

and weight provisions of this code notwithstanding any subsequent modification which would require a permit, as specified in RCW 46.44-.090, to operate such vehicles on a public highway, including trailers, truck-mounted transit mixers, cranes and shovels, or other vehicles designed for the transportation of persons or property to which machinery has been attached.

NEW SECTION. 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.

EXPLANATORY NOTE

Section 1. RCW 46.20.220 was twice amended by the 1967 legislature. 1967 c 32 § 28 changed "operator's licenses" to "driver's licenses" and "peace officer" to "police officer". 1967 c 232 § 9 provided that persons renting motor vehicles be licensed for the kind of vehicle rented.

As these two amendments appear to be in different respects, the purpose of section 1 of this bill is to give effect to both amendments by reenacting the section with both amendments included in it.

Sec. 2. RCW 46.20.342 was amended in the regular session of the 1967 legislature by 1967 c 167 § 7 and was again amended in the extraordinary session of the 1967 legislature by 1967 ex.s. c 145 § 52, without reference to the earlier amendment. The 1967 regular session amendment provided for extension of the period of license revocation upon conviction of juveniles. The 1967 extraordinary session amendment provides additional punishment for persons upon a second or third offense.

As these two amendments appear to be in different respects, the purpose of section 2 of this bill is to give effect to both amendments by reenacting the section with both amendments included in it.

Sec. 3. RCW 46.16.010 was amended in the 1967 legislative session by 1967 c 202 § 2. The underlined phrase in the first paragraph was omitted, but not indicated as deleted. The purpose of section 3 of this bill is to correct this apparent error.

Passed the Senate January 31, 1969

Passed the House March 10, 1969

Approved by the Governor March 18, 1969

Filed in office of Secretary of State March 19, 1969

CHAPTER 28
[Senate Bill No. 10]
CITIES AND TOWNS

AN ACT Relating to cities and towns; amending section 35.27.520, chapter 7, Laws of 1965 as amended by section 16, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.520; amending section

35.38.020, chapter 7, Laws of 1965 as amended by section 5, chapter 132, Laws of 1967 and RCW 35.38.020; reenacting section 35.79.030, chapter 7, Laws of 1965, as last amended by section 1, chapter 123, Laws of 1967 and section 1, chapter 129, Laws of 1967 ex. sess. and RCW 35.79.030; and declaring an emergency.

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

Section 1. Section 35.27.520, chapter 7, Laws of 1965 as amended by section 16, chapter 116, Laws of 1965 ex. sess. and RCW 35.27.520 are each amended to read as follows:

In every town a police justice shall be appointed from among the regularly elected justices of the peace or any practicing attorney and shall receive such salary in addition to his salary as justice of the peace as the council by ordinance may direct and shall give such bond or additional bond as the council may provide: PROVIDED, That the council of every town having a population under five thousand may provide that the mayor may appoint any person, without regard to whether he is a justice of the peace or practicing attorney, to the office of police justice, for a period of four years from and after the date of his appointment, and he shall be removed only upon conviction of misconduct or malfeasance in office, or because of physical or mental disability rendering him incapable of performing the duties of his office.

Sec. 2. Section 35.38.020, chapter 7, Laws of 1965 as amended by section 5, chapter 132, Laws of 1967 and RCW 35.38.020 are each amended to read as follows:

Before any such designation shall become effectual and entitle the treasurer to make deposits in such bank or banks, the bank or banks so designated shall, within ten days after the same is filed with the comptroller, file with the city comptroller a contract with the city wherein the bank agrees to pay such rate of interest on the cash daily balance of all municipal funds kept by such treasurer in said bank, while acting as such depository, as shall be fixed from

time to time by the city finance committee; such payments to be made monthly to the city while said deposit continues in such depository. The contract shall run to the city and be in such form as shall be approved by the mayor or corporation counsel.

Such bank shall also file with the comptroller of such city a surety bond or bonds to the city in the amount of the deposits of such city that may be carried in the designated bank, conditioned for the prompt payment thereof on checks duly drawn by the said treasurer; or in lieu thereof shall deposit with the comptroller any of the following enumerated securities, if there has been no default in the payment of principal or interest thereon, the aggregate market value of which shall at all times be not less than one hundred and ten percent of the amount of the funds deposited by said treasurer:

(1) Bonds, notes or other securities constituting the direct and general obligations of the United States or the bonds, notes or other securities constituting the direct and general obligation of any instrumentality of the United States, the interest and principal of which is unconditionally guaranteed by the United States;

(2) (a) Direct and general obligation bonds and warrants of the state of Washington, or of any other state of the United States;

(b) Revenue bonds of this state or any authority, board, commission, committee, or similar agency thereof;

(3) Direct and general obligation bonds and warrants of any city, town, county, school district, port district or other political subdivision in the state of Washington, having the power to levy general taxes, which are payable from general ad valorem taxes;

(4) Bonds issued by public utility districts as authorized under the provisions of Title 54 RCW as now or hereafter amended;

(5) Bonds of any city of the state of Washington for the payment of which the entire revenues of the city's water system, power and light system, or both, less maintenance and operating costs, are irrevocably pledged, even though such bonds are not general obliga-

tions of such city: PROVIDED, That said comptroller need not accept for deposit any collateral described in this subdivision if in his judgment it is not desirable so to do;

(6) In addition to the foregoing, every city depository may also deposit with the city comptroller such bonds, securities and other obligations as are designated to be authorized security for all public deposits pursuant to: RCW 35.58.510, 35.81.110, 35.82.220, 39.60.030, 39.60.040 and 54.24.120 as now or hereafter amended.

Such surety bonds or securities shall be in such form as shall be approved by the corporation counsel of the city and the sufficiency of such surety bonds or such securities shall be approved by the mayor and comptroller of the city. When such bonds have been duly approved and filed with the comptroller, he shall immediately certify to the city treasurer the amount of bonds or securities filed by such bank or banks, whereupon the city treasurer shall be authorized to make deposits in such bank.

In the event repayment of deposits in any such depository is insured by the Federal Deposit Insurance Corporation, or by any other corporation, agency or instrumentality organized and acting under and pursuant to the laws of the United States of America, the execution and filing of a bond with such treasurer shall be required only for so much of the designated maximum amount of deposits as such designated maximum amount exceeds the amount of such insurance, and if such depository elects to deposit securities only to the amount necessary to secure the excess of the moneys on deposit with it over the amount covered by such insurance.

NEW SECTION. Sec. 3. Any action effected in accordance with the provisions of the last two paragraphs of section 2 of this 1969 amendatory act during the period from June 8, 1967 until the effective date of this 1969 amendatory act is hereby declared valid.

Sec. 4. Section 35.79.030, chapter 7, Laws of 1965, as last amended by section 1, chapter 123, Laws of 1967 and section 1, chapter 129, Laws of 1967 ex. sess. and RCW 35.79.030 are each reenacted

to read as follows:

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, and the ordinance may provide that it shall not become effective until the owners of property abutting upon the street or alley, or part thereof so vacated, shall compensate such city or town in an amount which does not exceed one-half the appraised value of the area so vacated: PROVIDED, That such ordinance 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: PROVIDED FURTHER, That no city or town shall be authorized or have authority to vacate such street, or alley, or any parts thereof if any portion thereof abuts on a body of salt or fresh water unless such vacation be sought to enable the city, town, port district or state to acquire the property for port purposes, boat moorage or launching sites, park, viewpoint, recreational, or educational purposes, or other public uses. This proviso shall not apply to industrial zoned property. A certified copy of such ordinance shall be recorded by the clerk of the legislative authority and in the office of the auditor of the county in which the vacated land is located.

NEW SECTION. 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.

EXPLANATORY NOTE

Section 1. This section corrects an apparent clerical error in RCW 35.27.520 by adding the word "or" in the last phrase of the proviso.

Secs. 2 and 3. The last two paragraphs of RCW 35.38.020 were omitted, but not indicated as deleted, when the section was amended by the 1967 legislature (1967 c 132 § 5). Section 2 of this bill corrects the apparently inadvertent omission by replacing the omitted material in its original form as enacted by 1965 c 7. Section 3 validates any action taken during the omission period.

Sec. 4. RCW 35.79.030 was amended in the 1967 regular session of the legislature by 1967 c 123 § 1 and was again amended in the extraordinary session of the legislature by 1967 ex.s. c 129 § 1 without reference to the earlier amendment. The 1967 regular session amendment added the last sentence to the section pertaining to filing of the ordinance. The 1967 extraordinary session amendment pertains to the compensation of cities or towns by the owners of abutting property before the ordinance becomes effective. 1967 ex.s. c 129 § 1 also added the last proviso pertaining to the purposes for which cities and towns may vacate property.

Since these two amendments appear to be in different respects, the purpose of section 4 of this bill is to give effect to both amendments by reenacting the section with both amendments included in it.

Passed the Senate January 31, 1969

Passed the House March 10, 1969

Approved by the Governor March 18, 1969

Filed in office of Secretary of State March 19, 1969

CHAPTER 29

[Senate Bill No. 11]

PROBATION AND PAROLE

AN ACT Relating to the division of probation and parole; amending section 4, chapter 227, Laws of 1957, as last amended by section 16, chapter 134, Laws of 1967 and section 8, chapter 200, Laws of 1967, and RCW 9.95.210; consolidating said 1967 amendments; and declaring an emergency.

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

Section 1. Section 4, chapter 227, Laws of 1957, as last amended by section 16, chapter 134, Laws of 1967 and section 8, chapter 200, Laws of 1967, (said 1967 amendments being hereby consolidated), and RCW 9.95.210 are each amended to read as follows:

The court in granting probation, may suspend the imposing or