(3) Immediately upon being opened, the bids shall be subject to examination by the exhibitors, or their agents, who submitted bids, and who are present at the opening. Within ten business days after the bids are opened, the distributor shall notify each exhibitor who submitted a bid either the name of the winning bidder or the fact that none of the bids were acceptable.

(4) Once bids are solicited, the distributor shall license the feature motion picture only by bidding and may solicit rebids if none of the submitted bids are acceptable.

NEW SECTION. Sec. 5. Any person aggrieved by a violation of this chapter may bring a civil action in superior court to enjoin further violations or to recover the actual damages sustained, or both, together with the costs of the suit. In any such action, the court shall award reasonable attorneys' fees to the prevailing party.

NEW SECTION. Sec. 6. This chapter may be known and cited as the Washington motion picture fair competition act.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 8. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House March 29, 1979.
Passed the Senate April 11, 1979.
Approved by the Governor April 23, 1979.
Filed in Office of Secretary of State April 23, 1979.
chapter 45, Laws of 1899 as amended by section 3, chapter 357, Laws of 1955 and RCW 78.08.081; amending section 2, chapter 183, Laws of 1913 and RCW 79.16.400; amending section 1, chapter 104, Laws of 1917 and RCW 85.07.010; amending section 6, chapter 163, Laws of 1935 and RCW 86.24.040; repealing section 1, chapter 266, Laws of 1955 and RCW 53.48.130; repealing section 5, chapter 87, Laws of 1887 and RCW 78.08.031; repealing section 6, chapter 87, Laws of 1887 and RCW 78.08.032; repealing section 13, chapter 45, Laws of 1899 and RCW 78.08.120; repealing section 14, chapter 45, Laws of 1899 and RCW 78.08.140; repealing section 73, chapter 292, Laws of 1971 ex. sess. and RCW 87.60.150; repealing section 178, chapter 81, Laws of 1971 and RCW 91.04.325; repealing section 179, chapter 81, Laws of 1971 and RCW 91.04.360; repealing section 1, chapter 38, Laws of 1923 and RCW 91.06.010; repealing section 2, chapter 38, Laws of 1923 and RCW 91.06.020; repealing section 3, chapter 38, Laws of 1923 and RCW 91.06.030; repealing section 4, chapter 38, Laws of 1923 and RCW 91.06.040; repealing section 5, chapter 38, Laws of 1923 and RCW 91.06.050; repealing section 6, chapter 38, Laws of 1923 and RCW 91.06.060; repealing section 7, chapter 38, Laws of 1923, section 1, chapter 222, Laws of 1947 and RCW 91.06.070; repealing section 8, chapter 38, Laws of 1923 and RCW 91.06.080; repealing section 9, chapter 38, Laws of 1923 and RCW 91.06.090; repealing section 10, chapter 38, Laws of 1923 and RCW 91.06.100; repealing section 1, chapter 97, Laws of 1963 and RCW 91.07.010; and repealing section 2, chapter 97, Laws of 1963 and RCW 91.07.020.

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

Section 1. Section 35.73.060, chapter 7, Laws of 1965 and RCW 35.73-.060 are each amended to read as follows:

The city may, in its discretion, by general or special ordinance, or both, instead of requiring immediate payment for the said work to be made by the owners of property included in the assessment roll, authorize the issuance of interest bearing bonds or warrants of the local improvement district, payable on or before a date not to exceed twelve years from and after their date. The bonds may be issued subject to call, the amount of the said assessment to be payable in installments or otherwise, and the bonds to be of such terms as may be provided in the ordinances and to bear interest at such rate as may be prescribed in the ordinances, not exceeding eight percent per annum((Provided, That if the improvement lies wholly or partly within the boundaries of any commercial waterway district, the bonds may be made payable on or before a date not to exceed twenty-two years from and after the date of their issue)).

Sec. 2. Section 35A.56.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.56.010 are each amended to read as follows:

Except as otherwise provided in this title, state laws relating to special service or taxing districts shall apply to, grant powers, and impose duties upon code cities and their officers to the same extent as such laws apply to and affect other classes of cities and towns and their employees, including, without limitation, the following: (1) Chapter 70.94 RCW, relating to air pollution control; (2) ((chapter 47.57 RCW, relating to toll facility aid districts; (3))) chapter 68.16 RCW, relating to cemetery districts; (((4)) chapters 91.04 through 91.07 RCW, relating to commercial waterway districts; (5))) (3) chapter 29.68 RCW, relating to congressional districts; (((6))) (4) chapters 14.07 and 14.08 RCW, relating to municipal airport districts;
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((7)) (5) chapter 36.88 RCW, relating to county road improvement districts; ((7)) (6) Title 85 RCW, relating to diking districts, drainage districts, and drainage improvement districts; ((7)) (7) chapter 36.54 RCW, relating to ferry districts; ((7)) (8) Title 52 RCW, relating to fire protection districts; ((7)) (9) Title 86 RCW, relating to flood control districts and flood control; ((7)) (10) chapter 70.46 RCW, relating to health districts; ((7)) (11) chapters 87.03 through 87.84 and 89.12 RCW, relating to irrigation districts; ((7)) (12) chapter 35.61 RCW, relating to metropolitan park districts; ((7)) (13) chapter 36.58 RCW, relating to metropolitan municipalities; ((7)) (14) chapter 17.28 RCW, relating to mosquito control districts; ((7)) (15) chapter 17.12 RCW, relating to agricultural pest districts; ((7)) (16) chapter 13.12 RCW, relating to parental or truant schools; ((7)) (17) Title 53 RCW, relating to port districts; ((7)) (18) chapter 70.44 RCW, relating to public hospital districts; ((7)) (19) Title 54 RCW, relating to public utility districts; ((7)) (20) chapter 91.08 RCW, relating to public waterway districts; ((7)) (21) Title 56 RCW for sewer districts; ((7)) (22) chapter 89.12 RCW, relating to reclamation districts; ((7)) (23) chapters 57.02 through 57.36 ((and 87.60)) RCW, relating to water districts; ((7)) (24) chapter 91.04 RCW, relating to commercial waterway districts; and ((7)) (25) chapter 17.04 RCW, relating to weed districts.

Sec. 3. Section 35A.79.010, chapter 119, Laws of 1967 ex. sess. and RCW 35A.79.010 are each amended to read as follows:

A code city shall have all powers provided by general law to cities of any class relating to the receipt of donations of money and property, the acquisition, leasing and disposition of municipal property, both real and personal, including, but not limited to, the following: (1) Intergovernmental leasing, transfer or disposition of property as provided by chapter 39.33 RCW; (2) disposition of unclaimed property as provided by chapters 63.32 and 63.36 RCW; (3) ((authority to petition for inclusion in a commercial waterway district as provided by RCW 91.04.210, (4))) disposition of local improvement district foreclosures as provided by chapter 35.53 RCW; ((5)) (4) materials removed from public lands as provided by RCW 79.01.178; ((5)) (5) purchase of federal surplus property as provided by chapter 39.32 RCW; and ((7)) (6) land for recreation as provided by chapter 43.99 RCW. A code city in connection with the acquisition of property shall be subject to provisions relating to tax liens as provided by RCW 84.60.050 and 84.60.070. The general law relating to the damage or destruction of public property of a code city or interferences with the duties of a police or other officer shall relate to code city's properties and officers to the same extent as such laws apply to any class of city, its property or officers.

[ 1106 ]
Sec. 4. Section 36.82.080, chapter 4, Laws of 1963 and RCW 36.82.080 are each amended to read as follows:
The payment of interest or principal on general obligation county road bonds, (or independent highway district bonds;) or retirement of registered warrants both as to principal and interest when such warrants have been issued for a proper county road purpose, are declared to be a proper county road purpose.

Sec. 5. Section 2, chapter 189, Laws of 1967 and RCW 36.93.020 are each amended to read as follows:
As used herein:
(1) "Governmental unit" means any incorporated city or town, metropolitan municipal corporation, or any special purpose district as defined in this section.
(2) "Special purpose district" means any ((sanitary-district,)) sewer district, water district, fire protection district, drainage improvement district, drainage and diking improvement district, flood control zone district, irrigation district, metropolitan park district, drainage district, or public utility district engaged in water distribution((, mwat, is ibtt distr ict)).
(3) "Board" means a boundary review board created by or pursuant to this chapter.

Sec. 6. Section 1, chapter 72, Laws of 1967 as amended by section 1, chapter 96, Laws of 1971 ex. sess. and RCW 36.94.010 are each amended to read as follows:
As used in this chapter:
(1) A "system of sewerage" means and includes:
(a) Sanitary sewage disposal sewers;
(b) Combined sanitary sewage disposal and storm or surface water sewers;
(c) Storm or surface water sewers;
(d) Outfalls for storm or sanitary sewage and works, plants, and facilities for sanitary sewage treatment and disposal;
(e) Combined water and sewerage systems;
(f) Any combination of or part of any or all of such facilities.
(2) A "system of water" means and includes:
(a) A water distribution system, including dams, reservoirs, aqueducts, plants, pumping stations, transmission and lateral distribution lines and other facilities for distribution of water;
(b) A combined water and sewerage system;
(c) Any combination of or any part of any or all of such facilities.
(3) A "sewerage and/or water general plan" means a general plan for a system of sewerage and/or water for the county which shall be an element of the comprehensive plan established by the county pursuant to RCW 36.70.350(5) and/or chapter 35.63 RCW.
(a) A sewerage general plan shall include the general location and description of treatment and disposal facilities, trunk and interceptor sewers, pumping stations, monitoring and control facilities, local service areas and a general description of the collection system to serve those areas, and other facilities as may be required to provide a functional and implementable plan, including preliminary engineering to assure feasibility.

(b) A water general plan shall include the general location and description of water resources to be utilized, wells, treatment facilities, transmission lines, storage reservoirs, pumping stations, monitoring and control facilities as may be required to provide a functional and implementable plan.

(c) Water and/or sewerage general plans shall include preliminary engineering in adequate detail to assure technical feasibility and shall further provide for the methods of distributing the cost and expense of the system and shall indicate the economic and financing feasibility of plan implementation. The plans may also specify local or lateral facilities. The sewerage and/or water general plan shall not mean the final engineering construction plans for the system.

(4) "Municipal corporation" means and includes any city, town, metropolitan municipal corporation, any public utility district which operates and maintains a water system, any sewer, water, diking or drainage district, any diking, drainage and sewerage improvement district, and any irrigation district.

(5) A "private utility" means and includes all utilities, both public and private, which provide sewerage and/or water service and which are not municipal corporations within the definition of this chapter. The ownership of a private utility may be in a corporation, nonprofit or for profit, in a cooperative association, in a mutual organization, or in individuals.

(6) "Board" means one or more boards of county commissioners.

Sec. 7. Section 47.04.040, chapter 13, Laws of 1961 and RCW 47.04.040 are each amended to read as follows:

Upon and after April 1, 1937, all rights of way of any primary state highways, together with all appurtenances thereto, the right or interest in or to which was, or is, in any county, road district, township, local improvement district, or other highway or road district or political subdivision of the state of Washington shall be and the same is hereby transferred to and vested in the state of Washington for use in conjunction with such primary state highways under the department of transportation.

All public highways in the state of Washington which have been designated to be primary state highways or secondary state highways or classified as primary roads and which have been constructed and improved and maintained for a period of seven years prior to April 1, 1937, at the expense of the state shall operate to vest in the state of Washington all right, title,
and interest to the right of ways thereof, including the roadway and ditches
and existing drainage facilities, together with all appurtenances thereto and
no informalities in the records of title to such public highways shall be con-
strued to invalidate or vacate such public highways or to divest the state of
Washington of any right, title and interest in the right of way thereof.

Sec. 8. Section 7, chapter 65, Laws of 1955 and RCW 53.08.060 are
each amended to read as follows:

A district may improve navigable and nonnavigable waters of the Unit-
ed States and the state of Washington within the district; create and im-
prove for harbor purposes new waterways within the district; and regulate
and control all such waters and all natural or artificial waterways within the
district (waterways of commercial waterway districts excepted) and re-
move obstructions therefrom, and straighten, widen, deepen, and otherwise
improve any water, watercourses, bays, lakes or streams, whether navigable
or otherwise, flowing through or located within the district.

Sec. 9. Section 8, chapter 92, Laws of 1911 as amended by section 8,
chapter 62, Laws of 1913 and RCW 53.20.030 are each amended to read as
follows:

No improvements shall be acquired or constructed, by the port district,
unless such improvements shall, when completed, be the property of such
port district, the county in which such port district is located, (any com-
mercial waterway district created within its boundaries) any city within
such port district, the state of Washington or the United States of America,
and the funds of such port district may be expended in the acquirement or
construction of any harbor improvement embraced in such general plan
adopted as in this chapter provided in conjunction with the county in which
such port district is located, (any commercial waterway district created
within its boundaries) any city in such port district, the state of
Washington or the United States of America, or all or any of them.

Sec. 10. Section 1, chapter 87, Laws of 1941 and RCW 53.48.010 are
each amended to read as follows:

The following words and terms shall, whenever used in this chapter,
have the meaning set forth in this section:

(1) The term "district" as used herein, shall include all municipal and
quasi municipal corporations having a governing body, other than cities,
towns, counties, and townships, such as port, school, (independent high-
way) water, fire protection, and all other districts of similar organization,
but shall not include local improvement districts, diking, drainage and irri-
gation districts, nor public utility districts.

(2) The words "board of commissioners," as used herein, shall mean the
governing authority of any district as defined in subdivision (1) of this
section.
Sec. 11. Section 1, chapter 55, Laws of 1963 and RCW 57.90.010 are each amended to read as follows:

Water, sewer, (sanitary; park and recreation, metropolitan park, (water distribution;) county rural library, cemetery, flood control, (air pollution;) mosquito control, diking and drainage, irrigation or reclamation, weed, health, or fire protection districts, and any air pollution control authority, hereinafter referred to as "special districts", which are located wholly or in part within a class AA or A county may be disincorporated when the district has not actively carried out any of the special purposes or functions for which it was formed within the preceding consecutive five year period.

Sec. 12. Section 26, chapter 232, Laws of 1957 as last amended by section 31, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.260 are each amended to read as follows:

((A district formed under chapter 70.94 RCW prior to June 8, 1967 may be dissolved or)) An air pollution control authority may be deactivated prior to the term provided in the original or subsequent agreement by ((the participating cities and towns comprising such district or)) the county or counties comprising such authority upon the adoption by the board, following a hearing held upon ten days notice, to said ((cities, towns, and)) counties, of a resolution for dissolution or deactivation and upon the approval by the ((governing body of each city or town comprising the district or the board of county commissioners)) legislative authority of each county comprising the authority. In such event, the board shall proceed to wind up the affairs of the ((district or)) authority and pay all indebtedness thereof. Any surplus of funds shall be paid over to ((the city or towns comprising the district or to)) the counties comprising the authority in proportion to their last contribution. Upon the completion of the process of closing the affairs of the ((district or)) authority, the board shall by resolution entered in its minutes declare the ((district dissolved or the)) authority deactivated and a certified copy of such resolution shall be filed with the secretary of state and ((the district thereupon shall be deemed dissolved or)) the authority shall be deemed inactive.

Sec. 13. Section 50, chapter 238, Laws of 1967 as amended by section 36, chapter 168, Laws of 1969 ex. sess. and RCW 70.94.380 are each amended to read as follows:

(1) Every activated authority operating an air pollution control program shall have requirements for the control of emissions which are no less stringent than those adopted by the ((state board)) department of ecology for the geographic area in which such air pollution control program is located. Less stringent requirements than compelled by this section may be included in a local or regional air pollution control program only after approval by the ((state board)) department of ecology following demonstration to the satisfaction of the ((state board)) department of ecology that the proposed
requirements are consistent with the purposes of this chapter: PROVIDED, That such approval shall be preceded by public hearing, of which notice has been given in accordance with chapter 42.32 RCW. The ((state board)) department of ecology, upon receiving evidence that conditions have changed or that additional information is relevant to a decision with respect to the requirements for emission control, may, after public hearing on due notice, withdraw any approval previously given to a less stringent local or regional requirement.

Nothing in this chapter shall be construed to prevent a local or regional air pollution control ((district-or)) authority from adopting and enforcing more stringent emission control requirements than those adopted by the ((state board)) department of ecology and applicable within the jurisdiction of the local or regional air pollution control ((district-or)) authority.

Sec. 14. Section 52, chapter 168, Laws of 1969 ex. sess. and RCW 70-94.600 are each amended to read as follows:

All authorities in the state shall submit quarterly reports to the ((state board)) department of ecology detailing the current status of air pollution control regulations in the authority and, by county, the progress made toward bringing all sources in the authority into compliance with authority standards ((and with district minimum standards)).

Sec. 15. Section 7, chapter 87, Laws of 1887 and RCW 78.08.040 are each amended to read as follows:

((Inasmuch as RCW 78.08.031 and 78.08.032 leaves the election of a recorder for a mining district optional with the miners thereof)) All location notices, bonds, assignments and transfers of mining claims shall be recorded in the office of the county auditor of the county where the same is situated within thirty days after the execution thereof((Provided, that all records of mining claims and of assignments, deeds, bonds and transfers heretofore made by any recorder of any mining district, or by any county auditor, are hereby declared to be valid and to have the same force and effect as records made in pursuance of the provisions of RCW 78.08.005 through 78.08.040)).

Sec. 16. Section 6, chapter 45, Laws of 1899 as amended by section 3, chapter 357, Laws of 1955 and RCW 78.08.081 are each amended to read as follows:

Within thirty days after the expiration of the period of time fixed for the performance of annual labor or the making of improvements upon any quartz or lode mining claim or premises, the person in whose behalf such work or improvement was made or some person for him knowing the facts, shall make and record in the office of the county auditor of the county wherein such claims are situate an affidavit or oath of labor performed on such claim. Such affidavit shall state the exact amount and kind of labor, including the number of feet of shaft, tunnel or open cut made on such
claim, or any other kind of improvements allowed by law ((or by rules of mining districts)) made thereon. Such affidavit shall contain the section, township and range in which such lode is located if the location be in a surveyed area.

Sec. 17. Section 2, chapter 183, Laws of 1913 and RCW 79.16.400 are each amended to read as follows:

Within twelve months after the taking effect of RCW 79.16.380 and 79.16.400 it shall be the duty of the commissioner of public lands to survey such second class shorelands and in platting such survey to designate thereon as selected for public use all of such shorelands as in the opinion of said commissioner of public lands is available, convenient or necessary to be selected for the use of the public as harbor areas and sites for slips, docks, wharves, warehouses, streets, avenues, parkways and boulevards, alleys and other public purposes. Upon the filing of such plat in the office of the commissioner of public lands, the title to all harbor area so selected shall remain in the state, the title to all selections for streets, avenues and alleys shall vest in any city or town within the corporate limits of which they may be then situate, otherwise in the county in which situate, the title to and control of any lands so selected and designated upon such plat for parkway and boulevard purposes shall, if the same lie outside of the corporate limits of any city or town and if the same form a part of the general parkway and boulevard system of a city of the first class, be in such city, (the title to all selections for commercial waterway district purposes shall vest in the commercial waterway district in which situate, or for which selected;)) and the title to all selections for slips, docks, wharves, warehouses and other public purposes shall vest in the port district if they be situate in a port district, otherwise in the county in which situate.

Sec. 18. Section 1, chapter 104, Laws of 1917 and RCW 85.07.010 are each amended to read as follows:

The commissioners of any diking((;)) or drainage ((or commercial waterway)) district organized under the laws of this state, shall have power and authority to rent any machinery, tools or equipment belonging to such district, to any individual or corporation for hire under such conditions regarding the care and maintenance thereof as the commissioners may determine; and all sums of money received for the rent thereof shall be paid into the county treasury, to the credit of the district.

Sec. 19. Section 6, chapter 163, Laws of 1935 and RCW 86.24.040 are each amended to read as follows:

In any case where the boundaries of any flood control district shall embrace all or any part of any county, city, town, diking, or drainage ((or waterway)) district, subject to flood conditions, the governing authorities thereof may contract with the directors of such flood control district, with
the written approval of the state director, for the maintenance, repair, renewal and extension of any existing flood control works of such county, city, town, diking, or drainage (or waterway) district, situated within the flood control district, and for the construction and maintenance of specific flood control projects, for such term of years and for the payment to such flood control district therefor of such annual sums as in said contract specified.

NEW SECTION. Sec. 20. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 266, Laws of 1953 and RCW 53.48.130;
(2) Section 5, chapter 87, Laws of 1887 and RCW 78.08.031;
(3) Section 6, chapter 87, Laws of 1887 and RCW 78.08.032;
(4) Section 13, chapter 45, Laws of 1899 and RCW 78.08.120;
(5) Section 14, chapter 45, Laws of 1899 and RCW 78.08.140;
(6) Section 73, chapter 292, Laws of 1971 ex. sess. and RCW 87.60.150;
(7) Section 178, chapter 81, Laws of 1887 and RCW 91.04.325;
(8) Section 179, chapter 81, Laws of 1971 and RCW 91.04.360;
(9) Section 1, chapter 38, Laws of 1923 and RCW 91.06.010;
(10) Section 2, chapter 38, Laws of 1923 and RCW 91.06.020;
(11) Section 3, chapter 38, Laws of 1923 and RCW 91.06.030;
(12) Section 4, chapter 38, Laws of 1923 and RCW 91.06.040;
(13) Section 5, chapter 38, Laws of 1923 and RCW 91.06.050;
(14) Section 6, chapter 38, Laws of 1923 and RCW 91.06.060;
(15) Section 7, chapter 38, Laws of 1923, section 1, chapter 222, Laws of 1947 and RCW 91.06.070;
(16) Section 8, chapter 38, Laws of 1923 and RCW 91.06.080;
(17) Section 9, chapter 38, Laws of 1923 and RCW 91.06.090;
(18) Section 10, chapter 38, Laws of 1923 and RCW 91.06.100;
(19) Section 1, chapter 97, Laws of 1963 and RCW 91.07.010; and
(20) Section 2, chapter 97, Laws of 1963 and RCW 91.07.020.

Passed the House March 21, 1979.
Passed the Senate April 10, 1979.
Approved by the Governor April 23, 1979.
Filed in Office of Secretary of State April 23, 1979.

CHAPTER 31
[Substitute House Bill No. 163]
VETERINARY BOARD OF GOVERNORS—COMPOSITION—SUNSET REVIEW AND TERMINATION

AN ACT Relating to the Washington state veterinary board of governors; amending section 3, chapter 92, Laws of 1959 as amended by section 2, chapter 50, Laws of 1967 ex. sess. and RCW 18.92.021; and providing a termination date.

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