

in the light of the overall state needs and capabilities for the award of doctoral degrees, both present and future.

Part III. Construction.

NEW SECTION. Sec. 3. The forty-first legislature has before it a bill proposing a complete revision of the education laws of this state (1969 HB ...). The provisions of Part I of the instant bill seek to change existing laws. The provisions of Part II seek to change correlative provisions of the proposed 1969 education code if such code becomes law. It is the intent of the legislature that the provisions of Part I shall be effective only until the date upon which the 1969 education code shall take effect, upon which date the provisions of Part I shall expire and the provisions of Part II shall concomitantly become effective. It is the further intent of the legislature that Part II of the instant bill shall not take effect unless the proposed 1969 education code is adopted at this legislature, but if such event occurs then any amendatory provisions of Part II of this bill shall be construed as amending the correlative sections of the 1969 education code, any repealing provisions of Part II shall be construed as repealing the correlative section of the 1969 education code, and any new or additional provisions of Part II shall be construed as being in pari materia with the 1969 education code.

NEW SECTION. Sec. 4. Part II of 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 date upon which the 1969 education code becomes effective.

Passed the Senate April 19, 1969
 Passed the House April 11, 1969
 Approved by the Governor April 29, 1969
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CHAPTER 197
 [Engrossed Senate Bill No. 311]
 HIGHWAYS--ADVANCE ACQUISITION OF
 REAL PROPERTY AND ENGINEERING COSTS

AN ACT Relating to highways; amending section 1, chapter 281, Laws of
 of 1961 and RCW 47.12.180; amending section 3, chapter 281,

Laws of 1961 and RCW 47.12.200; amending section 4, chapter 281, Laws of 1961 and RCW 47.12.210; amending section 5, chapter 281, Laws of 1961 and RCW 47.12.220; amending section 6, chapter 281, Laws of 1961 and RCW 47.12.230; adding new sections to chapter 47.12 RCW; and making an appropriation.

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

Section 1. Section 1, chapter 281, Laws of 1961 and RCW 47.12-.180 are each amended to read as follows:

It is hereby declared to be the public policy of the state of Washington to provide for the acquisition of real property and engineering costs necessary for the improvement of the state highway system, in advance of actual construction, for the purposes of eliminating costly delays in construction, reducing hardship to owners of such property, and eliminating economic waste occasioned by the improvement of such property immediately prior to its acquisition for highway uses.

The legislature therefore finds and declares that purchase and condemnation of real property necessary for the state highway system and engineering costs, reasonably in advance of programmed construction, is a public use and purpose and a highway purpose.

The Washington state highway commission is hereby authorized to purchase or condemn any real property or property rights therein which it deems will be necessary for the improvement of routes on the state highway system by the method provided in RCW 47.12.180 through 47.12.240, as now or later amended, or alternatively by the method provided in sections 6 through 9 of this 1969 amendatory act. Neither method shall be used to condemn property or property rights in advance of programmed construction until the highway commission has complied with hearing procedures required for the location or relocation of the type of highway for which such property is to be condemned.

Sec. 2. Section 3, chapter 281, Laws of 1961 and RCW 47.12-.200 are each amended to read as follows:

The highway commission may enter into agreements with the state

finance committee for financing the acquisition, by purchase or condemnation, of real property together with engineering costs that the highway commission deems will be necessary for the improvement of the state highway system. Such agreements may provide for the acquisition of an individual parcel or for the acquisition of any number of parcels within the limits of a contemplated highway project.

Sec. 3. Section 4, chapter 281, Laws of 1961 and RCW 47.12-.210 are each amended to read as follows:

Such an agreement shall provide that the state finance committee shall purchase, at par, warrants drawn upon the motor vehicle fund in payment for the property covered by the agreement and the engineering costs necessary for such advance purchase or condemnation. Such warrants shall be purchased by the state finance committee, upon the presentation by the holders thereof to the state treasurer, from any moneys available for investment in: (1) The accident fund, medical aid fund, or the reserve fund created by chapter 51.44; ~~((2))~~ ~~any of the several funds created by chapter 41.32;~~ ~~(3) any of the several funds created by chapter 41.40;~~ or ~~((4))~~ (2) the state treasury available for investment as provided in RCW 43.84.080: PROVIDED, That ~~((the board of trustees of the teachers' retirement system shall approve each agreement affecting any fund created by chapter 41.32 and the state employees' retirement board shall approve each agreement affecting any fund created by chapter 41.40;))~~ in no event shall more than ten percent of the assets of any fund be used for the purpose of acquiring property as authorized herein, except in the case of current state funds in the state treasury, twenty percent of the balance therein available for investment may be invested as provided in RCW 47.12.180 through 47.12.240.

Sec. 4. Section 5, chapter 281, Laws of 1961 and RCW 47.12.220 are each amended to read as follows:

Each such agreement shall include, but shall not be limited to the following:

- (1) A provision stating the ~~((terms))~~ term of the agreement

which shall not extend (~~((beyond one calendar month after the end of the then current biennium;--The agreement may contain options for the renewal thereof by the highway commission for an additional period or periods of not exceeding two years each;--PROVIDED; That no such agreement may be renewed to extend beyond six years from the date of the original agreement.))~~) more than seven years from the effective date of the agreement.

(2) A designation of the specific fund or funds to be used to carry out such agreement.

(3) A provision that the highway commission may redeem warrants purchased by the state finance committee at any time prior to the letting of a highway improvement contract utilizing the property; and further, during the effective period of each such agreement the highway commission shall redeem such warrants whenever such a highway improvement contract is let, or upon the expiration of such agreement, whichever date is earlier.

(4) A provision stating the rate of interest such warrants shall bear commencing at the time of purchase by the state finance committee.

(5) Any additional provisions agreed upon by the highway commission and the state finance committee which are necessary to carry out the purposes of such agreement as indicated by RCW 47.12.180 through 47.12.240.

Sec. 5. Section 6, chapter 281, Laws of 1961 and RCW 47.12.230 are each amended to read as follows:

Warrants issued for payment of property and engineering costs as provided herein shall be of a distinctive design and shall contain the words "for purchase by the state finance committee from fund" (indicating the proper investing fund as provided by the agreement). Such warrants shall be approved by the secretary of the state finance committee prior to their issuance by the state treasurer. Upon presentation of such warrants to the state treasurer for payment, he shall pay the par value thereof from the fund for which the state

finance committee agreed to purchase such warrants whether or not there are then funds in the motor vehicle fund. The state treasurer shall deposit such warrants in the treasury for the investing fund.

NEW SECTION. Sec. 6. There is added to chapter 47.12 RCW a new section to read as follows:

The term "advance right of way acquisition" means the acquisition of property and property rights not less than two nor more than seven years in advance of programed construction, together with the engineering costs necessary for such advance right of way acquisition.

NEW SECTION. Sec. 7. There is added to chapter 47.12 RCW a new section to read as follows:

There is hereby created the "advance right of way revolving fund" in the custody of the treasurer, into which the Washington highway commission is authorized to deposit directly and expend without appropriation any federal moneys available for acquisition of right of way for future construction under the provisions of section 108 of Title 23, United States Code.

NEW SECTION. Sec. 8. There is added to chapter 47.12 RCW a new section to read as follows:

There is appropriated from the motor vehicle fund the sum of five million dollars or so much thereof as is necessary to carry out the provisions of this act, into the advance right of way revolving fund in the custody of the treasurer created by this 1969 amendatory act, to be expended together with federal moneys available for such purposes by the Washington highway commission for advance right of way acquisition without further or additional appropriation.

NEW SECTION. Sec. 9. There is added to chapter 47.12 RCW a new section to read as follows:

Whenever, after any properties or property rights are acquired from funds in the advance right of way revolving fund, the Washington highway commission proceeds with the construction of a highway which will require the use of any of the property so acquired, the commission shall reimburse the advance right of way revolving fund, from

other funds available to it, the amount of the prior expenditures for advance right of way acquisition for the state highway being constructed. Such deposits may be reexpended as provided in this 1969 amendatory act without further or additional appropriations.

NEW SECTION. Sec. 10. Whenever the Washington state highway commission shall purchase or condemn any property pursuant to the authority of RCW 47.12.180 through 47.12.240, as now or later amended, or sections 6 through 9 of this 1969 amendatory act, the commission shall cause any structures so acquired and not removed within a reasonable time to be maintained in good appearance.

Passed the Senate April 22, 1969
Passed the House April 10, 1969
Approved by the Governor April 30, 1969
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CHAPTER 198
[Engrossed Senate Bill No. 387]
POLICE OFFICERS' POWER OF ARREST

AN ACT Relating to crimes and police officers' power of arrest; and creating a new section.

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

NEW SECTION. Section 1. Any police officer having information to support a reasonable belief that a person has committed or is committing a misdemeanor or gross misdemeanor, involving physical harm or threats of harm to any person or property or the unlawful taking of property or involving the use or possession of cannabis shall have the authority to arrest said person: PROVIDED, That nothing herein shall extend or otherwise affect the powers of arrest prescribed in chapter 46 RCW.

Passed the Senate April 22, 1969
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CHAPTER 199
[Engrossed Substitute Senate Bill No. 569]
JUSTICE COURTS--DISTRIBUTION OF INCOME

AN ACT Relating to the distribution of certain justice court income; amending section 106, chapter 299, Laws of 1961 and RCW 3.62-.020; amending section 109, chapter 299, Laws of 1961 as amend-