

provisions of this section and subject to the same penalty. The penalty shall become due and payable when the person incurring the same receives a notice in writing from the ((executive)) director ((of the state board)) or his designee or the control officer of the authority or his designee describing the violation with reasonable particularity and advising such person that the penalty is due unless a request is made for a hearing to the ((state board or)) hearings board as provided for in chapter 43.21B RCW. When a request is made for a hearing, the penalty shall become due and payable only upon completion of all review proceedings and the issuance of a final order affirming the penalty in whole or part. ((The hearing shall be conducted pursuant to the provisions of chapter 34.04 RCW)) If the amount of such penalty is not paid to the ((state board)) department or the board within ((fifteen)) thirty days after ((receipt of notice imposing the same)) it becomes due and payable, and a request for a hearing has not been made, the attorney general, upon the request of the ((executive)) director or his designee, or the attorney for the local authority, upon request of the board or control officer, shall bring an action to recover such penalty in the superior court of the county in which the violation occurred. All penalties recovered under this section by the state board shall be paid into the state treasury and credited to the general fund or, if recovered by the authority, shall be paid into the treasury of the authority and credited to its funds.

To secure the penalty incurred under this section, the state or the authority shall have a lien on any vessel used or operated in violation of this chapter which shall be enforced as provided in RCW 60.36.050.

In all actions brought in the superior court for the recovery of penalties hereunder, the procedure and rules of evidence shall be the same as in an ordinary civil action.

Passed the Senate April 11, 1973.

Passed the House April 10, 1973.

Approved by the Governor April 25, 1973.

Filed in Office of Secretary of State April 26, 1973.

CHAPTER 177

[Engrossed Senate Bill No. 2378]

DEPARTMENT OF HIGHWAYS--

PROPERTY SALE PROCEDURE

AN ACT Relating to the sale of public property; amending section 3, chapter 257, Laws of 1961 and RCW 47.56.254; amending section 4, chapter 257, Laws of 1961 and RCW 47.56.255; amending

section 47.60.130, chapter 13, Laws of 1961 and RCW 47.60.130; adding new sections to chapter 47.12 RCW; repealing section 47.12.090, chapter 13, Laws of 1961 and RCW 47.12.090; repealing section 47.12.100, chapter 13, Laws of 1961 and RCW 47.12.100; repealing section 47.12.105, chapter 13, Laws of 1961 and RCW 47.12.105; and repealing section 47.12.110, chapter 13, Laws of 1961 and RCW 47.12.110.

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

NEW SECTION. Section 1. There is added to chapter 47.12 RCW a new section to read as follows:

Any real property (including lands, improvements thereon, and any interests or estates) held by the department of highways other than that acquired under RCW 47.12.020 may be sold in accordance with the following procedure:

(1) Determination that the real property is unnecessary for the purposes of the department of highways;

(2) Determination of the fair market value of the real property;

(3) Offering of the real property for sale by auction after notice to the general public of the proposed auction sale in the following manner: By notice of the proposed sale published in a display advertisement of no less than two column by two inch or one column by four inch size in any daily or weekly legal newspaper of general circulation published in the county in which the real property to be sold is situated. This advertisement shall appear in the legal notices section and the real estate classified section. This publication shall appear for a period of not less than four weeks prior to the proposed sale and the notice shall particularly describe the property to be sold and the time and place of the proposed sale: PROVIDED, That if there is no legal newspaper published in this county, then such notice shall be published in the legal newspaper published in this state nearest to the place of sale.

(4) Offering of the real property for sale by advertisement and negotiation if the real property was offered, but not sold at auction.

No real property shall be sold for less than the fair market value at the time of the auction if sold at auction or the fair market value at the date of the agreement to sell if sold by advertisement and negotiation. Any offer to purchase real property may be rejected at any time prior to written acceptance of the offer by the department of highways and approval of the terms of the transaction by the highway commission.

The highway commission shall approve the terms of each sale, either individually or by general rule, so that payment is made or safely secured to the state. The highway commission may adopt rules

further implementing this section.

All funds received under this section shall be forwarded to the state treasurer and by him credited to the motor vehicle fund.

NEW SECTION. Sec. 2. There is added to chapter 47.12 RCW a new section to read as follows:

When full payment for real property agreed to be sold as authorized by section 1 of this 1973 amendatory act has been received the director of the department of highways shall certify this fact to the governor with a description of the land and the terms of the sale and the governor may execute and the secretary of state shall attest the deed and deliver it to the grantee.

Sec. 3. Section 3, chapter 257, Laws of 1961 and RCW 47.56.254 are each amended to read as follows:

If the authority ~~((is of the opinion))~~ determines that any ~~((land, including improvements thereon;))~~ real property (including lands, improvements thereon, and any interests or estates) held by the authority is no longer required for ~~((toll bridge, toll tunnel, toll road or Washington state ferry system))~~ purposes of the authority, the authority shall offer it for sale ~~((upon notice and bids))~~ as authorized by RCW 47.56.252 or in the manner ((that contracts are let by)) and with the authority authorized to the state highway commission by section 1 of this 1973 amendatory act. The authority may adopt rules further implementing this section as granted to the highway commission by section 1 of this 1973 amendatory act.

Sec. 4. Section 4, chapter 257, Laws of 1961 and RCW 47.56.255 are each amended to read as follows:

~~((The authority may reject all such bids if the highest bid does not equal the reasonable fair market value of the real property, plus the value of the improvements thereon, computed on the basis of the reproduction value less depreciation.))~~ When full payment for real property agreed to be sold as authorized by RCW 47.56.254 has been received the authority may ((accept the highest and best bid, and)) certify ((the agreement for the sale)) this fact to the governor, with a description of the land and terms of the sale and the governor may execute and the secretary of state shall attest the deed and deliver it to the grantee.

Sec. 5. Section 47.60.130, chapter 13, Laws of 1961 and RCW 47.60.130 are each amended to read as follows:

Such ferry system, including any toll bridges, approaches, and roadways incidental thereto, may be financed and operated in combination or separately as one or more units as the authority may determine, and such ferry system together with any toll bridge hereafter constructed by the authority upon or across the waters of Puget Sound or Hood Canal, or any part of either, replacing one or

more presently operated ferry routes, is declared to be a continuous project within the meaning of RCW 47.56.070. The authority is empowered to rent, lease, or charter any property acquired under this chapter. ((Whenever the authority shall determine that any land, including improvements thereon is no longer needed for the purposes of the ferry system, it may offer the same for sale upon notice and bids in the manner of letting contracts for state highway improvements: The authority may reject all such bids if the highest bid does not equal the reasonable fair market value of the real property plus the value of the improvements thereon, computed on the basis of the reproduction value, less depreciation: It may accept the highest and best bid and request the attorney general to prepare the necessary instrument of conveyance which shall be executed by the governor:)) If the authority determines that any real property (including lands, improvements thereon, and any interests or estates) held by the authority is no longer required for the purposes of the ferry system, the authority shall offer it for sale in the manner and with the authority authorized to the state highway commission by section 1 of this 1973 amendatory act. The authority may adopt rules further implementing this section as granted to the highway commission by section 1 of this 1973 amendatory act. The proceeds of all such sales shall be paid into the separate trust fund of the state treasury established pursuant to RCW 47.60.150.

NEW SECTION. Sec. 6. Before any such sale involving a sum in excess of ten thousand dollars shall be final, the commission shall cause to be reported in a legal newspaper of the county in which the property is located a legal advertisement, and such other advertisement as the commission shall deem advisable, setting forth the legal description of the property, the commonly known address, the name of the purchaser, the purchase price, the name of the agent, attorney, or real estate broker handling the transaction, the terms of the sale including the price and interest rate on any deferred payments, in three consecutive editions thereof. Any individual may within thirty days after the first publication of such advertisement offer subject to the same terms or conditions a purchase price of ten percent more than the offer advertised and the commission shall make such sale to the second purchaser.

NEW SECTION. Sec. 7. The highway commission may list any available properties with any licensed real estate broker at a commission rate otherwise charged in the geographic area for such services.

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

(1) Section 47.12.090, chapter 13, Laws of 1961 and RCW 47.12.090;

(2) Section 47.12.100, chapter 13, Laws of 1961 and RCW 47.12.100;

(3) Section 47.12.105, chapter 13, Laws of 1961 and RCW 47.12.105; and

(4) Section 47.12.110, chapter 13, Laws of 1961 and RCW 47.12.110.

Passed the Senate April 11, 1973.

Passed the House April 10, 1973.

Approved by the Governor April 25, 1973.

Filed in Office of Secretary of State April 28, 1973.

CHAPTER 178

[Engrossed Senate Bill No. 2504]

STATE BOARD ON
GEOGRAPHIC NAMES

AN ACT Relating to state government; establishing a Washington state board on geographic names; adding a new chapter to Title 43 RCW; and for the use of geographic names.

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

NEW SECTION. Section 1. The purposes of this chapter are: To establish a procedure for the retention and formal recognition of existing names; to standardize the procedures for naming or renaming geographical features within the state of Washington; to identify one body as the responsible agent to coordinate this important activity between local, state and federal agencies; to identify the responsible agent for the purpose of serving the public interest; to avoid whenever possible the duplication of names for similar features, and so far as possible retain the significance, spelling and color of names associated with the early history of Washington.

NEW SECTION. Sec. 2. There is hereby created a Washington state board on geographic names. It shall be composed of the:

- (1) State librarian or representative;
- (2) Commissioner of public lands or representative;
- (3) President of the Washington state historical society;
- (4) Chairman of the department of geography, University of Washington or representative;
- (5) Chairman of the department of geography, Washington State University or representative;
- (6) Two members from the general public to be appointed by and serve at the pleasure of the commissioner of public lands;
- (7) The commissioner of public lands or his representative shall be chairman of the board.

NEW SECTION. Sec. 3. It shall be the duty of the Washington