment schedule, excise taxes to			
retire bonds, emergency allotments, economy in con-			
struction	234	1-11	918
school directors' association, schedule of dues, how paid..	281	1	118
service of summons, civil procedure.....	202	1	776
township disorganization, disposition of funds to school			
districts	65	1	264
State board for vocational education, appropriations (see			
 APPROPRIATIONS)			
State census board to develop and maintain student enroll-			
ment forecasts	229	1	894
State school equalization fund, distribution of motor vehicle			
excise fund, crediting of percentage to.....	175	12	676
Superintendent of schools, salaries.....	219	3	868
Union high school districts,			
school building construction bond issue, qualification for			
allotments	234	10	925
tax levies, limitations on.....	262	1	1032
Vocational education,			
state board for vocational education,			
created, members, chairman, meetings.....	179	2	689
powers and duties.....	179	3-5	689
United States vocational education account abolished and			
moneys transferred to general fund.....	226	1-4	887
Vocational rehabilitation (see VOCATIONAL REHABILITA-			
 TION)			
SEALS:			
Absence of corporate seals not to affect validity.....	200	1	773
SEATTLE, CITY OF:			
Appropriations	300	2	1230
Council, member to serve on world fair commission.....	15	1	61
Dedication of certain lands to city of Seattle for street pur-			
poses	81	1	329
Sale of certain state land to city of Seattle authorized.....	252	1-3	997
Tacoma-Seattle-Everett freeway	189	1-13	715
World fair, site of authorized to be acquired in.....	174	3, 11	666
SECRETARY OF STATE:			
Appropriations (see APPROPRIATIONS)			
Banks and trust companies, filing and recording of articles of			
incorporation, by	248	2	981
Division on alcoholism, rules and regulations filed with.....	136	9	493

SPECTACLES.

SECRETARY OF STATE—CONTINUED:

Nonadmitted organizations, acquisition of notes and fore-closure of mortgages permitted, duties concerning service of process on.....	Ch. 139	Sec. 4, 5	Page 501
Nonresident motor vehicle operators, service of summons and process	75	1	310
Powers and duties as to log driving and booming companies, log brands and marks transferred to department of natural resources	38	11	125

SERVICE OF SUMMONS	202	1	776
--------------------------	-----	---	-----

SEWER DISTRICTS:

Annexation by cities and towns, disposition of property, out-standing indebtedness	119	1	461
Claims for damages against, time limitation for filing.....	224	11	886
Excess levies authorized.....	32 58	1	95
		15	231

SEWERAGE SYSTEMS:

Authority of cities and towns to acquire and operate.....	209 288	3	797
		3	1144
Metropolitan municipal corporations, powers concerning.....	213	20	817

SEXUAL PSYCHOPATHS:

Definitions	184	1	707
Deportation and removal from state.....	29	1	88
Escapes, penalty for aiding or abetting escape from mental institution	225	1	887
Expenses of hospitalization.....	26	1	84
Parole of	35	1	99

SHELLFISH (see FOOD FISH AND SHELLFISH)

SHERIFF (see COUNTY SHERIFF)

SHOPS:

- Barber (see BARBERS)
- Beauty culture (see BEAUTY CULTURE AND HAIRDRESS-ING)

SIGNS:

Erection of certain signs on highways, streets, or roads, a public nuisance, penalty	204	1	779
--	-----	---	-----

SKAMANIA COUNTY:

Appropriations	300	2	1216
----------------------	-----	---	------

SLUMS:

Urban renewal law.....	42	1-20	134
------------------------	----	------	-----

SOCIAL SECURITY (see PUBLIC ASSISTANCE; also OLD-AGE AND SURVIVORS INSURANCE)

SOIL CONSERVATION COMMITTEE:

Appropriations	301	2	1241
----------------------	-----	---	------

SOLDIERS' HOME:

Construction project authorized, state building construction act	298	8	1194
--	-----	---	------

SPECTACLES:

Dispensing opticians licensing act.....	43	1-17	161
---	----	------	-----

SPOKANE.

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
SPOKANE:			
City, appropriations	300	2	1215
County, appropriations	300	2	1213
SPRAY POOLS (see SWIMMING POOLS)			
STAMPS (see TRADING STAMPS)			
STATE AERONAUTICS COMMISSION (see AERONAUTICS)			
STATE ATHLETIC COMMISSION:			
Appropriations	301	2	1238
STATE AUDITOR:			
Appropriations (see APPROPRIATIONS)			
County road engineer, audit of books, expense of certified to department of highways, by.....	146	1	531
Department of natural resources, apportionment of funds, etc., as to transferred functions, duties.....	38	24	130
Highways in cities and towns, certification to state auditor of streets designated as state highways.....	83	2	336
Judges' retirement fund, duties concerning.....	243	2	946
Motor vehicle fuel tax refunds, warrants for.....	218	9	862
Municipal corporations, division of, cost-audit examination of books and records of county road engineers provided for by	146	1	531
Penitentiary and reformatory vouchers, advances.....	20	1	68
Property tax refunds, duties concerning	120	5	464
refunds of illegally collected taxes, duties.....	6	1-12	18
Records committee, appointee of, to.....	246	5	966
Vouchers and warrants issued to purchase institutional indus- tries products, not to question.....	30	5	92
Warrants issued on vouchers, advances allowable.....	20	1	68
Washington state patrol retirement system board, member of	162	1	599
STATE BAR ASSOCIATION:			
Annual membership fees.....	138	1	499
STATE BOARD FOR VOCATIONAL EDUCATION:			
Appropriations (see APPROPRIATIONS)			
STATE BOARD AGAINST DISCRIMINATION:			
Civil rights act.....	37	1-26	107
STATE BOARD OF ACCOUNTANCY:			
Appropriations	301	2	1238
STATE BOARD OF APPRAISERS:			
Board of natural resources constitutes state board of ap- praisers	38	15	126
STATE BOARD OF EDUCATION:			
Appropriations	301	2	1239
School building construction bond issue, duties concerning allotments and allocations to school districts and union high school districts, economies in construction, etc.....	234	1-11	918
School district organization, powers and duties concerning..	129	1	478
STATE BOARD OF PHARMACY:			
Appropriations	301	2	1240
STATE BOARD OF PILOTAGE COMMISSIONERS:			
Appropriations	301	2	1241

STATE EMPLOYEES' RETIREMENT SYSTEM.

STATE BOARD OF PRISON TERMS AND PAROLES (see BOARD OF PRISON TERMS AND PAROLES)

STATE BOARD OF VOCATIONAL EDUCATION (see SCHOOLS AND SCHOOL DISTRICTS, subtitle Vocational education; also VOCATIONAL REHABILITATION)

STATE BUILDING CONSTRUCTION ACT:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Definitions, limited obligation bonds issue authorized for, retail sales excise tax pledged to redeem bonds, projects authorized	298	1-10	1190

STATE CAPITOL:

Access to, acquisition of land for authorized.....	258	1, 2	1018
Library building, construction authorized, bonds, location, appropriation, etc.	62	1-8	249
Office building, construction authorized, bonds, location, appropriation, etc.	62	1-8	249
Parking facilities, acquisition of land for, authorized.....	257	1-3	1017

STATE CAPITOL COMMITTEE:

Access to capitol grounds, acquisition of land for, by.....	258	1, 2	1018
Appropriations (see APPROPRIATIONS)			
Library building, duties concerning.....	62	1-8	249
Office building, duties concerning.....	62	1-8	249
Parking facilities on capitol grounds, acquisition of land for, by	257	1-3	1017
Powers and duties as to capitol building lands and resources transferred to department of natural resources.....	38	9	125

STATE CAPITOL HISTORICAL ASSOCIATION:

Appropriations	301	2	1262
----------------------	-----	---	------

STATE CENSUS BOARD:

Appropriations (see APPROPRIATIONS)			
Cities and towns, population of, determined by, powers and duties concerning	175	2-4	672
Created, membership, per diem, officers.....	175	1	671
State census board to develop and maintain enrollment forecasts of schools, report to legislative budget committee....	229	1	894

STATE COLLEGE OF WASHINGTON (see COLLEGES AND UNIVERSITIES)

STATE EMPLOYEES (see PUBLIC EMPLOYEES)

STATE EMPLOYEES' RETIREMENT SYSTEM:

Appropriations (see APPROPRIATIONS)			
Board, appropriations	301	2	1239
Definitions	231	1	897
Federal old-age and survivors insurance, agreement for coverage of state and local governmental employees with secretary of health, education, and welfare, terms of agreement, referendum.....	170	1	621
plan for coverage under old-age and survivors insurance of members of state retirement system, approval of plan, terms, definitions, contributions, etc.....	222	1-3	872
Fundable employer liability, contributions, unfunded liability contributions	231	4	903
Membership, exceptions	231	2	901
Toll bridge authority employees, state employees' retirement system and federal old-age and survivors' insurance extended to, contributions, funds, prior service, appropriation	271	1-10	1059

STATE FINANCE COMMITTEE.

STATE FINANCE COMMITTEE:

Appropriations (see APPROPRIATIONS)			
Highways, primary state highway No. 2 (Echo Lake Route), bond issue authorized for, duties concerning.....	Ch. 206	Sec. 1	Page 789
Institutional and higher education building construction act, general obligation bond issue authorized, allotments by, duties concerning financing and allotments.....	299	1-7	1198
School building construction, bond issue for, duties concerning	234	1-11	918
State building construction act, powers and duties concerning	298	1-10	1190
Steam power electric generating facilities, bond issue, financing of, powers and duties concerning.....	275	1-19	1089
Tacoma-Seattle-Everett freeway, duties as to financing of through bond issue	189	1-13	715
Volunteer firemen's relief and pension trust fund, duties concerning	116	1	454
World fair bonds, investments from proceeds, by.....	174	11	668
STATE FIRE MARSHAL:			
Boarding homes, inspection of by.....	253	13	1004
STATE FOREST BOARD:			
Abolished and transferred to department of natural resources	38	7	124
Appropriations	300	2	1224
Lands acquired by counties through tax lien foreclosure, deed to state required on demand of state forest board.....	167	1	617
STATE FUNDS (see PUBLIC FUNDS)			
STATE GAME COMMISSION (see GAME AND GAME FISH)			
STATE HIGHWAY COMMISSION (see HIGHWAYS)			
STATE LANDS COMMISSIONER (see PUBLIC LANDS, subtitle Commissioner of public lands)			
STATE LAW LIBRARY:			
Appropriations	301	2	1237
STATE LIBRARY (see STATE CAPITOL)			
STATE LIBRARY COMMISSION:			
Appropriations (see APPROPRIATIONS)			
STATE LIQUOR REVOLVING FUND:			
Appropriations	136	17	495
STATE PARKS (see PARKS AND RECREATION)			
STATE PATROL (see WASHINGTON STATE PATROL)			
STATE PENITENTIARY (see PENITENTIARY, STATE)			
STATE PERSONNEL BOARD			
Appropriations	301	2	1238 (Vetoed)
STATE POWER COMMISSION (see WASHINGTON STATE POWER COMMISSION)			
STATE REFORMATORY (see REFORMATORY, STATE)			
STATE SUSTAINED YIELD FORESTS (see SUSTAINED YIELD FORESTS)			

SUPREME COURT.

STATE TREASURER: (see also PUBLIC FUNDS)

Appropriations (see APPROPRIATIONS)

	Ch.	Sec.	Page
Department of natural resources, apportionment of funds, etc., as to transferred functions, duties concerning.....	38	24	130
Highway safety fund, deposits of funds by.....	104	1	422
Highways, primary state highway No. 2 (Echo Lake Route), revenue bond issue authorized, duties concerning redemption fund	206	8	792
Industrial insurance funds, duties concerning.....	70	39-44	291
Judges' retirement fund, duties concerning.....	243	2	946
Mobile home excise fund, duties concerning apportionment and distribution from.....	269	14	1050 (Vetoed)
Motor vehicle excise fund, apportionment and distribution of moneys to cities and towns, duties concerning.....	175	12	676
Motor vehicle excise tax proceeds remitted to.....	128	1	477
Motor vehicle fund, deposits in, duties concerning.....	105	2	423
School building construction, bond issue for, deposits in redemption fund, by.....	234	3	919
United States vocational education account abolished, moneys transferred to general fund, payment of warrants by state treasurer from general fund.....	226	1-4	888
Vocational rehabilitation, custodian of moneys received from federal government for, disbursements by.....	223	5	880
Volunteer firemen's relief and pension trust fund, duties concerning	116	1	454
Warrants and vouchers to purchase institutional industries products, not to question.....	30	5	92

STATE WEATHER MODIFICATION BOARD:

Appropriations	245	22	962
----------------------	-----	----	-----

STATUTE LAW COMMITTEE:

Appropriations (see APPROPRIATIONS)

STEAM POWER ELECTRIC GENERATING FACILITIES:

Public utility joint operating agencies, payment of in lieu of taxes, steam power generated electricity excepted from	295	10	1181
Study, construction of, bond issue, jurisdiction, etc.....	275	1-19	1089

STEILACOOM, TOWN OF:

Relocation of inner harbor lines.....	131	1	482
Tidelands, deed of certain tidelands to.....	131	2	483

STORAGE WAREHOUSEMEN (see PUBLIC SERVICE COMMISSION, subtitle Transportation companies)

STEVENS COUNTY:

Appropriations	300	2	1214
----------------------	-----	---	------

STREETS (see CITIES AND TOWNS, subtitle Streets)

SUMMONS:

Service of	202	1	776
------------------	-----	---	-----

SUPERINTENDENT OF PUBLIC INSTRUCTION (see PUBLIC INSTRUCTION, SUPERINTENDENT OF)

SUPERIOR COURTS (see COURTS, subtitle Superior courts)

SUPREME COURT (see COURTS, subtitle Supreme court)

SURETIES.

SURETIES: (see also BONDS)	Ch.	Sec.	Page
Civil arrest, RCW corrections.....	51	10	189
Execution of judgments, RCW corrections.....	8	1-7	29
Injunctions, bond required, RCW corrections.....	51	9	188
Judgments against, RCW corrections.....	9	6	38
Nuisances, bond given to stay execution of abatement, RCW corrections	51	11	189
Replevin proceedings, justification, RCW corrections.....	51	15-17	190

SURGERY (see MEDICINE AND SURGERY)

SURPLUS COMMODITIES (see FEDERAL)

SUSTAINED YIELD FORESTS:

Committees abolished and transferred to department of natural resources	38	7	124
Management transferred to department of natural resources	38	14	126

SWIMMING POOLS:

Definitions, approval of construction required, health regulations authorized	57	1-4	223
Park and recreation districts, regulations as to swimming pools	58	1	226

SWITCH-BLADE KNIVES:

Manufacture, sale, possession of, penalty.....	93	1	384
--	----	---	-----

T

TACOMA, CITY OF:

Ferry landing, sixth avenue, dismantling.....	178	1	688
Metropolitan park district, conveyance of land to First Evangelical Lutheran Church.....	16	1	63

TACOMA, PORT OF:

Exchange of certain lands with Chicago, Milwaukee, St. Paul and Pacific railroad company authorized.....	255	1, 2	1013
--	-----	------	------

TACOMA-SEATTLE-EVERETT FREEWAY:

Authorized, financing, federal grants, bond issue, retirement, interest, sale, appropriation.....	189	1-13	715
---	-----	------	-----

TAX ADVISORY COUNCIL:

Appropriations	291	6	1165
Chairman, salary	291	4	1164
Created, members, expenses.....	291	1	1164
Duties	291	2	1164
Expenditures, how paid.....	291	5	1165
Public records, authority to examine.....	291	3	1164

TAXATION:

Ad valorem (see Property taxes, this title)			
Admission taxes, school activities exempted.....	126	1, 2	473
Agriculture marketing enabling act, levy of assessments authorized	133	1	485
Buses, motor vehicle fuel tax, refund of, exemption from fuel tax	292	1, 2	1165
Business and occupation tax,			
additional tax imposed.....	279	5	1116
consumer defined	279	2	1114
definitions	279	1	1112
taxpayer quitting business, liability of successor for....	88	1	356
Cigarette excise tax, school construction bonds, payable from	234	1	918

TAXATION.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Cities and towns, admission tax authorized, school activities exempted	126	1	473
Contractors, payment to from reserve fund when work delayed, bond to pay taxes required.....	91	1	377
Counties, admission tax authorized, school activities exempted	126	2	474
"Forty mill" limit on property levies.....	262	1	1032
Gift taxes,			
payment of, disposition of proceeds.....	285	4	1126
returns, information, date for filing.....	285	3	1126
House trailer excise tax, imposition, rate and measure of, enforcement of collection, penalty, exemptions, fees, appropriation	269	1-21	1044
Inheritance tax,			
federal, state taxes deducted	285	1	1125
			(Vetoed)
life insurance proceeds, part of estate for purposes of....	280	1	1117
property appraisals, basis for.....	285	2	1126
safe deposit boxes, access to safe deposit boxes after death of owner, agent of tax commission must be present for inheritance tax purposes.....	274	1-7	1086
Irrigation districts, local improvement district assessments, payment	68	1	269
Motor vehicle excise tax,			
disposition of proceeds.....	128	1	477
imposed, collection of, amount of.....	261	10	1029
time for payment of, etc.....	261	11	1030
			(Vetoed)
school construction bonds, payable from.....	234	1	918
Motor vehicle fuel taxes,			
carriers, monthly reports, examination of records.....	218	1	858
dealers, records required.....	247	7	974
delinquencies,			
penalty	247	3	971
time of filing.....	247	4	971
distributors, license required, qualifications, procedure, renewals, fees	247	5	972
exemptions from tax, when not exempt.....	247	9-12	975
persons not distributors, tax required.....	247	6	973
rate of tax, allocation of proceeds.....	247	1	969
refunds,			
application for permits, fees.....	218	3	860
books and records to substantiate	218	10	863
cleaning and dyeing users.....	218	5	861
credit in lieu of refund.....	218	13, 14	864
exporters from state, proof required.....	218	6, 7	861
fraud, suspension of refunds.....	218	11	863
internal combustion machine users, not used in motor vehicles	218	4	860
marine users and distributors.....	218	15, 16, 17	864
non-highway use, marine use, claim.....	218	8	862
procedure	218	9	862
sellers invoice, when required.....	218	12	863
urban transportation systems.....	292	1	1165
report to director of licenses, penalty.....	247	2	970
Motor vehicles fund (see MOTOR VEHICLE FUND)			
Motor vehicle taxation, study of by joint fact-finding committee on highways, streets and bridges.....	172	33	649
Motor vehicle use fuel tax, exemption of urban transportation systems from.....	292	2	1165
Motor vehicles, fees and taxes based on highway use, reciprocity commission created.....	273	22, 23	1083
Park and recreation districts, excess levies.....	58	15	232

TAXATION.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Property taxes,			
air pollution control districts, for.....	232	8, 9	905
excess levies,			
by certain taxing districts authorized.....	32	1	95
park and recreation districts.....	58	15	231
irrigation districts, local improvement district assessments, payment	58	15	232
limitation of levies, "forty mill" limit, maximum levies..	68	1	269
metropolitan municipal corporations, power to levy taxes and special assessments.....	262	1	1032
mosquito control districts,			
annual valuation of property for assessment purposes	213	49, 50	839
authorized levies	153	31	564
collection and disposition of revenue.....	153	10	554
park and recreation districts, tax levies for.....	153	27	563
port district levy authorized, purpose, use.....	58	14, 15	231
property acquired by public bodies, tax liens as part of purchase price or award, segregation of assessment...	265	1, 2	1036
refunds,			
illegally collected under chapter 253, Laws of 1955 (Ryder plan).....	277	1-3	1103
procedure for refunds generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.	6	1-12	18
tax liens on property acquired by public bodies, method for payment, segregation of assessments.....	120	1-17	463
Public contracts, payment to highway and road contractors when work delayed, surety bond to pay taxes required.	277	1-3	1103
Public utility districts,			
joint operating agencies, payment of in lieu of taxes, exception	91	1	377
privilege tax,			
additional tax for payment of school districts' bonded indebtedness	295	10	1181
apportionments of tax proceeds to taxing districts, use computation, payment, disposition.....	278	8	1108
definitions	278	5, 10, 11	1107
imposed, rates	278	4	1106
interest after due date.....	278	7, 12	1108
public service company facilities acquired, amount of tax	278	2	1105
reports to tax commission.....	278	6	1108
tax rolls, removal of property from resulting from acquisi- tion or construction of generating facilities, volun- tary payments authorized, by.....	278	14	1110
Public utility tax, additional or temporary tax imposed.....	278	3	1106
Retail sales excise tax,			
institutional building bond redemption fund, payment of collections of retail sales tax into.....	279	13	1110
state building construction bonds, retail sales tax pledged to redeem	279	3	1115
temporary tax on liquor.....	298	4	1191
Ryder plan tax refunds.....	279	4	1115
State tax commission,			
apportionment to taxing districts, duties.....	6	1-12	18
appropriations (see APPROPRIATIONS, subtitle Tax commission)			
cigarette sales act, duties concerning.....	278	5	1107
cities, towns or counties, information as to distribution of state funds.....	286	1-19	1127
created, composition, terms, vacancies.....	175	4	674
	127	1	476

TOLL BRIDGE AUTHORITY.

TAXATION—CONTINUED:

State tax commission,			
escheats, copies of decree distributing real property to state furnished to	Ch. 125	Sec. 1	Page 472
log patrols, powers and duties as to transferred to department of natural resources.....	38	12	125
public utility districts,			
computation of tax, by.....	278	4	1106
reports to tax commission.....	278	3	1106
unfair cigarette sales act, duties concerning.....	286	1-19	1127
Tax advisory council,			
appropriations	291	6	1165
chairman, salary	291	4	1164
created, members, expenses.....	291	1	1164
duties	291	2	1164
expenditures, how paid.....	291	5	1165
public records, authority to examine.....	291	3	1164
Taxpayer quitting business, liability of successor.....	88	1	356
TEACHERS (see SCHOOLS AND SCHOOL DISTRICTS)			
TEACHERS' RETIREMENT SYSTEM (see WASHINGTON STATE TEACHERS' RETIREMENT SYSTEM)			
TENT CATERPILLARS:			
Board for eradication of.....	163	8	606
THEATERS:			
Admission tax authorized, school activities exempted.....	126	1, 2	473
TIDELANDS AND SHORELANDS:			
Deed of tidelands to Grays Harbor.....	40	1, 2	132
Sale of state tidelands and shorelands to municipal corporations or agencies of the state authorized.....	186	1	710
TIMBER LANDS: (see also PUBLIC LANDS)			
Exchange of state timber lands authorized, purpose.....	290	1-3	1163
TOLL BRIDGE AUTHORITY:			
Appropriations (see APPROPRIATIONS)			
Biggs Rapids toll bridge, appropriations, revenue bonds, operation of, tolls on, agreements with the state of Oregon, duties concerning	142	1-6	507
Employees, state employees' retirement system and federal old-age and survivors' insurance extended to, contributions, funds, prior service, appropriation.....	271	1-10	1059
Ferry system,			
employees, state employees' retirement system and federal old-age and survivors' insurance extended to, contributions, funds, prior service, appropriation.....	271	1-10	1059
refunding of revenue bonds authorized.....	152	1-3	547
revenue bonds, setting aside of amounts for operation, interest, retirement, etc., proceeds of sale placed in authority revolving fund, restrictions.....	230	1	895
subsidy for ferry system, study of necessity for by joint fact-finding committee on highways, streets and bridges	271	10	1062
Fox Island toll bridge, reduction of tolls, retirement of bonds, appropriation, agreement with Pierce county concerning.	270	1-6	1055
Lake Washington toll bridge, additional bridge authorized, bond issue for, tolls authorized, retirement of bonds, appropriations	266	1-6	1041
Lopez Island to San Juan Island toll bridge, studies authorized, appropriation, revenue bonds, construction, financing, etc.	141	1-4	505

TOLL BRIDGE AUTHORITY.

TOLL BRIDGE AUTHORITY—CONTINUED:

Puget Sound transportation system, study of by joint fact-finding committee on highways, streets and bridges, in cooperation with	Ch. 172	Sec. 33	Page 649
Refunding of revenue bonds authorized.....	152	1-3	547
Repeal of toll road act.....	211	1	801
San Juan Island to Lopez Island toll bridge, studies authorized, appropriation, revenue bond, construction, financing, etc.	141	1-4	505
Toll bridge on lower Columbia River, studies and surveys, duties and authority concerning.....	172	39	653
Toll tunnel through Cascade mountains, studies for authorized	172	42	656
TOLL BRIDGES (see TOLL BRIDGE AUTHORITY)			
TOWNS (see CITIES AND TOWNS)			
TOWNSHIPS:			
Disorganization of, final accounting, disposition of funds, dissolution.....	65	1	264
repeal of provision making chapter inapplicable to class A counties	73	1	308
Property tax refunds, procedure for refunds generally, taxes refundable, claims, how paid, interest rate, actions authorized, etc.	120	1-17	463
TRADEMARKS AND TRADENAMES (see BRANDS AND MARKS)			
TRADING STAMPS:			
Exemption of coupons on original packages, exception.....	221	3	871
Geographical limitations as to use.....	221	2	871
Unfair cigarette sales act, trading stamps as part of purchase price	286	4	1132
TRAILERS: (see also MOTOR VEHICLES)			
House trailer excise tax.....	269	1-21	1044
TRAINS (see RAILROADS)			
TRANSPORTATION COMPANIES: (see also PUBLIC SERVICE COMMISSION, subtitle Transportation companies)			
Railroads, employees, adoption of rules and regulations for sanitation and shelter.....	71	1	305
Report to public service commission of gross revenue, fees, rates charged	185	1	708
TRANSPORTATION SYSTEMS:			
Annexation of territory by cities and towns, franchise or permit for public transportation included in annexed territory, continuation or disposition of business, damages..	282	1	1120
Metropolitan transportation, powers and duties of metropolitan municipal corporations concerning.....	213	24-26	821
Motor vehicle use fuel tax, exemption from, refund of motor vehicle fuel tax.....	292	1, 2	1165
Passenger transportation systems owned by municipal corporations, powers as to expansion and privately owned systems	114	1	450
Posting of notice prohibiting disposal of lighted materials, receptacles required, penalty.....	111	8	447
TRANSPORTERS:			
Motor vehicles, license required, fees, display of plates.....	107	1-3	426

VETERANS.

TREASURER, COUNTY (see COUNTY TREASURER)

TREASURER, STATE (see STATE TREASURER)

TRUCKS (see MOTOR VEHICLES)

	Ch.	Sec.	Page
TRUST COMPANIES: (see also BANKS AND BANKING)			
Directors, election, qualifications of, oath of office, vacancies	190	1	721
Incorporation, articles, execution, contents.....	248	1	980
Metropolitan municipal corporation bonds, legal investment for funds of.....	213	51	840
Not admitted to transact business in state, acquisition of notes and foreclosure of mortgages permitted, service of process	139	1-6	500
Safe deposit companies, access to safe deposit boxes after death of owner, agent of tax commission must be present for inheritance tax purposes, penalty.....	274	1-7	1086
Urban renewal bonds, legal investment for funds of.....	42	11	153
TRUST RECEIPTS:			
Definitions of trust receipt and trust receipt transaction.....	249	1	985
Validity of trust receipt transaction as against creditors.....	249	2	987
TUBERCULOSIS:			
Appropriations	301	2	1266
TUNNELS:			
Toll tunnel through Cascade mountains.....	172	42	656

U

UNEMPLOYMENT COMPENSATION (see EMPLOYMENT SECURITY)

UNFAIR CIGARETTE SALES ACT (see CIGARETTES, subtitle Unfair cigarette sales act)

UNIFORM LAW COMMISSION:

Appropriations	301	2	1237
----------------------	-----	---	------

UNIONS (see CREDIT UNIONS)

UNITED FUND:

Defined, deduction from salaries and wages of state and other public employees for, authorized.....	208	1, 2	795
--	-----	------	-----

UNITED STATES (see FEDERAL)

UNIVERSITY OF WASHINGTON (see COLLEGES AND UNIVERSITIES, subtitle University of Washington)

URBAN RENEWAL LAW:

Provisions of	42	1-20	134
---------------------	----	------	-----

USE FUEL TAX (see TAXATION)

V

VEHICLES (see MOTOR VEHICLES)

VENDING MACHINES:

Cigarette vending machines, license required.....	286	15	1137
---	-----	----	------

VETERANS:

 Appropriations (see APPROPRIATIONS)

VOCATIONAL EDUCATION.

VOCATIONAL EDUCATION (see SCHOOLS AND SCHOOL DISTRICTS, subtitle Vocational education; also VOCATIONAL REHABILITATION)

VOCATIONAL REHABILITATION:	Ch.	Sec.	Page
Definitions	223	1	879
Federal benefits, acceptance of authorized.....	223	5	880
State board of vocational education, division of vocational rehabilitation, creation, purpose	223	2	879
powers and duties.....	223	3, 4	880
United States vocational education account abolished and moneys transferred to general fund.....	226	1-4	887

VOLUNTEER FIREMEN'S RELIEF AND PENSIONS (see FIREMEN'S RELIEF AND PENSIONS)

VOTERS (see ELECTIONS)

VOTING MACHINES (see ELECTIONS)

VOUCHERS:

Salary, certificate of service part of endorsement.....	77	1	314
---	----	---	-----

W

WADING POOLS (see SWIMMING POOLS)

WAREHOUSE COMPANIES (see PUBLIC SERVICE COMMISSION, subtitle Transportation companies)

WAREHOUSEMEN AND WHARFINGERS:

Definitions enacted	12	1	49
Violations, penalties	205	1	781

WARRANTS:

Emergency, appropriations for.....	301	2	1262
Penitentiary revolving account abolished and warrants payable from state institutional revolving account.....	115	4	451

WASHINGTON-OREGON BOUNDARY COMPACT:

Provisions of	90	1-5	369
---------------------	----	-----	-----

WASHINGTON RECIPROCITY COMMISSION:

Joint fact-finding committee on highways, streets and bridges, participation with continued.....	172	34	651
--	-----	----	-----

WASHINGTON STATE BAR ASSOCIATION:

Annual membership fees	138	1	499
------------------------------	-----	---	-----

WASHINGTON STATE BOARD AGAINST DISCRIMINATION IN EMPLOYMENT:

Appropriations	301	2	1242
----------------------	-----	---	------

WASHINGTON STATE COLLEGE (see COLLEGES AND UNIVERSITIES, subtitle State College of Washington)

WASHINGTON STATE COUNCIL FOR HIGHWAY RESEARCH:

Joint fact-finding committee on highways, streets and bridges, to cooperate with.....	172	35	652
---	-----	----	-----

WASHINGTON STATE EMPLOYEES' RETIREMENT SYSTEM (see STATE EMPLOYEES' RETIREMENT SYSTEM)

WASHINGTON STATE TOLL BRIDGE AUTHORITY.

WASHINGTON STATE FERRY SYSTEM (see TOLL BRIDGE AUTHORITY, subtitle Ferry system)

WASHINGTON STATE HIGHWAY COMMISSION (see HIGHWAYS)

WASHINGTON STATE HISTORICAL SOCIETY:

Appropriations (see APPROPRIATIONS)

WASHINGTON STATE PATROL:

	Ch.	Sec.	Page
Amateur radio operators, special motor vehicle license plates, lists furnished to Washington state patrol.....	145	3	530
Appropriations (see APPROPRIATIONS)			
Automobile drivers' training schools, restrictions as to location and training in relation to, representative on instructor's examining committee	87	4, 14, 22	347
Erection or maintenance of certain structures, signs, or devices a public nuisance, duties concerning.....	204	1	779
Highway safety fund created, use of by state patrol authorized	104	1	422
Highway safety, study by joint fact-finding committee on highways, streets and bridges to be made in conjunction with..	172	33	649
Reciprocity commission on highway user tax structure, chief of Washington state patrol a member of.....	273	23	1085
Retirement system,			
age of retirement	162	3	602
contributions, basis for.....	162	2	601
retirement allowances	162	4	603
retirement board, membership, elections.....	162	1	599
retirement fund, established	162	2	601
State patrol highway account created, deposits, expenditures	105	2-4	423

WASHINGTON STATE PENITENTIARY (see PENITENTIARY, STATE)

WASHINGTON STATE POWER COMMISSION:

Abolished	295	8	1180
Public utility joint operating agencies act.....	295	1-11	1171
Reports, surveys, books, records, etc., transferred to custody of power resources division of department of conservation and development	284	2	1123
Steam power electric generating facilities, study, appropriation for, jurisdiction.....	275	1, 2	1089

WASHINGTON STATE REFORMATORY (see REFORMATORY, STATE)

WASHINGTON STATE SAFETY COUNCIL:

Appropriations	301	2	1242
----------------------	-----	---	------

WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION:

Schedule of dues, how paid.....	281	1	1118
---------------------------------	-----	---	------

WASHINGTON STATE TEACHERS' RETIREMENT SYSTEM:

Appropriations (see APPROPRIATIONS, subtitle Teachers' retirement fund)			
Faculties of colleges of education, retirement and annuity plans, accumulated contributions to.....	76	4	313
Old-age and survivors' insurance, coverage plan for members of teachers' retirement system, terms of.....	183	2	700
Survivors' benefits	183	3	705

WASHINGTON STATE TOLL BRIDGE AUTHORITY (see TOLL BRIDGE AUTHORITY)

WATER DISTRICTS.

WATER DISTRICTS:

	Ch.	Sec.	Page
Annexation by cities and towns, disposition of property, outstanding indebtedness	119	1	461
Claims for damages against, time limitations for filing.....	224	11	885
Excess levies authorized.....	32	1	95
	58	15	231
Metropolitan municipal corporations, board of commissioners of water districts to appoint member of advisory committee	213	23	821

WEATHER MODIFICATION AND CONTROL:

Board of,			
acceptance of federal grants, private gifts and donations, expenditures of funds, authorized.....	245	6	956
clerical help, office space, staff services, payment of expenses from weather modification board revolving account	245	7	957
compensation of members.....	245	2	954
hearings, record of proceedings, procedure.....	245	5	956
membership on board.....	245	2	954
powers, generally	245	3, 4	955
Definitions	245	1	953
Licenses,			
exemptions	245	9	957
qualifications of licensees, duration of license, fees, renewal of licenses	245	10	958
required	245	8	957
suspension or revocation of.....	245	18	961
Permits,			
fees	245	16	960
issuance required	245	8	957
modification of terms of.....	245	18	961
notice of intention,			
contents	245	13	959
filing of	245	12	959
publication of	245	14	959
proof of financial responsibility required.....	245	15	960
qualifications for, financial responsibility, notice of intention, publication, fees.....	245	11	958
Records and reports required, custody, public examination...	245	17	961
Violations, penalty	245	20	962

WEED DISTRICTS:

Assessments, levy of, tax rolls, RCW corrections.....	13	2, 3, 4	51
---	----	---------	----

WEED EXTERMINATION AREAS:

Cooperation between various units, duties, costs, RCW corrections	13	6-14	52
---	----	------	----

WESTERN INTERSTATE COMMITTEE ON HIGHWAY POLICY PROBLEMS:

Joint fact-finding committee on highways, streets and bridges, participation with continued.....	172	34	651
--	-----	----	-----

WESTERN STATE HOSPITAL:

Appropriations (see APPROPRIATIONS, subtitle Institutions, department of)			
Construction projects authorized, state building construction act	298	8	1194

WESTERN WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)

YAKIMA COUNTY.

WESTERN WASHINGTON EXPERIMENT STATION:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Poultry disease diagnostic laboratories, allocations to, construction of facilities.....	55	1, 2	221

WHARFINGERS AND WAREHOUSEMEN:

Definitions enacted	12	1	49
---------------------------	----	---	----

WHATCOM COUNTY:

Appropriations (see APPROPRIATIONS)

WIDOWS (see PENSIONS)

WORKMEN'S COMPENSATION (see INDUSTRIAL INSURANCE)

WORLD FAIR:

Expenditures by counties for world fair authorized.....	124	1	471
Site for, acquisition and development of, limited obligation bond issue authorized, bonds payable from corporation fees	174	1-15	665
World fair commission, acquisition of and development of site for world fair, powers and duties concerning.....	174	1, 3, 4, 5	665
created, powers and duties.....	15	1-4	61

Y

YAKIMA COUNTY:

Appropriations (see APPROPRIATIONS)

