

## CHAPTER 19

[Substitute Senate Bill No. 4469]

## INTERSTATE HIGHWAYS—ADVANCING CONSTRUCTION FUNDS

AN ACT Relating to highway construction; amending section 1, chapter 316, Laws of 1981 and RCW 47.10.801; amending section 2, chapter 316, Laws of 1981 and RCW 47.10.802; amending section 1, chapter 180, Laws of 1979 ex. sess. as amended by section 10, chapter 316, Laws of 1981 and RCW 47.10.790; amending section 18, chapter 317, Laws of 1981 (uncodified); making appropriations; and declaring an emergency.

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

Section 1. Section 1, chapter 316, Laws of 1981 and RCW 47.10.801 are each amended to read as follows:

(1) In order to provide funds necessary for the location, design, right of way, and construction of selected interstate and other state highway improvements, there shall be issued and sold, subject to subsections (2) and (3) of this section, upon the request of the Washington state transportation commission a total of four hundred fifty million dollars of general obligation bonds of the state of Washington for the following purposes and specified sums: (a) Not to exceed two hundred twenty-five million dollars to pay the state's share of costs for federal-aid interstate highway improvements and until December 31, 1985, to temporarily pay the regular federal share of construction of federal-aid interstate highway improvements to complete state routes 82, 90, 182, and 705 in advance of federal-aid apportionments under the provisions of 23 U.S.C. Secs. 115 or 122: PROVIDED, That the total amount of bonds issued to temporarily pay the regular federal share of construction of federal-aid interstate highways in advance of federal-aid apportionments as authorized by this section and RCW 47.10.790 shall not exceed one hundred twenty million dollars: PROVIDED FURTHER, That the transportation commission shall consult with the legislative transportation committee prior to the adoption of plans for the obligation of federal-aid apportionments received in federal fiscal year 1985 and subsequent years to pay the regular federal share of federal-aid interstate highway construction projects or to convert such apportionments under the provisions of 23 U.S.C. Secs. 115 or 122;

(b) Two hundred twenty-five million dollars for major transportation improvements throughout the state that are identified as category C improvements and for selected major non-interstate construction and reconstruction projects that are included as Category A Improvements in RCW 47.05.030.

(2) The amount of bonds authorized in subsection (1)(a) of this section shall be reduced if the transportation commission, in consultation with the legislative transportation committee, determines that any of the bonds that have not been sold are no longer required.

(3) The amount of bonds authorized in subsection (1)(b) of this section shall be increased by an amount not to exceed, and concurrent with, any reduction of bonds authorized under subsection (1)(a) of this section in the manner prescribed in subsection (2) of this section.

Sec. 2. Section 2, chapter 316, Laws of 1981 and RCW 47.10.802 are each amended to read as follows:

Upon request being made by the transportation commission, the state finance committee shall supervise and provide for the issuance, sale, and retirement of the bonds authorized by RCW 47.10.801 in accordance with chapter 39.42 RCW. The amount of such bonds issued and sold under RCW 47.10.801 through 47.10.809 in any biennium may not exceed the amount of a specific appropriation therefor. Such bonds may be sold from time to time in such amounts as may be necessary for the orderly progress of the state highway improvements specified in RCW 47.10.801. The amount of bonds issued and sold under RCW 47.10.801(1)(a) in any biennium shall not, except as provided in that section, exceed the amount required to match federal-aid interstate funds apportioned to the state of Washington under 23 U.S.C. Sec. 104 and available for obligation. The transportation commission shall give notice of its intent to sell bonds to the legislative transportation committee at least forty-five days before requesting the state finance committee to issue and sell bonds authorized by RCW 47.10.801(1)(a).

Sec. 3. Section 1, chapter 180, Laws of 1979 ex. sess. as amended by section 10, chapter 316, Laws of 1981 and RCW 47.10.790 are each amended to read as follows:

(1) In order to provide funds for the location, design, right of way, and construction of selected interstate highway improvements, there shall be issued and sold upon the request of the Washington state transportation commission, a total of one hundred million dollars of general obligation bonds of the state of Washington to pay the state's share of costs for completion of state route 90 (state route 5 to state route 405) and other related state highway projects eligible for regular federal interstate funding and until December 31, 1985, to temporarily pay the regular federal share of construction of completion projects on state route 90 (state route 5 to state route 405) and other related state highway projects eligible for regular interstate funding in advance of federal-aid apportionments under the provisions of 23 U.S.C. Secs. 115 or 122: PROVIDED, That the total amount of bonds issued to temporarily pay the regular federal share of construction of federal-aid interstate highways in advance of federal-aid apportionments as authorized by this section and RCW 47.10.801 shall not exceed one hundred twenty million dollars: PROVIDED FURTHER, That the transportation commission shall consult with the legislative transportation committee prior to the adoption of plans for the obligation of federal-aid apportionments received in federal fiscal year 1985 and subsequent years to pay the

regular federal share of federal-aid interstate highway construction projects or to convert such apportionments under the provisions of 23 U.S.C. Secs. 115 or 122.

(2) The transportation commission, in consultation with the legislative transportation committee, may at any time find and determine that any amount of the bonds authorized in subsection (1) of this section, and not then sold, are no longer required to be issued and sold for the purposes described in subsection (1) of this section.

(3) Any bonds authorized by subsection (1) of this section that the transportation commission determines are no longer required for the purpose of paying the cost of the designated interstate highway improvements described therein shall be issued and sold, upon the request of the Washington state transportation commission, to provide funds for the location, design, right of way, and construction of major transportation improvements throughout the state that are identified as category C improvements in RCW 47.05.030.

Sec. 4. Section 18, chapter 317, Laws of 1981 (uncodified) is amended to read as follows:

**FOR THE DEPARTMENT OF TRANSPORTATION—HIGHWAY CONSTRUCTION—PROGRAM B**

Motor Vehicle Fund Appropriation—State . . . . .	\$ 2,000,000
Motor Vehicle Fund Appropriation—Federal and Local . . . . .	\$ 368,760,000
Total Appropriation . . . . .	\$ 370,760,000

The appropriations contained in this section are provided for the location, design, right of way, and construction of state highway projects on the interstate system designated as category "B" under RCW 47.05.030. Estimated expenditures of \$17,300,000 (consisting of \$2,000,000 of state funds consisting of the proceeds from the sale of bonds authorized by RCW 47.10.790, and \$15,300,000 of federal and local funds) are included in this appropriation for SR 90 from SR 5 to SR 405. Such estimated expenditures are subject to revision pursuant to section 24 of this act. If sufficient federal funds become available for construction of SR 90 from SR 5 to SR 405, and/or SR 5 (Olympia Freeway), and/or SR 705 (Tacoma Spur) in the 1981–1983 biennium, the appropriation in this section shall be increased by \$20,000,000 in state funds from the motor vehicle fund, or as much thereof as may be necessary, from the sale of bonds authorized by RCW 47.10.790 (~~for state matching funds~~) for construction of SR 90 from SR 5 to SR 405. It is the understanding of the legislature that the department of transportation would obtain the additional expenditure authorization for federal funds through the unanticipated receipts procedure as outlined in RCW 43.79.020.

NEW SECTION. Sec. 5. 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.

**NEW SECTION.** Sec. 6. 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 immediately.

Passed the Senate February 10, 1982.

Passed the House March 3, 1982.

Approved by the Governor March 10, 1982.

Filed in Office of Secretary of State March 10, 1982.

## CHAPTER 20

[Substitute Senate Bill No. 4437]

### COMMISSION MERCHANTS, DEALERS IN AGRICULTURAL PRODUCTS— PAYMENT PERIOD—PROHIBITED ACTS, PENALTIES

AN ACT Relating to commission merchants; amending section 33, chapter 139, Laws of 1959 as last amended by section 32, chapter 296, Laws of 1981 and RCW 20.01.330; amending section 39, chapter 139, Laws of 1959 and RCW 20.01.390; amending section 43, chapter 139, Laws of 1959 as last amended by section 11, chapter 304, Laws of 1977 ex. sess. and RCW 20.01.430; amending section 46, chapter 139, Laws of 1959 and RCW 20.01.460; and prescribing penalties.

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

Section 1. Section 33, chapter 139, Laws of 1959 as last amended by section 32, chapter 296, Laws of 1981 and RCW 20.01.330 are each amended to read as follows:

The director may refuse to grant a license or renew a license and may revoke or suspend a license or issue a conditional or probationary order if he is satisfied after a hearing, as herein provided, of the existence of any of the following facts, which are hereby declared to be a violation of this chapter:

(1) That fraudulent charges or returns have been made by the applicant, or licensee, for the handling, sale or storage of, or for rendering of any service in connection with the handling, sale or storage of any agricultural product.

(2) That the applicant, or licensee, has failed or refused to render a true account of sales, or to make a settlement thereon, or to pay for agricultural products received, within the time and in the manner required by this chapter.

(3) That the applicant, or licensee, has made any false statement as to the condition, quality or quantity of agricultural products received, handled, sold or stored by him.

(4) That the applicant, or licensee, directly or indirectly has purchased for his own account agricultural products received by him upon consignment without prior authority from the consignor together with the price