

The director may cause to be issued a game farmer's license that shall authorize the licensee to acquire, grow, breed, keep, or sell all or some of such species of wild animals, wild birds, and game fish as may be designated by the commission as suitable for such acquisition, breeding, growing, keeping, and sale. The cost of such license shall be (~~twenty~~) forty dollars for the first year and (~~ten~~) twenty dollars for each yearly renewal thereafter. All such licenses shall expire on December 31st annually and application for renewal shall be made prior thereto.

NEW SECTION. Sec. 15. There is added to chapter 77.32 RCW a new section to read as follows:

In the case of loss, mutilation or destruction of a license certificate or permit certificate issued under the provisions of Title 77 RCW, the director shall issue a duplicate thereof upon proof of the facts and payment of a fee of one dollar.

NEW SECTION. Sec. 16. The effective date of this 1970 amendatory act shall be January 1, 1971.

Passed the Senate January 23, 1970
Passed the House February 6, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 30
[Engrossed Senate Bill No. 61]
COUNTIES--
OPEN SPACE, PARK, RECREATION AND COMMUNITY FACILITIES--
PUBLIC HEALTH AND SAFETY FACILITIES--
STORM WATER CONTROL FACILITIES--
HIGHWAYS

AN ACT Relating to counties; authorizing the establishing, acquiring, developing, constructing and improving of open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities, and highways; amending section 1, chapter 109, Laws of 1967 and RCW 36.89-.010; amending section 2, chapter 109, Laws of 1967 and RCW 36.89.020; amending section 3, chapter 109, Laws of 1967 and RCW 36.89.030; amending section 4, chapter 109, Laws of 1967 and RCW 36.89.040; amending section 5, chapter 109, Laws of

1967 and RCW 36.89.050; amending section 2, chapter 66, Laws of 1907 as last amended by section 9, chapter 204, Laws of 1941 and RCW 86.12.020; adding new sections to chapter 36.89 RCW; repealing section 8, chapter 109, Laws of 1967 and RCW 36.89.070; and declaring an emergency.

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

Section 1. Section 1, chapter 109, Laws of 1967 and RCW 36.89.010 are each amended to read as follows:

The words "governmental agency" as used in this chapter mean the United States of America, the state or any agency, subdivision, taxing district or municipal or quasi municipal corporation thereof.

The word "highways" as used in this chapter means all public roads, streets, expressways, parkways, scenic drives, bridges and other public ways, including without limitation, traffic control facilities, special lanes, turnouts or structures in, upon, over or under such public ways for exclusive or nonexclusive use by public transit vehicles, and landscaping, visual and sound buffers between such public ways and adjacent properties.

The words "open space, park, recreation and community facilities" as used in this chapter mean any ~~((land,))~~ public facility, improvement, development, property or right or interest ((in-land)) therein ((and-facilities-thereon-set-aside)) for public park, recreational, green belt, arboretum, multi-purpose community center (as defined in RCW 35.59.010), museum, zoo, aquarium, auditorium, exhibition, athletic, historic, scenic, viewpoint, aesthetic, ornamental or natural resource preservation purposes.

The words "public health and safety facilities" as used in this chapter mean any public facility, improvement, development, property or right or interest therein, made, constructed or acquired for the purpose of protecting life from disease or injury, enforcing the criminal and civil laws or protecting property from damage caused by breach of law, including but not limited to public hospitals, health laboratories, public health clinics or service centers, cus-

odial, correction or rehabilitation facilities, courtrooms, crime laboratories, law enforcement equipment and facilities, training facilities for specialized personnel, facilities for the collection, storage, retrieval or communication of information, and mobile, support or administrative facilities, all as necessary for the foregoing purpose, or any combination of the facilities herein described.

The words "storm water control facilities" as used in this chapter mean any facility, improvement, development, property or interest therein, made, constructed or acquired for the purpose of controlling, or protecting life or property from, any storm, waste, flood or surplus waters wherever located within the county, and shall include but not be limited to the improvements and authority described in RCW 86.12.020 and chapters 86.13 and 86.15 RCW.

~~((counties))~~ The word "county" as used in this chapter shall mean ~~((counties-containing-a-population-of-not-less-than-one-hundred-seventy-thousand-persons))~~ any county of the state of Washington.

Sec. 2. Section 2, chapter 109, Laws of 1967 and RCW 36.89-.020 are each amended to read as follows:

The legislature finds that the open spaces, park, recreation and community facilities, public health and safety facilities, storm water control facilities and highways within any county of this state, whether located partly or wholly within or without the cities and towns of such county are of general benefit to all of the residents of such county. The open spaces, park, recreation and community facilities within such county provide public recreation, aesthetic, conservation and educational opportunities and other services and benefits accessible to all of the residents of such county. The public health and safety facilities within such county provide protection to life and property throughout the county, are functionally inter-related and affect the health, safety and welfare of all the residents of such county. The storm water control facilities within such county provide protection from storm water damage for life and property throughout the county, generally require planning and de-

velopment over the entire drainage basins, and affect the prosperity, interests and welfare of all the residents of such county. The highways within such county, whether under the general control of the county or the state or within the limits of any incorporated city or town, provide an inter-connected system for the convenient and efficient movement of people and goods within such county. The use of general county funds for the purpose of (~~acquisition-or-development-of-open-spaces-and-for-the-purpose-of~~) acquisition, development, construction, or improvement of open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities, or highways or to participate with any governmental agency to perform such purposes within such county pursuant to this chapter is hereby declared to be a strictly county purpose.

Sec. 3. Section 3, chapter 109, Laws of 1967 and RCW 36.89-.030 are each amended to read as follows:

Counties are authorized to establish, acquire, develop, construct and improve open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities and highways (~~and-to-acquire-and-develop-open-spaces~~) or any of them pursuant to the provisions of this chapter within and without the cities and towns of such county and for such purposes shall have the power to acquire lands, buildings and other facilities by gift, grant, purchase, condemnation, lease, devise and bequest (~~and~~), to construct, improve or maintain buildings, structures and facilities necessary for such purposes and to use and develop for such purposes the air rights over and the subsurface rights under any highway: PROVIDED, That the approval of the state highway commission shall be first secured for such use and development of any state highway: PROVIDED FURTHER, That for visual or sound buffer purposes the county shall not acquire by condemnation, less than an owner's entire interest or right in the particular real property to be so acquired if said owner objects to the taking of said lesser interest or right.

Sec. 4. Section 4, chapter 109, Laws of 1967 and RCW 36.89-.040 are each amended to read as follows:

To carry out the purposes of this chapter counties shall have the power to issue general obligation bonds within the limitations now or hereafter prescribed by the Constitution and laws of this state. Such general obligation bonds shall be authorized, issued and made payable as provided in Title 39 RCW. The board of county commissioners shall determine the manner of execution of such bonds and may provide in the principal amount of such bond issue for costs of engineering, architectural, planning, financial, legal and other services incident to the ~~((acquisition-and-development-of-open-spaces-or the-acquisition,-construction-or-improvement-of-highways-within-the county))~~ purpose of such bonds.

The question of issuance of bonds for any undertaking which relates to a number of different highways or parts thereof, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein, may be submitted to the voters of the county as a single proposition. If the board of county commissioners in submitting a proposition relating to different highways or parts thereof declare that such proposition has for its object the furtherance and accomplishment of the construction of a system of connected public highways within such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different open spaces, park, recreation and community facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the board of county commissioners in submitting a proposition relat-

ing to different open spaces, park, recreation and community facilities declare that such proposition has for its object the furtherance, accomplishment or preservation of an open space, park, recreation and community facilities system available to, and for the benefit of, all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different public health and safety facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the board of county commissioners in submitting a proposition relating to different public health and safety facilities declare that such proposition has for its object the furtherance or accomplishment of a system of public health and safety facilities for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

The question of the issuance of bonds for any undertaking which relates to a number of different storm water control facilities, whether situated wholly or partly within the limits of any city or town within the county, and whether such bonds are intended to supply the whole expenditure or to participate therein may be submitted to the voters as a single proposition. If the board of county commissioners in submitting a proposition relating to different storm water control facilities declare that such proposition has for its object the furtherance, accomplishment or preservation of a storm water control facilities system for the benefit of all the residents of such county and constitutes a single purpose, such declaration shall be presumed to be correct and upon the issuance of the bonds the presumption shall become conclusive.

Sec. 5. Section 5, chapter 109, Laws of 1967 and RCW 36.89-.050 are each amended to read as follows:

A county may finance, acquire, construct, develop, improve, maintain and operate any open space, park, recreation and community facilities, public health and safety facilities, storm water control facilities and highways (~~(and any open space lands or facilities)~~) authorized by this chapter either solely or in conjunction with one or more governmental agencies. Any governmental agency is authorized to participate in such financing, acquisition, construction, development, improvement, use, maintenance and operation and to convey, dedicate or lease any lands, properties or facilities to any county for (~~(highway or open space)~~) the purposes provided in this 1970 amendatory act, on such terms as may be fixed by agreement between the respective governing commissions or legislative bodies without submitting the matter to a vote of the electors unless the provisions of general law applicable to the incurring of public indebtedness shall require such submission.

No county shall proceed under the authority of this chapter to construct or improve any storm water control facility or highway or part thereof lying within the limits of a city or town except with the prior consent of such city or town. By agreement between their respective legislative bodies, cities, towns and counties may provide that upon completion of any storm water control facility or highway or portion thereof constructed pursuant to this chapter within any city or town, the city or town shall accept the same for maintenance and operation and that such storm water control facility or highway or portion thereof shall thereupon become a part of the respective storm water control facility or highway system of the city or town.

A county may transfer to any other governmental agency the ownership, operation and maintenance of any open space, park, recreation and community facility acquired by the county pursuant to this chapter, which lies wholly or partly within such governmental agency,

pursuant to an agreement entered into between the legislative bodies of the county and such governmental agency: PROVIDED, That such transfer shall be subject to the condition that either such ((open space)) facility shall continue to be used for ((open-space)) the same purposes or that other equivalent ((open-space)) facilities within the county shall be conveyed to the county in exchange therefor.

NEW SECTION. Sec. 6. There is added to chapter 36.89 RCW a new section to read as follows:

In issuing general obligation bonds at any time after the effective date of this 1970 amendatory act for the purpose of providing all or part of the cost and expense of planning and design, establishing, acquiring, developing, constructing or improving the county capital purposes authorized by this 1970 amendatory act, the board of county commissioners may provide that such bonds also be made payable from any otherwise unpledged revenue which may be derived from the ownership or operation of any such properties or facilities.

NEW SECTION. Sec. 7. There is added to chapter 36.89 RCW a new section to read as follows:

Any board of county commissioners may provide by resolution for revenues by fixing rates and charges for the furnishing of service to those served or receiving benefits or to be served or to receive benefits from any storm water control facility or contributing to an increase of surface water runoff. In fixing rates and charges, the board may in its discretion consider services furnished or to be furnished, benefits received or to be received, the character and use of land, or its water runoff characteristics or any other matters which present a reasonable difference as a ground for distinction. Such service charges collected shall be deposited in a special fund or funds in the county treasury to be used only for the purpose of paying all or any part of the cost and expense of maintaining and operating storm water control facilities, all or any part of the cost and expense of planning, designing, establishing, acquiring, develop-

ing, constructing and improving any of such facilities, or to pay or secure the payment of all or any portion of any issue of general obligation or revenue bonds issued for such purpose.

NEW SECTION. Sec. 8. There is added to chapter 36.89 RCW a new section to read as follows:

The county shall have a lien for delinquent service charges, including interest thereon, against any property against which they were levied for storm water control facilities, which lien shall be superior to all other liens and encumbrances except general taxes and local and special assessments. Such lien shall be effective and shall be enforced and foreclosed in the same manner as provided for sewerage liens of cities and towns by RCW 35.67.200 through 35.67.290.

NEW SECTION. Sec. 9. There is added to chapter 36.89 RCW a new section to read as follows:

Any board of county commissioners may authorize the issuance of revenue bonds to finance any storm water control facility. Such bonds may be issued by the board in the same manner as prescribed in RCW 36.67.510 through 36.67.570.

Each revenue bond shall state on its face that it is payable from a special fund, naming such fund and the resolution creating the fund.

Revenue bond principal, interest, and all other related necessary expenses shall be payable only out of the appropriate special fund or funds.

Sec. 10. Section 2, chapter 66, Laws of 1907 as last amended by section 9, chapter 204, Laws of 1941 and RCW 86.12.020 are each amended to read as follows:

Said fund shall be expended for the purposes in this chapter provided. Any county, for the control of waters subject to flood conditions from streams, tidal or other bodies of water affecting such county, may inside or outside the boundaries of such county, construct, operate and maintain dams and impounding basins and dikes, levees, revetments, bulkheads, rip-rap or other protection; may re-

move bars, logs, snags and debris from and clear, deepen, widen, straighten, change, relocate or otherwise improve and maintain stream channels, main or overflow; may acquire any real or personal property or rights and interest therein for the prosecution of such works or to preserve any flood plain or regular or intermittent stream channels from any interference to the free or natural flow of flood or storm water; and may construct, operate and maintain any and all other works, structures and improvements necessary for such control; and for any such purpose may purchase, condemn or otherwise acquire land, property or rights, including beds of nonnavigable waters and state, county and school lands and property and may damage any land or other property for any such purpose, and may condemn land and other property and rights and interests therein and damage the same for any other public use after just compensation having been first made or paid into court for the owner in the manner prescribed in this chapter. The purposes in this chapter specified are hereby declared to be county purposes.

NEW SECTION. Sec. 11. Section 8, chapter 109, Laws of 1967 and RCW 36.89.070 are each hereby repealed.

NEW SECTION. Sec. 12. If any provision of this 1970 amendatory act or its application to any person or circumstance is held invalid, the remainder of this 1970 amendatory act or the application of the provision to other persons or circumstances shall not be affected.

NEW SECTION. Sec. 13. The power and authority conferred upon counties by this 1970 amendatory act shall be in addition and supplemental to those already granted and shall not limit any other powers or authority of such counties.

NEW SECTION. Sec. 14. This 1970 amendatory act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public in-

stitutions, and shall take effect immediately.

Passed the Senate January 28, 1970
Passed the House February 6, 1970
Approved by the Governor February 20, 1970
Filed in Office of Secretary of State February 24, 1970

CHAPTER 31
[Senate Bill No. 66]
INDIGENT DEFENDANTS AND JUVENILES--
ATTORNEYS' FEES, EXPENSES--APPEAL COSTS--TRANSCRIPT

AN ACT Relating to appointment and payment of counsel and payment of certain costs and expenses for indigents; amending section 5, chapter 126, Laws of 1913 as last amended by section 3, chapter 133, Laws of 1965 and RCW 2.32.240; amending section 2, chapter 133, Laws of 1965 and RCW 10.01.112; and declaring an emergency.

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

Section 1. Section 5, chapter 126, Laws of 1913 as last amended by section 3, chapter 133, Laws of 1965 and RCW 2.32.240 are each amended to read as follows:

When a record has 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, the official reporter shall make, or cause to be made, with reasonable diligence, full and accurate 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