

All cargo containers principally used for the transportation of cargo by vessels in ocean commerce shall be exempt from taxation. The term "cargo container" means a receptacle:

- (1) Of a permanent character and accordingly strong enough to be suitable for repeated use;
- (2) Specially designed to facilitate the carriage of goods, by one or more modes of transport, one of which shall be by vessels, without intermediate reloading;
- (3) Fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another; and
- (4) Designed to be easy to fill and empty.

Passed the House March 31, 1975.

Passed the Senate April 23, 1975.

Approved by the Governor May 6, 1975.

Filed in Office of Secretary of State May 6, 1975.

CHAPTER 21

[House Bill No. 486]

COUNTY OPERATED FERRIES—STATE FINANCIAL ASSISTANCE—CAPITAL IMPROVEMENT PROGRAMS—APPROPRIATION

AN ACT Relating to county operated ferries; amending section 36.81.121, chapter 4, Laws of 1963 as amended by section 26, chapter 83, Laws of 1967 ex. sess. and RCW 36.81.121; amending section 36.81.130, chapter 4, Laws of 1963 and RCW 36.81.130; adding a new section to chapter 47.56 RCW; adding a new section to Title 36 RCW; making an appropriation; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 47.56 RCW a new section to read as follows:

(1) The Washington state highway commission is hereby authorized to enter into a continuing agreement with Pierce, Skagit, and Whatcom counties pursuant to which the state highway commission shall pay to each of the counties from moneys appropriated for such purpose the amounts authorized in subsection (2) of this section.

(2) The Washington state highway commission is authorized to include in the continuing agreement a provision to reimburse Pierce, Skagit, and Whatcom counties each for fifty percent of the deficit incurred during each previous fiscal year in the operation and maintenance of the ferry systems owned and operated by such counties, commencing with the fiscal year ending June 30, 1976: PROVIDED, That the tolls of each county ferry system existing as of the effective date of this 1975 amendatory act shall not be decreased.

(3) The annual fiscal year deficit, if any, shall be determined by Pierce, Skagit, and Whatcom counties subject to review and approval of the Washington state highway commission. The annual fiscal year deficit is defined as the total of operations and maintenance expenditures less the sum of ferry toll revenues and that portion of fuel tax revenue distributions which are attributable to the county ferry as determined by the Washington state highway commission. Payments of the amounts authorized by subsection (2) of this section shall be made by the

Washington state highway commission upon the receipt of properly executed vouchers from each county.

NEW SECTION. Sec. 2. There is added to Title 36 RCW a new section to read as follows:

The legislative authority of every county operating ferries shall prepare, with the advice and assistance of the county engineer, a fourteen year long range capital improvement plan embracing all major elements of the ferry system. Such plan shall include a listing of each major element of the system showing its estimated current value, its estimated replacement cost, and its amortization period.

Sec. 3. Section 36.81.121, chapter 4, Laws of 1963 as amended by section 26, chapter 83, Laws of 1967 ex. sess. and RCW 36.81.121 are each amended to read as follows:

Prior to July 1, 1968, the ~~((board of county commissioners))~~ legislative authority of each county with the advice and assistance of the county road engineer, and pursuant to one or more public hearings thereon, shall prepare and adopt a comprehensive road program for the ensuing six calendar years ~~((and shall file the same))~~. Such program shall include proposed road and bridge construction work and for those counties operating ferries shall also include a separate section showing proposed capital expenditures for ferries, docks, and related facilities. Copies of the program shall be filed with the county administration board and with the director of highways not more than thirty days after its adoption by the board. Annually thereafter each board shall review the work accomplished under the program and determine current county road needs. Based on these findings each board shall prepare and after public hearing thereon adopt a revised and extended comprehensive road program, and each one year extension and revision shall be filed with the director of highways not more than thirty days after its adoption by the board. The purpose of this section shall be to assure that perpetually each county shall have available advanced plans, looking to the future for not less than six years as a guide in carrying out a coordinated road construction program. Such program may at any time be revised by a majority of the board but only after a public hearing thereon.

The six year program of each county having an urban area within its boundaries shall contain a separate section setting forth the six year program for arterial road construction based upon its long range construction plan and formulated in accordance with regulations of the urban arterial board. The six year program for arterial road construction shall be submitted to the urban arterial board forthwith after its annual revision and adoption by the board of county commissioners. The six year program for arterial road construction shall be based upon estimated revenues available for such construction together with such additional sums as the county commissioners may request for urban arterials only from the urban arterial trust account for the six year period. The arterial road construction program shall provide for a more rapid rate of completion of the long range construction needs of major arterial roads than for secondary and collector arterial roads, pursuant to regulations of the urban arterial board.

Sec. 4. Section 36.81.130, chapter 4, Laws of 1963 and RCW 36.81.130 are each amended to read as follows:

The laying out, construction, and maintenance of all county roads shall hereafter be in accordance with the following procedure:

On or before the first Monday in July of each year each county road engineer shall file with the (~~(board of county commissioners))~~ county legislative authority a recommended plan for the laying out, construction, maintenance, and special maintenance of county roads for the ensuing fiscal year. Such recommended plan need not be limited to but shall include the following items: Recommended projects, including capital expenditures for ferries, docks, and related facilities, and their priority; the estimated cost of all work, including labor and materials for each project recommended; a statement as to whether such work is to be done by the county forces or by publicly advertised contract; a list of all recommended repairs to and purchases of road equipment, together with the estimated costs thereof. Amounts to be expended for maintenance and special maintenance shall be recommended, but details of these proposed expenditures shall not be made. The recommended plan shall conform as nearly as practicable to the county's long range road program.

Within two weeks after the filing of the road engineer's recommended plan, the (~~(board of county commissioners))~~ county legislative authority shall consider the same. Revisions and changes may be made until a plan which is agreeable to a majority of the (~~(commissioners))~~ members of the county legislative authority has been adopted: PROVIDED, That such revisions shall conform as nearly as practicable to the county's long range road program. Any appropriations contained in the county road budget shall be void unless the county's road plan was adopted prior to such appropriation.

The final road plan for the fiscal year shall not thereafter be changed except by unanimous vote of the county (~~(commissioners))~~ legislative authority.

NEW SECTION. Sec. 5. There is hereby appropriated from the counties share of the motor vehicle fund to the Washington state highway commission for the biennium ending June 30, 1977, the sum of one hundred twenty thousand dollars or so much thereof as may be necessary to carry out the provisions of section 1 of this 1975 amendatory act.

NEW SECTION. Sec. 6. This 1975 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 institutions, and shall take effect immediately.

Passed the House March 17, 1975.

Passed the Senate April 25, 1975.

Approved by the Governor May 6, 1975.

Filed in Office of Secretary of State May 6, 1975.

CHAPTER 22

[House Bill No. 451]

REVENUE AND TAXATION— UNSTAMPED CIGARETTES

AN ACT Relating to revenue and taxation; and amending section 7, chapter 157, Laws of 1972 ex. sess. and RCW 82.24.260.