

# SESSION LAWS

OF THE

## STATE OF WASHINGTON

---

EXTRAORDINARY SESSION, THIRTY-FIRST LEGISLATURE

Convened July 17, 1950, Adjourned July 27, 1950

---

REGULAR SESSION, THIRTY-SECOND LEGISLATURE

Convened January 8, 1951, Adjourned March 8, 1951

---

EXTRAORDINARY SESSION, THIRTY-SECOND LEGISLATURE

Convened March 26, 1951, Adjourned April 5, 1951

---

Compiled in Chapters by EARL COE,  
Secretary of State

MARGINAL NOTES AND INDEX

By  
SMITH TROY  
Attorney General

---

PUBLISHED BY AUTHORITY

---

## PREFACE

---

This bound volume edition contains acts passed at the 1950 Special Session, 1951 Regular Session and 1951 Special Session. In a sense, this edition is three separate volumes under one cover in that each session has its own chapter and page numbers, topical index and index to amendments. A colored insert has been placed to indicate the conclusion of one session and the start of another.

The Extraordinary Session of the Thirty-first Legislature of the State of Washington (1950 Special Session) convened at Olympia on the 17th day of July, 1950, A. D., at the hour of 11:00 A. M., daylight saving time, at the call of Governor Arthur B. Langlie. The special session adjourned four days later *sine die* on July 21, 1950.

Twenty measures were passed and signed into law and all but four contained emergency clauses. All measures containing emergency clauses took effect upon approval of the Governor with the exception of Chapters 5 and 15, Laws of 1950. Chapter 5 relating to revenue and taxation took effect August 1, 1950, while Chapter 15 relating to license fees for trucks and trailers took effect December 31, 1950.

The four measures not containing emergency clauses, namely: Chapter 10 (public assistance records), Chapter 12, (veterans' bonus bonds), Chapter 13 (veterans' bonus payment to survivors) and Chapter 19 (extermination of rodents) took effect ninety days after adjournment, or 12:00 o'clock midnight, October 19, 1950.

A comparable explanation of the effective dates of acts passed at the 1951 Regular and 1951 Special legislative sessions appears as a preface to each respective session in this book.



EARL COE,  
*Secretary of State.*

# LAWS OF WASHINGTON

PASSED AT THE  
Thirty-First Extraordinary Session

1950

---

## CHAPTER 1.

[ S. B. 1. ]

### LEGISLATIVE EXPENSES.

AN ACT appropriating the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, for the actual and necessary expenses of the Legislature, and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the general fund of the State of Washington the sum of twenty thousand dollars (\$20,000), or so much thereof as may be necessary, to be used for the purpose of paying the expenses, except legislative printing, of the Extraordinary Session of the Thirty-first Legislature of the State of Washington. Legislative  
expense ap-  
propriation.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately. Emergency.

Passed the Senate July 17, 1950.

Passed the House July 17, 1950.

Approved by the Governor July 18, 1950.

CHAPTER 2.

[ S. B. 2. ]

SUBSISTENCE EXPENSES FOR LEGISLATORS.

AN ACT appropriating the sum of eighty-seven hundred dollars (\$8,700), or so much thereof as may be necessary, for the actual and necessary expenses of the members of the Legislature for lodging and subsistence actually incurred and paid by them while absent from their places of residence in the service of the state, and declaring an emergency.

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

Legislative  
subsistence  
expense ap-  
propriation.

SECTION 1. There is hereby appropriated out of the general fund of the State of Washington the sum of eighty-seven hundred dollars (\$8,700), for the actual and necessary expenses of the members of the Extraordinary Session of the Thirty-first Legislature, actually expended by them for subsistence and lodging while absent from their usual places of residence in the service of the state, at a rate not exceeding ten dollars (\$10) per day, to be evidenced by the duly verified vouchers of the respective members of the Legislature.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate July 17, 1950.

Passed the House July 17, 1950.

Approved by the Governor July 18, 1950.

CHAPTER 3.

[ S. B. 3. ]

DEFICIENCY APPROPRIATION—DEPARTMENT  
OF SOCIAL SECURITY.

AN ACT making a deficiency appropriation to the Department  
of Social Security, and declaring an emergency.

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

SECTION 1. There is hereby appropriated from  
the General Fund to the Department of Social  
Security the following sums:

Deficiency  
appropria-  
tion  
Department  
of Social  
Security.

Salaries, Wages and	
Operations . . . . .	\$710,000.00
Division for Children	1,000,000.00
Division of Public	
Assistance:	
Assistance as pro-	
vided by law.	9,000,000.00
Medical Services.	6,000,000.00
Total . . . . .	\$16,710,000.00

SEC. 2. This act is necessary for the support of  
the state government and shall take effect imme-  
diately.

Emergency.

Passed the Senate July 18, 1950.  
Passed the House July 20, 1950.  
Approved by the Governor July 24, 1950.

CHAPTER 4.

[ S. B. 4. ]

APPROPRIATION—DEPARTMENT OF  
LABOR AND INDUSTRIES.

AN ACT appropriating four hundred fifty thousand dollars (\$450,000) to the Department of Labor and Industries for the payment of pensions, and declaring an emergency.

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

Appropriation Department of Labor and Industries.

SECTION 1. There is hereby appropriated from the General Fund the sum of four hundred fifty thousand dollars (\$450,000) for the Department of Labor and Industries to carry out the provisions of chapter 233, Laws of 1947, for the payment of additional pensions.

Emergency.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately.

Passed the Senate July 18, 1950.

Passed the House July 20, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 5.

[ S. B. 10. ]

REVENUE AND TAXATION.

AN ACT relating to revenue and taxation, amending sections 4 and 6 of chapter 180, Laws of 1935, as amended, and declaring an emergency and providing that this act shall take effect August 1, 1950.

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

SECTION 1. Section 4, chapter 180, Laws of 1935, as last amended by section 1, chapter 228, Laws of 1949, is amended to read as follows: Amendment.

Section 4. From and after the first day of May, 1935, there is hereby levied and there shall be collected from every person a tax for the act or privilege of engaging in business activities. Such tax shall be measured by the application of rates against value of products, gross proceeds of sales, or gross income of the business, as the case may be, as follows: Business tax.  
Measured by gross business.  
Persons included.

(a) Upon every person engaging within this state in business as an extractor; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, extracted for sale or for commercial or industrial use, multiplied by the rate of one-quarter of one per cent; Extractors.  
Rate.

The measure of the tax is the value of the products, including by-products, so extracted, regardless of the place of sale or the fact that deliveries may be made to points outside the state; Measure of tax.

(b) Upon every person except persons taxable under paragraph (2) of subsection (d) below engaging within this state in business as a manufacturer; as to such persons the amount of the tax with respect to such business shall be equal to the value of the products, including by-products, manufactured, multiplied by the rate of one-quarter of one per cent; Manufacturers.  
Rate.

Measure  
of tax.

The measure of the tax is the value of the products, including by-products, so manufactured regardless of the place of sale or the fact that deliveries may be made to points outside the state;

Retailers.

(c) Upon every person engaging within this state in the business of making sales at retail; as to such persons, the amount of tax with respect to such business shall be equal to the gross proceeds of sales of the business, multiplied by the rate of one-quarter of one per cent;

Rate.

Grain  
wholesalers.

(d) (1) Upon every person engaging within this state in the business of buying wheat, oats, corn and barley, but not including any manufactured or processed products thereof, and selling the same at wholesale; the tax herein imposed shall be equal to the gross proceeds derived from such sales multiplied by the rate of one one-hundredth of one per cent;

Rate.

Wheat  
flour manu-  
facturers.

(d) (2) Upon every person engaging within this state in the business of manufacturing wheat into flour; as to such persons the amount of tax with respect to such business shall be equal to the value of the flour manufactured, multiplied by the rate of one-eighth of one per cent;

Rate.

Wholesalers.

(e) Upon every person except persons taxable under subsection (d) (1) above engaging within this state in the business of making sales at wholesale; as to such persons the amount of tax with respect to such business shall be equal to the gross proceeds of sales of such business multiplied by the rate of one-quarter of one per cent;

Rate.

Printers and  
publishers.

(f) Upon every person engaging within this state in the business of: (1) printing, and of publishing newspapers, periodicals or magazines; (2) building, repairing or improving any publicly owned street, place, road, highway, bridge or trestle which is used, or to be used, primarily for foot or vehicular traffic; as to such persons, the amount of tax on such busi-

Road and  
bridge  
builders.



ness shall be equal to the gross income of the business multiplied by the rate of one-quarter of one per cent; **Rate.**

(g) Upon every person engaging within this state in any business activity other than or in addition to those enumerated in subsections (a), (b), (c), (d), (e) and (f) above; as to such persons the amount of tax on account of such activities shall be equal to the gross income of the business multiplied by the rate of one-half of one per cent. This subsection includes, among others, and without limiting the scope hereof (whether or not title to materials used in the performance of such business passes to another by accession, confusion or other than by outright sale), persons engaged in the business of rendering any type of service which does not constitute a "sale at retail" or a "sale at wholesale" as defined herein. **Others.**

SEC. 2. Section 6, chapter 180, Laws of 1935, as last amended by section 2-A, chapter 228, Laws of 1949, is amended to read as follows: **Rate.**

Section 6. Every person engaged in activities which are within the purview of the provisions of two or more of paragraphs (a), (b), (c), (d), (e), (f), and (g) of section 4, shall be taxable under each paragraph applicable to the activities engaged in: **Service businesses.** *Provided, however,* That persons taxable under paragraphs (c) or (e) of said section shall not be taxable under paragraphs (a), (b), or (d) (2) of said section with respect to extracting or manufacturing of the products so sold. **Persons taxable.** **Exemptions.**

SEC. 3. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect August 1, 1950. **Effective Aug. 1, 1950.**

Passed the Senate July 20, 1950.

Passed the House July 20, 1950.

Approved by the Governor July 24, 1950.

## CHAPTER 6.

[ S. B. 11.]

WASHINGTON PUBLIC SERVICE COMMISSION—  
REGULATION OF STEAMBOAT COMPANIES.

AN ACT relating to steamboat companies—operation by counties, cities and Port districts; providing for additional regulation, and amending chapter 117 of the Laws of 1911, as amended by chapter 248 of the Laws of 1927 (sec. 10361-1, Rem. Rev. Stat.), and declaring an emergency.

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

Amendment.

SECTION 1. Section 25-a added to chapter 117 of the Laws of 1911 by section 1 of chapter 248 of the Laws of 1927 (sec. 10361-1 Rem. Rev. Stat.), is amended to read as follows:

Vessels and ferries.

Section 25-a. No steamboat company shall hereafter operate any vessel or ferry for the public use for hire between fixed termini or over a regular route upon the waters within this state, including the rivers and lakes and Puget Sound, without first applying for and obtaining from the Washington Public Service Commission a certificate declaring that public convenience and necessity require such operation: *Provided*, That no certificate shall be required for a vessel primarily engaged in transporting freight other than vehicles, whose gross earnings from the transportation of passengers and/or vehicles, are not more than ten per cent (10%) of the total gross earnings of such vessel: *Provided*, That nothing herein shall be construed to affect the right of any county within this state to construct, condemn, purchase, operate or maintain, itself or by contract, agreement or lease, with any person, firm or corporation, ferries or boats across or wharfs at or upon the waters within this state, including rivers and lakes and Puget Sound, provided such operation is not over the same route or between the same districts, being served by a cer-

Certificate required.

When certificate not required for freight carriers.

Counties may operate ferries and wharves.

May not compete with certificate carrier.

tificate carrier, nor shall this act be construed to affect, amend or invalidate any contract entered into prior to January 15, 1927, for the operation of ferries or boats upon the waters within this state, which was entered into in good faith by any county with any person, firm, or corporation, except that in case of the operation or maintenance by any county, city, town, port district, or other political subdivision by contract, agreement, or lease with any person, firm, or corporation, of ferries or boats across or wharfs at or upon the waters within this state, including rivers and lakes and Puget Sound, the Washington Public Service Commission shall have power and authority to regulate rates and services of such operation or maintenance of ferries, boats, or wharfs, to make, fix, alter or amend said rates, and to regulate service and safety of operations thereof, in the manner and to the same extent as it is empowered to regulate a steamboat company, notwithstanding the provisions of any act or parts of acts inconsistent herewith. Upon the filing of an application the commission shall give reasonable notice to any common carrier which might be adversely affected, of the time and place for hearing on such application. The commission shall have power after hearing, to issue the certificate as prayed for, or to refuse to issue it, or to issue it for the partial exercise only of the privilege sought, and may attach to the exercise of the rights granted by said certificate such terms and conditions as in its judgment the public convenience and necessity may require; but the commission shall not have power to grant a certificate to operate between districts and/or into any territory already served by an existing certificate-holder, unless such existing certificate-holder shall fail and refuse to furnish reasonable and adequate service: *Provided*, A certificate shall be granted when it shall appear to the

Prior contracts not invalidated.

Exception.

Operation by lease or contract.

Washington Public Service Commission jurisdiction.

Application for certificate.

Notice of hearing.

Discretion of commission.

No certificate if territory has service.

Certificate if operating prior to Jan. 15, 1927.

satisfaction of the commission that such steamboat company was actually operating in good faith over the route for which such certificate shall be sought, on January 15, 1927: *Provided, further,* That in case two or more steamboat companies shall upon said date have been operating vessels upon the same route, or between the same districts the Washington Public Service Commission shall determine after public hearing whether one or more certificates shall issue, and in determining to whom a certificate or certificates shall be issued, the commission shall consider all material facts and circumstances including the prior operation, schedules and services rendered by either of said companies, and in case more than one certificate shall issue, the commission shall fix and determine the schedules and services of the companies to whom such certificates are issued to the end that duplication of service be eliminated and public convenience be furthered. No certificate or any right or privilege thereunder held, owned or obtained under the provisions of this act shall be sold, assigned, leased, mortgaged or in any manner transferred, either by the act of the parties or by operation of law, except upon authorization by the commission first obtained. The commission may at any time by its order duly entered after hearing had upon notice to the holder of any certificate hereunder and an opportunity to such holder to be heard, suspend, revoke, alter, or amend any certificate issued under the provisions of this act, if the holder thereof wilfully violates or fails to observe the provisions or conditions of the certificate, or the orders, rules or regulations of the commission, or the provisions of this act.

**Two or more carriers on same route.**

**To whom certificate issued.**

**Fixing schedules.**

**Certificate non-transferrable without authority of commission.**

**Suspension, etc., of certificate for breach of regulations.**

**Emergency.**

**SEC. 2.** This act is necessary for the immediate preservation of the public peace, health and safety

of the state government and shall take effect immediately.

Passed the Senate July 21, 1950.

Passed the House July 20, 1950.

Approved by the Governor July 24, 1950.

---

CHAPTER 7.

[ S. B. 14. ]

DEFICIENCY APPROPRIATION—STATE EMPLOYEES' RETIREMENT BOARD.

AN ACT making a deficiency appropriation to the State Employees' Retirement Board, and declaring an emergency.

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

SECTION 1. There is hereby appropriated from the State Employees' Retirement System Expense Fund to the State Employees' Retirement Board for salaries, wages and operations, the sum of twenty-six thousand, six hundred sixty-two dollars and fifty-one cents (\$26,662.51). Appropriation.

SEC. 2. This act is necessary for the support of the state government and shall take effect immediately. Emergency.

Passed the Senate July 19, 1950.

Passed the House July 20, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 8.

[ S. B. 16. ]

ELECTIONS—ABSENT VOTING.

AN ACT permitting absentee voting by persons unable to vote on election day for religious reasons, amending section 1, chapter 41, Laws Extraordinary Session, 1933 (sec. 5280, Rem. Rev. Stat. Supp.), as last amended by section 1, chapter 72, Laws of 1943, and declaring an emergency.

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

Amendment.

SECTION 1. Section 1, chapter 41, Laws Extraordinary Session 1933 (sec. 5280, Rem. Rev. Stat. Supp.), as last amended by section 1, chapter 72, Laws of 1943, is hereby amended to read as follows:

Persons entitled to absent vote.

Section 1. Any duly registered voter, who expects to be absent from his election precinct, or unable to vote therein by reason of physical disability or the tenets of his religion on the day on which there is to be held any election, may vote in the manner provided in this act: *Provided, however,* That in case of physical disability it be such that in the judgment of the registration officer the elector is and will be incapacitated from voting in the usual way. The registration officer shall accept any written application of an absent voter to which is affixed his or her *bona fide* signature and all applications shall contain a statement that the applicant will be absent or is so incapacitated (setting forth in what manner) that he or she cannot attend at the polls and vote in the usual way.

Judgment of registration officer.

Application.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and the preservation of the public peace, health and safety, and shall take effect immediately.

Passed the Senate July 19, 1950.

Passed the House July 20, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 9.

[ S. B. 18. ]

ADDITIONAL COMPENSATION TO COUNTY COMMISSIONER AS ROAD OVERSEER.

AN ACT relating to the compensation of county commissioners, and declaring an emergency.

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

SECTION 1. Section 1, chapter 274, Laws of 1927 (sec. 4053-1, Rem. Rev. Stat.) is amended to read as follows:

Section 1. It shall be the duty of each member of the board of county commissioners, in counties of the sixth, seventh, eighth and ninth classes, in addition to his duties as a member of the board of county commissioners and as ex-officio road commissioner of the several road districts in his commissioner's district, to oversee the construction and maintenance of all county and district roads and bridges in his commissioner's district, and for time actually spent in the performance of such duties as overseer, he shall be entitled to compensation at the rate of ten dollars (\$10) per diem: *Provided*, That as such compensation for overseeing the construction and maintenance of roads and bridges in his commissioner's district he shall not receive more than one thousand two hundred dollars (\$1,200) per annum. All claims for such compensation shall be approved by a majority of the board of county commissioners and the superior judge, as required by law.

County commissioners, additional duties as road overseers.

Compensation.

Annual maximum compensation.

Approval of claims.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate July 19, 1950.

Passed the House July 20, 1950.

Approved by the Governor, July 24, 1950.

CHAPTER 10.

[ H. B. 1. ]

PUBLIC ASSISTANCE RECORDS AND COMMUNICATIONS  
—PRIVILEGED AND CONFIDENTIAL.

AN ACT making information acquired in the administration of public assistance privileged and confidential, and amending section 5, Chapter 128, Laws of 1941 (Rem. 1941 Supp. 10007-106 (b)).

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

SECTION 1. Section 5, Chapter 128, Laws of 1941 (Rem. 1941 Supp. 10007-106(b)) is hereby amended to read as follows:

Amendment.

Information declared confidential.

Communications declared privileged.

Information not to be disclosed.

Compulsory process.

Confidential matters defined.

When, how, and to whom information made available.

Section 5. Information concerning individuals acquired by the State Department of Social Security or the County Welfare Departments in the administration of the public assistance laws is hereby declared to be confidential, and communications between applicants for or recipients of public assistance and said departments are hereby declared to be privileged. Information concerning individual applicants or recipients shall not be disclosed by the State Department of Social Security or the County Welfare Departments or their representatives, either directly or indirectly, voluntarily or as a result of compulsory process in any manner or for any purpose not directly connected with the administration of public assistance. Matters considered confidential shall include, but shall not be limited to, names and addresses, information obtained as a result of applications, investigations, medical examinations or correspondence. Such information may be made available to other governmental departments and agencies to such extent as shall be necessary to permit them to carry out functions concerned with the administration of public assistance, and may also be disclosed by the State Department of Social Security or County Welfare Departments upon



the specific written request of the person concerned, and such information may be used in judicial proceedings directly connected with the administration of public assistance. This act shall not be construed as prohibiting the disclosure of statistical information not disclosing the identity of individuals.

Statistics not disclosing identity.

The rule-making power of the Department of Social Security shall include the power to establish and enforce reasonable rules and regulations governing the custody, use and preservation of the records, papers, files and communications of the State Department of Social Security and the County Welfare Departments. The use of such records, papers, files and communications by any other agency or department of government to which they may be furnished shall be limited to the purposes for which they are furnished. It shall be unlawful except for purposes directly connected with the administration of general assistance, old-age assistance, aid to the blind and aid to dependent children and in accordance with the rules and regulations of the State Department of Social Security for any person or persons to solicit, disclose, receive, make use of, or to authorize, knowingly permit, participate in, or acquiesce in the use of, any list, or names of, or any information concerning, persons applying for or receiving such assistance, directly or indirectly derived from the records, papers, files or communications of the state or county or subdivisions or agencies thereof or acquired in the course of the performance of official duties.

Rule-making power of department.

Use of records, etc., limited.

Unlawful to divulge information from records.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

## CHAPTER 11.

[ H. B. 2. ]

## TAXATION OF REAL AND PERSONAL PROPERTY.

AN ACT relating to taxation of real and personal property; providing limiting rates of levy, and amending section 1, Chapter 176, Laws of 1941, as amended by section 1, Chapter 253, Laws of 1945, and declaring an emergency.

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

Amendment.

SECTION 1. Section 1, Chapter 176, Laws of 1941, as amended by section 1, Chapter 253, Laws of 1945 (sec. 11238-1e, Rem. Rev. Stat.; sec. 979-485, PPC) is amended to read as follows:

Limit on tax  
levy on real  
and personal  
property.

Section 1. Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, municipal corporations, taxing districts and governmental agencies, now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per centum (50%) of the true and fair value of such property in money; and within and subject to the aforesaid limitation the levy by the state shall not exceed two (2) mills to be used exclusively for the support of the University of Washington, Washington State College and the State College of Education; the levy by any county shall not exceed ten (10) mills including any levy for the county school fund required by law, the levy by or for any school district shall not exceed ten (10) mills, the levy for any road district shall not exceed ten (10) mills, and the levy by any city or town shall not exceed fifteen (15) mills: *Provided*, That nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district: *Provided further*, That the limitations imposed by this section shall not prevent the levy of additional taxes, not in excess of five (5) mills per annum and without anticipation of delin-

Valuation.

Ratios.

Institutions  
of higher  
learning.County  
expense.School  
district.

Road district.

Cities and  
towns.Port or  
power  
districts.

quencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, nor the levy of additional taxes to pay interest on or toward the reduction, at the rate provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 6, 1932; but the millage limitation of this proviso with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts: *Provided further*, That any county, school district, city or town shall have the power to levy taxes at a rate in excess of the rate specified in this act, when authorized so to do by the electors of such county, school district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, and not oftener than twice in such year nor oftener than once in such year to authorize such levy for any particular purpose in the manner provided by law for holding general elections, at such time as may be fixed by the body authorized to call the same, which special election may be called by the Board of County Commissioners, Board of School Directors, or Council, or other governing body of any city of [or] town, by giving notice thereof for two (2) successive weeks by publication and posting in the manner provided by law for giving notices of general elections, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes," and those opposed thereto to vote "No": *Provided*, That the total number of persons voting at such special election shall consti-

General  
obligation  
bonds.Outstanding  
warrants.Special  
election to  
exceed.Vote  
required.Number of  
elections  
per year.Notice  
of special  
election.Number  
of voters  
required.

Bonds  
for capital  
purposes.

Number  
of elections  
per year.

Vote  
required.

Election to  
refund.

Emergency.

tute not less than forty per cent (40%) of the voters in said taxing district who voted at the last preceding general state election: *Provided further*, That any municipal corporation otherwise authorized by law to issue general obligation bonds for capital purposes may, at an election duly held after giving notice thereof as required by law, authorize the issuance of general obligation bonds for capital purposes only, which shall not include the replacement of equipment, and provide for the payment of the principal and interest of such bonds by annual levies in excess of the tax limitation contained herein: *Provided*, That such an election shall not be held oftener than once a year to authorize the issuance of such bonds for the same capital purpose, nor more than twice a year for different capital purposes, and that the proposition to issue any such bonds and to exceed said tax limitation shall receive the affirmative vote of a three-fifths majority of those voting on the proposition and that the total number of persons voting at such election shall constitute not less than forty per cent (40%) of the voters in said municipal corporation who voted at the last preceding general state election: *Provided further*, That any taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein.

SEC. 2. This is necessary for the immediate preservation of the public health and safety and shall take effect immediately.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

## CHAPTER 12.

[ H. B. 4. ]

## VETERANS' BONUS—BONDS.

AN ACT making war veterans' compensation bonds negotiable.

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

SECTION 1. There is hereby added to Chapter 180, Amendment.  
Laws of 1949, an additional section to be designated  
section 15, which shall read as follows:

Section 15. All bonds issued under the authority Bonds  
declared  
negotiable.  
of this act shall be fully negotiable.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

## CHAPTER 13.

[ H. B. 5. ]

## VETERANS' BONUS—PAYMENT TO SURVIVORS.

AN ACT qualifying certain additional survivors of veterans for  
the World War II veterans' bonus and amending section 1,  
Chapter 180, Laws of 1949.

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

SECTION 1. Section 1, Chapter 180, Laws of 1949, Amendment.  
is hereby amended to read as follows:

Section 1. There shall be paid to each person Qualifica-  
tions  
for recipient.  
who was on active Federal service as a member of  
the armed military or naval forces of the United  
States between the 7th day of December, 1941, and  
the 2nd day of September, 1945, who at the time  
of his or her entry upon active Federal service and  
for a period of one (1) year prior thereto was a  
*bona fide* citizen or resident of the State of Wash-  
ington, or who was a member of one of the regular  
military services on December 7, 1941, and on that

date and for one year prior thereto was a *bona fide* citizen or resident of the State of Washington, for service between said dates, the sum of ten dollars (\$10) for each and every month or major fraction thereof of such duty performed within the continental limits of the United States, and fifteen dollars (\$15) for each and every month or major fraction thereof of such duty performed outside the continental limits of the United States: *Provided*, That persons who have already received extra compensation for such service from any other state or territory shall not be entitled to the compensation under this act, unless the amount of compensation so received is less than they would be entitled to hereunder, in which event they shall receive the difference between the compensation payable under this act and the extra compensation already received from such other state or territory. In case of the death of any such person prior to June 8, 1949, an equal amount shall be paid to his surviving widow if not remarried at the time compensation is requested, or in case he left no widow or in case his widow has remarried and he has left children, then to his surviving children, or in the event he left no widow eligible for payment hereunder or children surviving on June 8, 1949, then to his surviving parent or parents.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

## CHAPTER 14.

[ H. B. 6. ]

## ELECTIONS—SERVICE VOTERS.

AN ACT providing a special method of voting for service voters; providing penalties; making an appropriation and declaring an emergency.

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

- SECTION 1. "Service voter" means an elector who comes within any of the following categories:
- |  |  |
|--|--|
| (a) Member of the armed forces of the United States or any auxiliary branch thereof;   | Definitions.<br>Service voter.<br>Armed forces member. |
| (b) Employee of the United States and serving outside the territorial limits of the United States;   | Employee of United States.                             |
| (c) Employee of the American Red Cross and serving outside the territorial limits of the United States;  | Employee of American Red Cross.                        |
| (d) Officer or member of the crew of a merchant vessel documented under the laws of the United States and serving outside the territorial limits of the United States; | Merchant vessel personnel.                             |
| (e) Civilian outside the United States attached to and serving with the armed forces;  | Civilian.  |
| (f) A spouse of any person included in (a) to (e) above.   | Spouse.  |
- SEC. 2. "Primary" or "primary election" means a method provided by statute for nominating candidates to office.
- SEC. 3. "Election" used alone means a general election except where the context indicates that a special election is meant or included. "Election" used without qualification never means a primary. "Election" does not include a municipal election.
- SEC. 4. "Date" of mailing the ballot means the date stated on the declaration on the larger envelope and not the date of the postal cancellation thereon.

**Territorial limits.** SEC. 5. "Territorial limits of the United States" means the forty-eight states of the United States and the District of Columbia.

**Absentee voting under other acts.** SEC. 6. Whenever by any statute of the United States, provision is made for absentee voting, an application for an absent voter's ballot made under the provisions of that law may be given the same effect as an application for an absent voter's ballot made under this act.

**Duties of public officers.** SEC. 7. It shall be the duty of all public officers having duties to perform under this act to coordinate their efforts with the action of any Federal authority now or hereafter established by act of Congress for the purpose of facilitating voting by service voters to the end that such voters may cast their ballots with the least possible interference with the performance of their duties in the armed forces.

**Variation in service voter's signature.** SEC. 8. A variation on any absent voter's ballot cast by a service voter between the signature on the large envelope and that on the service voter's request and/or that on the voter's permanent registration card caused by the substitution of initials instead of the first or middle names or both shall not invalidate the ballot if the surname and handwriting are the same.

**Service voter's application deemed absent voter's application.** SEC. 9. Whenever an application for an absent voter's ballot is made by a service voter, the application shall be deemed an application for an absent voter's ballot for the primary and the election, or such of them as would be required to be held subsequent to the date of application.

**May secure ballot by mail.** SEC. 10. Any service voter may secure an absent voter's ballot by mailing a signed request to the registration office of the county, city or town of the service voter's residence or to the Secretary of State requesting such ballot. If the ballot request is addressed to the Secretary of State such request shall

**Request forwarded.**



be forwarded by such officer immediately to the appropriate registration officer. The request shall be signed by the applicant and shall state his last home address, the address to which he wishes the absent voter's ballot mailed and the facts qualifying him as a service voter.

Contents of request.

SEC. 11. Upon receipt of a request made by or on behalf of a service voter for an absent voter's ballot, the registration officer shall immediately check his records and ascertain if the person by, or on whose behalf the request is made, is a duly registered voter as provided by Chapter 1, Laws of 1933, and amendments thereto, the registration officer shall make notation on his records to that effect. If such person is a resident of an incorporated city or precinct lying partly within and partly without such incorporated city, the registration officer, after completing such check, shall immediately forward the request to the county auditor noting thereon whether or not such person is a registered voter. If it be determined that such person is not a registered voter, the county auditor shall nevertheless send the absent voter's ballot requested, it being the intent of this section that the county auditor shall upon request send absent voter's ballots to all eligible service voters who make application therefor.

Registration officer shall check records.

Forward request to county auditor. If applicant not registered ballot shall be sent.

SEC. 12. In mailing absent voters' ballots to service voters, the county auditor shall send the ballot and a small envelope and letter of instructions together with a larger envelope addressed to the county auditor and upon which there shall be plainly printed a form in substantially the following language:

Voting materials mailed.

Form of affidavit.

#### "DECLARATION

"I do hereby declare that I am a citizen of the United States; that I will be at least twenty-one (21) years of age on the day of the next election; that I am able to read and speak the English language; that I have been a legal resident of the State of Washington for at least one year, of the county of

..... for at least ninety days and of the city or town of..... at (street and number if any) ..... for at least thirty (30) days preceding such election; that I am a service voter under the laws of the State of Washington.

If possible give precinct name or number here.....

Dated this ..... day of ....., 19.....

Print Name for Positive Identification      Signature of Applicant

Article VI, section 4 of the state constitution provides: For the purpose of voting and eligibility to office, no person shall be deemed to have gained a residence by reason of his presence, or lost it by reason of his absence, while in the civil or military service of the state or of the United States, nor while a student at any institution of learning, nor while engaged in the navigation of the waters of this state or of the United States, or of the high seas.

Person making false statement in his declaration is guilty of perjury."

Executed affidavit declared complete registration.

Method of voting.

SEC. 13. A properly executed declaration on the larger envelope is hereby declared to be a full and complete voter's registration for the election for which it is submitted. After the declaration is fully executed the service voter shall proceed to mark the ballot; then fold it and enclose it in the smaller envelope, sealing that and enclosing it in the larger envelope which shall then be sealed and mailed to the county auditor whose name and address are printed thereon, by air mail, postage to be paid by the addressee, unless the laws of the United States provide for air mail transmission of such ballot without charge.

Auditor shall airmail ballot.

SEC. 14. Whenever the county auditor is requested to mail an absent voter's ballot to a service voter, he shall mail the ballot to the service voter by air mail when practicable, and, if by any law of the United States, official election ballots may be mailed without the payment of postage, he shall do so.

Secretary of State may prescribe forms.

SEC. 15. Notwithstanding any provision of law relating to the size and weight of the ballot or the envelopes in which absent voters' ballots are sent

for either the primary or election, the Secretary of State may reduce the size and weight of the ballot. He shall furnish uniform envelopes and all forms other than ballots for use in connection with ballots for service voters, and shall reimburse the respective county auditors for expenses of mailing. Each county auditor shall, through the respective boards of county commissioners, present such expenses listed upon state voucher forms in duplicate. The Secretary of State, after the approval of said vouchers, shall then present same to the State Auditor for payment.

Shall reimburse county auditors.

Payment.

SEC. 16. The Secretary of State shall prepare letters of instructions to service voters and shall furnish the same to all county auditors. The county auditor shall enclose one copy of such instructions with the ballot sent to all service voters.

Letters of instruction.

SEC. 17. All procedure governing the receipt and subsequent handling of absent voters' ballots shall as nearly as possible be governed by existing law but the respective time limits within which some specific act on the part of the county auditors and canvassing boards is required to be done shall not apply to absent voters' ballots cast by service voters, it being the intent of this section that every facility shall be given to such absent voters' ballots cast by service voters so that such ballots shall be counted if possible.

Intent of act with relation to existing law.

SEC. 18. The opening, counting and canvassing of absentee ballots cast at the September primary may begin on the day after the primary but shall not be continued after the thirteenth day subsequent to the day of the primary and the returns shall then be made immediately.

Primary vote count and canvass.

Returns.

SEC. 19. The filing of certificates of nomination and the declarations of candidacy of persons nominated at conventions held on the primary day must

Filing of primary day convention nominees.

be completed within twenty (20) days after the date of the September primary.

Election vote, count and canvass.

SEC. 20. The opening, counting and canvassing of absentee ballots cast at the November election may begin on the day after the election, but shall not be continued after the fifteenth day subsequent to the day of election, and the returns shall then be made immediately.

Returns.

Delays forbidden.

SEC. 21. The state canvassing board, all county canvassing boards and all county auditors and registration officials shall make no undue delay in performing any of the specific actions hereby imposed upon them. All ballots shall be printed as soon as possible after the same can be made up in order that there may be no delay in the forwarding of absent voters' ballots to service voters so as to afford ample time to all service voters for voting as herein provided.

Powers and duties of Secretary of State.

SEC. 22. The Secretary of State shall have the power and it shall be his duty to administer this act; to direct all election officials in respect to their duties under this act; to publicize the provisions of the election laws and to make such rules and regulations as will facilitate the operation and the accomplishment of the purposes of this act.

Second degree perjury.

SEC. 23. Any person who makes a false statement in his declaration upon the larger envelope used to transmit his ballot shall be guilty of perjury in the second degree and punished accordingly. Any person violating any other provision of this act shall be guilty of a misdemeanor.

Misdemeanor.

Act liberally construed.

SEC. 24. This act shall be liberally construed to accomplish its purposes and so that all service voters may be afforded an opportunity to fully exercise their voting rights granted herein.

Partial invalidity.

SEC. 25. If any provision of this act, or the application thereof to any person or circumstance, is

held invalid, the remainder of this act or the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 26. There is hereby appropriated to the Secretary of State from the General Fund the sum of ten thousand dollars (\$10,000) for the purpose of carrying the provisions of this act into effect.

Appropriation.

SEC. 27. This act is necessary for the immediate preservation of the public safety and shall take effect immediately.

Emergency.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 15.

[ H. B. 11. ]

LICENSE FEES FOR TRUCKS AND TRAILERS.

AN ACT eliminating license fees on certain small trucks and trailers and amending section 17, Chapter 188, Laws of 1937, as last amended by section 10, Chapter 220, Laws of 1949.

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

SECTION 1. Section 17, chapter 188, Laws of 1937, as last amended by section 10, chapter 220, Laws of 1949, is hereby amended to read as follows:

Amendment.

Section 17. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees:

License fees for gross weight of trucks and truck tractors.

Up to 4,000 lbs.....	\$6.00
4,000 lbs. or more and less than 6,000 lbs.....	\$11.00
6,000 lbs. or more and less than 8,000 lbs.....	\$18.00
8,000 lbs. or more and less than 10,000 lbs.....	\$20.00
10,000 lbs. or more and less than 12,000 lbs.....	\$22.50

Schedule of fees.

12,000 lbs. or more and less than 14,000 lbs.....	\$25.00
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00
20,000 lbs. or more and less than 22,000 lbs.....	\$95.00
22,000 lbs. or more and less than 24,000 lbs.....	\$120.00
24,000 lbs. or more and less than 26,000 lbs.....	\$150.00
26,000 lbs. or more and less than 28,000 lbs.....	\$180.00
28,000 lbs. or more and less than 30,000 lbs.....	\$220.00
30,000 lbs. or more and less than 32,000 lbs.....	\$270.00
32,000 lbs. or more and less than 34,000 lbs.....	\$310.00
34,000 lbs. or more and less than 36,000 lbs.....	\$350.00

License fees for gross weight of trailers and semi-trailers.

In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer and semi-trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees:

4,000 lbs. or more and less than 6,000 lbs.....	\$11.00
6,000 lbs. or more and less than 8,000 lbs.....	\$18.00
8,000 lbs. or more and less than 10,000 lbs.....	\$20.00
10,000 lbs. or more and less than 12,000 lbs.....	\$22.50
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00
20,000 lbs. or more and less than 22,000 lbs.....	\$95.00
22,000 lbs. or more and less than 24,000 lbs.....	\$120.00
24,000 lbs. or more and less than 26,000 lbs.....	\$150.00
26,000 lbs. or more and less than 28,000 lbs.....	\$180.00
28,000 lbs. or more and less than 30,000 lbs.....	\$220.00
30,000 lbs. or more and less than 32,000 lbs.....	\$270.00
32,000 lbs. or more and less than 34,000 lbs.....	\$310.00
34,000 lbs. or more and less than 36,000 lbs.....	\$350.00

Diesel and other powered vehicles.

Additional tax.

Maximum gross weight.

*Provided*, That as to any such motor truck or truck tractor propelled by steam, electricity, natural gas, Diesel oil, butane, or propane the foregoing schedule of fees shall be increased in every instance by twenty-five per cent (25%) thereof and paid in addition to any excise tax upon such substance other than motor vehicle fuel: *Provided further*, The maximum gross weight in case of any motor truck, truck tractor, trailer or semi-trailer shall be the scale weight of such motor truck, truck tractor, trailer or semi-trailer unladen, to which shall be added the

maximum load to be carried thereon, as set by the licensee in his application or otherwise: *Provided further*, That in lieu of the additional fee provided in this section there shall be collected a fee of five dollars (\$5) on any motor truck, truck tractor, trailer or semi-trailer used only for the purpose of transporting any well drilling machine, air compressor, rock crusher, conveyor, hoist, wrecker, donkey engine, cook house, tool house, bunk house or similar machine or structure attached to or made a part of such motor truck, trailer or semi-trailer: *Provided further*, On motor trucks owned and operated by farmers in the transportation of their own farm, orchard, or dairy products from point of production to market, or in the infrequent or seasonal transportation by one farmer for another for any purpose other than commercial hire of products of the farm, orchard or dairy, or of supplies or commodities to be used on the farm, orchard or dairy, except motor trucks owned and operated by cooperative associations or cooperative marketing associations, shall be paid and collected annually the following fees in lieu of the fees first mentioned herein:

Fees for transporting certain machinery.

Farming vehicles.

	Up to 4,000 lbs.....	\$3.00
4,000 lbs. or more and less than 6,000 lbs.....		\$5.50
6,000 lbs. or more and less than 8,000 lbs.....		\$9.00
8,000 lbs. or more and less than 10,000 lbs.....		\$10.00
10,000 lbs. or more and less than 12,000 lbs.....		\$11.25
12,000 lbs. or more and less than 14,000 lbs.....		\$12.50
14,000 lbs. or more and less than 16,000 lbs.....		\$15.00
16,000 lbs. or more and less than 18,000 lbs.....		\$25.00
18,000 lbs. or more and less than 20,000 lbs.....		\$35.00
20,000 lbs. or more and less than 22,000 lbs.....		\$95.00
22,000 lbs. or more and less than 24,000 lbs.....		\$120.00
24,000 lbs. or more and less than 26,000 lbs.....		\$150.00
26,000 lbs. or more and less than 28,000 lbs.....		\$180.00
28,000 lbs. or more and less than 30,000 lbs.....		\$220.00
30,000 lbs. or more and less than 32,000 lbs.....		\$270.00
32,000 lbs. or more and less than 34,000 lbs.....		\$310.00
34,000 lbs. or more and less than 36,000 lbs.....		\$350.00

Schedule of fees.

When any vehicle subject to license is to be moved upon the public highways of this state from one point to another, the Director of Licenses is authorized to issue a special permit therefor upon an application to him presented in such form as shall be approved by the Director of Licenses and upon payment therefor of a fee of five dollars (\$5): *Provided*, That such permit shall be for the transit of the of the vehicle only and that the vehicle shall not at the time of such transit be used for the transportation of any persons or property whatsoever for compensation or otherwise, and the payment of such fee shall be for one transit only between the points of origin and destination set forth in such application: *Provided further*, (a) That when such vehicle is to be moved from one point in this state to another and when the owner of such vehicle desires to carry a load of passengers and/or commodities he may obtain a one transit permit upon the payment to the Director of Licenses of a fee of ten dollars (\$10), and (b) For each vehicle used exclusively in the transportation of circus, carnival and show equipment and in the transportation of supplies used in conjunction therewith, there shall, in addition to other fees provided for the licensing of vehicles, be charged an annual capacity fee in the amount of ten dollars (\$10).

Effective  
Dec. 31, 1950.

SEC. 2. This amendatory act shall become effective December 31, 1950, and shall apply to licenses issued for the year 1951 and subsequent years.

Passed the House July 18, 1950.

Passed the Senate July 18, 1950.

Approved by the Governor July 24, 1950.



## CHAPTER 16.

[ H. B. 13. ]

## REVISED CODE OF WASHINGTON.

AN ACT revising, consolidating and codifying all the laws of the State of Washington of a general and permanent nature and enacting the whole as the "Revised Code of Washington," and declaring an emergency.

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

SECTION 1. The ninety-one titles with chapters, sections and numbering system designated as the "Revised Code of Washington" and attested by the Secretary of the Senate and the Chief Clerk of the House of Representatives of the Legislature of the State of Washington, are hereby enacted and designated as the "Revised Code of Washington". Said code is intended to embrace in a revised, consolidated and codified form and arrangement all the laws of the state of a general and permanent nature.

Revised Code of Washington enacted.

General and permanent laws.

SEC. 2. The contents of said code shall establish prima facie the laws of this state of a general and permanent nature in effect on January 1, 1949, but nothing herein shall be construed as changing the meaning of any such laws. In case of any omissions, or any inconsistency between any of the provisions of said code and the laws existing immediately preceding this enactment, the previously existing laws shall control.

Prima facie the law.

Existing laws control.

SEC. 3. All laws of a general and permanent nature enacted after January 1, 1949, shall, from time to time, be incorporated into and become a part of said code.

Future laws incorporated.

SEC. 4. Said code may be cited by the abbreviation "R.C.W."

Cite "R.C.W."

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety and for the immediate support of the state govern-

Emergency.

ment and its existing public institutions and shall take effect immediately.

Passed by the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

CHAPTER 17.

[ H. B. 18. ]

RELATING TO INSTITUTIONS OF HIGHER EDUCATION.

AN ACT relating to institutions of higher education, authorizing such institutions to construct certain buildings, to acquire by purchase or lease lands and appurtenances, to lease portions of the campus and other property, to borrow money, issue and reissue bonds to pledge rents and other income; amending section 1, Chapter 91, Laws of 1925, Extraordinary Session, as last amended by section 1, Chapter 64, Laws of 1947 (sec. 4543-1, Rem. Supp. 1947), and declaring an emergency.

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

Amendment.

SECTION 1. Section 1, chapter 91, Laws of 1925, Extraordinary Session, as last amended by section 1, chapter 64, Laws of 1947 (sec. 4543-1, Rem. Supp. 1947) is amended to read as follows:

Regents and trustees may contract for construction of buildings.

Section 1. The Boards of Regents of the University of Washington and of the State College of Washington and the boards of trustees of the Colleges of Education at Ellensburg, Cheney and Bellingham, Washington, are hereby authorized to enter into contracts with persons, firms, or corporations for the erection of buildings for dormitory, hospital, and infirmary, student, faculty and employee housing and boarding purposes, and for student activities; and said boards are further authorized to purchase or lease lands and other appurtenances necessary for the construction of such buildings and to purchase or lease lands with buildings constructed thereon suitable for the purposes aforesaid; and said boards are

May purchase or lease lands.

also authorized to lease to any persons, firms, or corporations such portions of the campus of their respective institutions as may be necessary for the construction of buildings for the purposes aforesaid and the reasonable use thereof, and said boards of regents and trustees are hereby authorized to borrow money for the erection of the said buildings and appurtenances and to issue revenue bonds therefor and to refinance the same before or at maturity and to provide for the amortization of said bonds from the income derived from rentals and/or fees exacted for the use or facilities of said buildings and of any other dormitory, hospital, infirmary, housing, boarding, or student activity building in the respective institutions: *Provided*, That the State of Washington shall incur no liability by reason of exercise of the authority hereby granted to the said boards of regents and trustees aforesaid, other than as herein-after specifically set forth: *And provided further*, That such lands, buildings, or appurtenances shall be used solely for such dormitory, hospital, infirmary, housing, boarding, or student activities in such institutions. Said boards of regents and trustees are hereby authorized to contract to pay as rental or otherwise, or to issue bonds, for a sum sufficient to pay, on the amortization plan, the principal and interest thereon, or the purchase price of said lands and buildings, or the erection costs of said buildings or appurtenances, such contract or bonds to run not over forty years from the date of financing or refinancing. The rate of interest on the principal on any such purchase or erection cost or on any bond shall not exceed seven per cent (7%) per annum, payable semi-annually or annually as determined by said bonds.

May lease to others portions of campus.

May issue revenue bonds.

State not liable.

Use of property restricted.

Forty year limitation.

Interest rate.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety,

Emergency.

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House July 18, 1950.

Passed the Senate July 19, 1950.

Approved by the Governor July 24, 1950.

---

CHAPTER 18.

[ H. B. 15. ]

CLASSIFICATION OF SEVENTH, EIGHTH, AND NINTH CLASS COUNTIES.

AN ACT providing a method for the classification of seventh, eighth and ninth class counties; providing for a referendum thereon, and declaring an emergency.

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

SECTION 1. No change from the 1940 census in the classification of seventh, eighth and ninth class counties as provided by section 1, chapter 200, Laws of 1949 (sec. 4200-5a, Rem. 1949 Supp.) and section 1, chapter 26, Laws of 1941 (sec. 4200-1a, Rem. 1941 Supp.) shall occur until the board of county commissioners of each such respective county shall make an order reclassifying such county: *Provided*, That such order shall be made within ninety (90) days after the issuance of the Federal Official Preliminary Estimate of the population for such county: *Provided, further*, That if no order of reclassification be made by the board of county commissioners, then and in such event, the Federal Official Preliminary Estimate or the Final Certificate of the Census of 1950 shall be considered as showing the actual population of such county.

Order of reclassification.

Population if no order made.

Order not effective for sixty days.

Referendum petition.

SEC. 2. Such order of reclassification shall not become effective until sixty (60) days after such order is made. During such period of sixty (60) days a referendum may be commenced by a petition filed

by the qualified electors of the county in numbers equal to or exceeding fifteen per centum (15%) of the whole number of electors of such county who voted for Governor at the regular gubernatorial election last preceding and such petition shall within sixty (60) days of date of such order be filed in the office of the auditor of said county.

SEC. 3. Upon the filing of such petition, the county auditor shall canvass the signatures thereon in order to determine whether or not said petition contains the requisite signatures aforescribed and upon ascertaining that fact the county auditor shall certify said petition. Thereafter such order shall be placed upon the ballot at the next general election to be held in the county.

Canvass of  
petition.

Order to  
be placed on  
ballot.

SEC. 4. 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.

Emergency.

Passed the House July 20, 1950.

Passed the Senate July 21, 1950.

Approved by the Governor July 24, 1950.

---

## CHAPTER 19.

[ H. B. 25. ]

### EXTERMINATION OF RODENTS.

AN ACT relating to injurious rodents; providing methods for their extermination; and amending section 13, Chapter 140, Laws of 1921 (sec. 2800, Rem. Rev. Stat.).

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

SECTION 1. Section 13, Chapter 140, Laws of 1921 (sec. 2800, Rem. Rev. Stat.), is amended to read as follows:

Amendment.

Poisons to be placed in labeled containers.

Section 13. All poisons and poisoned baits prepared and distributed under authority of the board of county commissioners shall be placed in containers plainly labeled to show the character and purpose of the contents thereof.

Passed the House July 20, 1950.

Passed the Senate July 21, 1950.

Approved by the Governor July 24, 1950.

---

CHAPTER 20.

[ H. B. 27. ]

DEFICIENCY APPROPRIATION—STATE TREASURER.

AN ACT making a deficiency appropriation for salaries and wages for operation of the Office of the State Treasurer, and declaring an emergency.

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

Deficiency appropriation State Treasurer.

SECTION 1. By reason of a deficiency existing in the appropriation made by the Thirty-first Regular Session of the Legislature, the sum of forty-four thousand nine hundred twenty dollars (\$44,920), or so much thereof as shall be found necessary, is hereby appropriated out of moneys in the General Fund to the State Treasurer for the fiscal biennium beginning April 1, 1949, and ending March 31, 1951, for salaries and wages.

Emergency.

SEC. 2. 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 House July 20, 1950.

Passed the Senate July 21, 1950.

Approved by the Governor July 24, 1950.

## AUTHENTICATION

---

I, Earl Coe, Secretary of State of the State of Washington, do hereby certify that I have caused to be carefully compared the foregoing published laws passed by the Extraordinary Session of the Thirty-First Legislature of the State of Washington, held from July 17, 1950, until July 21, 1950, inclusive, with the original enrolled laws, now on file in this office, and find the same to be a full, true and correct copy of said originals with the exception of such corrections in spelling and use of words bracketed, thus [ ], in each case as provided by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Dated at Olympia, Washington, this 1st day of August, 1950.



A handwritten signature in cursive script, appearing to read "Earl Coe".

EARL COE  
*Secretary of State.*





## INDEX TO AMENDMENTS

### AMENDMENTS, LAWS 1911:

	Ch.	Sec.	Page
Chapter 117, section 25-a .....	6	1	10

### AMENDMENTS, LAWS 1921:

Chapter 140, section 13 .....	19	1	38
-------------------------------	----	---	----

### AMENDMENTS, LAWS EXTRAORDINARY SESSION 1925:

Chapter 91, section 1 .....	17	1	34
-----------------------------	----	---	----

### AMENDMENTS, LAWS 1927:

Chapter 248, section 1 .....	6	1	10
Chapter 274, section 1 .....	9	1	15

### AMENDMENTS, LAWS EXTRAORDINARY SESSION 1933:

Chapter 41, section 1 .....	8	1	14
-----------------------------	---	---	----

### AMENDMENTS, LAWS 1935:

Chapter 180, section 4 .....	5	1	7
Chapter 180, section 6 .....	5	2	9

### AMENDMENTS, LAWS 1937:

Chapter 188, section 17 .....	15	1	29
-------------------------------	----	---	----

### AMENDMENTS, LAWS 1941:

Chapter 176, section 1 .....	11	1	18
Chapter 128, section 5 .....	10	1	16

### AMENDMENTS, LAWS 1943:

Chapter 72, section 1 .....	8	1	14
-----------------------------	---	---	----

### AMENDMENTS, LAWS 1945:

Chapter 253, section 1 .....	11	1	18
------------------------------	----	---	----

### AMENDMENTS, LAWS 1947:

Chapter 64, section 1 .....	17	1	34
-----------------------------	----	---	----

### AMENDMENTS, LAWS 1949:

Chapter 228, section 1 .....	5	1	7
Chapter 228, section 2-A .....	5	2	9
Chapter 180, section 15 .....	12	1	21
Chapter 180, section 1 .....	13	1	21
Chapter 220, section 10 .....	15	1	29

### AMENDMENTS, REMINGTON'S REVISED STATUTES:

Section 2800 .....	19	1	37
Section 4053-1 .....	9	1	15
Section 4543-1 Sup. '47 .....	17	1	34
Section 5280 Sup. '43 .....	8	1	14
Section 6312-17, Sup. '49 .....	15	1	29
Section 8370-4 Sup. '49 .....	5	1	7
Section 8370-6 Sup. '49 .....	5	2	9
Section 10007-106(b) Sup. '41 .....	10	1	16
Section 10361-1 .....	6	1	10
Section 10747a Sup. '49 .....	13	1	21
Section 11238-1e Sup. '45 .....	11	1	18

## GENERAL INDEX—EXTRAORDINARY SESSION, 1950

	Ch.	Sec.	Page
ABSENT VOTING (see ELECTIONS)			
APPROPRIATIONS:			
Department of Labor and Industries,			
additional pensions .....	4	1	6
Department of Social Security,			
deficiency .....	3	1	5
Division for Children.....	3	1	5
Division of Public Assistance,			
assistance as provided by law.....	3	1	5
medical services .....	3	1	5
salaries, wages and operations.....	3	1	5
Legislature,			
expenses .....	1	1	3
subsistence of legislators.....	2	1	4
Secretary of State,			
service voters act.....	14	26	29
State Employees' Retirement Board,			
deficiency .....	7	1	13
salaries, wages and operations.....	7	1	13
State Treasurer,			
deficiency, salaries and wages.....	20	1	38
BONDS:			
Colleges and universities, issuance by.....	17	1	35
General obligation, issuance of,			
elections authorizing .....	11	1	20
Veterans' Bonus,			
negotiable .....	12	1	21
BUSINESS TAX (see TAXATION)			
CENTRAL WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)			
CITIES AND TOWNS:			
Elections,			
levy of additional tax.....	11	1	19
not within service voters act.....	14	3	23
Ferries,			
leased, regulated by Public Service Commission.....	6	1	11
Forty mill limit.....	11	1	18
Taxing power,			
special levy .....	11	1	19
CODE (see REVISED CODE OF WASHINGTON)			
COLLEGES AND UNIVERSITIES:			
Bonds, revenue,			
may issue .....	17	1	35
forty year limit.....	17	1	35
interest .....	17	1	35
Buildings,			
contracts for construction of.....	17	1	34
Lands,			
lease or purchase authorized.....	17	1	34

**ELECTIONS.**

**COUNTIES:**

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Classification, method of,			
seventh, eighth and ninth class.....	18	1	36
referendum .....	18	2	36
Elections,			
classification, seventh, eighth and ninth class			
referendum .....	18	2	37
levy of additional tax.....	11	1	19
Ferries,			
leased, regulated by Public Service Commission.....	6	1	11
right to purchase, etc., not affected.....	6	1	10
Seventh, eighth and ninth class,			
classification, method of.....	18	1	36
referendum .....	18	2	36
commissioners as road overseers.....	9	1	15
Sixth class,			
commissioners as road overseers.....	9	1	15
Taxing power,			
special levy .....	11	1	19

**COUNTY AUDITORS:**

Elections,			
service voters,			
ballot mailed, how.....	14	14	26
ballot returned to.....	14	13	26
must send ballots.....	14	11	25
must send envelopes and instructions.....	14	12, 16	25, 27
reimbursement to .....	14	15	27
time limits .....	14	17	27
undue delay, no.....	14	21	28
seventh, eighth, ninth class counties,			
duties re-classification referendum.....	18	3	37

**COUNTY COMMISSIONERS:**

Seventh, eighth and ninth class counties,			
classification of,			
powers and duties.....	18	1	36
referendum .....	18	2	36
ex-officio road commissioners.....	9	1	15
claim approved by superior judge.....	9	1	15
compensation for .....	9	1	15
Sixth class counties,			
ex-officio road commissioners.....	9	1	15
claim approved by superior judge.....	9	1	15
compensation for .....	9	1	15

**COUNTY WELFARE DEPARTMENT:**

Communications privileged .....	10	1	16
Information declared confidential.....	10	1	16
disclosure prohibited .....	10	1	16

**EASTERN WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)**

**EDUCATION, STATE COLLEGES OF, (see COLLEGES AND UNIVERSITIES)**

**ELECTIONS:**

Absent voting, when.....	8	1	14
absence from precinct.....	8	1	14
physical disability of voter.....	8	1	14
religious tenet .....	8	1	14

## ELECTIONS.

### ELECTIONS—CONTINUED:

	Ch.	Sec.	Page
Classification of counties of seventh, eighth, ninth class, referendum .....	18	2	36
Referendum, classification of seventh, eighth, ninth class counties.....	18	2	36
Service voters, air mail, ballot mailed by.....	14	14	26
ballot returned by.....	14	13	26
American Red Cross, employees of.....	14	1	23
application for ballot, deemed application for both primary and election.....	14	9	24
under United States statutes.....	14	6	24
appropriation .....	14	26	29
armed forces, members of.....	14	1	23
ballot, application for under United States statutes.....	14	6	24
canvass, opening and counting, election .....	14	20	28
primary .....	14	18	27
intent, counted if possible.....	14	17	27
obtained, how .....	14	10	24
one application for both primary and election.....	14	9	24
printed, when .....	14	21	28
signatures, variation in.....	14	8	24
size and weight.....	14	15	26
canvass, time for, election.....	14	20	28
time for, primary.....	14	18	27
time limits not applicable, when.....	14	17	27
canvassing boards, no undue delay.....	14	21	28
civilians, serving with armed forces.....	14	1	23
county auditor, ballot, duty to send.....	14	11	25
how mailed .....	14	14	26
returned to .....	14	13	26
envelopes and instructions, must send.....	14	12, 16	25, 27
reimbursement to .....	14	15	27
time limits .....	14	17	27
undue delay, no.....	14	21	28
"date" of mailing ballot, defined.....	14	4	23
declaration of candidacy, Primary day convention time for filing.....	14	19	27
declaration of voter, form of .....	14	12	25
perjury, false statement is.....	14	23	28
registration, constitutes .....	14	13	26
definitions, "date" of mailing ballot.....	14	4	23
"election" .....	14	3	23
"primary" .....	14	2	23
"primary election" .....	14	2	23
"service voter" .....	14	1	23
"territorial limits of the United States".....	14	5	24
election, canvass .....	14	20	28
defined .....	14	3	23
municipal election not included.....	14	3	23
returns, when made.....	14	20	28
expense of mailing.....	14	15	27
handwriting, variation in.....	14	8	24

## EMPLOYEES' RETIREMENT BOARD.

### ELECTIONS—CONTINUED:

	Ch.	Sec.	Page
Service voters,			
initials, in lieu of first or given names.....	14	8	24
larger envelope, form of declaration.....	14	12	25
liberal construction .....	14	24	28
mailing expense .....	14	15	26
merchant marine, personnel of.....	14	1	23
method of voting.....	14	13	26
misdemeanor, violator guilty of.....	14	23	28
municipal election .....	14	3	23
nominations, primary day conventions,			
filed when .....	14	19	27
perjury, false declaration constitutes.....	14	23	28
postage, paid by whom,			
return of ballot.....	14	13	26
sending ballot .....	14	14	26
primary election,			
canvass .....	14	18	27
defined .....	14	2	23
returns, when made.....	14	18	27
primary day conventions, declarations and			
nominations filed when.....	14	19	27
procedure, time limits not applicable, when.....	14	17	27
public officers, coordination with federal authority.....	14	7	24
Red Cross, employees of.....	14	1	23
registration,			
ballot mailed without.....	14	11	25
declaration constitutes .....	14	13	26
registration officers,			
duties .....	14	11	25
requests may be mailed to.....	14	10	24
request for ballot,			
must contain, what.....	14	10	25
where to mail.....	14	10	24
returns,			
election when made.....	14	20	28
primary, when made.....	14	18	27
Secretary of State,			
appropriation .....	14	26	29
ballot requests .....	14	10	24
ballots, size and weight of.....	14	15	26
county auditor, reimbursement of.....	14	15	27
instruction, letters of, must prepare.....	14	16	27
powers and duties.....	14	22	28
uniform supplies .....	14	15	27
service voter,			
defined .....	14	1	23
registered, need not be.....	14	11	25
vote cast, how.....	14	13	26
signatures, variation does not invalidate, when.....	14	8	24
spouse of service voter.....	14	1	23
surname, variation in.....	14	8	24
"territorial limits of the United States" defined.....	14	5	24
United States,			
application under law of.....	14	6	24
employee of, service voter when.....	14	1	23
public officers to coordinate with.....	14	7	24
voting method of.....	14	13	26
Special elections,			
levy of additional tax.....	11	1	19, 20
annual limitation .....	11	1	19, 20

EMPLOYEES' RETIREMENT BOARD (see STATE EMPLOYEES'  
RETIREMENT BOARD)

## EVIDENCE.

### EVIDENCE:

	Ch.	Sec.	Page
Privilege, communications between applicants and welfare agencies.....	10	1	16

### FERRIES (see PUBLIC SERVICE COMMISSION)

### LABOR AND INDUSTRIES, DEPARTMENT OF:

Appropriation, additional pensions .....	4	1	6
---	---	---	---

### LEGISLATURE:

Appropriations, expenses .....	1	1	3
subsistence of legislators.....	2	1	4

### LICENSES: (see, also, MOTOR VEHICLES)

Director of, trucks and trailers, special permits, issuance of.....	15	1	32
transit permits, issuance of.....	15	1	32

### MOTOR VEHICLES:

Director of Licenses, trucks and trailers, special permits, issuance of.....	15	1	32
transit permits, issuance of.....	15	1	32
Licenses, fees, circus vehicles .....	15	1	32
cooperative association vehicles.....	15	1	31
farm vehicles .....	15	1	31
motor trucks .....	15	1	29
semi-trailers .....	15	1	30
tractors truck .....	15	1	29
trailers .....	15	1	30
special permit required, transit of vehicle only.....	15	1	32
transit permit, one load, point to point.....	15	1	32
weight, how computed.....	15	1	30

### MUNICIPAL CORPORATIONS (see CITIES AND TOWNS)

### POISONS:

Extermination of rodents.....	19	1	37
-------------------------------	----	---	----

### POLITICAL SUBDIVISIONS:

Ferries, leased, regulated by Public Service Commission.....	6	1	11
---	---	---	----

### PORT DISTRICTS:

Ferries, leased, regulated by Public Service Commission.....	6	1	11
---	---	---	----

### PUBLIC ASSISTANCE (see SOCIAL SECURITY, DEPARTMENT OF)

### PUBLIC SERVICE COMMISSION:

Ferries, certificate of public convenience and necessity.....	6	1	10
freight carriers .....	6	1	10
issuance or refusal.....	6	1	11
public hearing .....	6	1	11
sale or transfer.....	6	1	12
suspension and revocation.....	6	1	12

**SOCIAL SECURITY, DEPARTMENT OF.**

**PUBLIC SERVICE COMMISSION—CONTINUED:**

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
<b>Ferries,</b>			
cities and towns,			
operation under contract or lease with.....	6	1	11
counties,			
operation under contract or lease with.....	6	1	11
right to purchase, condemn, build or operate not affected..	6	1	10
port district or other political subdivision,			
operation under contract or lease with.....	6	1	11
rates, services and schedules, regulation of.....	6	1	11
regulation of rates services, schedules and safety.....	6	1	11
safety, regulation of.....	6	1	11
Steam boat companies.....	6	1	10
Vessels primarily engaged in transporting other freight.....	6	1	10

**RELIGION (see ELECTIONS)**

**RETIREMENT BOARD (see STATE EMPLOYEES' RETIREMENT BOARD)**

**REVENUE AND TAXATION (see TAXATION)**

**REVISED CODE OF WASHINGTON:**

Revision, consolidation and codification of all general and permanent state laws, enactment as.....	16	1	33
cited "R. C. W.".....	16	4	33
future laws to be incorporated into.....	16	3	33
prima facie authority.....	16	2	33

**RODENTS:**

Poisons, distribution of.....	19	1	37
-------------------------------	----	---	----

**SCHOOL DISTRICTS:**

<b>Elections,</b>			
levy of additional tax.....	11	1	19
Forty mill limit.....	11	1	18
<b>Taxing power,</b>			
special levy .....	11	1	19
<b>Service voters,</b>			
appropriation .....	14	26	29
ballot,			
requests, must forward.....	14	10	24
size and weight of.....	14	15	26
county auditor, reimbursement of.....	14	15	27
instruction, letters of.....	14	16	27
letters of instruction.....	14	16	27
powers and duties.....	14	22	28
rule-making power .....	14	22	28
uniform supplies must furnish.....	14	15	27

**SERVICE VOTERS (see ELECTIONS)**

**SOCIAL SECURITY, DEPARTMENT OF:**

<b>Appropriations,</b>			
deficiency .....	3	1	5
Division for Children.....	3	1	5
Division of Public Assistance.....	3	1	5
assistance as provided by law.....	3	1	5
medical services .....	3	1	5
salaries, wages and operations.....	3	1	5
Communications privileged .....	10	1	16
Information declared confidential.....	10	1	16
disclosure prohibited .....	10	1	16, 17
<b>Rule-making power,</b>			
custody of records.....	10	1	17

## SOLDIERS AND SAILORS.

SOLDIERS AND SAILORS (see ELECTIONS, also VETERANS)

### STATE EMPLOYEES' RETIREMENT BOARD:

	Ch.	Sec.	Page
Appropriation,			
deficiency .....	7	1	13
salaries, wages and operations.....	7	1	13

### STATE TREASURER:

Appropriation,			
deficiency .....	20	1	38
salaries and wages.....	20	1	38

STATUTES (see REVISED CODE OF WASHINGTON)

STEAMBOAT COMPANIES (see PUBLIC SERVICE COMMISSION)

### TAXATION:

Business tax,			
bridge builder or repairer, public.....	5	1	8
business,			
activity, any other.....	5	1	9
computed, how .....	5	1	7
deliveries in or out of state.....	5	1	7
extractor .....	5	1	7
flour manufacturer .....	5	1	8
grain wholesaler .....	5	1	8
manufacturer .....	5	1	7
measured how .....	5	1	8
newspapers and periodicals.....	5	1	8
persons engaged in more than one activity.....	5	2	9
exceptions .....	5	2	9
printer and publisher.....	5	1	8
retail seller .....	5	1	8
road builder or repairer, public.....	5	1	8
sale,			
place of .....	5	1	7
retail, services not constituting.....	5	1	9
wholesale, services not constituting.....	5	1	9
services not constituting sale at retail or wholesale.....	5	1	9
state,			
deliveries in or out of.....	5	1	7
wholesaler .....	5	1	8
Persons engaged in more than one business,			
taxed under each classification.....	5	2	9
exceptions .....	5	2	9
Real and personal property,			
levies on .....	11	1	18
additional levies, how made.....	11	1	19
elections for .....	11	1	19
limitations on .....	11	1	19

UNIVERSITY OF WASHINGTON (see COLLEGES AND UNIVERSITIES)

### VETERANS:

Bonus,			
bonds are negotiable.....	12	1	21
compensation amount of.....	13	1	21
death prior to June 8, 1949, survivors entitled.....	13	1	22
extra compensation a bar.....	13	1	22
recipients, qualifications of.....	13	1	21



WESTERN WASHINGTON COLLEGE OF EDUCATION.

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
WASHINGTON PUBLIC SERVICE COMMISSION (see PUBLIC SERVICE COMMISSION)			
WASHINGTON STATE COLLEGE (see COLLEGES AND UNIVERSITIES)			
WESTERN WASHINGTON COLLEGE OF EDUCATION (see COLLEGES AND UNIVERSITIES)			



## PREFACE

---

The Thirty-second Legislature of the State of Washington convened at 12 o'clock noon, January 8, 1951 (being the second Monday in January), and adjourned *sine die* March 8, 1951.

All acts passed by the session, approved by the Governor, take effect ninety days after adjournment, or 12 o'clock **midnight**, June 6, 1951, except relief bills, appropriations and other acts declaring an emergency.



EARL COE,  
*Secretary of State.*

## EXPLANATORY

As the user will readily note, the thirty-second regular session of the legislature has inaugurated the practice of enacting laws with reference to the Revised Code of Washington (R.C.W.) which was enacted by chapter 16, Laws of 1950, Ex. Sess., and chapter 5, Laws of 1951. Publication of a temporary edition of R.C.W. was authorized by chapter 155, Laws of 1951, and is now in progress.

For the convenience of users, the majority of whom do not presently have access to R.C.W., footnotes have been prepared for the purpose of indicating where, in Remington's Revised Statutes, corresponding material may be found.

The footnotes, which appear following each appropriate section are not intended to express any legal conclusions, but are inserted only with a view toward aiding the user to relate the materials found in this volume to the compilation of laws presently available.

In general, where the R.C.W. section affected corresponds to an entire section of Remington, the correlation has been expressed by the use of the abbreviations Am., for amends and Rep., for repeals, but where the section amended was derived from a portion only of a Remington section or was a composite of one or more Remington sections or parts thereof, the correlation has been expressed in terms of derivation. Remington citations for R.C.W. numbers referred to within the body of an act are likewise generally in the form of derivations.

The footnotes, in effect, may be said to constitute a running correlation table between R.C.W. and Remington which it is hoped will prove useful during this transitional period. The usual tables of amendments and repeals are to be found at the back of the volume.

The user may note that R.C.W. numbers appearing herein are in most instances not identical with the R.C.W. numbers as they appeared in the various legislative bills. The majority of such bills were drawn with reference to the revised code as it existed prior to the adoption of the numbering system contained in the 1950 supplement, as authorized by section 3, chapter 5, Laws of 1951. Pursuant to the mandate of that section, all R.C.W. numbers have been corrected to conform with such new numbering system, and so appear in this publication.



SMITH TROY,  
Attorney General.

# LAWS OF WASHINGTON

PASSED AT THE

Thirty-Second Regular Session

1951

---

## CHAPTER 1.

[ Initiative Measure No. 178 ]

### CITIZENS' SECURITY ACT.

#### BALLOT TITLE

AN ACT modifying the citizens' security act of 1948 (Initiative Measure No. 172) and transferring the public assistance medical program to the department of health.

#### SPONSOR'S TITLE

AN ACT relating to public assistance; defining terms; fixing standards to govern grants of assistance; prescribing qualifications for eligibility to receive assistance; specifying the powers and duties of the department of social security and the department of health in relation thereto; creating a council of medical service and defining its powers and duties; amending sections 3, 4, 5, 15 and 16, chapter 6, Laws of 1949, and further amending said chapter 6, Laws of 1949, by adding thereto a new section to be designated section 3-a.

*Be it enacted by the People of the State of  
Washington:*

SECTION 1. This act shall be known as the "Citizens' Public Assistance Act of 1950." Short title.

SEC. 2. It is the purpose and intent of this act to provide for the public welfare by making available, in conjunction with federal matching funds, such public assistance as is necessary to insure to recipients thereof a reasonable subsistence compatible with decency and health. This act recognizes that there are possibilities of serious abuses of such a program whereby those least deserving of public aid will benefit at the expense of the deserving, and of the Declaration  
of purpose  
and intent.

state and its political subdivisions, and it is intended hereby to make possible sufficient administrative control of the program of assistance to curb or at least minimize such abuses without at the same time depriving qualified applicants and recipients of the assistance to which they are rightfully entitled.

Amendment. SEC. 3. Section 3, chapter 6, Laws of 1949, is amended to read as follows:

Definitions. Section 3. For the purposes of this act, unless the context indicates otherwise, the following definitions shall apply:

"Department." (a) "Department"—The department of social security.

"Applicant." (b) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county welfare department for assistance.

"Recipient." (c) "Recipient"—Any person receiving assistance or currently approved to receive assistance at any future date.

"Income." (d) "Income"—Net income in cash or kind available to an applicant or recipient, the receipt of which is regular and predictable enough that an applicant or recipient may rely upon it to contribute appreciably toward meeting his needs.

"Need." (e) "Need"—The amount by which the requirements of an individual for himself and the dependent members of his family, as measured by the standards of the department, exceed all income and resources available to such individual in meeting such requirements.

"Resource." (f) "Resource"—Any asset, tangible or intangible, which can be applied toward meeting an applicant's or recipient's need, either directly or by conversion into money or its equivalent: *Provided*, That the following described assets shall not be considered as a resource available to meet need during

such time as they are used by an applicant or recipient in the manner and form as follows:

- (1) The home as defined in section 3-a hereof. Home.
- (2) Personal property and belongings as defined in Section 3-a hereof. Personal property.
- (3) Household furnishings and personal clothing used and useful to the person. Household furnishings and clothing.
- (4) An automobile or other form of conveyance if such conveyance is necessary to an applicant or recipient because of a lack of, or an inability to use, public transportation. The department shall have the right by rule and regulation to fix a maximum value on such conveyances. Automobile.
- (5) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit, or marketable securities of such value. Cash.
- (6) Life insurance having a cash surrender value not in excess of five hundred dollars for a single person or one thousand dollars for a family unit: *Provided*, That this maximum allowance shall be decreased by the amount of cash held by the person or the family unit under item 5 above. Life insurance.

[Rem. Supp. 1949, § 9998-33c]

SEC. 4. Chapter 6, Laws of 1949, is amended by adding thereto after section 3 a new section, numbered section 3-a, as follows: Amendment.

Section 3-a. No property, either real or personal, shall be considered exempt *per se*, but shall be treated as exempt from consideration as an available resource only during such time and under such conditions as are hereinafter set forth: Property deemed available resource.

(a) "Home"—Real property owned and used by an applicant or recipient as a place of residence, together with a reasonable amount of property surrounding and contiguous thereto. Whenever a recipient shall cease to use such property for residential purposes either by himself or his dependents, the property shall be considered a resource which can be "Home."

made available to meet need. If the person or his dependents absent themselves from the home for a consecutive period of ninety days such absence shall raise a presumption of abandonment.

"Personal property and belongings."

(b) "Personal Property and Belongings"—Personal property or belongings which are used and useful to the applicant or recipient or which have great sentimental value. Whenever such person ceases to make use of or ceases to be able to make use of such personal property or belongings, the same shall be considered a resource available to meet need.

Maximum value and maximum units fixed by rule of department.

The department shall, by rule and regulation, fix maximum values for both a home as defined in paragraph (a) and the personal property and belongings as defined in paragraph (b); and shall also fix maximum units of personal property, regardless of value. If the reasonable value of such home property or personal property and belongings exceeds the maximum values so established or the unit value, then the person owning such property shall be deemed to have a resource available to meet his needs over and above the amount necessary for home ownership or ownership of personal property and belongings, or both, as established by the department, and which can be utilized toward meeting his need by investment, and it shall be deemed that such excess value is capable of producing an income to such person at a return of not less than four per cent per annum. In the computation of income and resources for the purpose of determining need, such person shall be charged with an annual income equal to four per cent of such excess valuation or the actual earnings therefrom, whichever is the greater.

When deemed resource.

Annual income; how charged.

Ceiling values.

The department shall also, by rule and regulation fix ceiling values on both home property and personal property and belongings, and if any applicant for, or recipient of, public assistance possesses home property or personal property and belongings,



or both, of a value in excess of such ceiling values, such person shall be ineligible for public assistance.

Value shall be the current fair market value, less liens and encumbrances of record.

"Value" defined.

Any recipient who shall voluntarily transfer a resource, whether exempt or not, shall be deemed to have available to meet his needs an amount equivalent to the quick sale value of such resource, in the event that the proceeds from such transfer are not re-invested in an exempt resource within a reasonable time. Whenever a resource has been transferred or assigned, it shall no longer be considered exempt, nor shall the proceeds from such transfer or assignment be considered exempt except as above provided.

Transfer of resource, effect.

Upon the transfer of an exempt resource and the re-investment of the proceeds thereof, the department shall not be bound to provide additional or prolonged assistance to meet additional shelter cost incurred by such re-investment except when the plan has been previously approved by the department.

Reinvestment of proceeds.

SEC. 5. Section 4, chapter 6, Laws of 1949, is amended to read as follows:

Amendment.

Section 4. An old age assistance grant shall be awarded to any person who:

Qualifications of old age assistance recipients.

- (a) Has attained the age of sixty-five and
- (b) Has been a resident of the state of Washington for at least five years within the last ten, and
- (c) Is not an inmate of a public institution of a custodial, correctional, or curative character: *Provided*, That this shall not prevent the department from paying a grant to meet the incidental and personal needs of a person who is an inmate of a county hospital or infirmary, and
- (d) Has not made a voluntary assignment or transfer of property or cash for the purpose of qualifying for an old age assistance grant, and
- (e) Is in need.

[Rem. Supp. 1949, § 9998-33d]

**Amendment.** SEC. 6. Section 5, chapter 6, Laws of 1949, is amended to read as follows:

**Basis of grants.** Section 5. Grants shall be awarded on a uniform statewide basis in accordance with standards of assistance established by the department. The department shall establish standards of assistance for old age assistance, aid to dependent children, aid to the blind, and general assistance to unemployable persons which shall be used to determine an applicant's or recipient's living requirements and which shall include reasonable allowances for shelter, fuel, food, clothing, household maintenance and operation, personal maintenance, and necessary incidentals.

**Standards of assistance.** The total dollar value of the assistance budget shall, under average conditions, be not less than sixty dollars per month for an individual living alone; but a recipient shall not receive a grant of sixty dollars or more unless his actual requirements amount to sixty dollars. Grants shall be paid in the amount of requirements less all available income and resources which can be applied by the recipient toward meeting need, including shelter.

**Total dollar value.** In order to determine such standards of assistance the department shall establish objective budgetary guides based upon actual living cost studies of the items of the budget. Such living cost studies shall be renewed or revised at least semi-annually and new standards of assistance reflecting current living costs shall determine budgets of need.

**Income and resources deducted.** The figure of sixty dollars shall be subject to revision in December of each year, in that the department shall adjust such figure either upward or downward in the amount of one dollar for each three full points of change upward or downward, respectively, occurring subsequent to the index for the month of December, 1950, in the consumers' price index for moderate income families in the city of Seattle, Washington, issued by the bureau of labor statistics

**Living cost studies.**

**Annual revision of total dollar value.**

**How computed.**

of the United States Department of Labor, according to the latest available published statistics covering such index. Any indicated adjustment in standards shall become effective not later than April first of the succeeding year.

Effective  
April 1st.

The standards of assistance shall take into account the economy of family living arrangements, and the department may, by rule and regulation, prescribe maximums for grants on the basis of the size and type of the household unit, which maximums shall be related to average family income in this state. For the establishment of such maximums the department shall make use of all available statistics of the U. S. Census Bureau, the U. S. Department of Labor, and other governmental or research agencies which relate to family income.

Household  
unit as basis.

Use of  
statistics.

For general assistance to unemployed employable persons, the department shall establish standards of assistance based upon annual living cost studies and compatible with a minimum necessary for decent and healthful subsistence. Such standards shall permit the meeting of actual and emergent need on an individual basis.

Standards  
for  
unemployed  
employables.

[Rem. Supp. 1949, § 9998-33e]

SEC. 7. Section 15, chapter 6, Laws of 1949, is amended to read as follows:

Amendment.

Section 15. (a) On and after the effective date of this amendatory act the state department of health shall be responsible for providing necessary medical, dental and related services to recipients of public assistance and other persons without income and resources sufficient to secure them. Eligibility for such medical service shall be established by the department of social security.

Department  
of health  
to provide  
medical care.

Department  
of social  
security to  
determine  
eligibility.

In providing these services, it is hereby declared to be the intent of this act to carry out the following principles:

Medical care,  
intent of act.

(1) Care shall be equivalent to accepted stand-

Community standards.

ards of medical and dental practice in the community where the eligible individual resides;

Rehabilitation services.

(2) In addition to meeting immediate and acute medical needs, shall provide or utilize available rehabilitation services as far as practicable, to restore or to maintain the individual's capacity for self-reliance;

Disease prevention.

(3) Shall develop and strengthen programs for prevention or early discovery of disease so as to maintain or restore the individual to the maximum of self-reliance;

Public facilities.

(4) Shall make full use of all existing public and free facilities and services;

Auxiliary services.

(5) Shall provide auxiliary services, including hospital and nursing care, ambulance service, drugs, medicines, hearing aids, optical supplies and other appliances in accordance with the plans of the department of health;

Choice of practitioner.

(6) Shall allow the individual as much freedom as practicable in selecting the type of practitioner best able to serve him and if said practitioner has agreed to conform to the rules and regulations prescribed by the state board of health;

Evaluation of unemployables.

(7) Individuals who are classified as unemployable shall be evaluated in terms of partial or complete rehabilitation so as to be self-sustaining insofar as practicable.

Rules and regulations of board of health.

(b) The state board of health shall formulate policies, establish standards and rules and regulations to carry out the purposes of this act. Rules and regulations adopted shall be filed with the secretary of state thirty days prior to their effective date and shall be available to the public at local health departments and the department of social security.

Council of medical service.

(c) To assist and advise the state board of health in formulating policies establishing standards and rules and regulations, there is hereby created a council of medical service. Such council shall con-

sist of twelve members and shall be representative of the major providers of medical services and are to be appointed by the governor and serve at his pleasure.

12 members.

The members of the council shall receive the statutory *per diem* and actual and necessary traveling expenses when engaged in the activities of the council. Such expenses, when approved by the director of health, shall be a charge against the administrative appropriation for this program.

Traveling expenses.

The council shall meet jointly with the state board of health not less than once every four months and oftener if necessary upon the call of the chairman of the state board of health.

(d) The medical service program shall be administered by the director of health, and he may appoint an administrator and such other assistants, and provide for other necessary administrative needs as shall be necessary to carry out the purpose of this act, limited by funds made available by the legislature.

Administration of medical services.

(e) The department of health, in providing medical services, shall have the right to procure them in whole or in any part through any one or any combination of the following methods:

Means of procuring medical services.

(1) By contract with private individuals, organizations and groups;

(2) By the employment of a professional and technical staff;

(3) By a direct payment to vendors on a fee for service basis.

(f) Wherever practical, the department of health shall delegate the administration of the medical service program to local county or district health departments, when it finds that their personnel, facilities, and services meet the standards established by the state board of health and the local health department agrees to comply.

Delegation of administration.

The director of health shall be empowered, when

Medical service districts.

he finds that a local health department cannot meet required standards, to form local medical service districts when agreeable to the county or counties involved, for the purpose of carrying out the administration of the medical service program.

Discretion of local authority.

The local county or district shall determine the most effective and economical method or methods of providing medical services to eligible persons with the approval of the director of health.

Local health officer.

(g) The local health officer shall have supervision over county hospitals and other public institutions utilized in providing medical service to the eligible persons.

The local health department shall make full use of public, free and voluntary facilities and services in the administration of this program.

Medical service program; how financed.

(h) The medical service program shall be financed from funds appropriated to the department of health.

Money shall be made available to the counties or districts on a quarterly basis. Thirty days prior to the beginning of each quarter, the board of county commissioners shall submit a budget outlining the financial needs of the county or district health department or medical service district for the ensuing quarter. This shall be reviewed by the director of health and be altered or approved as he determines necessary to meet the department's or district's needs, taking into consideration available funds.

Each county and district shall operate within its quarterly approved budget unless the director of health determines that an emergency exists justifying an increased allotment.

The director of health shall allocate the total appropriation by legislature so that funds shall be available for the period designated.

(i) All existing records and equipment presently held by the department of social security for the

medical service program is transferred to and shall become the property of the department of health.

[Rem. Supp. 1949, § 9998-33o]

SEC. 8. Section 16, chapter 6, Laws of 1949, is amended to read as follows: Amendment.

Section 16. (a) The provisions of sections 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 shall apply equally in all categories of public assistance. Application of chapter.

(b) The provisions of sections 3, 3-a, and 4 (b), (c), (d), and (e) shall apply in determining eligibility for aid to blind assistance. Aid to the blind.

(c) The provisions of sections 3 and 3-a shall apply in determining eligibility for aid to dependent children assistance. Aid to dependent children.

(d) The provisions of sections 3 and 3-a shall apply in determining eligibility for general assistance to unemployable persons. Unemployable persons.

(e) The provisions of sections 3 (a), (b), (c), (d), and (e) shall apply in determining eligibility for general assistance to unemployed employable persons and emergency general assistance. In the determination of need of applicants for general assistance to unemployed employable persons and emergency general assistance, no resources shall be considered as exempt *per se*; but the department may, by rule and regulation, adopt standards which will permit the exemption of residential property and personal property and belongings from consideration as an available resource when such resources are determined to be essential to the applicant or recipient's restoration to independence. Unemployed employables and emergency general assistance.

(f) Any person who has been a resident of the state of Washington for one year and is in need as defined herein, shall be eligible for general assistance: *Provided*, That nothing shall prevent the department from meeting the emergent need of persons who have less than one year's residence in the state, on an emergency basis. General assistance, residence.

Sec. 18,  
ch. 216, L. '39,  
incorporated.

(g) For the purposes of this act the definitions of unemployable persons and unemployed employable persons contained in section 18, chapter 216, Laws of 1939, shall apply.

[Rem. Supp. 1949, § 9998-33p]

Appropriation.

SEC. 9. The legislature shall appropriate such funds as are necessary to carry out the purpose of this act: *Provided*, That any appropriation which the legislature may make for the payment of old age assistance grants shall be specifically earmarked for such purposes: *Provided further*, That when it shall appear that funds available for the payment of assistance will not be sufficient to meet need in full for the balance of a biennium, the department may by rule and regulation put into effect ratable reductions in the amount of assistance to be paid for the ensuing quarter or quarters of such biennium, or such portion of any quarter as may be necessary. Such reductions shall be based on determined need.

Filed in the office of Secretary of State May 5, 1950.

Passed by vote of the people November 7, 1950, at the general election.

Proclamation signed by the Governor December 7, 1950.



## CHAPTER 2.

[ S. B. 1. ]

## LEGISLATIVE EXPENDITURES.

AN ACT appropriating the sum of four hundred and fifty thousand dollars (\$450,000), or so much thereof as may be necessary, for the actual and necessary expenses of the legislature, and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of four hundred and fifty thousand dollars (\$450,000), or so much thereof as may be necessary, to be used for the purpose of paying the expenses, except legislative printing, of the thirty-second legislature of the state of Washington.

Legislative  
expense  
appropriation.

SEC. 2. This act is necessary for the immediate support of the state government and its existing institutions and shall take effect immediately.

Emergency.

Passed the Senate January 8, 1951.

Passed the House January 8, 1951.

Approved by the Governor January 9, 1951.

CHAPTER 3.

[ S. B. 2. ]

LEGISLATIVE PRINTING.

AN ACT appropriating the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, for the printing ordered by the legislature, and declaring an emergency.

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

Legislative printing appropriation.

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of fifty thousand dollars (\$50,000), or so much thereof as may be necessary, to pay for such printing as may be ordered by the thirty-second legislature, or either branch thereof.

SEC. 2. This act is necessary for the immediate support of the state government and shall take effect immediately.

Passed the Senate January 8, 1951.

Passed the House January 8, 1951.

Approved by the Governor January 9, 1951.

## CHAPTER 4.

[ S. B. 3. ]

## SUBSISTENCE EXPENSES FOR LEGISLATORS.

AN ACT appropriating the sum of eighty-seven thousand dollars (\$87,000), or so much thereof as may be necessary, for the actual and necessary expenses of the members of the legislature for lodging and subsistence actually incurred and paid by them while absent from their places of residence in the service of the state, and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of eighty-seven thousand dollars (\$87,000), for the actual and necessary expenses of the members of the thirty-second legislature, actually expended by them for subsistence and lodging while absent from their usual places of residence in the service of the state, at a rate not exceeding ten dollars (\$10) per day, to be evidenced by the duly verified vouchers of the respective members of the legislature.

Legislative  
subsistence  
expense  
appropriation.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Passed the Senate January 8, 1951.

Passed the House January 8, 1951.

Approved by the Governor January 9, 1951.

CHAPTER 5.

[ H. B. 23. ]

REVISED CODE OF WASHINGTON.

AN ACT relating to the revision and codification of all Washington laws of a general and permanent nature; amending section 1 of chapter 16, Laws of Ex. Sess. of 1950, and declaring an emergency.

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

1950 supplement to R.C.W. enacted and consolidated with R.C.W.

SECTION 1. The titles, chapters, and sections designated as the "1950 Supplement to the Revised Code of Washington" attested by the secretary of the senate and the chief clerk of the house of representatives of the legislature of the state of Washington, and filed with the secretary of state, are hereby enacted and consolidated into and with the Revised Code of Washington. Said 1950 supplement is intended to embrace (1) in a revised and codified form, all those laws of the state of Washington of a general and permanent nature enacted since January 1, 1949, (2) revision and recodification of certain of the titles, chapters, and sections of the revised code, and (3) application of a new system of numbering to all of the sections and certain of the chapters of the revised code, subject to section three hereof.

Amendment.

SEC. 2. Section 1, chapter 16, Laws of the Extraordinary Session of 1950, is amended to read as follows:

R.C.W. enacted.

The ninety-one titles with chapters and sections designated as the "Revised Code of Washington" and attested by the secretary of the senate and the chief clerk of the house of representatives of the legislature of the state of Washington, are hereby enacted and designated as the "Revised Code of Washington." Said code is intended to embrace in a revised, consolidated, and codified form and arrangement all the laws of the state of a general and permanent nature.

SEC. 3. The system of numbering employed in the 1950 supplement is hereby adopted as the general system to be followed in designating sections of the revised code. Specific numbers, in accordance with such system, are authorized to be assigned to sections of the revised code as follows:

Supplement numbering system adopted.

Those chapters and sections of the revised code expressly numbered or renumbered in the 1950 supplement are authorized to be numbered or renumbered to the new number respectively shown in the 1950 supplement. All other sections of the revised code now existing are authorized to be renumbered by tens according to the plan generally used in the 1950 supplement, using the number of the title, the new number, if any, of the chapter in which the section occurs, and adding the digit "0" to the terminal end of the number marking the position of the section within the chapter. The secretary of state shall, before publication of any laws enacted at this session of the legislature which are by their terms expressly amendatory of any section or sections contained in the revised code or the 1950 supplement, renumber each such section and correlate the numbers of sections so renumbered, in accordance with this provision, so that each such section when published bears or is referred to by its proper new number. The secretary of state, in publishing the session laws of this thirty-second session of the legislature shall use therein the applicable new numbers of the respective sections so renumbered.

Publication of session laws.

Sections renumbered.

SEC. 4. New chapters or sections added to the Revised Code of Washington (as supplemented or modified by the 1950 supplement), as the result of laws enacted at this or subsequent sessions of the legislature, shall be numbered in harmony with said general numbering system, and shall bear such respective numbers in accordance therewith as may

Numbering of new chapters or sections.

be assigned by such official or agency as may be expressly authorized by law so to do.

Corrections.

This section shall not prohibit or prevent the correction by any such official or agency, of the number of any section of the revised code found clearly to be incorrectly numbered or incorrectly correlated with other sections as to number.

Numbering.

SEC. 5. It is the intent that under said numbering system the section factor of the section number shall be treated as a decimal figure, and where new sections must hereafter in codifying be inserted between sections then already consecutively numbered, the proper number for such new section shall be created by the insertion of an additional digit at the terminal end of the number of the section immediately preceding the location at which such new section is to be inserted.

New sections to be inserted.

General and permanent nature.

SEC. 6. The contents of the Revised Code of Washington, after striking therefrom sections repealed or superseded by laws of the state of Washington enacted since January 1, 1949, as the revised code is supplemented or modified in the 1950 supplement, shall establish the laws of this state of a general and permanent nature in effect on January 1, 1951; except, that nothing herein shall be construed as changing the meaning of any such laws and, as a rule of construction, in case of any omissions or any inconsistency between any of the provisions of the revised code as so supplemented or modified and the laws existing immediately preceding this enactment, the previously existing laws shall control. Any section of the Revised Code of Washington (as supplemented or modified by the 1950 supplement) expressly amended by the legislature, including the entire context set out, shall, as so amended, constitute the law and the ultimate declaration of legislative intent.

Rule of construction, inconsistency.

Express amendment, effect of.

Emergency.

SEC. 7. This act is necessary for the immediate

preservation of the public peace, health, and safety and for the immediate support of the state government and its existing public institutions and shall take effect immediately, except that section three of this act shall not become effective prior to adjournment of this thirty-second regular session of the legislature.

Passed the House January 11, 1951.

Passed the Senate January 16, 1951.

Approved by the Governor January 22, 1951.

CHAPTER 6.

[ H. B. 93. ]

INVESTMENT OF STATE FUNDS IN SAVINGS AND LOAN ASSOCIATIONS.

AN ACT relating to the investment of funds of the state and its political subdivisions of all kinds, and authorizing the investment of such funds in savings and loans associations to the extent that such investments are insured by the Federal Savings and Loan Insurance Corporation.

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

Investment of state funds in savings and loan associations.

SECTION 1. Any funds of the state, the counties, cities, towns, municipal corporations, taxing districts, political subdivisions, and political entities of every kind, or any funds held in trust by or under the management of any such entity, which are available for investment, may be invested in savings and loan associations organized under either federal or state law, which are doing business in this state: *Provided*, That the investment of any one fund in any one savings and loan association shall not exceed the amount which is insured by the Federal Savings and Loan Insurance Corporation.

Permanent school fund.

This act shall not apply to the permanent school fund.

Passed the House January 26, 1951.

Passed the Senate February 1, 1951.

Approved by the Governor February 8, 1951.



## CHAPTER 7.

[ H. B. 95. ]

## VETERANS' BONUS.

AN ACT relating to payment of a bonus to veterans of World War II, and amending section 73.32.030, R.C.W.

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

SECTION 1. Section 73.32.030, R.C.W., as derived from section 2, chapter 180, Laws of 1949, is amended to read as follows: Amendment.

The word "person" as used in 73.32.020 shall not include persons, who during the period of their service, refused on conscientious, political or other grounds to subject themselves to full military discipline and unqualified service or who were separated from such service under conditions other than honorable, and who have not subsequently been officially restored to an honorable status, and such persons shall not be entitled to the benefits of this chapter: *Provided, however,* That the word "person" as used in 73.32.020 shall include those persons with honorable discharge who claimed exemptions from combatant training and service by reason of religious training and belief and whose claims were sustained under authority of the selective training and service act of 1940 and executive order No. 8606, but who were inducted into the armed forces and assigned to noncombatant service and who did not otherwise refuse to subject themselves to full military discipline and unqualified service. "Persons" not included.

"Persons" included.

[Rem. Supp. 1949 § 10747b]

[R.C.W. 73.32.020 is sec. 1, ch. 13, L. '50 Ex. Session.]

Passed the House January 24, 1951.

Passed the Senate February 1, 1951.

Approved by the Governor February 8, 1951.

CHAPTER 8.

[ H. B. 96. ]

ESTABLISHING OF PRIMARY HIGHWAY.

AN ACT relating to highways; changing the route of primary state highway No. 14 to include the Tacoma Narrows bridge; amending section 47.16.140, R.C.W., and declaring an emergency.

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

Amendment.

SECTION 1. Section 47.16.140, R.C.W., as derived from section 4, chapter 225, Laws of 1949, is amended to read as follows:

Primary state highway No. 14 created.

A primary state highway to be known as primary state highway No. 14, or the Navy Yard Highway, is hereby established according to description as follows: Beginning at a junction with primary state highway No. 9, in the vicinity north of Shelton, thence in a northeasterly direction by the most feasible route by way of Port Orchard, thence in a southerly direction by the most feasible route to the Tacoma Narrows bridge, thence crossing the Tacoma Narrows bridge to the easterly end thereof in the city of Tacoma; also beginning in the vicinity of Port Orchard on primary state highway No. 14, as herein described, thence in an easterly direction by the most feasible route to the ferry landing at Harper; also from a junction in the vicinity of Colby to the ferry landing at Manchester.

[Rem. Supp. 1949, § 6401-14]

Emergency.

SEC. 2. 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 House January 24, 1951.

Passed the Senate February 1, 1951.

Approved by the Governor February 8, 1951.

## CHAPTER 9.

[ S. B. 10. ]

## ABOLISHING CANAL COMMISSION.

AN ACT abolishing the Canal Commission.

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

SECTION 1. Chapter 71, Laws of 1933 (9687-1 to 9687-11, both inclusive, Rem. Rev. Stat. Supp.; uncodified in R.C.W.) is repealed. Repealing clause.

Passed the Senate January 17, 1951.

Passed the House February 1, 1951.

Approved by the Governor February 8, 1951.

## CHAPTER 10.

[ S. B. 11. ]

## ABOLISHING INSTITUTIONAL BOARD OF HEALTH.

AN ACT abolishing the Institutional Board of Health.

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

SECTION 1. Section 72.04.030, R.C.W. (as derived from sec. 60, ch. 7, L. 1921) is repealed. Repealing clause.

[Repeals R.R.S. 10818]

Passed the Senate January 17, 1951.

Passed the House February 1, 1951.

Approved by the Governor February 8, 1951.

CHAPTER 11.

[ S. B. 12. ]

ABOLISHING WASHINGTON WELFARE SURVEY COMMISSION.

AN ACT abolishing the Washington Welfare Survey Commission.

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

Repealing clause.

SECTION 1. Sections 74.20.010 to 74.20.050, R.C.W., inclusive, (being derived from sec. 30, ch. 216, L. 1939) is repealed.

[Repeals Rem. Supp. 10007-130a to 10007-134a incl.]

Passed the Senate January 18, 1951.

Passed the House February 1, 1951.

Approved by the Governor February 8, 1951.

CHAPTER 12.

[ H. B. 15. ]

DEFICIENCY APPROPRIATION TO STATE DEPT. OF HEALTH.

AN ACT making a deficiency appropriation to the state department of health, and declaring an emergency.

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

Appropriation, department of health.

SECTION 1. There is hereby appropriated from the general fund to the state department of health for the current biennium the following sums:

For medical care for recipients under chapter 6, Laws of 1949, as amended by chapter 1, Laws of 1951.....	\$4,200,000.00	
For medical care for indigents not receiving grants under chapter 6, Laws of 1949, as amended by chapter 1, Laws of 1951 .....	665,000.00	
Salaries and wages and operations .....	135,000.00	
	<hr/>	
Total .....		\$5,000,000.00

SEC. 2. This act is necessary for the support of <sup>Emergency.</sup> the state government and shall take effect immediately.

Passed the House February 6, 1951.

Passed the Senate February 6, 1951.

Approved by the Governor February 13, 1951.

## CHAPTER 13.

[ H. B. 89.]

### RELATING TO FORESTRY.

AN ACT relating to forestry; requiring the elimination of snags, and prescribing penalties.

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

SECTION 1. Standing dead trees constitute the <sup>Snags to be felled.</sup> greatest single detriment to effective fire control action in the forest areas. To insure continued forest growth free from destruction by conflagration, snags must be felled currently with the logging.

SEC. 2. On forest lands west of the summit of the Cascade Mountains, all snags or standing dead trees over twenty-five feet in height and sixteen inches and over in diameter breast height, shall be felled currently with the felling of live timber or with the current logging operation: *Provided*, That where <sup>Forest lands west of the summit of Cascades.</sup> the majority of the timber has been killed prior to logging, <sup>Where majority of timber killed.</sup> the operator will not be required to fell more non-merchantable snags than the average number of non-merchantable snags per acre in green timber in the stands of the county. The average number of snags per acre in green timber will be determined for the various counties of the state by the supervisor of forestry with the approval of the state forest board.

SEC. 3. On areas where only part of the live merchantable timber is cut and removed the number of <sup>Where part of timber cut.</sup>

snags to be felled shall be in the same proportion to the number of snags in the stand, as the number of green trees cut is to the total number of green trees in the stand.

Supervisor to designate snags to be felled.

SEC. 4. In stands wherever the operator is not required to fall all the snags on the area, as provided in this act, the supervisor will designate which snags shall be felled in an effort to remove the snags in patterns to establish snag-free fire breaks.

Violations.

SEC. 5. If an operator shall fail to comply with the provisions of this act he shall be charged with violation of the act, and the supervisor may subsequently have the snags felled and the cost thereof may be recovered by a lien against any property of the violator.

Lien.

Penalty.

SEC. 6. Any person violating the provisions of this act shall be guilty of a misdemeanor.

Passed the House January 31, 1951.

Passed the Senate February 6, 1951.

Approved by the Governor February 14, 1951.

CHAPTER 14.

[ H. B. 166. ]

COUNTY TUBERCULOSIS HOSPITALIZATION FUND.

AN ACT making a deficiency appropriation from the general fund to the county tuberculosis hospitalization fund, and declaring an emergency.

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

SECTION 1. There is appropriated from the general fund for the county tuberculosis hospitalization fund, the sum of four hundred thousand dollars, or as much thereof as may be necessary.

Appropriation; county tuberculosis hospitalization fund.

SEC. 2. 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.

Emergency.

Passed the House January 30, 1951.

Passed the Senate February 6, 1951.

Approved by the Governor February 14, 1951.

CHAPTER 15.

[ H. B. 63. ]

AUTHORIZING SCHOOL DISTRICT NO. 400, BENTON COUNTY TO CONVEY REAL PROPERTY.

AN ACT relating to the authority of school district No. 400, Benton County, authorizing and directing a conveyance of certain property therein, and declaring an emergency.

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

School district No. 400 to dispose of cemetery property.

SECTION 1. School district No. 400, Benton County, Washington, has heretofore acquired title to certain real property being occupied as a cemetery, together with certain funds for the upkeep thereof, the same having been acquired in the disincorporation of the town of Richland. It is the purpose of the legislature to authorize the operation of said cemetery by said school district until the same may be disposed of and to authorize and require the disposition thereof.

Acts validated.

SEC. 2. The acts of the school board of school district No. 400, Benton County, in connection with the operation of the cemetery acquired from the former town of Richland are hereby validated and said school board is hereby authorized to do all things necessary to the proper operation of said cemetery for such a period of time as may be necessary to arrange for the disposition thereof in accordance with section 3.

Directors to dispose of cemetery property.

SEC. 3. The board of directors of school district No. 400, Benton County, Washington, is hereby directed to dispose of the real property occupied as a cemetery and acquired from the former town of Richland, together with the funds acquired for cemetery purposes on such terms and conditions as may meet with the approval of a superior court judge of Benton County, Washington.

SEC. 4. The board of directors of school district No. 400, Benton County, Washington, is hereby di-



rected to prepare and present to the superior court of Benton County, Washington, a petition setting forth the recommendations of the board as to the disposition of the cemetery property, and the judge of the superior court of Benton County, after such hearing as he shall require, may by order approve such petition or may modify the same in his discretion, and order the disposition of such property in accordance with this act.

Petition.

Hearing,  
order.

SEC. 5. 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.

Emergency.

Passed the House January 24, 1951.

Passed the Senate February 7, 1951.

Approved by the Governor February 15, 1951.

---

## CHAPTER 16.

[ H. B. 111. ]

### BARBERS' LICENSE ACT.

AN ACT relating to the practice of barbering; providing for qualifications and examinations of applicants to practice; providing for the issuance of certificates, permits and licenses to practice; practice thereunder, and amending sections 18.15.020, 18.15.040, 18.15.050 and 18.15.080, R.C.W.

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

SECTION 1. Section 18.15.020, R.C.W., as derived from section 2, chapter 75, Laws of 1923, as last amended by section 1, chapter 51, Laws of 1949, is amended to read as follows:

Amendment.

It shall be unlawful for any person to practice barbering as hereinbefore defined unless he shall first have obtained and holds a valid license to practice barbering in this state, except as follows: (1) Any student barber holding a valid student barber

License  
required.

Exceptions.

Student barber's certificate.

Permit to practice.

Unlawful to hire unlicensed persons.

Exceptions.

Student barber.

Permittees.

One per shop.

certificate duly issued under this chapter shall be entitled to study the practice of barbering in any barber school or barber college authorized under this chapter, and (2) any person holding a valid permit to practice barbering duly issued under this chapter shall be entitled to practice barbering in accordance with the provisions thereof in any barber shop managed and operated by a barber duly licensed to practice barbering in this state. Likewise, it shall be unlawful for any person, firm, or corporation to hire or employ any person to engage in the practice of barbering in this state unless such person then holds a valid license to practice barbering as provided in this chapter, except as follows: (a) Any barber school or barber college duly authorized under this chapter shall be entitled to grant to any person holding a valid student barber certificate admission to study the practice of barbering therein, and (b) any barber duly licensed to practice barbering in this state and managing and operating a barber shop shall be entitled to have at all times therein practicing barbering, under his direct personal supervision, one person holding a valid permit to practice barbering duly issued under this chapter: *Provided, however,* That it shall be unlawful for any such duly licensed barber to have more than one such person, at any one time, practicing barbering under the authority of such a valid permit in any barber shop managed and operated by him.

[Am. Rem. Supp. 1949, § 8277-2]

SEC. 2. Section 18.15.040, R.C.W., as derived from section 3, chapter 75, Laws of 1923, as last amended by section 2, chapter 51, Laws of 1949, is amended to read as follows:

Qualifications of applicants.

Any person of good moral character, free from contagious or infectious disease, at least sixteen years of age, having a diploma showing graduation from an eighth grade grammar school or capable of

proving an equivalent education, and holding a license authorizing him to practice barbering in any one of the other states of the United States, or who can duly certify in an affidavit that he has been continuously engaged in the professional practice of barbering for not less than three years, within the last preceding five years, in: (1) Any state of the United States having no statutory requirement for a license to practice barbering, (2) the District of Columbia, (3) any territory of the United States, or (4) any foreign country (if such person is lawfully entitled to reside in the United States) shall be deemed qualified to make application for a license to practice barbering in this state. Every applicant for such license, qualified under either of the foregoing provisions, shall file his application in the manner provided by law, on forms prescribed by the director of licenses. Each such application shall have attached thereto the certificate of a licensed physician and surgeon that the said applicant is not afflicted with any contagious or infectious disease, and a certificate signed by two reputable citizens of this state that he is of good moral character. Each application shall be accompanied by two signed photographs of the applicant and a photostatic copy of his license authorizing him to practice barbering in one of the other states of the United States, or a duly signed and acknowledged affidavit made in full compliance with the applicable provision (1), (2), (3), or (4) hereinbefore provided. Every applicant for such license shall pay a fee of five dollars, which fee shall accompany his application. The director of licenses upon the receipt of such application and fee shall notify the applicant of the particular date, city and place where he is to appear for his examination for a license to practice barbering in this state.

Out-of-state license.

Affidavit of practice.

May apply.

How.

Medical certificate.

Character certificate.

Photos.

Fee.

Notice of examination.

[Am. Rem. Supp. 1949, § 8277-3]

SEC. 3. Section 18.15.050, R.C.W., as derived from section 6, chapter 75, Laws of 1923, as last amended by section 4, chapter 51, Laws of 1949, is amended to read as follows:

Examina-  
tions.

When and  
where held.

Subjects.

Grade for  
license.

Grade for  
permit.

Barber examinations shall be held at least six times in each year on one or more of the first ten days in the months of February, April, June, August, October and December; and on such particular dates, within the said times, and in such particular cities and places as the director of licenses shall determine. Every applicant for a license to practice barbering in this state shall be required to take a written examination in sanitation and sterilization as applied to the practice of barbering, and as to whether he has sufficient knowledge of the common contagious and infectious diseases of the face, skin and scalp, to avoid spreading thereof in the practice of barbering; and such applicant shall be required to demonstrate to the barber examining committee his professional skill and ability in performing the following barber services: (1) Haircutting, (2) shaving, (3) massaging, (4) shampooing, and (5) conditioning his barber tools. First: Any such applicant who secures an average grade of not less than seventy-five per cent in his written examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill and ability to properly perform each of the said barber services, not less than seventy-five per cent of perfect, and possesses the other particular qualifications provided in this chapter, shall be entitled to receive, and the director of licenses shall issue to him, a license to practice barbering in this state, until the first day of July next following the issuance of such license. Second: Any such applicant who secures an average grade of not less than seventy-five per cent in his written examination and who demonstrates to the satisfaction of the barber examining committee that he possesses the required professional skill

and ability to properly perform each of the said barber services, not less than sixty-five per cent of perfect, and possesses the other particular qualifications provided in this act, shall be entitled to receive, and the director of licenses shall issue to him a permit to practice barbering as follows: (1) In any barber shop managed and operated by a barber duly licensed to practice barbering in this state, and (2) under the direct personal supervision of such duly licensed barber as the manager and operator of such barber shop. Such permit to practice barbering shall be valid for a period of one year from the date of its issue, except that its validity shall terminate thirty days after the date that the holder thereof presents himself for a re-examination for a license to practice barbering as hereinafter provided: *Provided*, That any unsuccessful applicant for a license to practice barbering in this state shall be entitled to appear at any subsequent barber examination and be re-examined for a license to practice barbering in this state upon the payment of a re-examination fee of five dollars, and which re-examination fee shall be paid at the time of such re-examination.

Conditions  
for practice  
under  
permit.

Duration.

Re-examina-  
tion.

Fee.

[Am. Rem. Supp. 1949, 8277-6]

SEC. 4. Section 18.15.080, R.C.W., as derived from section 13, chapter 75, Laws of 1923, as last amended by section 5, chapter 51, Laws of 1949, is amended to read as follows:

It shall be the duty of the holder of any license to practice barbering, permit to practice barbering or student barber certificate issued under this chapter to post the same in a conspicuous place in front of his working chair, where it may be readily seen by all persons whom he may serve.

License,  
etc., must be  
posted.

[Am. Rem. Supp. 1949, 8277-13]

Passed the House January 31, 1951.

Passed the Senate February 8, 1951.

Approved by the Governor February 15, 1951.

CHAPTER 17.

[ S. B. 9. ]

ABOLISHING STATE HUMANE BUREAU.

AN ACT abolishing the State Humane Bureau.

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

Repealing clause.

SECTION 1. Sections 43.75.010 to 43.75.050, R.C.W., inclusive, (as derived from ch. 107, L. 1913) are repealed.

[Repeals R.R.S. § 10960 to 10964 incl.]

Passed the Senate January 18, 1951.

Passed the House February 13, 1951.

Approved by the Governor February 19, 1951.

CHAPTER 18.

[ S. B. 4. ]

JOINT ACCOUNTS WITH RIGHT OF SURVIVORSHIP IN BANKS.

AN ACT relating to the banking business and providing for joint accounts with right of survivorship in national banks, state banks, trust companies and banking institutions.

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

Joint account.

SECTION 1. After any commercial or savings deposit shall be made in a national bank, state bank, trust company or any banking institution subject to the supervision of the supervisor of banking of this state by any person in the names of such depositor and another person and in form to be paid to either or the survivor of them, such deposit and any additions thereto made by either of such persons after the making thereof, shall become the property of such persons as joint tenants with the right of survivorship, and the same, together with all interest thereof, in the case of savings accounts, shall be held

for the exclusive use of such persons and may be paid to either during the lifetime of both or the survivor after the death of one of them. The making of the deposit in such form shall, in the absence of fraud or undue influence, be conclusive evidence, in any action or proceeding to which either such bank or the surviving depositor is a party, of the intention of both depositors to vest title to such deposit and the additions thereto in such survivor.

Paid to either or survivor.

Passed the Senate January 26, 1951.

Passed the House February 13, 1951.

Approved by the Governor February 19, 1951.

---

CHAPTER 19.

[ S. B. 58. ]

RELATING TO STATE PARKS.

AN ACT relating to state parks; and repealing chapter 151, Laws of 1939.

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

SECTION 1. Chapter 151, Laws of 1939, is hereby repealed.

Repealing clause.

[Uncodified]

Passed the Senate January 26, 1951.

Passed the House February 13, 1951.

Approved by the Governor February 19, 1951.

## CHAPTER 20.

[ H. B. 61. ]

## REGULATING FILLED DAIRY PRODUCTS.

AN ACT to prevent confusion, fraud and deception of the public in connection with the sale of dairy products; to regulate and to make unlawful the manufacture, sale, exchange, transportation, purveying, possession or offering for sale, exchange or purveyance of "filled dairy products" as defined in this act and products wherein filled dairy products are ingredients; to make the Washington state uniform food, drug and cosmetic act applicable to such products; to provide for the enforcement and administration of this act and to prescribe penalties for its violation.

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

Declaration  
of intent.

SECTION 1. Filled dairy products resemble genuine dairy products so closely that they lend themselves readily to substitution for and confusion with such dairy products and in many cases cannot be distinguished from genuine dairy products by the ordinary consumer. The manufacture, sale, exchange, purveying, transportation, possession, or offering for sale or exchange or purveyance of filled dairy products creates a condition conducive to substitution, confusion, deception, and fraud, and one which if permitted to exist tends to interfere with the orderly and fair marketing of foods essential to the well-being of the people of this state. It is hereby declared to be the purpose of this act to correct and eliminate the condition above referred to; to protect the public from confusion, fraud and deception; to prohibit practices inimical to the general welfare; and to promote the orderly and fair marketing of essential foods.

Definitions.

SEC. 2. Whenever used in this act:

"Person."

(1) The term "person" includes individuals, firms, partnerships, associations, trusts, estates, corporations, and any and all other business units, devices or arrangements.



(2) The term "filled dairy products" means any milk, cream, or skimmed milk, or any combination thereof, whether or not condensed, evaporated, concentrated, frozen, powdered, dried, or desiccated, or any food product made or manufactured therefrom, to which has been added, or which has been blended or compounded with, any fat or oil other than milk fat so that the resulting product is in imitation or semblance of any dairy product, including but not limited to, milk, cream, sour cream, skimmed milk, ice cream, whipped cream, flavored milk or skim-milk, dried or powdered milk, cheese, cream cheese, cottage cheese, creamed cottage cheese, ice cream mix, sherbet, condensed milk, evaporated milk, or concentrated milk: *Provided, however,* That this term shall not be construed to mean or include:

"Filled dairy products."

Not included.

(a) Oleomargarine;

(b) Any distinctive proprietary food compound not readily mistaken for a dairy product where such compound is customarily used on the order of a physician and is prepared and designed for medicinal or special dietary use and prominently so labelled;

(c) Any dairy product flavored with chocolate or cocoa where the fats or oils other than milk fat contained in such product do not exceed the amount of cacao fat naturally present in the chocolate or cocoa used; or

(d) Any dairy product in which the vitamin content has been increased and food oil utilized as a carrier of such vitamins provided the quantity of such food oil does not exceed one one-hundredths of one per cent of the weight of the finished dairy product.

(3) The term "intrastate commerce" means any and all commerce within the state of Washington

"Intrastate commerce."

subject to the jurisdiction thereof; and includes the operation of any business or service establishment.

SEC. 3.

Unlawful acts.

(1) It shall be unlawful in intrastate commerce for any person to manufacture, sell, exchange, purvey, transport or possess any filled dairy product or to offer or expose for sale or exchange or to be purveyed any such product;

(2) It shall be unlawful for any person owning or operating a bakery, confectionery shop, factory or other place where food products are prepared or manufactured for sale, exchange or purveyance to the public in intrastate commerce to utilize any filled dairy product as an ingredient in any food product so manufactured or prepared;

(3) It shall be unlawful in intrastate commerce for any person knowingly to sell, exchange, purvey, transport or possess any food product in which any filled dairy product is an ingredient.

Penalties.

SEC. 4. Any person who shall violate any of the provisions of this act, and any officer, agent or employee thereof who directs or knowingly permits such violation or who aids or assists therein, shall, upon conviction thereof, be subject to a fine of not less than twenty-five dollars nor more than one hundred dollars: *Provided, however,* That if such violation is committed after a previous conviction of such person hereunder has become final, such person shall be guilty of a gross misdemeanor and shall be subject to a fine of not less than one hundred dollars nor more than one thousand dollars, or to imprisonment for not more than ninety days, or both. Each separate violation of this act shall be a separate offense, except that in the case of a violation through continuing failure or neglect to obey the provisions of this act, each day of continuance of such failure or neglect shall be deemed a separate offense.

Fine.

Succeeding violation.

Each violation a separate offense.

SEC. 5. The director of agriculture is authorized and directed:

(1) To administer and supervise the enforcement of this act; Supervise.

(2) To provide for such periodic inspections and investigations as he may deem necessary to disclose violations; Inspections.

(3) To receive and provide for the investigation of complaints; Investigations.

(4) To provide for the institution and prosecution of civil or criminal actions, or both. Prosecutions.

SEC. 6. The provisions of this act may be enforced by injunction brought by any private person, firm or corporation or by a municipal corporation or agent or subdivision thereof, in any court having jurisdiction to grant injunctive relief. Filled dairy products illegally held or otherwise involved in a violation of this act shall be subject to seizure and disposition in accordance with an appropriate court order. In addition, all filled dairy products as defined herein and all food products containing filled dairy products as an ingredient are hereby declared to be adulterated for all purposes of law including all the purposes of the Washington uniform food, drug and cosmetic act, sections 69.04.001 to 69.04.850, inclusive, R.C.W., as derived from chapter 257, Laws of 1945, as amended. Injunction.

[R.C.W. 69.04.001 to 69.04.850 is Rem. Supp. 1945, Title 40, Ch. 12-c.] Seizure.

SEC. 7. If any provision of this act, or any part or section thereof, is declared unconstitutional or the applicability thereof to any person, circumstances, or product is held invalid, the validity of the remainder of this act and the applicability thereof to other persons, circumstances or products shall not be affected thereby. Partial invalidity.

Passed the House January 29, 1951.

Passed the Senate February 15, 1951.

Approved by the Governor February 23, 1951.

CHAPTER 21.

[ H. B. 31. ]

RELATING TO FIRST CLASS CITIES OWNING AND OPERATING PUBLIC UTILITIES.

AN ACT relating to cities of the first class owning and operating public utilities; authorizing such cities to deal and contract with employees of such utilities and their accredited representatives concerning wages, hours and conditions of labor; and to place such contracts in effect upon execution thereof, amending section 35.14.35, R.C.W., and declaring an emergency.

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

Amendment.

SECTION 1. Section 35.22.350, R.C.W., as derived from section 1, chapter 37, Laws of 1935, is amended to read as follows:

Cities of first class operating public utilities may enter into contracts with labor organizations.

Every city of the first class which owns and operates a waterworks system, a light and power system, a street railway or other public utility, shall have power, through its proper officers, to deal with and to enter into contracts for periods not exceeding one year with its employees engaged in the construction, maintenance, or operation thereof through the accredited representatives of the employees including any labor organization or organizations authorized to act for them concerning wages, hours and conditions of labor in such employment, and in cities having one hundred forty thousand to one hundred fifty thousand population is empowered and authorized to immediately place in effect any adjustment or change in such wages, hours and conditions of labor of such employees as may be required to conform to the provisions of any such contract, irrespective of the provisions of any annual budget or act relating thereto: *Provided*, That not more than one such contract not in conformity with any annual budget shall be made during any budget year, nor shall any such adjustment or change be

Limitation.

made which would result in an excess of expenditures over revenues of such public utility.

[Am. Rem. Supp. 8966-5]

SEC. 2. 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. Emergency.

Passed the House January 30, 1951.

Passed the Senate February 15, 1951.

Approved by the Governor February 23, 1951.

## CHAPTER 22.

[ H. B. 35. ]

### CONSTRUCTION OF NEW STATE OFFICE BUILDING.

AN ACT relating to state government; authorizing the issuance of bonds against the capitol building construction fund for the construction of a new office building on or near the state capitol grounds in the city of Olympia; prescribing the purposes for which the proceeds shall be used; defining the powers of the state capitol committee in connection therewith; making an appropriation, and declaring an emergency.

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

SECTION 1. The state capitol committee may issue coupon or registered bonds of the state in an amount not to exceed two million four hundred fifty thousand dollars. The bonds shall bear interest at a rate not to exceed three per cent per annum, both principal and interest to be payable only from revenues hereafter received from leases and contracts of sale heretofore or hereafter made of lands, timber, and other products from the surface or beneath the surface of the lands granted to the state by the United States pursuant to the act of congress approved February 22, 1889, for capitol building purposes.

Issuance  
of bonds.

Interest.

Retirement  
money,  
source.

SEC. 2. Such bonds may be sold in such manner Sale.

**Price.** and in such amount, in such denominations, and at such times as the capitol committee shall determine, at the best price obtainable, but not for a sum so low as to make the net interest return to the purchaser exceed three per cent per annum as computed by standard tables upon such sums.

**Maturity.** **SEC. 3.** Bonds issued under this act shall mature serially and annually beginning with the second and ending with the tenth year after the date of issue in such amounts as nearly as practicable, as will, together with the interest, require an equal amount of money for the payment of said principal and interest, with the option to redeem any or all of said bonds at par in inverse order of number on any semiannual interest paying date on and after five years from the date of issue. The principal and interest of said bonds shall be payable at the office of the state treasurer, or at the office of the fiscal agent of the state in New York City at the option of the holder of any such bond or bonds.

**Redemption.**

**Where payable.**

**Signed by governor, auditor.** **SEC. 4.** The bonds shall be signed by the governor and state auditor under the seal of the state. The signature of the governor and that of the state auditor may be a facsimile printed upon the bonds and any coupons attached thereto shall be signed by the same officers whose signatures thereupon may be printed facsimile. Any of such bonds may be registered in the name of the holder upon presentation to the state treasurer, or at the fiscal agency of the state in New York City, as to principal alone, or as to both principal and interest, under such regulations as the treasurer may prescribe.

**Registration.** **SEC. 5.** For the purpose of paying the principal and interest of said bonds as the same shall become due, or as said bonds shall become callable at the option of the capitol committee, there is hereby created a fund to be denominated the "capitol building bond redemption fund". While any of said bonds

**Capitol bldg. bond redemption fund.**

remain outstanding and unpaid, it shall be the duty of the capitol committee annually on or before the first day of January of each year to determine the amount that will be required for the redemption of bonds and the payment of interest during the twelve month period next succeeding the date of such determination, and certify said amount to the state treasurer in writing. The state treasurer shall forthwith and thereafter during said twelve month period deposit into the capitol building bond redemption fund all receipts that would otherwise be deposited in the capitol building construction fund until the amount certified to said treasurer by the said capitol committee has accrued to the capitol building bond redemption fund.

State treasurer to deposit receipts.

The owner and holder of any of said bonds or the trustee for any of said bonds may by mandamus or other appropriate proceeding require and compel the deposit and payment of funds as directed herein.

Holder may compel deposit.

The proceeds from the sale of the bonds hereby authorized shall be paid into the capitol building construction fund.

Proceeds.

SEC. 6. Bonds authorized by this act shall be accepted by the state, counties, cities, towns, school districts, and other political subdivisions as security for the deposit of any of their funds in any banking institution. Any officer of this state, or any county, city, town, school district, or other political subdivision may invest surplus funds, which he is authorized to invest in securities, and where such authorization is not limited or restricted as to the class of securities in which he may invest, in bonds issued under this act.

Bonds as security.

Surplus funds may be invested in bonds.

SEC. 7. Proceeds of the bonds issued hereunder shall be expended by the state capitol committee in the selection and acquisition, by purchase or condemnation of suitable grounds adjacent to the present capitol grounds in the construction thereon of

Use of proceeds from bonds.

Office building.

a modern office-type building and in furnishing the same. Said building shall be of reinforced concrete construction, but devoid of stone facing or decorative features. The building shall contain not less than one hundred ten thousand square feet of floor space and shall include an auditorium or hearing room of reasonable size. Provision shall be made for adequate garage and parking facilities. The plans for the building shall make provision for the later addition if necessary of another wing to the building.

Floor space.

Parking.

Use of building.

The public printer, the state library and such other state offices, as may from time to time be assigned by the director of public institutions, shall be housed in said building. In selecting plans for the construction of the building and use of the grounds the committee shall consider recommendations of the director of public institutions for the purpose of coordinating such plans with the over-all office space needs of the various state departments.

Director of public institutions.

Appropriation.

SEC. 8. There is hereby appropriated to the state capitol committee from the capitol building construction fund for the biennium ending March 31, 1953, for the purpose of carrying out the provisions of this act, the sum of two million four hundred fifty thousand dollars or so much thereof as may be necessary.

Amount.

Emergency.

SEC. 9. 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 House January 24, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.



CHAPTER 23.

[ H. B. 47. ]

COLLECTION, PAYMENT AND DISHONOR OF DEMAND ITEMS BY BANKS.

AN ACT relating to the collection, payment and dishonor of demand items by banks and the revocation of credit therefor, and payment of, such items, and amending section 30.52.030, R.C.W.

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

SECTION 1. Section 30.52.030, R.C.W., as derived from section 3, chapter 203, Laws of 1929, is amended to read as follows: Amendment.

(1) In any case in which a bank receives, other than for immediate payment over the counter, a demand item payable by, at or through such bank and gives credit therefor before midnight of the day of receipt, the bank may have until midnight of its next business day after receipt within which to dishonor or refuse payment of such item. Any credit so given, together with all related entries on the receiving bank's books, may be revoked by returning the item, or if the item is held for protest or at the time is lost or is not in possession of the bank, by giving written notice of dishonor, nonpayment, or revocation: *Provided*, That such item or notice is dispatched in the mails or by other expeditious means not later than midnight of the bank's next business day after the item was received. For the purpose of determining when notice of dishonor must be given or protest made under the law relative to negotiable instruments, an item duly presented which is dishonored or credit for which is revoked as authorized by this section, shall be deemed dishonored on the day the item or notice is dispatched. A bank, revoking credit pursuant to the authority of this section, is entitled to refund of, or credit for, the amount of the item.

Receipt of demand items.

Bank may dishonor.

Returning item.

Notice of dishonor.

Deemed dishonored on day item or notice dispatched.

(2) For the purposes of this section:

Item  
received  
other than  
on business  
day.

(a) An item received by a bank on a day other than its business day, or received on a business day after its regular business hours or during afternoon or evening periods when it has reopened or remained open for limited functions, shall be deemed to have been received at the opening of its next business day;

"Credit"  
defined.

(b) The term "credit" includes payment, remittance, advice of credit or authorization to charge and, in cases where the item is received for deposit as well as for payment, also includes the passing of appropriate entries to the receiving bank's general ledger without regard to whether the item is posted to individual customers' ledgers.

[Am. R.R.S. 3292-3]

Passed the House February 5, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

## CHAPTER 24.

[ H. B. 53. ]

CONVEYANCE OF SHORELANDS IN BENTON  
COUNTY TO KENNEWICK.

AN ACT authorizing conveyance of certain shore lands in Benton County from the state of Washington to the city of Kennewick and authorizing the commissioner of public lands to convey the same by appropriate deed.

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

SECTION 1. The commissioner of public lands of the state of Washington is hereby authorized and directed to certify, in the manner prescribed by law, to the governor for deed to the city of Kennewick the following described first class shore lands to-wit:

Lots thirteen to twenty both numbers inclusive, of Kennewick shore lands, as surveyed, established and platted, according to plat thereof filed in the office of the commissioner of public lands February 28th, 1913: *Provided*, That this conveyance is made upon the express condition that the lands hereby conveyed shall be used as a public park, and if such lands are ever converted to other use, then said land shall revert to the state of Washington.

Lots 13 to 20  
inclusive  
Kennewick  
shorelands.

Use as  
public park.

SEC. 2. The governor is hereby authorized and directed to execute, and the secretary of state to attest, a deed to the city of Kennewick conveying all of said shore lands.

Governor  
to deed.

Passed the House January 24, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

CHAPTER 25.

[ H. B. 54. ]

SALE OF PUBLIC LANDS.

AN ACT relating to public land and the sale thereof, and authorizing a determination of state needs in connection with a described tract.

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

SECTION 1. The director of public institutions is hereby authorized and directed to determine the desirability of state use of the tract of land described as follows: Lot nine in block "M" of Cottage Addition to Medical Lake in Spokane County, state of Washington, as per plat recorded in book "A" of plats, page 184, in the office of the county auditor of said county, less an area of six hundred square feet more or less, of the southwest corner of the lot bounded on the west by Rainier Street, an unimproved street, and on the south by Espanola Road. If the director shall determine that said tract cannot be used by the state in any reasonable or practicable manner then the director shall certify such fact to the commissioner of public lands who shall thereupon proceed to sell said tract in the manner provided by law for the sale of public land.

Medical  
Lake lands  
to be sold.

Passed the House January 31, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

## CHAPTER 26.

[ H. B. 213. ]

## USE OF PUBLIC LANDS FOR STATE PARK PURPOSES.

AN ACT authorizing the use of public lands for state park purposes, and providing compensation for such use.

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

SECTION 1. The commissioner is hereby authorized to withdraw from sale or lease, and reserve for state park purposes, public lands selected by the state parks and recreation commission, for such time as he shall determine will be for the best interests of the state and any particular fund for which said public lands are being held in trust: *Provided*, None of the lands selected under the provisions of section 3, chapter 91, Laws of 1903, shall be withdrawn or reserved hereunder without the consent of the board of regents of the University of Washington.

Reservation  
of lands for  
state parks.

University  
lands.

SEC. 2. The land commissioner and the state parks and recreation commission shall fix a yearly reasonable rental for the use of public lands reserved for state park purposes, which shall be paid by the commission to the land commissioner for the particular fund for which the lands had been held in trust, and which rent shall be transmitted to the state treasurer for deposit in such fund.

Rental.

SEC. 3. No merchantable timber shall be cut or removed from lands reserved for state park purposes without the consent of the land commissioner and without payment to the particular fund for which the lands are held in trust, the reasonable value thereof as fixed by the commissioner.

Cutting  
of timber.

Passed the House February 6, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

CHAPTER 27.

[ H. B. 91. ]

COMPENSATION OF CLERKS IN SECOND AND  
THIRD CLASS SCHOOL DISTRICTS.

AN ACT relating to the compensation of clerks in second and third class school districts, and amending section 28.63.080, R.C.W., and declaring an emergency.

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

SECTION 1. Section 28.63.080, R.C.W., as derived from section 1, chapter 156, Laws of 1919, is amended to read as follows:

Second class districts.

The district clerk of districts of the second class shall receive such reasonable compensation for his services as the board of directors shall allow, said accounts to be audited and paid by the directors out of the funds of the district. A director elected as

Third class districts.

clerk in a third class district may be allowed such reasonable compensation as shall be consistent with the duties to be performed as determined by the board of directors.

[Am. R.R.S. § 4843]

Emergency.

SEC. 2. This act is necessary for the immediate preservation of public welfare and shall take effect immediately.

Passed by the House January 31, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

## CHAPTER 28.

[ H. B. 108. ]

## SPEEDS ON HIGHWAYS.

AN ACT relating to speeds on highways, roads and streets, and amending sections 46.48.040 and 46.48.020, R.C.W., and subdividing such sections.

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

SECTION 1. Section 46.48.040, R.C.W., as derived from section 66, chapter 189, Laws of 1937, is divided into sections designated 2 to 4, inclusive, and amended to read as follows: Amendment.

SEC. 2. No governing body or authority of any city or town or other political subdivision shall have the power to pass or enforce any ordinance, rule, or regulation requiring a different rate of speed than that specified under the provisions of the law of this state at which vehicles may be operated along or over the public highways of such city or town or political subdivision or otherwise to regulate the use of public highways thereof contrary to or inconsistent with the laws of this state; and all such ordinances, rules, and regulations now in force are void and of no effect: *Provided*, That on any portion of a city or town street where, on account of sharp curvature, highway construction or repairs, excessive traffic, any dangerous condition, or other temporary or permanent cause, it is deemed inadvisable for vehicles to operate at the maximum speed allowed by the law of this state the governing body or authority of the city or town or other political subdivision may fix a lower maximum speed or otherwise regulate speed by order, rule, or regulation properly adopted: *Provided further*, That the governing body or authority of a city or town or other political subdivision may increase the maximum speed allowed upon its streets. Regulation of speeds by cities inconsistent with statute.

In no case where the maximum speed is reduced When permitted.

Limit of reduction.

below that permitted by the laws of this state shall it be reduced to less than ten miles per hour, and in no case where the speed is increased above the maximum speed allowed by the laws of this state shall it be increased above thirty-five miles per hour: *Provided*, That a maximum speed above thirty-five miles per hour may be established when the findings of a traffic engineering investigation warrant such increase in speed, but such increase shall never exceed sixty miles per hour.

[Am. R.R.S. § 6360-66]

Limit of increase.

Highway must be posted.

SEC. 3. At the time of providing for any such decreased or increased maximum speed, the governing body or authority of any such city or town or political subdivision shall cause to be posted at either end of such portion of the public highway and at such other points as is deemed advisable, signs of such size as to be easily read, setting forth the maximum speed allowed upon the highway and thereafter it shall be unlawful for any person to violate any such order, rule, or regulation.

[Am. R.R.S. § 6360-66]

Violation.

Increased speed.

Stop signs.

SEC. 4. The governing body or authority of any such city or town or political subdivision shall place and maintain upon each and every public highway intersecting a public highway where an increased speed is permitted, as provided in this chapter, appropriate stop signs, sufficient to be read at any time by any person upon approaching and entering the highway upon which such increased speed is permitted and such city street or such portion thereof as is subject to the increased speed shall be an arterial highway.

[Am. R.R.S. § 6360-66]

Arterial highway.

Amendment.

SEC. 5. Section 46.48.020, R.C.W., as derived from section 6, chapter 196, Laws of 1949, is divided into sections numbered 6 to 13, inclusive, and amended to read as follows:



SEC. 6. Subject to 46.48.010, R.C.W., and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Maximum speed.

(a) Twenty-five miles per hour within the limits of incorporated cities and towns;

Cities and towns.

(b) Twenty-five miles per hour in traversing any intersection of public highways within incorporated cities and towns except whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that such speed as permitted under this chapter at any intersection is greater than is reasonable or safe under the conditions found to exist at such intersection, such local authority subject to the approval of the director of highways in cases where the alteration of speed limits on state highways or extensions thereof in a municipality are involved, shall determine and declare a reasonable and safe speed limit thereat, which shall be effective at all times or during hours of daylight or darkness or at such other times as may be determined: *Provided*, Appropriate signs giving notice thereof are erected at such intersection or upon the approaches thereto; and

Intersections in cities and towns.

Local authorities may reduce speeds.

Signs.

(c) Twenty-five miles per hour in traveling upon an arterial highway in any incorporated city or town and traversing an intersection with another public highway not an arterial highway, and the operator of another vehicle about to enter the intersection of such arterial highway thereat, shall have brought his vehicle to a complete stop as required by law before entering such arterial highway.

Arterial highway in cities and towns.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 7. Subject to 46.48.010, R.C.W., and except

Maximum speeds.

in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Obstructed intersections outside cities and towns.

(a) Thirty-five miles per hour in traversing any intersection of public highways outside of incorporated cities and towns where the operators view is obstructed to the extent that at any time during the last 100 feet of his approach to an intersection he does not have a clear and uninterrupted view of such intersection, and of all public highways entering such intersection for a distance of 100 feet along the center line of each thereof: *Provided*, It shall be the duty of local authorities to sign post such intersections: *Provided further*, This provision shall not apply to operators upon arterial highways outside of incorporated cities and towns;

Signs.

Not applicable to arterials.

Outside cities and towns.

(b) Thirty-five miles per hour in traveling upon an arterial highway outside of incorporated cities and towns and traversing an intersection with another public highway not an arterial highway and the operator of another vehicle about to enter such arterial highway thereat shall have brought his vehicle to a complete stop, as required by law, before entering such arterial highway.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

Business and residential districts outside cities and towns.

SEC. 8. The director of highways, in case of state highways, and the county commissioners, in case of county roads, shall establish maximum speeds through any business or residential districts outside any incorporated city or town: *Provided*, No maximum speed established shall be less than twenty-five miles per hour: *Provided further*, All such speed zones shall be properly sign posted at the extremities thereof.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 9. Subject to 46.48.010, R.C.W., and except in those instances where a lower maximum lawful speed is provided by this chapter or otherwise, it shall be unlawful for the operator of any vehicle to operate the same at a speed in excess of the following:

Maximum speed.

(a) Twenty miles per hour when operating any vehicle upon a public highway inside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk;

Passing school or playground inside cities and towns.

(b) Twenty miles per hour when operating any vehicle upon a public highway outside incorporated cities and towns when passing any marked public school or playground crosswalk when such marked crosswalk is fully posted with standard portable school or speed control signs. The speed zone at the crosswalk shall extend three hundred feet in either direction from the marked crosswalk.

Outside cities and towns.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

SEC. 10. Fifty miles per hour, subject to 46.48.010, R.C.W., shall be the maximum motor vehicle speed under all circumstances where no lesser speed is required by this chapter: *Provided*, That the director of highways may establish a maximum speed up to sixty miles per hour on state highways where, in his opinion, the findings of a traffic engineering investigation warrant such increase in speed, *Provided*, That the increased speed limit shall apply only to vehicles having a gross weight of ten thousand pounds or less. The zones of such increased speed shall be indicated by standard speed control signs.

Maximum speed.

Sixty miles per hour when authorized by director.

Vehicle limitation.

Signs.

[Am. Rem. Supp. 1949 § 6360-64]

[R.C.W. 46.48.010 is Rem. Supp. '49, 6360-64, 1st Par.]

Due care and caution.

SEC. 11. Compliance with speed requirements of this chapter under the circumstances hereinabove set forth shall not relieve the operator of any vehicle from the further exercise of due care and caution as further circumstances shall require.

[Am. Rem. Supp. 1949 § 6360-64]

Unlawful speed is prima facie evidence of reckless driving.

SEC. 12. The unlawful operation of a vehicle in excess of the maximum lawful speeds provided in this chapter at the point of operation and under the circumstances described shall be *prima facie* evidence of the operation of a motor vehicle in a reckless manner by the operator thereof.

[Am. Rem. Supp. 1949 § 6360-64]

Charges shall specify approximate speed.

SEC. 13. All charges for the violation of any of the provisions of this chapter, every notice to appear, and every complaint charging the violation of this chapter shall specify approximately the speed at which the defendant is alleged to have operated such vehicle, the maximum lawful speed at the point of operation, and the reasonable and proper rate of speed applicable under the conditions existing at the point of operation.

[Am. Rem. Supp. 1949 § 6360-64]

Passed the House January 29, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

## CHAPTER 29.

[ H. B. 117. ]

PREFERENCE IN PUBLIC EMPLOYMENT TO  
VETERANS, THEIR WIDOWS.

AN ACT providing for preference in public employment to honorably discharged veterans and their widows amending section 73.16.010 of R.C.W.

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

SECTION 1. Section 73.16.010 of the Revised Code of Washington derived from section 1 of chapter 84 of the Laws of 1895 as last amended by section 1 of chapter 141 of the Laws of 1943 is hereby amended to read as follows:

Amendment.

In every public department, and upon all public works of the state, and of any county thereof, honorably discharged soldiers, sailors, and marines who are veterans of any war of the United States, or of any military campaign for which a campaign ribbon shall have been awarded, and their widows, shall be preferred for appointment and employment. Age, loss of limb, or other physical impairment, which does not in fact incapacitate, shall not be deemed to disqualify them, provided they possess the capacity necessary to discharge the duties of the position involved.

All departments to give preference to veterans.

[Am. Rem. Supp. 1943 § 10753]

SEC. 2. Any veteran entitled to the benefits of this act may enforce his rights hereunder by civil action in the courts.

Civil action.

Passed the House February 1, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

CHAPTER 30.

[ H. B. 200. ]

COMPENSATION FOR COMMISSIONERS OF  
DIKING DISTRICTS.

AN Act fixing compensation for commissioners of diking districts; providing for payment thereof, and amending section 85.04.450, R.C.W.

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

Amendment.

SECTION 1. Section 85.04.450, R.C.W., as derived from section 1, chapter 171, Laws of 1909, is amended to read as follows:

Commissioners.

Members of the board of diking commissioners of any diking district in this state may receive as compensation the sum of eight dollars per day for all necessary work or services performed in connection with their duties. Allowance of such compensation shall be approved and made at a regular meeting of said board, and when a copy of the extracts of minutes of the board meeting relative thereto showing such approval is certified by the secretary of such board and filed with the county auditor, the allowance made shall be paid as are other claims against said district.

Compensation.

Approval by board.

Certified and filed.

[Am. R.R.S. 4291]

Passed the House February 6, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

CHAPTER 31.

[ H. B. 304. ]

ANIMALS RUNNING AT LARGE TO BE PUBLIC NUISANCE.

AN ACT relating to animals; providing for impounding and sale of horses, mules and asses found running at large, declaring a public nuisance, prescribing penalties, and amending section 16.28.010, R.C.W.

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

SECTION 1. It shall be unlawful for the owner of any horse, mule or ass to permit such animal to run at large and not under the care of a herder: *Provided*, That such animals may run at large upon lands belonging to the state or to the United States when the owner thereof has in writing been granted grazing privileges, and has filed a copy of such permit or certificate with the director of agriculture.

Unlawful act.

State or federal lands.

SEC. 2. Any horse, mule or ass running at large in violation of section 1 of this chapter is declared to be a public nuisance, and shall be impounded by the sheriff of the county where found.

Public nuisance.

SEC. 3. Upon taking custody of any animal, the sheriff shall cause it to be transported to and impounded at the nearest community livestock sales yard licensed under chapter 16.64, R.C.W. The sheriff shall forthwith notify the nearest brand inspector of the department of agriculture, who shall examine the animal and by brand, tatoo [tattoo] or other identifying characteristic, shall attempt to ascertain the ownership thereof.

Sheriff to impound.

SEC. 4. The brand inspector shall cause to be published once in a newspaper published in the county where the animal was found, a notice of the impounding.

Notice of impounding.

The notice shall state:

(1) A description of the animal, including brand, tatoo [tattoo] or other identifying characteristics;

Contents of notice.

(2) When and where found;

(3) Where impounded; and

(4) That if unclaimed, the animal will be sold at a community livestock sale, and the date of such sale: *Provided*, That if no newspaper shall be published in such county, copies of the notice shall be posted at four commonly frequented places therein.

If the animal is marked with a brand or tatoo, [tattoo] which is registered with the director of agriculture, the brand inspector, on or before the date of publication or posting, shall send a copy of the notice to the owner of record by registered mail.

Owner to pay cost of impounding.

SEC. 5. Upon claiming any animal impounded under this chapter, the owner shall pay the costs of transportation and keep thereof.

Unclaimed animals to be sold.

SEC. 6. If no person shall claim the animal within ten days after the date of publication or posting of the notice, it shall be sold at the next succeeding community livestock sale to be held at the sales yard where impounded.

Conduct of sales.

SEC. 7. Sales of animals impounded under this chapter shall be governed by the provisions of title 20, R.C.W. The proceeds of sale, after deducting the costs of sale, shall be impounded in the estray fund of the department of agriculture, and if no valid claim is made within one year from the date of sale, the director of the department of agriculture shall transfer the proceeds of sale to the brand fund of the department to be used for the enforcement of this chapter.

Proceeds of sale.

Law officers cannot be purchasers.

SEC. 8. No law enforcement officer shall, directly or indirectly, purchase any animal sold under the provisions of this chapter, or any interest therein.

Violation.

SEC. 9. Any person who shall violate the provisions of sections 1 or 8 of this act shall be guilty of a misdemeanor.



SEC. 10. Section 16.28.010, R.C.W., as derived from section 1, chapter 148, Laws of 1919, is amended to read as follows: Amendment.

The term "animal" as used in this chapter means cattle and hogs. Definition.

[Am. R.R.S. 3156]

Passed the House February 13, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor February 28, 1951.

## CHAPTER 32.

[ H. B. 87. ]

### BOILERS AND UNFIRED PRESSURE VESSELS.

AN ACT relating to public safety, creating a board of boiler rules to serve without salary with power to formulate rules and regulations for the safe and proper construction, installation, repair, use and operation of boilers and for the safe and proper construction, installation and repair of unfired pressure vessels; providing for the enforcement of the rules and regulations so promulgated; providing for the examination and appointment of boiler inspectors; providing for the inspection of boilers and unfired pressure vessels, the fees to be charged, and the reports to be made thereof; providing for inspection certificates; providing for appeals, and providing a penalty for the violation of the provisions of this act.

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

SECTION 1. There is hereby created within this state a board of boiler rules, which shall hereafter be referred to as the board, consisting of five members who shall be appointed to the board by the governor, one for a term of one year, one for a term of two years, one for a term of three years, and two for a term of four years. At the expiration of their respective terms of office, they, or their successors identifiable with the same interests respectively as hereinafter provided, shall be appointed for terms of four years each. The governor may at any time

Board of boiler rules created.

Five members.

Terms.

Successors.

Removal.

remove any member of the board for inefficiency or neglect of duty in office. Upon the death or incapacity of any member the governor shall fill the vacancy for the remainder of the vacated term with a representative of the same interests with which his predecessor was identified. Of these five appointed members, one shall be representative of owners and users of boilers and unfired pressure vessels within the state, one shall be representative of the boiler or unfired pressure vessel manufacturers within the state, one shall be a representative of a boiler insurance company licensed to do business within the state, one shall be a mechanical engineer on the faculty of a recognized engineering college or a graduate mechanical engineer having equivalent experience, and one shall be representative of the boilermakers or practical steam operating engineers.

Vacancy.

Composition of board.

remove any member of the board for inefficiency or neglect of duty in office. Upon the death or incapacity of any member the governor shall fill the vacancy for the remainder of the vacated term with a representative of the same interests with which his predecessor was identified. Of these five appointed members, one shall be representative of owners and users of boilers and unfired pressure vessels within the state, one shall be representative of the boiler or unfired pressure vessel manufacturers within the state, one shall be a representative of a boiler insurance company licensed to do business within the state, one shall be a mechanical engineer on the faculty of a recognized engineering college or a graduate mechanical engineer having equivalent experience, and one shall be representative of the boilermakers or practical steam operating engineers.

Chairman.

The board shall elect one of its members to serve as chairman and, at the call of the chairman, the board shall meet at least four times each year at the state capitol or other place designated by the board.

Meetings.

at the call of the chairman, the board shall meet at least four times each year at the state capitol or other place designated by the board.

Compensation.

SEC. 2. The members of the board shall serve without salary and shall receive their actual and necessary expenses incurred while in the performance of their duties as members of the board, to be paid in the same manner as in the case of other state officers.

Expenses.

Rules and regulations formulated.

SEC. 3. The board shall formulate definitions, rules and regulations for the safe and proper construction, installation, repair, use and operation of boilers and for the safe and proper construction, installation and repair of unfired pressure vessels in this state. The definitions, rules and regulations so formulated shall be based upon, and, at all times, follow the generally accepted nation-wide engineering standards, formulae, and practices established and pertaining to boiler and unfired pressure vessel construction and safety, and the board may by

resolution adopt an existing published codification thereof, known as "The Boiler Construction Code of the American Society of Mechanical Engineers," with the amendments and interpretations thereto made and approved by the council of the society, and may likewise adopt the amendments and interpretations subsequently made and published by the same authority; and when so adopted the same shall be deemed incorporated into, and to constitute a part or the whole of the definitions, rules and regulations of the board. Amendments and interpretations to the code so adopted shall be adopted immediately upon being promulgated, to the end that the definitions, rules and regulations shall at all times follow the generally accepted nation-wide engineering standards.

Board may adopt code.

When adopted shall constitute part of regulations.

SEC. 4. The board shall promulgate rules and regulations for the safe and proper installation, repair, use and operation of boilers, and for the safe and proper installation and repair of unfired pressure vessels which were in use or installed ready for use in this state prior to the date upon which the first rules and regulations under this chapter, pertaining to existing installations became effective, or during the twelve months period immediately thereafter.

Promulgate rules and regulations.

SEC. 5. (1) The rules and regulations formulated by the board shall have the force and effect of law, except that the rules applying to the construction of new boilers and unfired pressure vessels shall not be construed to prevent the installation thereof until twelve months after their approval by the director of the department of labor and industries.

Regulations as law.

(2) Subsequent amendments to the rules and regulations adopted by the board shall be permissive immediately and shall become mandatory twelve months after such approval.

Amendments effective, when.

SEC. 6. No power boiler, low pressure boiler, or unfired pressure vessel which does not conform to

Installations to conform to rules.

the rules and regulations formulated by the board governing new construction and installation shall be installed and operated in this state after twelve months from the date upon which the first rules and regulations under this chapter pertaining to new construction and installation shall have become effective, unless the boiler or unfired pressure vessel is of special design or construction, and is not covered by the rules and regulations, nor is in any way inconsistent with such rules and regulations, in which case a special installation and operating permit may at its discretion be granted by the board.

Special types.

Permit for.

Boilers in use prior to rules.

SEC. 7. (1) All boilers and unfired pressure vessels which were in use, or installed ready for use in this state prior to the date upon which the first rules and regulations under this chapter pertaining to existing installations became effective, or during the twelve months period immediately thereafter, shall be made to conform to the rules and regulations of the board governing existing installations, and the formulae prescribed therein shall be used in determining the maximum allowable working pressure for such boilers and unfired pressure vessels.

Must conform to rules.

Sales of boilers not prevented.

(2) This chapter shall not be construed as in any way preventing the use or sale of boilers or unfired vessels as referred to in subsection (1) of this section, provided they have been made to conform to the rules and regulations of the board governing existing installations, and provided, further, they have not been found upon inspection to be in an unsafe condition.

Exceptions.

SEC. 8. This chapter shall not apply to the following boilers, unfired pressure vessels and domestic hot water tanks:

(1) Boilers and unfired pressure vessels under federal regulation or operated by any railroad subject to the provisions of the interstate commerce act;

(2) Unfired pressure vessels meeting the requirements of the interstate commerce commission for shipment of liquids or gases under pressure;

(3) Air tanks located on vehicles operating under the rules of other state authorities and used for carrying passengers, or freight;

(4) Air tanks installed on the right-of-way of railroads and used directly in the operation of trains;

(5) Unfired pressure vessels having a volume of five cubic feet or less when not located in places of public assembly;

(6) Unfired pressure vessels designed for a pressure not exceeding fifteen pounds per square inch gauge when not located in place of public assembly;

(7) Tanks used in connection with heating water for domestic and/or residential purposes;

(8) Boilers and unfired pressure vessels in cities having ordinances which are enforced and which have requirements equal to or higher than those provided for under this act, covering the installation, operation, maintenance and inspection of boilers and unfired pressure vessels.

SEC. 9. The following boilers and unfired pressure vessels shall be exempt from the requirements of sections 22 to 33, inclusive, of this chapter: Exemptions.

(1) Boilers or unfired pressure vessels located on farms and used solely for agricultural purposes;

(2) Steam boilers used exclusively for heating purposes carrying a pressure of not more than fifteen pounds per square inch gauge and which are located in private residences or in apartment houses of less than six families;

(3) Hot water heating boilers carrying a pressure of not more than thirty pounds per square inch and which are located in private residences or in apartment houses of less than six families;

(4) Unfired pressure vessels containing only water under pressure for domestic supply purposes,

including those containing air, the compression of which serves only as a cushion or airlift pumping systems, when located in private residences or in apartment houses of less than six families;

(5) Unfired pressure vessels containing liquefied petroleum gases.

Vacancy in office of chief inspector.

How filled.

Must pass examination.

Removal.

Duties of chief inspector.

SEC. 10. (1) Within sixty days after the effective date of this chapter, and at any time thereafter that the office of the chief inspector may become vacant, the director of the department of labor and industries shall appoint a chief inspector who shall have had at the time of such appointment not less than ten years practical experience in the construction, maintenance, repair, or operation of high pressure boilers and unfired pressure vessels, as a mechanical engineer, steam engineer, boilermaker, or boiler inspector, and who shall have passed the same kind of examination as that prescribed for deputy or special inspectors in section 18 of this chapter to be chief inspector until his successor shall have been appointed and qualified. Such chief inspector may be removed for cause after due investigation by the board and its recommendation to the director of the department of labor and industries.

SEC. 11. The chief inspector, if authorized by the director of the department of labor and industries is hereby charged, directed and empowered:

(1) To cause the prosecution of all violators of the provisions of this chapter;

(2) To issue, or to suspend, or revoke for cause, inspection certificates as provided for in section 28 of this chapter;

(3) To take action necessary for the enforcement of the laws of the state governing the use of boilers and unfired pressure vessels and of the rules and regulations of the board;

(4) To keep a complete record of the type, dimensions, maximum allowable working pressure,

age, condition, location, and date of the last recorded internal inspection of all boilers and unfired pressure vessels to which this chapter applies;

(5) To publish and distribute, among manufacturers and others requesting them, copies of the rules and regulations adopted by the board.

SEC. 12. The chief inspector shall employ deputy inspectors who shall be responsible to the chief inspector and who shall have had at time of appointment not less than five years practical experience in the construction, maintenance, repair, or operation of high pressure boilers and unfired pressure vessels as a mechanical engineer, steam engineer, boilermaker, or boiler inspector, and who shall have passed the examination provided for in section 18 of this chapter.

Deputy  
inspectors.

SEC. 13. In addition to the deputy boiler inspectors authorized by section 12 of this chapter, the chief inspector shall, upon the request of any company authorized to insure against loss from explosion of boilers and unfired pressure vessels in this state, or upon the request of any company operating unfired pressure vessels in this state, issue to any inspectors of said company commissions as special inspectors, provided that each such inspector before receiving his commission shall satisfactorily pass the examination provided for in section 18 of this chapter, or, in lieu of such examination, shall hold a certificate of competency as an inspector of boilers and unfired pressure vessels for a state that has a standard of examination substantially equal to that of this state or a certificate as an inspector of boilers from the national board of boiler and pressure vessel inspectors. A commission as a special inspector for a company operating unfired pressure vessels in this state shall be issued only if, in addition to meeting the requirements stated herein, the inspector is continuously employed by the company for the purpose

Special  
inspectors.

Must pass  
examination  
or hold  
certificate.

of making inspections of unfired pressure vessels used, or to be used, by such company.

Compensation and expenses.

SEC. 14. Special inspectors shall receive no salary from, nor shall any of their expenses be paid by the state, and the continuance of a special inspector's commission shall be conditioned upon his continuing in the employ of a boiler insurance company duly authorized as aforesaid or upon continuing in the employ of a company operating unfired pressure vessels in this state and upon his maintenance of the standards imposed by this chapter.

Duties of special inspector.

SEC. 15. Special inspectors shall inspect all boilers and unfired pressure vessels insured or all unfired pressure vessels operated by their respective companies and, when so inspected, the owners and users of such insured boilers and unfired pressure vessels shall be exempt from the payment to the state of the inspection fees as provided for in section 32 of this chapter.

No fee.

SEC. 16. Each company employing special inspectors shall within thirty days following each internal boiler or unfired pressure vessel inspection made by such inspectors, file a report of such inspection with the chief inspector upon appropriate forms as promulgated by the American society of mechanical engineers. Reports of external inspections shall not be required except when such inspections disclose that the boiler or unfired pressure vessel is in a dangerous condition.

Report.

External inspections.

Access to premises when boilers being installed.

SEC. 17. The chief inspector, or any deputy or special inspector, shall have free access, during reasonable hours, to any premises in the state where a boiler or unfired pressure vessel is being constructed, or is being installed or operated, for the purpose of ascertaining whether such boiler or unfired pressure vessel is constructed, installed and



operated in accordance with the provisions of this chapter.

SEC. 18. Examinations for chief, deputy, or special inspectors shall be in writing and shall be held by the board, or by at least two members of the board. Such examinations shall be confined to questions the answers to which will aid in determining the fitness and competency of the applicant for the intended service. In case an applicant for an inspector's appointment or commission fails to pass the examination, he may appeal to the board for another examination which shall be given by the board within ninety days. The record of an applicant's examination shall be accessible to said applicant and his employer.

Written  
examina-  
tions.

Questions.

Failure to  
pass exami-  
nations.

SEC. 19. A commission may be suspended or revoked after due investigation and recommendation by the board to the director of the department of labor and industries for the incompetence or untrustworthiness of the holder thereof, or for wilful falsification of any matter or statement contained in his application or in a report of any inspection. A person whose commission has been suspended or revoked, except for untrustworthiness, shall be entitled to apply to the board for reinstatement or, in the case of a revocation, for a new examination and commission after ninety days from such revocation.

Commission  
may be  
revoked.

Reinstatement.

SEC. 20. A person whose commission has been suspended or revoked shall be entitled to an appeal as provided in section 36 of this chapter and to be present in person and/or represented by counsel on the hearing of the appeal.

Appeal.

Counsel.

SEC. 21. If a certificate or commission is lost or destroyed, a new certificate or commission shall be issued in its place without another examination.

Lost  
commission.

SEC. 22. Each boiler and unfired pressure vessel used or proposed to be used within this state, except

**Inspection of boilers.** boilers or unfired pressure vessels exempt in sections 8 and 9 of this chapter, shall be thoroughly inspected as to their construction, installation, condition and operation, as follows:

**Power boilers.** (1) Power boilers shall be inspected annually both internally and externally while not under pressure and shall also be inspected annually externally while under pressure if possible;

**Low pressure heating boilers.** (2) Low pressure heating boilers shall be inspected both internally and externally biennially where construction will permit;

**Unfired pressure vessels subject to internal corrosion.** (3) Unfired pressure vessels subject to internal corrosion shall be inspected both internally and externally biennially where construction will permit, except that the board may, in its discretion, provide for longer periods between inspections;

**Not subject to corrosion.** (4) Unfired pressure vessels not subject to internal corrosion shall be inspected externally at intervals set by the board, but internal inspections shall not be required of unfired pressure vessels, the contents of which are known to be noncorrosive to the material of which the shell, head, or fittings are constructed, either from the chemical composition of the contents or from evidence that the contents are adequately treated with a corrosion inhibitor, provided that such vessels are constructed in accordance with the rules and regulations of the board or in accordance with standards substantially equivalent to the rules and regulations of the board, in effect at the time of manufacture.

**Grace periods.** SEC. 23. In the case of power boilers a grace period of two months longer than the twelve months period may elapse between internal inspections of a boiler while not under pressure or between external inspections of a boiler while under pressure; in the case of low pressure heating boilers not more than twenty-six months shall elapse between inspections, and in the case of unfired pressure vessels not more

than two months longer than the period between inspections prescribed by the board shall elapse between internal inspections.

SEC. 24. The rules and regulations formulated by the board applying to the inspection of unfired pressure vessels may be modified by the board to reduce or extend the interval between required inspections where the contents of the vessel or the material of which it is constructed warrant special consideration.

Modification of rules.

SEC. 25. The inspections herein required shall be made by the chief inspector, by a deputy inspector, or by a special inspector provided for in this chapter.

Inspections, made by whom.

SEC. 26. If at any time a hydrostatic test shall be deemed necessary to determine the safety of a boiler or unfired pressure vessel, same shall be made, at the discretion of the inspector, by the owner or user thereof.

Hydrostatic test.

SEC. 27. All boilers and all unfired pressure vessels to be installed in this state after the twelve months period from the date upon which the rules and regulations of the board shall become effective shall be inspected during construction as required by the applicable rules and regulations of the board by an inspector authorized to inspect boilers in this state, or, if constructed outside of the state, by an inspector holding a certificate from the national board of boiler and pressure vessel inspectors, or a certificate of competency as an inspector of boilers for a state that has a standard of examination substantially equal to that of this state as provided in section 18.

Boilers installed after rules are effective.

SEC. 28. If, upon inspection, a boiler or an unfired pressure vessel is found to comply with the rules and regulations of the board, the owner or user thereof shall pay directly to the chief inspector the sum of one dollar in the case of a boiler, and fifty

Payment upon inspection.

Inspection  
certificate.  
Maximum  
pressure.

Time  
certificate  
valid.

Posting  
certificate.

Certificate  
invalid,  
when.

Certificate  
suspended.

cents in the case of an unfired pressure vessel, and the chief inspector, or his duly authorized representative, shall issue to such owner or user an inspection certificate bearing the date of inspection and specifying the maximum pressure under which the boiler or unfired pressure vessel may be operated. Such inspection certificate shall be valid for not more than fourteen months from its date in the case of power boilers and twenty-six months in the case of low pressure heating boilers, and for not more than two months longer than the authorized inspection period in the case of unfired pressure vessels. Certificates shall be posted under glass in the room containing the boiler or unfired pressure vessel inspected. If the boiler or unfired pressure vessel is not located within the building, the certificate shall be posted in a location convenient to the boiler or unfired pressure vessel inspected or, in the case of a portable boiler or unfired pressure vessel, the certificate shall be kept in a metal container to be fastened to the boiler or vessel in a tool box accompanying the boiler or unfired pressure vessel.

SEC. 29. No inspection certificate issued for an insured boiler or unfired pressure vessel inspected by a special inspector shall be valid after the boiler or unfired pressure vessel, for which it was issued, shall cease to be insured by a company duly authorized by this state to carry such insurance.

SEC. 30. The chief inspector, or his authorized representative, may at any time suspend an inspection certificate when, in his opinion, the boiler or unfired pressure vessel for which it was issued, cannot be operated without menace to the public safety, or when the boiler or unfired pressure vessel is found not to comply with the rules and regulations herein provided. A special inspector shall have corresponding powers with respect to inspection certificates for boilers or unfired pressure vessels insured or unfired

pressure vessels operated by the company employing him. Such suspension of an inspection certificate shall continue in effect until such boiler or unfired pressure vessel shall have been made to conform to the rules and regulations of the board, and until said inspection certificate shall have been reinstated.

Suspension until certificate reinstated.

SEC. 31. After twelve months following the date on which this chapter becomes effective, it shall be unlawful for any person, firm, partnership, or corporation to operate under pressure in this state a boiler or unfired pressure vessel, to which this chapter applies, without a valid inspection certificate as provided for in this chapter. The operation of a boiler or unfired pressure vessel without such inspection certificate, or at a pressure exceeding that specified in such inspection certificate, shall constitute a misdemeanor on the part of the owner, user, or operator thereof. Each day of such unlawful operation shall be deemed a separate offense.

When unlawful to operate without certificate.

Violation.

SEC. 32. The owner or user of a boiler or pressure vessel required by this chapter to be inspected by the chief inspector, or his deputy inspector, shall pay directly to the chief inspector, upon completion of inspection, fees in accordance with the following schedule:

Inspection fees.

Power Boilers—

Internal Inspections

Boilers of five horsepower or less, or fifty square feet or less of heating surface.....	\$ 3.00
Boilers over five horsepower, or over fifty square feet of heating surface.....	10.00

External Inspections

Boilers over fifty square feet of heating surface .....	3.00
Low Pressure Heating Boilers—	
Inspection of heating boilers.....	3.00

Not more than thirteen dollars shall be charged or collected for any and all inspections, as above, of any boiler in any one year.

Hydrostatic Tests—

Where it is necessary to make a special trip to witness the application of a hydrostatic test. . . \$ 5.00

Biennial or Required Inspection of Unfired Pressure Vessels—

Fees to be based on the maximum length of vessel times the maximum width or diameter.

Internal and/or external inspection of each unfired pressure vessel subject to inspection having a cross sectional area of fifty square feet or less. . . \$ 3.00

For each additional one hundred square feet of area in excess of fifty square feet. . . \$ 5.00: *Provided*, That not more than twenty-five dollars shall be paid per day for the actual inspection time of each inspector on any one vessel.

A group of pressure vessels, such as the rolls of a paper machine or dryer operating as a single machine or unit, shall be considered as one pressure vessel.

SEC. 33. Shop inspections, or the inspection of second-hand or used boilers or pressure vessels by the chief or deputy inspector shall be charged for at the rate of not less than twelve dollars and fifty cents for one-half day of four hours, and twenty-five dollars for one full day of eight hours, plus all expenses, including traveling and hotel.

“Second hand” defined.

“Second-hand” shall mean an object which has changed ownership and location after primary use.

Fees, receipt and remittance.

SEC. 34. The chief inspector shall give an official receipt for said fees and shall transfer all sums so received to the treasurer of the state of Washington.

Official bonds.

SEC. 35. The chief inspector shall furnish a bond in the sum of five thousand dollars and each of the deputy inspectors, employed and paid by the state,

shall furnish a bond in the sum of two thousand dollars conditioned upon the faithful performance of their duties and upon a true account of moneys handled by them respectively and the payment thereof to the proper recipient. The cost of said bonds shall be paid by the state.

SEC. 36. Any person aggrieved by an order or act of the director of the department of labor and industries, the chief inspector, under this chapter, may, within fifteen days after notice thereof, appeal from such order or act to the board which shall, within thirty days thereafter, hold a hearing after having given at least ten days written notice to all interested parties. The board shall, within thirty days after such hearing, issue an appropriate order either approving or disapproving said order or act. A copy of such order by the board shall be given to all interested parties. Within thirty days after any order or act of the board, any person aggrieved thereby may file a petition in the superior court of the county of Thurston for a review thereof. The court shall summarily hear the petition and may make any appropriate order or decree.

SEC. 37. The fact that any section, sub-section, sentence, clause, or phrase of this chapter is declared unconstitutional or invalid for any reason shall not affect the remaining portions of this chapter.

Passed the House February 7, 1951.

Passed the Senate February 21, 1951.

Approved by the Governor March 1, 1951.

CHAPTER 33

[ S. B. 6. ]

NAVIGABLE RIVER CHANNEL IMPROVEMENT.

AN ACT relating to improvement of certain navigable river channels and providing for project plans therefor jointly by any county, port district and city of the first class in such county in certain cases.

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

Political subdivisions may join in project plan.

SECTION 1. Any county together with any port district therein and first class city in such county may participate jointly in surveys, investigations and studies for determining the location, type and design, with cost estimates, of a project plan for the improvement of any section or sections, within or without the limits of such city, of any navigable river emptying into tidal waters in such city, in aid of commerce and navigation and in aid of the comprehensive land use and development of such river valley, including present and future industrial and manufacturing uses.

Pursuant to contract.

SEC. 2. Such joint participation shall be pursuant to a contract in writing made in the names of such county, port district and city, pursuant to ordinance or resolution which shall provide the nature and extent of the work, the extent of the participation of the parties, the division of the costs and method of payment, such costs to be paid from any funds of the county, city or port district as may be designated in such contract.

Joint board, powers and duties.

The control and direction of the work shall be under a joint board to consist of one or more representatives of each party to the contract, as may be agreed upon by the parties, the representatives of the respective parties to be appointed by the governing body of the respective parties. The joint board shall employ such help and services as may be required and fix the compensation to be paid for such



services. The joint board shall consult with the corps of engineers, department of the army, and with the state director of highways and the state director of conservation and development in furtherance of federal and state of Washington interests in the purposes of this act.

Passed the Senate January 30, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

---

CHAPTER 34

[ S. B. 52. ]

COUNTY ADMISSIONS TAXES.

AN ACT relating to admissions taxes in counties; and amending section 36.38.010, R.C.W.

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

SECTION 1. Section 36.38.010, R.C.W., as derived from section 1, chapter 269, Laws of 1943, is amended to read as follows:

Any county may by ordinance enacted by its board of county commissioners, levy and fix a tax of not more than one cent on twenty cents or fraction thereof to be paid for county purposes by persons who pay an admission charge to any place, including a tax on persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same or similar privileges or accommodations; and require that one who receives any admission charge to any place shall collect and remit the tax to the county treasurer of the county.

Levy.

Amount.

Subject of tax.

As used in this chapter, the term "admission charge" includes a charge made for season tickets or subscriptions, a cover charge, or a charge made for use of seats and tables, reserved or otherwise, and

"Admission charge," what included.

other similar accommodations; a charge made for food and refreshments in any place where any free entertainment, recreation, or amusement is provided; a charge made for rental or use of equipment or facilities for purpose of recreation or amusement, and where the rental of the equipment or facilities is necessary to the enjoyment of a privilege for which a general admission is charged, the combined charges shall be considered as the admission charge. It shall also include any automobile parking charge where the amount of such charge is determined according to the number of passengers in any automobile.

Tax not  
exclusive.

The tax herein authorized shall not be exclusive and shall not prevent any city or town within the taxing county, when authorized by law, from imposing within its corporate limits a tax of the same or similar kind: *Provided*, That whenever the same or similar kind of tax is imposed by any such city or town, no such tax shall be levied within the corporate limits of such city or town by the board of county commissioners.

[Am. Rem. Supp. 1943, § 11241-10]

Passed the Senate January 25, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

CHAPTER 35

[ S. B. 53. ]

CITY AND TOWN ADMISSIONS TAXES.

AN ACT relating to admissions taxes in cities and towns; and amending section 35.21.280, R.C.W.

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

SECTION 1. Section 35.21.280, R.C.W., as derived from section 1, chapter 80, Laws of 1943, is amended to read as follows:

Every city and town may levy and fix a tax of not more than one cent on twenty cents or fraction thereof to be paid by the person who pays an admission charge to any place. This includes a tax on persons who are admitted free of charge or at reduced rates to any place for which other persons pay a charge or a regular higher charge for the same privileges or accommodations. The city or town may require any one who receives payment for an admission charge to collect and remit the tax to the city or town.

Levy amount.

Subject of tax.

The term "admission charge" includes:

"Admission charge," what included.

(1) A charge made for season tickets or subscriptions;

(2) A cover charge, or a charge made for use of seats and tables reserved or otherwise, and other similar accommodations;

(3) A charge made for food and refreshment in any place where free entertainment, recreation or amusement is provided;

(4) A charge made for rental or use of equipment or facilities for purposes of recreation or amusement; if the rental of the equipment or facilities is necessary to the enjoyment of a privilege for which a general admission is charged, the combined charges shall be considered as the admission charge;

(5) Automobile parking charges if the amount of the charge is determined according to the number of passengers in the automobile.

[Am. Rem. Supp. 1943, § 8370-44a]

Passed the Senate January 25, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

---

CHAPTER 36

[ S. B. 60. ]

ABOLISHING COMMERCIAL MOTOR VEHICLE SAFETY  
DIVISION OF WASHINGTON STATE PATROL.

AN ACT abolishing the commercial motor vehicle safety division of the Washington state patrol; and repealing sections 46.48.310 to 46.48.340, inclusive, R.C.W.

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

Repeal.

SECTION 1. Sections 46.48.310 to 46.48.340, inclusive, R.C.W., as derived from chapter 76, Laws of 1945, are repealed.

[Rep. Rem. Supp. 1945, §§ 6397-50 to 6397-53 incl.]

Passed the Senate January 25, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

## CHAPTER 37

[ S. B. 78. ]

## COMPENSATING TAX ON MOTOR VEHICLES.

AN ACT relating to revenue and taxation; prescribing a method by which compensating tax may be collected on certain motor vehicle transfers; defining powers and duties of certain state and county officers in relation thereto; amending chapter 82.12, R.C.W., as derived from chapter 180, Laws of 1935, as amended, by adding thereto a new section; and declaring that this act shall take effect May 1, 1951.

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

SECTION 1. Chapter 82.12, R.C.W., as derived from chapter 180, Laws of 1935, is amended by adding a new section thereto to read as follows:

In the collection of the compensating tax on motor vehicles, the tax commission may designate the county auditors of the several counties of the state as its collecting agents. Upon such designation, it shall be the duty of each county auditor to collect the tax at the time an applicant applies for the registration of, and transfer of title to, the motor vehicle, except in the following instances: (1) where the applicant exhibits a dealer's report of sale showing that the retail sales tax has been collected by the dealer; (2) where the application is for the renewal of registration; (3) where the applicant presents a written statement signed by the tax commission, or its duly authorized agent, showing that no compensating tax is legally due; (4) where the applicant presents satisfactory evidence showing that the retail sales tax or the compensating tax has been paid by him on the vehicle in question. The term "motor vehicle," as used in this section means and includes all motor vehicles, trailers and semi-trailers used, or of a type, designed primarily to be used, upon the public streets and highways, for the convenience or pleasure of the owner, or for the conveyance, for hire or otherwise, of persons or property, including fixed loads,

Tax commission may designate county auditors as collecting agents.

Duty to collect.

Exceptions.

Dealer collection.

Registration renewal.

Tax commission certificate.

Evidence of payment.

"Motor vehicle" defined.

facilities for human habitation, and vehicles carrying exempt licenses. It shall be the duty of every applicant for registration and transfer of certificate of title who is subject to payment of tax under this section to declare upon his application the value of the vehicle for which application is made, which shall consist of the consideration paid or contracted to be paid therefor. Any person wilfully misrepresenting, or failing or refusing to declare upon his application, such value shall be guilty of a gross misdemeanor.

Applicant must declare value.

Gross misdemeanor.

Remit to state auditor.

Each county auditor who acts as agent of the tax commission shall at the time of remitting license fee receipts on motor vehicles subject to the provisions of this section pay over and account to the state treasurer for all compensating tax revenue collected under this section, after first deducting as his collection fee the sum of fifty cents for each motor vehicle upon which the tax has been collected. All revenue received by the state treasurer under this section shall be credited to the general fund. The auditor's collection fee shall be deposited in the county current expense fund. A duplicate of the county auditor's transmittal report to the state treasurer shall be forwarded forthwith to the tax commission.

Collection fee.

Use of revenue.

Duplicate report to tax commission.

Refund.

Any applicant who has paid compensating tax to a county auditor under this section may apply to the tax commission for refund thereof if he has reason to believe that such tax was not legally due and owing. No refund shall be allowed unless application therefor is received by the tax commission within ninety days after payment of the tax. Upon receipt of an application for refund the tax commission shall consider the same and issue its order either granting or denying it and if refund is denied the taxpayer shall have the right of appeal as provided in sections 82.32.170, 82.32.180 and 82.32.190, R.C.W.

Provisions are cumulative.

The provisions of this section shall be construed as cumulative of other methods prescribed in this act

for the collection of the tax imposed by this title. The tax commission shall have power to promulgate such rules and regulations as may be necessary to administer the provisions of this section. Any duties required by this section to be performed by the county auditor may be performed by the director of licenses but no collection fee shall be deductible by said director in remitting compensating tax revenue to the state treasurer.

Rules and regulations.

Director of licenses.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect May 1, 1951.

Emergency clause.

[R.C.W. 82.32.170, 82.32.180, and 82.32.190 are Rem. Supp. § 8370-199]

Passed the Senate March 1, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

CHAPTER 38

[ S. B. 80. ]

PROPERTY ASSESSMENT MANUAL.

AN ACT relating to taxation, authorizing the tax commission to prepare and distribute a revised property assessment manual; and making an appropriation.

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

Revised property assessment manual.

SECTION 1. The tax commission is authorized and directed to formulate, prepare, and publish in revised form its property assessment manual of 1936, embodying such rules and processes for the assessment of property for tax purposes as are best calculated to secure uniform assessment of property of like kind and value in the various taxing units of the state. Upon completion of the manual, the commission shall furnish copies thereof to each county assessor free of charge, and to all others at a price of two dollars and fifty cents.

Distribution.

Appropriation.

SEC. 2. To carry out the provisions of this act there is hereby appropriated to the tax commission from the general fund for the biennium ending March 31, 1953, the sum of ten thousand dollars, or so much thereof as shall be necessary.

Passed the Senate February 13, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.



## CHAPTER 39

[ S. B. 87. ]

## ENABLING ACQUISITION OF OUT-OF-STATE WATER SYSTEMS.

AN ACT providing for the acquisition, operation and maintenance of a water system by municipalities acting jointly with out-of-state municipalities.

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

SECTION 1. Municipalities of this state under ordinance of the governing body are empowered to acquire by purchase or lease, and to maintain and operate, in cooperation with neighboring municipalities of states bordering this state, the out-of-state property, plant and equipment of privately owned utilities supplying water to the purchasing municipalities from an out-of-state source: *Provided*, The legislature of the state in which such property, plant, equipment and supply are located, by enabling legislation similar to this, authorizes its municipalities to join in such acquisition, maintenance and operation.

Municipalities may acquire out-of-state water systems.

Like legislation in other state.

SEC. 2. The governing bodies of the municipalities acting jointly under this act shall have authority by mutual agreement to exercise jointly all powers granted to each individual municipality in the acquisition, maintenance and operation of a water supply system.

Joint operation.

Passed the Senate February 6, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

## CHAPTER 40

[ S. B. 128. ]

AUBURN GENERAL DEPOT—CEDING CONCURRENT  
JURISDICTION TO THE UNITED STATES.

AN ACT ceding to the United States concurrent jurisdiction over 570.08 acres of land in King County, state of Washington.

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

Jurisdiction  
ceded.

Auburn  
General  
Depot.

State  
reserves  
right of  
process.

SECTION 1. Concurrent jurisdiction shall be, and the same is hereby ceded to the United States over and within all the land comprising the Auburn General Depot area, being 570.08 acres, more or less, situate in King County, state of Washington; saving, however, to the state the right to serve civil and criminal process within the limits of the aforesaid area in suits or prosecutions for or on account of rights acquired, obligations incurred or crimes committed in said state, but outside of said area. The metes and bounds description of the land over which jurisdiction is ceded hereby is as follows:

Description.

A parcel of land in sections 24 and 25, Township 21 North, Range 4 East, Willamette Meridian, King County, as follows: Beginning at a point on the west line of the Northern Pacific Railway right-of-way which point is S 89° 16' 55" W, 423.65 feet and N 2° 12' 33" W, 20 feet from the southeast corner of section 25, thence S 89° 16' 55" W, 1548.93 feet along the north right-of-way line of Ellingson Road to a point, thence N 0° 10' 45" E, 1298.11 feet to a point, thence S 89° 31' 28" W, 638.25 feet to the east right-of-way line of Greenhalgh Road, thence N 0° 08' 47" E, 1351.31 feet along said east right-of-way line to its intersection with the north right-of-way line of Algonia Road, thence S 89° 46' 07" W, 1724.35 feet along said north right-of-way line to a point on the easterly right-of-way line of the Chicago, Milwaukee, St.

Paul and Pacific Railroad, thence N 0° 04' 38" W, 1223.74 feet along said right-of-way to a point of spiral curve, thence along a spiral curve whose central angle is 1° 36' 14" and whose long chord bears N 0° 27' 20" E, 158.51 feet, thence along a circular curve to the right, whose radius bears S 88° 28' 24" E, 2822.01 feet, through a central angle of 21° 16' 24" for a distance of 1047.78 feet to a point of spiral, thence along a spiral curve whose central angle is 1° 36' 14", and whose long chord bears N 23° 51' 42" E, 158.51 feet, thence N 24° 24' 15" E, 3088.12 feet to a point of spiral curve, thence along a spiral whose central angle is 1° 35' 51", and whose long chord bears N 23° 51' 55" E, 161.51 feet to point of circular curve, thence along a circular curve, to the left, whose radius bears N 67° 11' 36" W, 2908.01 feet, through a central angle of 20° 58' 46" for a distance of 1064.80 feet, thence along a spiral curve to the left, whose central angle is 1° 35' 51", and whose long chord bears N 0° 45' 10" E, 161.51 feet, thence N 0° 13' 47" E, 1148.81 feet to the centerline of the Chicago, Milwaukee, St. Paul and Pacific Railroad and Northern Pacific crossover track being a point in a curve, thence along centerline of said crossover track on a curve to the left in a southeasterly direction, from a radius which bears N 63° 36' 26" E, 351.28 feet, through a central angle of 26° 50' 13" for a distance of 164.54 feet, thence S 53° 13' 47" E, 1840.78 feet along said centerline, thence along a curve to the right in a southeasterly direction, from a radius which bears S 36° 46' 13" W, 386.60 feet, through a central angle of 10° 26' 06" for a distance of 70.41 feet to the intersection of the westerly right-of-way line of county road No. 76, thence S ° 12' 33" E, 6596.21 feet along the westerly right-of-way line of county road No. 76 to the East-West centerline of said section 25, thence N 89° 46' 02" E, 60.04 feet to the westerly right-of-way line of the Northern Pacific Railway Company, thence S 2° 12' 33" E,

2605.01 feet to point of beginning. The jurisdiction ceded hereby does not extend to any existing perimeter railroad or county road right-of-way.

Passed the Senate March 1, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

---

CHAPTER 41

[ S. B. 313. ]

RELATING TO THE LEASING OF COUNTY PROPERTY.  
AN ACT relating to the leasing of county property; and amending section 36.34.180, R.C.W.

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

SECTION 1. Section 36.34.180, R.C.W., as derived from section 1, chapter 162, Laws of 1913, is amended to read as follows:

At the day and hour designated in the notice or at any subsequent time to which the meeting may be adjourned by the board of county commissioners, but not more than thirty days after the day and hour designated for the meeting in the published notice, the board may lease the property in such notice described for a term of years and upon such terms and conditions as to the board may seem just and right in the premises. No lease shall be for a longer term in any one instance than ten years, and no renewal of a lease once executed and delivered shall be had, except by a re-leasing and re-letting of the property according to the terms and conditions of this chapter:

County property may be leased.

Ten year term.

Exceptions.

Industrial, etc., purposes.

*Provided*, That if a county owns property within or outside the corporate limits of any city or town or anywhere in the county suitable for municipal purposes, or for commercial buildings, or owns property suitable for manufacturing or industrial purposes or sites, or for military purposes, or for temporary or

emergency housing, or for any requirement incidental to manufacturing, commercial, agricultural, housing, military, or governmental purposes, the board of county commissioners may lease it for such purposes for any period not to exceed thirty-five years: *Provided further*, Where the property involved is or is to be devoted to airport purposes and construction work or the installation of new facilities is contemplated, the board may lease said property for such period as may equal the estimated useful life of such work or facilities but not to exceed seventy-five years.

Thirty-five  
year term.

Airport  
purposes.

If property is leased for municipal purposes or for commercial buildings or manufacturing or industrial purposes the lessee shall prior to the execution of the lease file with the board of county commissioners general plans and specifications of the building or buildings to be erected thereon for such purposes. All leases when executed shall provide that they shall be cancelled by failure of the lessee to construct such building or buildings or other improvements for such purposes within three years from date of the lease, and in case of failure so to do the lease and all improvements thereon including the rentals paid, shall thereby be forfeited to the county unless otherwise stipulated. No change or modification of the plans shall be made unless first approved by the board of county commissioners. If at any time during the life of the lease the lessee fails to use the property for the purposes leased, without first obtaining permission in writing from the board of county commissioners so to do, the lease shall be forfeited.

Plans for im-  
provement.

Cancellation  
clause.

Modification  
of plans.

Forfeiture.

Any lease made for a longer period than ten years shall contain provisions requiring the lessee to permit the rentals for every five year period thereafter, or part thereof, at the commencement of such period, to be readjusted and fixed by the board of county

Rental re-  
adjustment.

commissioners. In the event that the lessee and the board cannot agree upon the rentals for said five year period, the lessee shall submit to have the disputed rentals for the subsequent period adjusted by arbitration. The lessee shall pick one arbitrator and the board one, and the two so chosen shall select a third. No board of arbitrators shall reduce the rentals below the sum fixed or agreed upon for the last preceding period. All buildings, factories, or other improvements made upon property leased shall belong to and become property of such county, unless otherwise stipulated, at the expiration of the lease.

Arbitration.

Improvements go to county.

Assignment.

No lease shall be assigned without the assignment being first authorized by resolution of the board of county commissioners and the consent in writing of at least two members of the board endorsed on the lease. All leases when drawn shall contain this provision.

Federal government purposes.

This section shall not be construed to limit the power of the board of county commissioners to sell, lease, or by gift convey any property of the county to the United States or any of its governmental agencies to be used for federal government purposes.

[Am. Rem. Supp. 1941, § 4022]

Passed the Senate February 19, 1951.

Passed the House February 28, 1951.

Approved by the Governor March 5, 1951.

## CHAPTER 42.

[ H. B. 94. ]

## TRACK MOTOR CARS.

AN ACT providing for installation of certain equipment upon track motor cars operated by railroads and providing a penalty.

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

SECTION 1. Every person, firm or corporation operating or controlling any railroad running through or within this state as a common carrier shall, on or before January 1, 1952, equip each of its track motor cars with:

Track motor car equipment.

(1) A windshield and a device for wiping rain, snow and other moisture therefrom, which device shall be maintained in good order and so constructed as to be controlled or operated by the operator of said track motor car;

Windshield wipers.

(2) A canopy or top of such construction as to adequately protect the occupants thereof from the rays of the sun, rain, snow or other inclement weather.

Canopy.

SEC. 2. It shall be unlawful after January 1, 1952, for any person, firm or corporation, operating or controlling any common carrier railroad running through or within this state to operate or use any track motor car which is not equipped with a windshield and canopy or top as provided in section 1.

Unlawful to operate without windshield wiper and canopy.

SEC. 3. Every person, firm or corporation operating or controlling any railroad running as a common carrier through or within the state shall, on or before January 1, 1952, equip each of its track motor cars used during the period from thirty minutes before sunset to thirty minutes after sunrise, with an electric headlight of such construction and with sufficient candle power to render plainly visible at a distance of not less than three hundred feet in

When.

Track motor cars to have headlights.

Rear light.

advance of such track motor car, any track obstruction, landmark, warning sign or grade crossing, and further shall equip such track motor car with a red rear electric light of such construction and with sufficient candle power as to be plainly visible at a distance of three hundred feet.

Unlawful to operate without.

SEC. 4. It shall be unlawful after January 1, 1952, for any person, firm or corporation operating or controlling any railroad running as a common carrier through or within this state to operate or use any track motor car from thirty minutes before sunset to thirty minutes after sunrise, which is not equipped with lights of the candle power, construction and utility described in section 3.

Violation.

SEC. 5. Every violation of this act is a misdemeanor and shall be punishable by a fine of not more than one hundred dollars.

Passed the House February 8, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 7, 1951.



## CHAPTER 43.

[ H. B. 77. ]

## LEGISLATIVE BUDGET COMMITTEE.

AN ACT creating and establishing a legislative budget committee and providing for its selection, terms, powers, duties, rules, findings and reports; and declaring an emergency.

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

SECTION 1. There is hereby created a legislative budget committee which shall consist of three senators and four representatives from the legislature. The senate members of the committee shall be appointed by the president of the senate and the house members of the committee shall be appointed by the speaker of the house. Not more than two senate members, nor more than two house members shall be appointed from any one political party. All members shall be appointed before the close of the 1951 session of the legislature and before the close of each regular session thereafter. Members shall be subject to confirmation, as to the senate members by the senate, and as to the house members by the house. In the event of a failure to appoint committee members, either on the part of the president of the senate or on the part of the speaker of the house, or in the event of a refusal by either the senate or the house to confirm appointments on the committee, then the members of the committee from either house in which there is a failure to appoint or confirm shall be elected forthwith by the members of such house.

SEC. 2. The committee shall have the power and duty to appoint its own chairman, vice-chairman, and other officers; to make rules and regulations for orderly procedure; to perform, either through the legislative budget committee or through the legis-

Created.

Members.

Appointed, when.

Confirmation by legislature.

Failure to appoint.

Powers and duties.

Study expenditures.

lative council or through subcommittees of the legislative budget committee, all duties and functions relating to the study of expenditures by the state government, its officers, boards, committees, commissions, institutions, and other state agencies.

Committee to study administrative procedures.

SEC. 3. The committee shall have power to examine and study the administrative organization and procedures of the state government, its officers, boards, committees, commissions, institutions and other state agencies and to make recommendations to the legislature, where found advisable, directed to the elimination of unnecessary overlapping or duplication of functions, procedures and expenditures, and to the promotion of economy and efficiency in state government.

Powers.

SEC. 4. The committee shall have the following powers:

Current condition of state funds.

(a) To make current examination and reports concerning the current condition of all state funds, appropriations and other state moneys; concerning whether or not such appropriations are being currently expended for the purposes and within the statutory restrictions provided by the legislature; and concerning the current availability of revenue to meet expenditures under appropriations;

State expenses.

(b) To make such other studies and examinations of the expenses of the state government and its state agencies as it may find advisable, and to hear complaints, hold hearings, gather information and make findings of fact with respect thereto.

Reports from governor.

SEC. 5. The committee shall have the power to receive messages and reports in person or in writing from the governor or any other state officials and to study generally any and all business relating to the expenses of state government and its state agencies during the interim between regular legislative sessions.

Interim.

SEC. 6. The committee shall have the power to make reports from time to time to the members of the legislature, to the legislative council, and to the public with respect to any of its findings or recommendations. The committee shall keep complete minutes of its meetings. The committee shall make and distribute its final report to the members of the ensuing legislature at least ten days prior to the convening of the legislature.

Reports to legislature.

SEC. 7. The committee shall cooperate, act and function with the legislative council and with the councils or committees of other states similar to this committee and with other interstate research organizations.

Cooperation with legislative council.

SEC. 8. In the discharge of any duty herein imposed, the committee and its subcommittees shall have the authority to examine and inspect all files, records and accounts of any state office, department, institution, board, committee, commission or agency, and to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, either residing within or without the state, to be taken in the manner prescribed by laws for taking depositions in civil actions in the superior courts.

May examine files.

Oaths, subpoenas, depositions.

SEC. 9. In case of the failure on the part of any person to comply with any subpoena issued in behalf of the committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the superior court of any county, or of the judge thereof, on application of the committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein.

Contempt.

**Witness fees.** SEC. 10. Each witness who appears before the committee by its order, other than a state official or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers signed by such witness and approved by the secretary and chairman of the committee.

**Legislative auditor.** SEC. 11. The committee is hereby authorized and empowered to appoint an officer to be known as the legislative auditor, and to fix his compensation, who shall act as secretary of the committee and assist in its duties and shall compile information for the committee. The committee is hereby authorized and empowered to select and employ other clerical, legal, accounting, research and other assistants that it may deem desirable in the performance of its duties, and the compensation and salaries shall be fixed by the legislative budget committee.

**Other employees.**

**Duties of legislative auditor.** The duties of the legislative auditor shall be as follows:

(a) To ascertain the facts and make recommendations to the legislative budget committee and under their direction to the committees of the state legislature concerning

- (1) state budget;
- (2) revenues and expenditures of the state;
- (3) the organization and functions of the state, its departments, subdivisions and agencies.

(b) To assist the appropriations committees of the house and senate, respectively, in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee and to assist any other legislative committees upon instruction by the legislative budget committee.

(c) To provide all legislative committees and members of the legislature with information obtained under the direction of the legislative budget committee.

(d) To maintain a record of all work performed by the legislative auditor under the direction of the legislative budget committee and to keep and make available all documents, data and reports submitted to him by any legislative committee.

SEC. 12. The term of office of the members of the committee who continue to be members of the senate and house shall be from the time of confirmation, election or appointment until the confirmation or election of a new committee as provided in section 1 hereof. The term of office of such committee members as shall not continue to be members of the senate and house shall cease upon the convening of the next regular session of the legislature after their confirmation, election or appointment. Vacancies on the committee shall be filled by appointment by the remaining members. All such vacancies shall be filled from the same political party and from the same house as the member whose seat was vacated.

Terms of  
office.

Vacancies.

SEC. 13. On and after the commencement of a succeeding general session of the legislature, those members of the committee who continue to be members of the senate and house, respectively, shall continue as members of the committee until their successors are appointed and confirmed or elected, and the committee shall continue with all its powers, duties, authorities, records, papers, personnel and staff, and all funds made available for its use.

Members  
continue  
until  
successors  
confirmed.

SEC. 14. The members of the committee shall serve without compensation, but shall be reimbursed for their expenses incurred while attending sessions of the committee or meetings of any subcommittee of the committee, or while engaged on other com-

Compensa-  
tion.

Expenses.

mittee business authorized by the committee to the extent of fifteen dollars per day, plus eight cents per mile in going to and coming from committee sessions or committee meetings or for travel on other committee business when authorized by the committee.

Vouchers.

SEC. 15. All expenses incurred by the committee, including salaries and expenses of employees, shall be paid upon voucher forms as provided by the auditor and signed by the chairman or vice chairman of the committee and attested by the secretary of said committee, and the authority of said chairman and secretary to sign vouchers shall continue until their successors are selected after each ensuing session of the legislature. Vouchers may be drawn on funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the committee.

Partial  
invalidity.

SEC. 16. If any section, subsection, paragraph or provision of this act shall be held invalid by any court for any reason, such invalidity shall not in any way affect the validity of the remainder of this act.

Emergency.

SEC. 17. This act is necessary for the immediate support of the state government and of the existing public institutions of the state and shall take effect immediately.

Passed the House February 26, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 8, 1951.

## CHAPTER 44.

[ S. B. 115. ]

## TAX TOKENS—DISCONTINUING USE OF.

AN ACT relating to taxation; discontinuing the use of tax tokens; amending sections 82.08.050, 82.08.060 and 82.08.070, R.C.W.; repealing section 82.08.130, R.C.W.; and declaring that it shall take effect April 1, 1951.

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

SECTION 1. Section 82.08.050, R.C.W., as derived from section 21, chapter 180, Laws of 1935, as amended, is amended to read as follows: Amendment.

The tax hereby imposed shall be paid by the buyer to the seller, and each seller shall collect from the buyer the full amount of the tax payable in respect to each taxable sale in accordance with the schedule of collections adopted by the tax commission pursuant to the provisions of section 82.08.060. Tax paid by buyer.

The tax required by this chapter, to be collected by the seller, shall be deemed to be held in trust by the seller until paid to the commission, and any seller who appropriates or converts the tax collected to his own use or to any use other than the payment of the tax to the extent that the money required to be collected is not available for payment on the due date as prescribed in this chapter shall be guilty of a misdemeanor. Tax held in trust by seller.

In case any seller fails to collect the tax herein imposed or having collected the tax, fails to pay it to the commission in the manner prescribed by this chapter, whether such failure is the result of his own acts or the result of acts or conditions beyond his control, he shall, nevertheless, be personally liable to the state for the amount of the tax. Seller's personal liability.

The amount of tax, until paid by the buyer to the seller or to the commission, shall constitute a debt from the buyer to the seller and any seller who fails or refuses to collect the tax as required with Debt.

intent to violate the provisions of this chapter or to gain some advantage or benefit, either direct or indirect, and any buyer who refuses to pay any tax due under this chapter shall be guilty of a misdemeanor.

Misde-  
meanor.

Where a buyer has failed to pay to the seller the tax imposed by this chapter and the seller has not paid the amount of the tax to the commission, the commission may, in its discretion, proceed directly against the buyer for collection of the tax, in which case a penalty of ten per cent may be added to the amount of the tax for failure of the buyer to pay the same to the seller, regardless of when the tax may be collected by the commission; and all of the provisions of chapter 82.32, including those relative to interest and penalties, shall apply in addition; and, for the sole purpose of applying the various provisions of chapter 82.32, the fifteenth day of the month following the bi-monthly tax period in which the purchase was made shall be considered as the due date of the tax.

May proceed  
against  
buyer,  
penalty.

[Am. Rem. Supp. 1949 § 8370-21]  
[Chapter 82.32, R.C.W., is Rem. Supp. §§ 8370-185 to 8370-211 incl., also §§ 8370-225 and 8370-226]

Amendment.

SEC. 2. Section 82.08.060, R.C.W., as derived from section 22, chapter 180, Laws of 1935, as amended, is amended to read as follows:

Commission  
may adopt  
rules and  
schedules.

The tax commission shall have power to adopt rules and regulations prescribing methods and schedules for the collection of the tax required to be collected by the seller from the buyer under this chapter. The methods and schedules prescribed shall be adopted so as to eliminate the collection of fractions of one cent and so as to provide that the aggregate collections of all taxes by the seller shall, insofar as practicable, equal the amount of tax imposed by this chapter. Such schedules may provide that no tax need be collected from the buyer upon sales

Fractions  
of cent  
eliminated.



below a stated sum and may be amended from time to time to accomplish the purposes set forth herein.

[Am. Rem. Supp. 1941 § 8370-22]

SEC. 3. Section 82.08.070, R.C.W., as derived from section 23, chapter 180, Laws of 1935, as amended, is amended to read as follows: Amendment.

Each seller, on or before the fifteenth day of the month succeeding the end of each bi-monthly period, shall make out a return for the preceding bi-monthly period, upon forms to be provided by the commission, setting forth the amount of all sales, nontaxable sales, taxable sales, the amount of tax thereon, and such other information as the commission may require, sign, and transmit the same to the commission. Seller to make return.

The commission may require annual returns from any taxpayer, setting forth such additional information as it may deem necessary to correctly determine tax liability. Annual returns. The tax accrued under the provisions of this chapter, whether or not collected from the buyer shall be paid by the seller to the commission in bi-monthly installments at the time of transmitting the return above provided for.

[Am. Rem. Supp. 1941 § 8370-23]

SEC. 4. Outstanding tax tokens shall be redeemed by the commission on or before June 30, 1951, and not thereafter. The commission shall have power to provide by regulation the methods by which tokens shall be redeemed, accepted, transmitted, and cancelled. In order to facilitate the redemption of tokens, the commission is authorized to establish a tax token redemption fund by the transfer thereto by warrant from time to time from its appropriation for tax refunds of such amounts as are deemed necessary and thereafter issuing its checks against the redemption fund in payment for tokens offered for redemption. Tax tokens redeemed.

Redemption fund.

Repealing  
clause.

SEC. 5. Section 82.08.130, R.C.W., as derived from section 28, chapter 180, Laws of 1935, is repealed.

[Rep. Rem. Supp. 8370-28]

Emergency.

SEC. 6. This act is necessary for support of the state government and its existing public institutions and shall take effect April 1, 1951.

Passed the Senate February 14, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 8, 1951.

---

CHAPTER 45.

[ H. B. 57. ]

DIKING DISTRICT ASSESSMENTS.

AN ACT relating to powers of diking districts; providing a method to determine continuous base benefits received by land and buildings thereon, which are protected by the improvements of such districts, and for the levying and collection of assessments against the same to pay for the continuous operation of such districts, and authorizing additional obligations to be incurred in cases of emergency; and declaring an emergency.

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

Declaration  
of state's  
interest.

SECTION 1. The state declares that it has an interest in protecting and preserving productive land and buildings needed to make business function continuously. Where organized diking districts, through their improvements, have reclaimed land or protected it from overflow and have enabled erection of improvements thereon or have furnished such land and buildings protection against flood waters, it is necessary to provide a just and equitable method to enable such diking districts continuously to function effectively. It is declared that there is a direct relationship, where such conditions exist, between the continuous functioning of such districts

and the fair value of the lands and buildings thereon, or to be erected thereon, thus afforded protection.

SEC. 2. When any diking district has been organized and the improvements made afford protection to land and buildings within such district against damage or destruction from overflow waters in that the level of the land and of the foundational structures of buildings thereon is below the water level at flood or high tide stages of the waters, fresh or salt, against which such district improvements furnished protection, the board of diking commissioners of such district may, under the procedure established in this act, determine such fact and by resolution so declare; and may provide that the cost of continued functioning of the district shall be paid through levies of millage made and collected according to this act against the land and buildings thus protected, based upon the determined base benefits received by such land and buildings.

Improvements protecting property.

Board of diking commissioners.

Levies.

Base benefits.

SEC. 3. To operate under this act, the board shall cause to be prepared and filed with it a roll containing descriptions of the land and buildings thereon within the district to which its improvements furnish the nature of protection set forth in section 2. The roll shall show descriptions of the land and the name of its owner, or reputed owner, and such owner's address, as shown upon the tax roll of the treasurer of the county wherein the property is located, and the determined value of such land and any buildings thereon as last assessed and equalized by the taxing agencies of such county.

Board to prepare roll.

SEC. 4. After the roll is prepared the board shall give notice of a time and place at which the board will hold a public hearing to determine whether the facts and conditions heretofore recited in this act as a prerequisite to its application do or do not exist, and if so found to exist by said board at said hearing, then the board shall by resolution so declare. The

Notice of hearing.

Contents  
of notice.

notice shall also state that at said hearing, or any continuance thereof, the board will sit to consider said roll and to determine the continuous base benefits which each of the properties thereon are receiving and will receive from the continued operation and functioning of such district, which shall in no instance exceed fifty per cent of the true and fair value of such property in money, will consider all objections made thereto or to any part thereof, and will correct, revise, lower, change, or modify such roll as shall appear just and equitable; that when correct benefits are fixed upon said roll by said board, it will adopt said roll by resolution as establishing, until modified as hereinafter provided, the continuous base benefit to said protected lands and buildings against which will be levied and collected millage to provide funds for the continuous functioning of said district.

## Notice.

SEC. 5. The notice of the time and place of hearing shall be given to any owner, or reputed owner, of the property which is listed on the roll as aforesaid, by mailing a copy thereof at least thirty days before the date fixed for the hearing to such owner or owners at his or their address as shown on the tax rolls of the county treasurer for the property described. In addition thereto, such notice shall be published at least three times in the daily or weekly newspaper published in or nearest to said district, and if there be more than one such, then the newspaper of the choice of said board of commissioners. At least fifteen days must elapse between the last date of publication thereof and the date fixed for such hearing.

## Mailing.

## Publication.

Hearing;  
duties of  
board.

SEC. 6. At said hearing, or adjournments thereof, the board shall review said roll and determine the continuous base benefits to land and buildings furnished continuous protection by the improvement system of the district; hear objections to the adop-

tion of said roll; correct, revise, change, modify or set aside such roll, or any part thereof, as to the board shall appear equitable and just; and then adopt the same by resolution. All objections to this or any subsequent roll must be in writing and filed with the board during the hearing before the roll is adopted and must state clearly the grounds of objection. Objections not made within the time and in the manner herein prescribed shall be conclusively presumed to have been waived.

Objections.

Waiver.

SEC. 7. The board shall, from time to time, examine the properties within said district, and if it finds that any protected land or buildings thereon have been omitted from the existing roll, or new buildings have been added to lands, or the condition of land or buildings has changed, and in the initial judgment of the board such land or the buildings thereon was such that it was furnished the protective benefits of the improvements of the district, the board shall cause at each such time an additional roll of such property to be filed with it, and hold a hearing to determine and make such corrections, additions, alterations and modifications of the benefits to such property only, and to hear any objections filed as to such property only. The board shall give notice of such hearing to the owner, or reputed owner, of the property involved, at the address of such owner as then shown on the tax rolls of the treasurer of the county wherein the property is located, in the same way and manner as herein provided for consideration of the original roll, but such notice need not be published.

Additional rolls pursuant to examination of property.

Hearings.

Notice.

At the hearing, or any adjournment thereof, the board shall have power to correct, revise, change, modify, or set aside such roll, or any part thereof, as shall be deemed just and equitable, and then adopt the same by resolution.

Adjustment.

Roll to be certified and filed.

SEC. 8. When any roll or additional or supplemental roll be adopted by the board of commissioners, the same shall be certified to, and filed with, the auditor of the county wherein the property contained on said roll is situated, and shall supplement said original roll.

Roll as base of benefits.

SEC. 9. Until further modified, amended, or changed by an additional or supplemental roll certified to the county auditor after the foregoing procedure is had, the original roll, as modified or supplemented, if the same is done, shall serve as the base of benefits to the land and buildings protected by the improvement system of said district against which millage is levied and collected from time to time for the continued functioning of said diking district.

Roll adopted is conclusive.

SEC. 10. Whenever any roll shall have been adopted by the board of commissioners, the regularity, validity and correctness of the proceedings relating thereto shall be conclusive upon all parties, and it cannot in any manner be contested or questioned in any proceeding whatsoever by any person not filing written objections to such roll as provided in section 6 and appealing from the action of the board in confirming such roll in the manner and within the time in this act provided. No proceeding of any kind, except proceedings had through the process of appeal as in this act provided, shall be commenced or prosecuted or may be maintained, for the purpose of defeating or contesting any assessment or charge made through levies under this act, or the sale of any property to pay such charges:

Contest only by appeal.

Injunction.

*Provided, however,* That suit in injunction may be brought to prevent collection of charges of assessments or sale of property thereunder upon the following grounds and no other:

(1) That the property charged or about to be sold does not appear upon the district roll filed with the county auditor, or

(2) The charge has been paid.

SEC. 11. The decision of the board of commissioners upon any objection made within the time and in the manner prescribed may be reviewed by the superior court of the county wherein the property in question is located, upon appeal thereto taken in the following manner: Any person aggrieved must file his petition for writ of review with the clerk of the superior court wherein the property is located within ten days after the roll affecting such aggrieved party was adopted by resolution, and serve a copy thereof upon the commissioners. The petition shall describe the property in question, set forth the written objections which were made to the decision, the date of filing of such objections, and be signed by such party or one in his behalf. The court shall forthwith grant such petition if correct as to form and filed in accordance with this act.

SEC. 12. Within ten days from the filing of such petition for review, the commission, unless the court shall grant additional time, shall file with the clerk of such court its certified transcript containing such portion of the roll as is subject to review, any written objections thereto filed with the board by the person reviewing before said roll was adopted, and a copy of the resolution adopting the roll.

SEC. 13. The county clerk shall charge the same filing fees for petitions for review as in civil actions. At the time of the filing of such petition with the clerk, the appellant shall execute and file a bond in the penal sum of two hundred dollars, with at least two sureties, to be approved by the judge of said court, conditioned upon his prosecuting his appeal without delay and to guarantee all costs which may

be assessed against him by reason of such review. The court shall, on motion of either party to the cause, with notice to the other party, set said cause for trial at the earliest time available to the court, fixing a date for hearing and trial without a jury. Said cause shall have preference over all civil actions pending in said court except eminent domain and forcible entry and detainer proceedings.

Trial.

Issue.

SEC. 14. At the trial the court shall determine whether the board has acted within its discretion and has correctly construed and applied the law. If it finds that it has, the finding of the board shall be affirmed; otherwise it shall be reversed or modified. The judgment of the court may change, confirm, correct, or modify the values of the property in question as shown upon the roll, and a certified copy thereof shall be filed with the county auditor, who shall change, modify or correct as and if required.

Judgment.

Appeal  
to supreme  
court.

SEC. 15. An appeal shall lie to the supreme court from the superior court as in other civil cases: *Provided, however,* That such appeal must be taken within fifteen days after the date of entry of the judgment of the superior court. The supreme court, on such appeal, may change, confirm, correct or modify the values of the property in question as shown upon the roll. A certified copy of any judgment of the supreme court shall be filed with the county auditor having custody of such roll, who shall thereupon change, modify, or correct such roll in accordance with such decision if required.

Returns  
constitute  
assessments  
for benefits.

SEC. 16. The millage levy returns collected from time to time under this act are solely assessments for benefits received continuously by the protected properties, calculated in the manner specified in this act as a just and equitable way for all protected property to share the expense of such required protection.



SEC. 17. The board of commissioners of any diking district proceeding under this act shall, on or before the first day of November of each year, make an estimate of the costs reasonably anticipated to be required for the effective functioning of such district during the ensuing year and until further revenue therefor can be made available, and cause its chairman or secretary to certify the same on or before said date to the county auditor, and the amount so certified shall be levied by the regular taxing agencies against the base benefits to the lands and buildings within such district as shown by the then current complete roll of such properties and the determined benefits thereto as therefore certified to and filed with such county auditor by the commissioners of such district. When thus levied, the amount of assessment produced thereby shall be added by the general taxing authorities to the general taxes against said lands and collected therewith as a part thereof. If unpaid, any delinquencies in such assessments shall bear interest at the same rate and in the same manner as general taxes and they shall be included in and be made a part of any general tax foreclosure proceedings, according to the provisions of law with relation to such foreclosures. As assessment collections are made, the county treasurer shall credit the same to the funds of such district.

Board to make estimate of costs.

Certify costs.

Levy made by regular taxing agencies.

Levy added to general taxes.

Delinquencies.

Foreclosures.

SEC. 18. In the case of an emergency or disaster not in contemplation at the time of making the annual estimate of costs, declared to be such by resolution of such board, the diking commissioners may incur additional obligations and issue valid warrants therefor in excess of such estimate, in the manner provided by law for issuance of warrants by diking districts and the servicing thereof, and all such warrants so issued shall be valid and legal obligations of such district and its taxable lands and improve-

Emergency.

Additional obligations and warrants.

ments as shown upon the then current roll of said district filed with the county auditor.

Process  
exclusive  
upon  
adoption.  
Exception.

SEC. 19. Any diking district operating under this act shall not use the processes provided for raising revenue under any other law: *Provided*, That any such other method of raising revenue provided by law may be used concurrently for the sole purpose of extinguishing indebtedness incurred before the district adopts the procedure of this act, and no funds raised hereunder shall be used to pay such prior indebtedness.

Partial  
invalidity.

SEC. 20. Should any section or provision of this act be declared unconstitutional or ineffectual, such action shall not affect or nullify any other provision or section thereof.

Emergency.

SEC. 21. 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 House February 5, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 9, 1951.

---

## CHAPTER 46.

[ H. B. 52. ]

### COMMISSION TYPE CITIES—SALARY OF MAYOR.

AN ACT relating to cities organized under the commission form of government; and amending section 35.17.110, R.C.W., and declaring an emergency.

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

Amendment.

SECTION 1. Section 35.17.110, R.C.W., as derived from section 4, chapter 25, Laws of 1943, is amended to read as follows:

In cities having a population of two thousand five

hundred, and less than forty-five hundred, the annual salary of the mayor shall be five hundred dollars and that of each of the commissioners two hundred and fifty dollars.

Cities less than 4,500.

In cities having a population of forty-five hundred and less than seven thousand, the annual salary of the mayor shall be fifteen hundred dollars, and that of each of the commissioners twelve hundred dollars.

4,500 and less than 7,000.

In cities having a population of seven thousand and less than fourteen thousand the annual salary of the mayor shall be two thousand dollars, and that of each of the commissioners eighteen hundred dollars.

7,000 and less than 14,000.

In cities having a population of fourteen thousand and less than twenty thousand, the annual salary of the mayor shall be three thousand two hundred dollars and that of each of the commissioners, two thousand seven hundred dollars.

14,000 and less than 20,000.

In cities having a population of twenty thousand and less than thirty thousand the annual salary of the mayor shall be four thousand five hundred dollars and that of each of the commissioners four thousand dollars.

20,000 and less than 30,000.

The salaries of the mayor and the commissioners shall be payable on a monthly basis.

Payable monthly.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

[Am. Rem. Supp. 1943, § 9103, except first two lines thereof, which are codified as § 35.17.040, R.C.W.]

Passed the House January 31, 1951.

Passed the Senate, March 5, 1951.

Approved by the Governor March 12, 1951.

CHAPTER 47.

[ H. B. 274. ]

COMMISSION CITIES—COMPENSATION OF OFFICERS.

AN ACT relating to cities operating under the commission form of government, and amending chapter 35.17, R.C.W., by adding a new section thereto, and declaring an emergency.

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

Amendment.

SECTION 1. Chapter 35.17, R.C.W., as derived from chapter 116, Laws of 1911, as amended, is amended by adding a new section thereto to read as follows:

Cities of 7,000 to 14,000 operating public utilities.

In cities having a population of seven thousand and less than fourteen thousand and operating public utilities having a gross annual income of three hundred thousand dollars, the annual salary of the mayor shall be two thousand five hundred dollars, the annual salary of the commissioner of finance and accounting shall be three thousand dollars, and the annual salary of the commissioner of public works shall be two thousand five hundred dollars.

The salaries of the mayor and the commissioners shall be payable on a monthly basis.

Emergency.

SEC. 2. 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 House February 21, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 12, 1951.

## CHAPTER 48.

[ S. B. 47. ]

## BOXING AND WRESTLING CONTESTS.

AN ACT relating to boxing and wrestling; amending section 67.08.140, R.C.W.; and adding to chapter 67.08, R.C.W., a new section.

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

SECTION 1. Section 67.08.140, R.C.W., as derived from section 22, chapter 184, Laws of 1933, is hereby amended to read: Amendment.

Any person, club, corporation, organization, association, or fraternal society conducting within this state boxing, sparring, or wrestling contests or exhibitions without having first obtained a license therefor in the manner provided by this chapter shall be guilty of a misdemeanor excepting such contests excluded from the operation of this act by section 2 hereof. Failure to obtain a license a misdemeanor.  
Exception.

[Am. Rem. Supp. § 8276-22.]

SEC. 2. There is hereby added a new section to chapter 67.08, R.C.W., derived from chapter 184, Laws of 1933, to read as follows: New section.

The commission shall have power and it shall be its duty to direct, supervise and control all boxing contests or sparring and wrestling matches or exhibitions conducted within the state and no such boxing contest, sparring or wrestling match or exhibition shall be held or given within this state except in accordance with the provisions of this act. The commission may, in its discretion, issue and for cause revoke a license to conduct, hold or give boxing, sparring and/or wrestling contests, matches and exhibitions where an admission fee is charged by any club, corporation, organization, association or fraternal society: *Provided, however,* That all boxing contests, sparring or wrestling matches or exhi- Commission to control boxing and wrestling.  
Commission may issue or revoke licenses.  
School matches excepted from act.

Contestants  
to be  
examined by  
physician.

Rules and  
regulations.

bitions which are conducted by any high school, college or university, whether public or private, or by the official student association thereof, whether on or off the school, college, or university grounds, where all the participating contestants are *bona fide* students enrolled in any high school, college or university, within or without this state, shall not be subject to the provisions of this act: *Provided, further,* That every contestant in any boxing contest, sparring or wrestling match not conducted under the provisions of this act shall be examined within eight hours prior to the contest by a practicing physician and that said scholastic organizations herein exempted from the provisions of this act shall be governed by section 67.08.080 of this act as said act applies to boxing contests, sparring or wrestling matches or exhibitions conducted by any scholastic organizations exempted by this section from the general provisions of this act. No boxing contest or sparring or wrestling match or exhibition shall be conducted within the state except pursuant to a license issued in accordance with the provisions of this act and the rules and regulations of the commission except as hereinabove provided.

[R.C.W. 67.08.080 is Rem. Supp. § 8276-14.]

Passed the Senate February 23, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 49.

[ Sub. S. B. 13. ]

## MINE TO MARKET ROADS.

AN ACT relating to mine to market roads; amending section 78.48.080, R.C.W.; making an appropriation; and repealing section 78.48.070, R.C.W.

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

SECTION 1. Section 78.48.080, R.C.W., as derived from section 5, chapter 222, Laws of 1945, is amended to read as follows: Amendment.

In the event that any funds are made available from the federal government or from any department, division or agency thereof for the purpose of paying the cost of the establishment, location and construction of any mine to market road or trail, such funds shall be received by the state treasurer of the state of Washington and deposited by him in the motor vehicle fund: *Provided*, That the director of highways and all officers, departments, boards or commissions of the state of Washington shall have the power to receive and use such federal funds in such manner as the federal agency making such contributions shall provide. In the event that any private individual, firm, corporation or association may desire to make any contribution to aid in the cost of construction of any mine to market road or trail, such contribution shall be made in lawful money of the United States by delivery to the state treasurer and by him deposited to the credit of the motor vehicle fund for the use of the director of highways to defray the cost of establishment, location and construction of the mine to market road or trail, or that portion thereof for which such contribution was made. Federal funds.  
Disposition.  
Private contributions.  
Disposition.

Whenever, upon completion of a mine to market road or trail, there shall be an unexpended balance Unexpended balance.

of a contribution received from a private individual, firm, corporation or association in aid of the construction of such mine to market road or trail the director of highways shall submit a voucher to the state auditor for the issuance of a warrant in favor of the donor against the motor vehicle fund in the amount of such unexpended balance.

Donation  
of labor or  
equipment.

In the event that any private individual, firm, corporation or association desires to donate labor, machinery or equipment in aid of the location or construction of a mine to market road or trail the director of highways is authorized to accept and use the same.

[Am. Rem. Supp. 1945, § 6450-25f.]

Appropriation.

Amount.

Distribution.

SEC. 2. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways, the sum of three hundred thousand dollars for the location, establishment and construction of mine to market roads and trails, which sum shall be contributed in the following manner: Seventy-five per cent from that portion of the net tax amount remaining in the motor vehicle fund after credit has been made to the incorporated cities and towns and to the counties, and twenty-five per cent from that portion of the net tax amount in the motor vehicle fund credited to counties as soon as such an amount has been accumulated and before any monthly disbursements are made to the counties from the counties' share of the motor vehicle fund.

Appropriation.

Amount.

SEC. 3. There is hereby appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways for the biennium ending March 31, 1953, the sum of one hundred thousand dollars or so much thereof as may be required to carry out the provisions set forth in section 1 of this act.



SEC. 4. Any money remaining in the mine to market road fund on March 31, 1951, shall be transferred to the motor vehicle fund. Remaining sums.

SEC. 5. Section 78.48.070, R.C.W., as derived from section 7, chapter 222, Laws of 1945, is repealed. Repealing clause.

[Rep. Rem. Supp. 1945, § 6450-25h.]

Passed the Senate February 15, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 50.

[ S. B. 262. ]

### STATE EMPLOYEES' RETIREMENT SYSTEM.

AN ACT relating to the state employees' retirement system; amending sections 41.40.010, 41.40.120, 41.40.150, 41.40.160, 41.40.190, 41.40.200, 41.40.230, 41.40.290, 41.40.310, 41.40.320, 41.40.330, 41.40.360, 41.40.410, R.C.W.; adding four new sections to chapter 41.40, R.C.W., and declaring an emergency.

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

SECTION 1. Section 41.40.010, R.C.W. as derived from section 1, chapter 240, Laws of 1949, is amended to read as follows: Amendment.

As used in this chapter, unless a different meaning is plainly required by the context: Definitions.

(a) "Retirement system" means the state employees' retirement system provided for in this chapter. "Retirement system."

(b) "Retirement board" means the board provided for in this chapter to administer said retirement system. "Retirement board."

(c) "State treasurer" means the treasurer of the state of Washington. "State treasurer."

(d) "Employer" means every branch, department, agency, commission, board, and office of the "Employer."

state and any political subdivision of the state admitted into the retirement system.

"Member."

(e) "Member" means any employee included in the membership of the retirement system, as provided for in section 41.40.120.

"Original member."

(f) "Original member" of this retirement system means:

1. Any person who became a member of the system prior to April 1, 1949;

2. Any person who becomes a member through the admission of an employer into the retirement system on and after April 1, 1949, and prior to April 1, 1951;

3. Any person who first becomes a member by securing employment with an employer prior to April 1, 1951, provided he has rendered at least one or more years of service to any employer prior to October 1, 1947;

4. Any person who becomes a member through the admission of an employer into the retirement system on or after April 1, 1951, and prior to April 1, 1953, provided, such person has been in the regular employ of the employer for at least six months of the twelve month period preceding the said admission date;

"New member."

(g) "New member" of this retirement system means a person who becomes a member on or after April 1, 1949, except as otherwise provided in this section.

"Compensation earnable."

(h) "Compensation earnable" means salaries or wages earned during a payroll period for personal services and where the compensation is not all paid in money maintenance compensation shall be included upon the basis of the schedules established by the member's employer.

"Service."

(i) "Service" means periods of employment rendered to any employer for which compensation is paid, and includes time spent in office as an elected

or appointed official of an employer. Full time work for ten days or more or an equivalent period of work in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this chapter. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefits.

(j) "Prior service" means all service of an original member rendered to any employer prior to October 1, 1947. Service by a state employee officially assigned by the state on a temporary basis to assist another public agency, shall be considered as service as a state employee.

"Prior service."

(k) "Membership service" means:

"Membership service."

1. In the case of any person who becomes a member through the admission of an employer into the retirement system on or after April 1, 1949, and prior to April 1, 1953, all service rendered after October 1, 1947;

2. In the case of all other members, all service as a member.

(l) "Beneficiary" means any person in receipt of a retirement allowance, pension or other benefit provided by this chapter.

"Beneficiary."

(m) "Regular interest" means such rate as the retirement board may determine, such rate not to be lower than one per cent per annum nor more than four per cent per annum compounded annually.

"Regular interest."

(n) "Accumulated contributions" means the sum of all contributions for the purchase of annuities standing to the credit of a member in his individual account together with regular interest thereon.

"Accumulated contributions."

(o) "Average final compensation" means the average compensation earnable by a member during

"Average final compensation."

his last five years of service as an employee, or for any consecutive five year period of service, whichever is the greater; or if he has less than five years of service, then the average compensation earnable by him during his total years of service.

"Final compensation."

(p) "Final compensation" means the annual rate of compensation earnable by a member at the time of termination of his employment.

"Annuity."

(q) "Annuity" means payments for life derived from accumulated contributions of a member. All annuities shall be paid in monthly installments.

"Pension."

(r) "Pension" means payments for life derived from contributions made by the employer. All pensions shall be paid in monthly installments.

"Retirement allowance."

(s) "Retirement allowance" means the sum of the annuity and the pension.

"Annuity reserve."

(t) "Annuity reserve" means the present value, computed upon the basis of such mortality, and other tables, as shall be adopted by the retirement board, of all payments to be made on account of any annuity or benefits in lieu of any annuity granted to a member under the provisions of this chapter.

"Pension reserve."

(u) "Pension reserve" means the present value, computed upon the basis of such mortality, and other tables, as shall be adopted by the retirement board, of all payments to be made on account of any pension, or benefits in lieu of any pension, granted to a member under the provisions of this chapter.

"Employee."

(v) "Employee" means any person who may become eligible for membership under this chapter, as set forth in section 41.40.120.

"Contributions for the purchase of annuities."

(w) "Contributions for the purchase of annuities" means amounts deducted from the compensation of a member, under the provisions of section 41.40.330, other than contributions to the retirement system expense fund.

"Actuarial equivalent."

(x) "Actuarial equivalent" means a benefit of equal value when computed upon the basis of such

mortality and other tables as may be adopted by the retirement board.

[Am. Rem. Supp. 1949, § 11072-1.]  
 [R.C.W. 41.40.120 is Rem. Supp. 1949, § 11072-13.]  
 [R.C.W. 41.40.330 is Rem. Supp. 1949, § 11072-34.]

SEC. 2. Section 41.40.120, R.C.W. as derived from section 7, chapter 240, Laws of 1949, is amended to read as follows: Amendment.

Membership in the retirement system shall consist of all regularly compensated employees and appointive and elective officials of employers as defined in this chapter who have served at least six months without interruption, with the following exceptions: Membership.

1. Persons in positions requiring normally less than five months of uninterrupted service a year; Exceptions.  
Under 5 months.

2. Employees of the legislature except the officers thereof elected by the members of the senate and the house and legislative committees, unless membership of such employees be authorized by the said committee; Certain legislative employees.

3. Persons holding elective offices or persons appointed directly by the governor: *Provided*, That such persons shall have the option of applying for membership and to be accepted by action of the retirement board; Certain officers.  
Option.

4. Employees holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who are by reason of their current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan: *Provided, however*, In any case where the state employees' retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system. Employees under another system.  
Proviso.  
Agreement between systems.

such an employee shall be allowed membership rights should the agreement so provide;

Patient and inmate help.

5. Patient and inmate help in state charitable, penal and correctional institutions;

Veterans' home members.

6. "Members" of a state veterans' home or state soldiers' home;

Employed incident to education.

7. Persons employed by an employer or serving in an institution operated by an employer, primarily as an incident to and in furtherance of their education or training;

Employees of university and state college.

8. Employees of the University of Washington and the State College of Washington during the period of service necessary to establish eligibility for membership in the retirement plans operated by such institutions;

Fee basis services.

9. Persons rendering professional services to an employer on a fee, retainer or contract basis or as an incident to the private practice of a profession.

[Am. Rem. Supp. 1949, § 11072-13]

Amendment.

SEC. 3. Section 41.40.150, R.C.W. as derived from section 10, chapter 240, Laws of 1949, is amended to read as follows:

Cessation of membership.

Should any member become a beneficiary, or die, or should he separate or be separated from service without leave of absence before attaining age sixty years, he shall thereupon cease to be a member: *Provided*, That any member who would have attained sixty years or more by April 1, 1949, who shall be involuntarily separated from service prior to that date, with ten years or more service, shall not thereby lose his right to benefits under this chapter.

Exception.

Should he again become employed by an employer he shall enter the retirement system as a new member and his membership service shall be computed from the date he last became a member, *except*:

Re-employment, effect.

(a) As provided in section 41.40.170.

(b) An employee who re-enters or has re-entered service within ten years from the date of his separa-

tion, shall upon completion of six months of continuous service and upon the restoration of all withdrawn contributions, which restoration must be completed within three years after resumption of employment, be returned to the status, either as an original member or new member which he held at time of separation.

(c) A member separated for reasons beyond his control, who has completed at least fifteen years of service, or who has completed at least ten years of service and is age fifty or older shall remain a member during the period of his absence from service for the exclusive purpose only of receiving a retirement allowance to begin at attainment of age sixty-five, however, such a member may upon thirty days written notice to the board elect to receive a reduced retirement allowance on or after age sixty which allowance shall be the actuarial equivalent of the sum necessary to pay regular retirement benefits as of age sixty-five: *Provided*, That if such member should withdraw all or part of his accumulated contributions he shall thereupon cease to be a member unless the amounts so withdrawn be restored before his retirement age is reached.

Separation  
for reasons  
beyond  
member's  
control.

Withdrawal  
of contri-  
butions.

(d) The recipient of a retirement allowance who has not yet reached the compulsory retirement age of seventy and who shall be employed in an eligible position shall be considered to have terminated his retirement status and he shall immediately become a member of the retirement system with the status of membership he had as of the date of his retirement. Retirement benefits shall be suspended during the period of his eligible employment and he shall make contributions and receive membership credit. Upon again becoming a member there shall be transferred from the annuity reserve fund to the employees' savings fund and credited to the individual account of such member a sum that shall be equal to the then

Re-employ-  
ment of  
retirement  
allowance  
recipient.

present value of the annuity portion of his retirement allowance, computed upon the interest and mortality basis then in use by the retirement system for the computation of annuities. Such a member shall have the right to retire at any time on thirty days notice to the retirement board: *Provided, however,* That where any such right to retire is exercised to become effective before the member has rendered six uninterrupted months of service the type of retirement allowance he had at the time of his previous retirement shall be reinstated, but no additional service credit shall be available.

[Am. Rem. Supp. 1949, § 11072-16.]

[R.C.W. 41.40.170 is Rem. Supp. 1949, § 11072-18.]

Amendment.

SEC. 4. Section 41.40.160, R.C.W. as derived from section 11, chapter 240, Laws of 1949, is amended to read as follows:

Total service credit.

(a) Subject to the provisions of section 41.40.150 at retirement the total service credited to a member shall consist of all his membership service and, if he has a prior service certificate, all service certified on such certificate.

Acquisition of private enterprise by public agency.

(b) Employees of a public utility or other private enterprise heretofore or hereafter acquired by a public agency as a matter of public convenience and necessity, where it is in the public interest to retain the trained personnel of such enterprise, all service to that enterprise shall, upon the acquiring public agency becoming an employer as defined in 41.40.010 (d) be credited on the same basis as if rendered to the said employer: *Provided, however,* That this shall apply only to those employees who are in the service of the enterprise at the time of acquisition by the public agency and who remain in the service of the acquiring agency until they attain membership in the state employees' retirement system: *Provided further,* In the event that the acquiring agency is an employer at the time of the acquisition, employer's contributions in connection with mem-



bers achieving service credit hereunder shall be made on the same basis as set forth in 41.40.360 (d) for an employer admitted after April 1, 1949.

[Am. Rem. Supp. 1949, § 11072-17.]

[R.C.W. 41.40.150 is Rem. Supp. 1949, § 11072-16.]

[R.C.W. 41.40.010 (d) is Rem. Supp. 1949, § 11072-1 (d).]

[R.C.W. 41.40.360(d) is Rem. Supp. 1949, § 11072-37(d).]

SEC. 5. Section 41.40.190, R.C.W. as derived from section 14, chapter 240, Laws of 1949, is amended to read as follows: Amendment.

Upon retirement from service, as provided for in 41.40.180, a member shall receive a service retirement allowance which shall consist of: Service retirement allowance.

(a) An annuity which shall be the actuarial equivalent of his accumulated contributions at the time of his retirement; and Annuity.

(b) A basic service pension, subject to the provisions of paragraphs (d) and (e) of this section, of one hundred dollars per annum; and Basic service pension.

(c) A membership service pension, subject to the provisions of paragraph (e) of this section, which shall be equal to one one-hundred fortieth of his average final compensation for each year or fraction of a year of membership service credited to his service account, not to exceed thirty-five years: *Provided*, That the membership service pension shall not exceed eight hundred dollars per annum; and Membership service pension.

(d) A prior service pension which shall be equal to one-seventieth of his average final compensation for each year or fraction of a year of prior service not to exceed thirty years credited to his service accounts: *Provided*, That if the membership service when added to the prior service exceeds thirty-five years, then the membership service shall be reduced so that the total of membership service and prior service is not greater than thirty-five years: *Provided further*, That the total pension portions, provided by the employer under paragraphs (b), (c) and (d) of this section, shall not exceed eight- Prior service pension.

teen hundred dollars per annum. In no event, however, shall any original member upon retirement at age seventy with ten years of service credit receive less than nine hundred dollars per annum as a retirement allowance. In the event that the retirement allowance as to such member provided by paragraphs (a), (b), (c) and (d) hereof shall amount to less than the said nine hundred dollars the basic service pension of the member shall be increased from one hundred dollars to a sum sufficient to make a retirement allowance of that amount.

Minimum years service of new member for pension.

(e) To be eligible to receive the pension portions provided by the employer under paragraphs (b) and (c) of this section, a new member must have at least five years of membership service credited to his service account, unless he becomes eligible for benefits provided for herein under sections 41.40.200, 41.40.210 and 41.40.220.

Benefits; computation subject to R.C.W. 41.40.330 (c).

(f) The computation of pension benefits set forth herein shall be subject to the provisions of section 41.40.330 (c).

- [Am. Rem. Supp. 1949, § 11072-20.]
- [R.C.W. 41.40.180 is Rem. Supp. 1949, § 11072-19.]
- [R.C.W. 41.40.200 is Rem. Supp. 1949, § 11072-21.]
- [R.C.W. 41.40.210 is Rem. Supp. 1947, § 11072-22.]
- [R.C.W. 41.40.220 is Rem. Supp. 1949, § 11072-23.]
- [R.C.W. 41.40.330(c) new; see sec. 11 of this chapter.]

Amendment.

SEC. 6. Section 41.40.200, R.C.W. as derived from section 15, chapter 240, Laws of 1949, is amended to read as follows:

Duty caused total incapacity; retirement for.

Subject to the provisions of 41.40.310 and 41.40-.320, upon application of a member, or his employer, a member who becomes totally incapacitated for duty as the natural and proximate result of an accident occurring in the actual performance of duty, while in the service of an employer, without willful negligence on his part, shall be retired: *Provided*, The medical adviser after a medical examination of such member made by or under the direction of the said medical adviser shall certify in writing that such

Medical certificate necessary.

member is mentally or physically totally incapacitated for the further performance of his duty to his employer and that such member should be retired: *Provided further*, That the retirement board concurs in the recommendation of the medical adviser.

Board  
concurrence  
necessary.

[Am. Rem. Supp. 1949, § 11072-21.]

[R.C.W. 41.40.310 and 41.40.320 are Rem. Supp. 1949, §§ 11072-32 and 11072-33, respectively.]

SEC. 7. Section 41.40.230, R.C.W. as derived from section 17, chapter 240, Laws of 1949, is amended to read as follows:

Amendment.

Subject to the provisions of 41.40.310 and 41.40.320, upon application of a member, or his employer, a member who has been an employee at least ten years, and who becomes totally and permanently incapacitated for duty as the result of causes occurring not in the performance of his duty, may be retired by the retirement board: *Provided*, The medical adviser, after a medical examination of such member, made by or under the direction of the said medical adviser shall certify in writing that such member is mentally or physically incapacitated for the further performance of duty, and such incapacity is likely to be permanent and that such member should be retired: *Provided further*, That the retirement board concurs in the recommendation of the medical adviser.

Total  
incapacity  
otherwise  
caused;  
retirement  
for.

Medical  
certificate  
necessary.

Board  
concurrence  
necessary.

[Am. Rep. Supp. 1949, § 11072-24.]

[See note to sec. 6, *supra*.]

SEC. 8. Section 41.40.290, R.C.W. as derived from section 20, chapter 240, Laws of 1949, is amended to read as follows:

Amendment.

Any member may elect, in accordance with the provisions of this section and in lieu of a regular retirement allowance payable throughout life with termination at death, to receive as an optional retirement allowance the actuarial equivalent, at the time of his retirement, of his regular retirement allowance in accordance with the provisions of options I, II and III, as hereinafter set forth. No election of

Optional  
allowances.

Actuarial  
equivalent.

an optional retirement allowance shall be effective in case the member making such election dies before his actual retirement date.

**Option I.** Option I. If he dies before the total of the annuity portions of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives; or

**Option II.** Option II. Upon his death his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement; or

**Option III.** Option III. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement.

[Am. Rem. Supp. 1949, § 11072-30.]

**Amendment.** SEC. 9. Section 41.40.310, R.C.W. as derived from section 22, chapter 240, Laws of 1949, is amended to read as follows:

**Re-examination of disability beneficiaries.** (a) Once each year during the first five years following the retirement of a member on a disability pension or retirement allowance, and at least once in every three year period thereafter the retirement board may, and upon the member's application shall, require any disability beneficiary, who has not attained age sixty years, to undergo a medical examination; such examination to be made by or

under the direction of the medical adviser at the place of residence of said beneficiary, or other place mutually agreed upon. Should any disability beneficiary, who has not attained age sixty years, refuse to submit to such medical examination in any such period, his disability pension or retirement allowance may be discontinued until his withdrawal of such refusal, and should such refusal continue for one year, all his rights in and to his disability pension, or retirement allowance, may be revoked by the retirement board. If upon such medical examination of a disability beneficiary, the medical adviser reports and his report is concurred in by the retirement board, that the disability beneficiary is physically able and capable of resuming employment his disability pension or retirement allowance shall cease.

Refusal to submit to examination.

Pension or allowance revoked.

(b) Should the secretary report and certify to the retirement board that such disability beneficiary is engaged in a gainful occupation paying more than the difference between his disability retirement allowance and his final compensation, and should the retirement board concur in such report, then the amount of his pension shall be reduced to an amount which, together with his annuity, if he has an annuity, and the amount earned by him shall equal the amount of his final compensation. Should the earnings of such disability beneficiary be later changed, the amount of his pension shall be further modified in like manner.

Earnings of disability beneficiary.

[Am. Rem. Supp. 1949, § 11072-32.]

SEC. 10. Section 41.40.320, R.C.W. as derived from section 23, chapter 240, Laws of 1949, is amended to read as follows:

Amendment.

A disability beneficiary who has been or shall be reinstated to active service shall from the date of such restoration again become a member of the retirement system; and he shall contribute to the retirement system in the same manner as prior to

Disability beneficiary returned to service again becomes member.

his disability retirement. Upon restoration of such disability beneficiary to active service the actuarial equivalent of his annuity at that time, but not exceeding the amount of his accumulated contributions at the time of his retirement for disability, shall be transferred from the annuity reserve fund to the employees' savings fund and credited to his individual account in the employees' savings fund. Any prior service and membership service, on the basis of which his retirement allowances were computed at the time of his retirement, shall be restored to full force and effect, and, except in the case of retirement for non-duty disability as provided in 41.40.230, he shall be given membership service for the period of time he was out of service due to such disability.

Prior service and membership service restored.

[Am. Rem. Supp. 1949, § 11072-33.]  
 [R.C.W. 41.40.230 is Rem. Supp. 1949, § 11072-24.]

Amendment.

SEC. 11. Section 41.40.330, R.C.W. as derived from section 24, chapter 240, Laws of 1949, is amended to read as follows:

Member's contribution.

(a) Beginning October 1, 1947, each employee who is a member of the retirement system shall contribute five per cent of that part of his compensation earnable, not in excess of thirty-six hundred dollars in a calendar year, except as provided in paragraphs (b) and (c) hereof, to the employees' savings fund, and shall contribute one dollar and fifty cents per annum to the retirement system expense fund: *Provided, however,* That beginning January 1, 1950, such retirement system expense fund contribution shall be increased to the amount of two dollars and fifty cents per annum and shall be made by semi-annual payments of one dollar and twenty-five cents beginning January 1, 1950, and thereafter each employee entering membership shall contribute the sum of one dollar and twenty-five cents to the retirement system expense fund for the fractional portion of the semi-annual period during which he enters or re-enters membership. The officer

To employees' saving fund.

To expense fund.

responsible for making up the payroll shall deduct from the compensation of each member, on each and every payroll of such member for each and every payroll period subsequent to the date on which he became a member of the retirement system, an amount equal to five per cent of such member's compensation earnable, provided that the amount of a member's compensation earnable in excess of the first thirty-six hundred dollars within a calendar year shall not be considered. The retirement board may accept contributions provided for in this chapter on any compensation earnable during any payroll period or periods without regard to the maximum salary provisions, provided deductions cease entirely for the remainder of the calendar year if and when the total contributions deducted from a member's salary for the employee's savings fund for such calendar year equal one hundred eighty dollars. In determining the amount earnable by a member in a payroll period, the retirement board and the employer may consider the rate of compensation payable to such member on the first day of the payroll period as continuing through such payroll period, and deductions may be omitted from such compensation for any period less than a full payroll period, if an employee was not a member on the first day of the payroll period.

Payroll  
officer to  
make  
deduction.

Determina-  
tion of  
amount  
earnable.

(b) Any member may, pursuant to regulations formulated from time to time by the board, provide for himself, by means of an increased rate of contribution to his account in the employees' savings fund, a prospective retirement allowance not to exceed one-half of his prospective average final compensation.

Board  
may permit  
increased  
contribution.

(c) Any member who on October 1, 1951, has had twelve continuous months for which service credit is granted, the compensation earnable for which exceeds thirty-six hundred dollars, may within ninety days from such date file upon forms provided

Contributions without regard to \$3,600 limit.

by the retirement board, an election to become a fully contributing member and thereby authorize a five per cent deduction from his compensation earnable without regard to the thirty-six hundred dollar limitation provided in paragraph (a) hereof. Thereafter, any member shall have a period of ninety days from the date upon which he has completed twelve continuous months for which service credit is granted, the total compensation earnable for which exceeds thirty-six hundred dollars, to make a like election to become a fully contributing member. A fully contributing member shall, providing he remains in such status and makes contributions thereunder from the time of his election to the time of his retirement, be entitled to have his pension benefits computed as provided in section 41.40.190, but without regard to the limitations found in paragraphs (c) and (d) thereof: *Provided, however,* That the basic service pension provided for in section 41.40.190 (b) shall be allowed in the computation of pension benefits, but only to the extent that the same when added to a membership service pension as provided in section 41.40.190 (c), will not result in a pension benefit in excess of nine hundred dollars per annum and a total pension provided by the employer as set forth in 41.40.190 (d) in excess of eighteen hundred dollars per annum.

[Am. Rem. Supp. 1949, § 11072-34.]

[R.C.W. 41.40.190 is Rem. Supp. 1949, § 11072-20.]

Amendment.

SEC. 12. Section 41.40.360, R.C.W. as derived from section 25, chapter 240, Laws of 1949, is amended to read as follows:

Employer contributions.

(a) The contributions by the employer for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the "membership service contribution," a percentage of such compensation to be known as the "prior service contribution" and in the case

Membership service contribution.

Prior service contribution.



of employers admitted to the retirement system after April 1, 1949, a percentage of such compensation to be known as the "additional contribution." The rates of such contributions shall be determined by the retirement board on the basis of assets and liabilities as shown by actuarial valuation. Until the end of the biennium in which the first actuarial valuation is completed the membership service contribution rate shall be four per cent, and the prior service contribution rate shall be one per cent.

Additional contribution.

Rates.

(b) After the completion of each actuarial valuation subsequent to April 1, 1949, the retirement board shall redetermine the membership service contribution rate and such redetermined contribution rate shall become effective in the ensuing biennium. Until the prior service contributions shall have been discontinued such membership contribution rate shall be determined as the uniform and constant percentage of the prospective compensation of all members in the retirement system at the date of such valuation which is required, together with all funds (other than funds allocated to prior service pensions) currently standing to the credit of the employers' accumulation fund and the pension reserve fund, to provide for the payment of all future pension benefits (other than prior service benefits). After the prior service contributions have been discontinued such membership contribution rate shall be determined as the uniform and constant percentage of the prospective compensation of all members of the retirement system at the date of such valuation which is required, together with all funds currently standing to the credit of the employers' accumulation fund and the pension reserve fund, to provide for the payment of all future pension benefits.

Redetermination of membership service contribution rate.

Determination until discontinuance of prior service contributions.

Determination after discontinuance of prior service contributions.

(c) Following the completion of the first actuarial valuation after April 1, 1949, the retirement board shall redetermine the prior service contribu-

Redetermined prior service rate.

How determined. tion rate, and such redetermined contribution rate shall become effective in the ensuing biennium. The prior service contribution rate shall be determined as that percentage of annual compensation of all members in the retirement system at the date of such valuation which is equivalent to four per cent of the excess of the liability for prior service pensions over the amount currently in the employers' accumulation fund allocated to prior service pensions. Such redetermined prior service contribution rate shall continue until the amount in the employers' accumulation fund allocated to prior service pensions equals the then outstanding liability for prior service pensions.

Additional contribution. (d) Any employer admitted to the retirement system after April 1, 1949, shall make an additional contribution at a rate equal to not less than twenty-five per cent of the sum of the membership service contribution rate and the prior service contribution rate until such time as the sum of such additional contributions equals the amount of membership service contributions and prior service contributions which such employer would have been required to contribute between April 1, 1949, and the date of such employer's admission to the retirement system: *Provided, however,* All additional contributions hereunder and under the provisions of 41.40.160 (b) must be completed within ten years from the date of the employer's admission.

Completion of additional contributions.

Rate.

[Am. Rem. Supp. 1949, § 11072-37.]  
[R.C.W. 41.40.160(b) new; see sec. 4 of this chapter.]

Amendment. SEC. 13. Section 41.40.410, R.C.W. as derived from section 27, chapter 240, Laws of 1949, is amended to read as follows:

Political subdivisions may participate.

The employees and appointive and elective officials of any political subdivision of the state may become members of the retirement system by the approval of the local legislative authority. Each

such political subdivision becoming an employer under the meaning of this chapter shall make contributions to the funds of the retirement system as provided in 41.40.080, 41.40.360 and 41.40.370 of this chapter and its employees shall contribute to the employees' savings fund at the rate established under the provisions of 41.40.330. For the purpose of administering and interpreting this chapter the board may substitute the names of political subdivisions of the state for the "state" and employees of the subdivisions for "state employees" wherever such terms appear in this chapter. The board may also alter any dates mentioned in this chapter for the purpose of making the provisions of the chapter applicable to the entry of any political subdivisions into the system. Any member transferring employment to another employer which is covered by the retirement system may continue as a member without loss of previously earned pension and annuity benefits. The board shall keep such accounts as are necessary to show the contributions of each political subdivision to the employers' accumulation fund and shall have the power to debit and credit the various accounts in accordance with the transfer of the members from one employer to another. At such time as the membership from political subdivisions is sufficiently large to warrant representation on the board, the retirement board may appoint one county member and/or one city member to the board in place of two of the state employees' members provided for in this chapter.

Board may apply act to any such participant.

Member transferring employment.

Accounts.

Representation on board.

[Am. Rem. Supp. 1949, § 11072-42.]  
 [R.C.W. 41.40.080 is Rem. Supp. 1949, § 11072-9.]  
 [R.C.W. 41.40.360 is Rem. Supp. 1949, § 11072-37.]  
 [R.C.W. 41.40.370 is Rem. Supp. 1949, § 11072-38.]  
 [R.C.W. 41.40.330 is Rem. Supp. 1949, § 11072-34.]

SEC. 14. There is hereby added to chapter 41.40, R.C.W. a new section to read as follows:

Within ninety days after any final decision by the retirement board has been communicated to the

Appeal to superior court.  
 Proceedings are summary.  
 Notice of appeal.  
 Filing.  
 Service and filing jurisdictional.  
 Executive secretary.  
 Appeal to supreme court.

claimant, such claimant may appeal to the superior court of Thurston County and such appeal shall be heard as a case in equity, but upon such appeal only such issues of law may be raised as were raised before the board. The proceedings in every such appeal shall be informal and summary, but full opportunity to be heard upon the issues of law shall be had before judgment is pronounced. Such appeal shall be perfected by serving a notice of appeal on the executive secretary of the retirement board by personal service or by mailing a copy thereof to the said executive secretary and by filing the notice of appeal together with proof of service thereof with the clerk of the court. The service and the filing together with proof of service of a notice of appeal, all within ninety days, shall be jurisdictional. The executive secretary shall within thirty days after receipt of such notice of appeal serve and file on behalf of the retirement board notice of appearance upon the appellant or his attorney of record and such appeal shall thereupon be deemed at issue. The executive secretary shall serve upon the appellant and file with the clerk of the court before hearing, a certified copy of the complete record of the administrative proceedings which shall, upon being so filed, become the record in such case. Appeal shall lie from the judgment of the superior court to the supreme court as in other cases.

New section.      SEC. 15. There is hereby added to chapter 41.40, R.C.W. a new section to read as follows:

Decision of board prima facie correct.      In all court proceedings under or pursuant to this chapter the decision of the board shall be *prima facie* correct, and the burden of proof shall be upon the party attacking the same. If the court shall determine that the board has acted within its power and has correctly construed the law, the decision of the board shall be confirmed; otherwise, it shall be reversed or modified. In case of a modification or re-

versal the court shall refer the same to the board with an order directing it to proceed in accordance with the findings of the court.

SEC. 16. There is hereby added to chapter 41.40, R.C.W. a new section to read as follows: New section.

No bond of any kind shall be required of a claimant appealing to the superior or the supreme court from a finding of the retirement board effecting such claimant's right to retirement or disability benefits. No bond required of claimant.

SEC. 17. There is hereby added to chapter 41.40, R.C.W. a new section to read as follows: New section.

The retirement board is empowered to enter into agreements with the boards or other authorities of retirement systems operated by the state or a political subdivision thereof for the purpose of protecting the retirement rights or benefits of public employees who may alter their membership status by changing employment from one public agency to another. Board may enter into contracts.

SEC. 18. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect as of April 1, 1951. Emergency.

Passed the Senate February 23, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 51.

[ S. B. 73. ]

RELATING TO FEES OF JURORS, PUBLIC OFFICERS, AND WITNESSES.

AN ACT relating to fees of jurors, public officers, witnesses, and amending sections 2.32.070, 2.36.150, 2.40.010, 36.18.010, 36.18.020, 36.18.040, 42.28.090, R.C.W.

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

Amendment. SECTION 1. Section 2.32.070, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Fees of supreme court clerk. The clerk of the supreme court shall collect the following fees for his official services:

Filing first paper. Upon filing his first paper or record and making an appearance in the supreme court, the appellant shall pay to the clerk of said court a docket fee of five dollars.

Respondent's appearance. Upon making his appearance in the supreme court, the respondent in any appealed case shall pay to the clerk a fee of two dollars.

Special proceeding; petitioner's appearance. The applicant or petitioner in any special proceeding in the supreme court, upon making his appearance, shall pay to the clerk thereof a fee of three dollars.

Same; respondent's appearance. The respondent in a special proceeding, and each respondent appearing separately therein, at the time of his appearance shall pay to the clerk a fee of one dollar.

Opinions. For copies of opinions of the supreme court, ten cents per folio.

Certificates to practice law. For certificates showing admission of an attorney to practice law one dollar, except that there shall be no fee for an original certificate to be issued at the time of his admission.

The foregoing fees shall be all the fees connected with the appeal or special proceeding.

No fees shall be required to be advanced by the state or any municipal corporation, or any public officer prosecuting or defending on behalf of such state or municipal corporation.

Advance of fees; not required of state or municipal corporations.

For all services for which no fee is herein prescribed, the clerk of the supreme court shall receive the same fees as are prescribed for clerks of the superior courts for like services.

Where fee not prescribed, superior court schedule applies.

[Am. R.R.S. § 497 (part relating to supreme court).]

SEC. 2. Section 2.36.150, R.C.W., as derived from section 1, chapter 171, Laws of 1927, is amended to read as follows:

Amendment.

Each grand and petit juror shall receive for each day's attendance upon the superior court, beside mileage, five dollars; for each day's attendance upon a justice of the peace court, four dollars; for serving on a coroner's jury, per day, four dollars; mileage, each way, per mile, ten cents: *Provided*, That a person excused from jury service at his own request shall be allowed not more than a *per diem* and such mileage, if any, as to the court shall seem just and equitable under all circumstances.

Jurors fees.

[Am. Rem. Supp. 1943, § 4229.]

SEC. 3. Section 2.40.010, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Amendment.

Witnesses shall receive for each day's attendance in all courts of this state, besides mileage at ten cents per mile each way, four dollars.

Witness fees.

[Am. R.R.S. § 497 (part relating to witness fees).]

SEC. 4. Section 36.18.010, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Amendment.

County auditors shall collect the following fees for their official services: For filing or recording, or both, of each chattel mortgage and conditional sale contract, and entering same as required by law,

County auditors fees.

Chattel mtgs. and contracts.

- Release.** one dollar; for release of chattel mortgage or conditional sale contract, fifty cents;
- Instruments.** For filing or recording, or both, of instruments, for the first page, legal size (eight and one-half by thirteen inches or less), one dollar; for each additional legal size page, fifty cents; for indexing each name over two, ten cents: *Provided*, That there shall be an additional fee of one dollar for recording each deed, real estate contract or assignment of real estate contract which does not contain the mailing address of the grantee, purchaser or assignee;
- Instrument not containing mailing address.**
- Marginal release.** For marginal release of mortgage or lien, fifty cents;
- Certified copies.** For preparing and certifying copies, for the first legal size page, one dollar; for each additional legal size page, fifty cents;
- Oaths.** For administering an oath or taking an affidavit, with or without seal, one dollar;
- Marriage licenses.** For issuing marriage license, five dollars, (this fee includes taking necessary affidavits, filing returns and indexing);
- Record search.** For searching records per hour, two dollars;
- Recording plats.** For recording plats, twenty-five cents for each lot except cemetery plats for which the charge shall be ten cents per lot; also one dollar for each acknowledgment, dedication, and description: *Provided*, That there shall be a minimum fee of fifteen dollars per plat;
- Miscellaneous records.** For filing or recording, or both, of miscellaneous records, not listed above, for first legal size page, one dollar and twenty-five cents; for each additional legal size page, fifty cents.  
[Am. R.R.S. § 4105.]
- Amendment.** SEC. 5. Section 36.18.020, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:
- Fees of superior court clerks.** Clerks of superior courts shall collect the following fees for their official services: The plaintiff,



or other party instituting any civil action or proceeding, or the appellant on appeal from justice court, when the case is entered in the superior court or when the first paper on his part is filed therein, shall pay a fee of five dollars;

Plaintiff or other instituting party.

For defendant, or other adverse party, or any one or more of several defendants or other adverse parties, or interveners, appearing separately from the others, or a respondent on appeal from justice court, shall pay when his or their appearance is entered in the cause, or when his or their first appearance is filed therein, a fee of three dollars;

Defendant, other adverse party, or intervener.

For preparing and certifying copies, or transcripts of records, with or without seal for the first legal size page, one dollar; for each additional legal size page, fifty cents;

Preparing and certifying copies or transcripts.

For the certifying of copies furnished or transcripts of records furnished which copies or transcripts are not prepared by the clerk, one dollar for the first legal size or smaller page and twenty-five cents for each additional legal size or smaller page;

Certifying copies or transcripts elsewhere prepared.

For the entry of judgment or dismissal in all civil actions, with or without costs, three dollars shall be paid if no adverse party has appeared; otherwise six dollars;

Entry of judgment or dismissal.

In probate proceedings, the party instituting such proceedings shall pay, at the time of the filing of the first paper therein, a fee of six dollars; upon the filing of a petition for the sale of real estate, there shall be paid at the time of filing such petition a fee of three dollars; upon the filing of a final account in the settlement of the decedent's estate, there shall be paid a fee of six dollars; for filing any petition to contest a will admitted to probate, there shall be paid a fee of twenty-five dollars;

Probate proceedings.

For filing the transcript of a judgment from any United States court held in this state, or from the

Filing transcript of judgment.

superior court of another county or from a justice court, the clerk shall collect three dollars;

Commissions for depositions.

For issuing a commission to take a deposition, the clerk shall collect one dollar, which shall be in addition to other fees in civil matters;

Approving bond.

For approving a bond in an ordinary civil action or in a probate proceeding there shall be no charge; in all other cases the charge shall be one dollar;

Taking affidavit or filing extraneous papers.

For taking an affidavit, for filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, the clerk shall collect one dollar.

[Am. R.R.S. § 497 (part relating to clerk's fees).]

Amendment.

SEC. 6. Section 36.18.040, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:

Sheriffs fees.

Sheriffs shall collect the following fees for their official services: For service of each summons and complaint, and return thereon, on each defendant, besides mileage, one dollar;

Service of summons and complaint.

Return "not found."

For making a return of "not found" in the county upon a summons, besides mileage actually traveled, one dollar;

Attachment or execution; levy.

For levying each writ of attachment or writ of execution upon real or personal property, besides mileage, one dollar;

Same; filing.

For filing copy of writ of attachment or writ of execution with auditor, one dollar plus auditor's filing fee;

Chattel mortgage foreclosure.

For chattel mortgage foreclosure (short form), levy one dollar; posting notice, two dollars; service of notice, one dollar;

Writ of possession or restitution.

For serving writ of possession or restitution without aid of the county, besides mileage, one dollar and fifty cents;

For serving writ of possession or restitution with

aid of the county, besides mileage, two dollars and fifty cents;	Same; with county aid.
For service and return of subpoena, upon each person served, besides mileage, fifty cents;	Subpoena.
For summoning each juror, besides mileage, fifty cents;	Summoning jurors.
For serving an arrest warrant in any action or proceeding, besides mileage, two dollars;	Arrest warrant.
For serving or executing any other writ or process in a civil action or proceeding, besides mileage, one dollar;	Miscellaneous writs.
For taking and approving any bond, in a civil action or proceeding, required by law to be taken or approved by him, except indemnity bonds, one dollar;	Taking bonds.
For each mile actually and necessarily traveled by him in going to or returning from any place of service, ten cents;	Mileage.
For making a deed to lands sold upon execution or order of sale or other decree of court, to be paid by the purchaser, three dollars;	Deeds.
For making copies of papers when sufficient copies are not furnished, fifty cents per legal size page for each copy;	Copies.
For the service of any process for which no other fee is provided for herein, one dollar;	Miscellaneous services.
For the making of any return for which no other fee is provided herein, one dollar;	Miscellaneous returns.
For the execution of any process for which no other fee is provided herein, two dollars;	Miscellaneous executions.
For the service of affidavit and bond in replevin, one dollar for each defendant; approval of bond, one dollar; taking property, one dollar;	Replevin.
For posting notices of sale, or postponement, one dollar besides mileage;	Notice of sale or postponement.
For certificate of sale of real property, two dollars and fifty cents;	Certificate of sale.

- Redemption.** For serving notice of redemption, one dollar; certificate of redemption, two dollars and fifty cents;  
For making a return of no property found, one dollar;
- Estray sales.** For estray sales, crying sale, one dollar, besides mileage.  
[Am. R.R.S. § 497 (part relating to sheriffs' fees).]
- Amendment.** SEC. 7. Section 42.28.090, R.C.W., as derived from section 1, chapter 56, Laws of 1907, is amended to read as follows:
- Notaries fees.** Notaries public may make but not exceed the following charges for their services:
- Protest.** Protest of a bill of exchange or promissory note, one dollar;
- Attestation.** Attesting any instrument of writing with or without seal, one dollar;
- Acknowledgment.** Taking acknowledgment, two persons, with seal, one dollar;  
Taking acknowledgment, each person over two, fifty cents;
- Certifying affidavit.** Certifying affidavit, with or without seal, one dollar;
- Registering protest.** Registering protest of bill of exchange or promissory note for non-acceptance or non-payment, fifty cents;
- Noting demand, tender, or deposit.** Being present at demand, tender, or deposit, and noting the same, besides mileage at the rate of ten cents per mile, fifty cents;
- Noting bill or note.** Noting a bill of exchange or promissory note, for non-acceptance or non-payment, fifty cents;
- Copying.** For copying any instrument or record, per folio, besides certificate and seal, fifteen cents.
- Fees of salaried officers.** All public officers who are paid a salary in lieu of fees shall collect the prescribed fees for the use of the state or county as the case may be.  
[Am. R.R.S. § 9907.]  
Passed the Senate March 4, 1951.  
Passed the House March 3, 1951.  
Approved by the Governor March 13, 1951.

CHAPTER 52.

[ S. B. 97. ]

RELATING TO CRIMINAL PROCEDURE.

AN ACT relating to crimes and punishments and the rights and custody of persons accused or convicted of crime; and amending section 10.01.060, R.C.W.

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

SECTION 1. Section 10.01.060, R.C.W., as derived from section 57, chapter 249, Laws of 1909, is amended to read as follows: Amendment.

No person informed against or indicted for a crime shall be convicted thereof, unless by admitting the truth of the charge in his plea, by confession in open court, or by the verdict of a jury, accepted and recorded by the court: *Provided, however,* That except in capital cases, where the person informed against or indicted for a crime is represented by counsel, such person may, with the assent of the court, waive trial by jury and submit to trial by the court. Conviction for crimes; prerequisites for.  
  
Waiver of jury.

[Am. R.R.S. § 2309.]

Passed the Senate March 4, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 53.

[ S. B. 66. ]

UNIFORM VETERANS' GUARDIANSHIP ACT.

AN ACT relating to the guardianship of incompetent veterans and other incompetent and minor beneficiaries of the veterans administration; providing for furnishing free copies of public records required by the veterans administration; and concerning commitment to the veterans administration or other agency of the United States of persons eligible for care or treatment; and to make uniform the law with reference thereto.

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

- Definition. SECTION 1. As used in this act:
- "Person." "Person" means an individual, a partnership, a corporation or an association.
- "Veterans administration." "Veterans administration" means the veterans administration, its predecessors or successors.
- "Income." "Income" means moneys received from the veterans administration and revenue or profit from any property wholly or partially acquired therewith.
- "Estate." "Estate" means income on hand and assets acquired partially or wholly with "income."
- "Benefits." "Benefits" means all moneys paid or payable by the United States through the veterans administration.
- "Administrator." "Administrator" means the administrator of veterans affairs of the United States or his successor.
- "Ward." "Ward" means a beneficiary of the veterans administration.
- "Guardian." "Guardian" means any fiduciary for the person or estate of a ward.
- Administrator a party. SEC. 2. The administrator shall be a party in interest in any proceeding for the appointment or removal of a guardian or for the removal of the disability of minority or mental incapacity of a ward, and in any suit or other proceeding affecting in any manner the administration by the guardian of the

estate of any present or former ward whose estate includes assets derived in whole or in part from benefits heretofore or hereafter paid by the veterans administration. Not less than fifteen days prior to hearing in such matter notice in writing of the time and place thereof shall be given by mail (unless waived in writing) to the office of the veterans administration having jurisdiction over the area in which any such suit or any such proceeding is pending.

Notice to veterans administration.

SEC. 3. Whenever, pursuant to any law of the United States or regulation of the veterans administration, it is necessary, prior to payment of benefits, that a guardian be appointed, the appointment may be made in the manner hereinafter provided.

Appointment of guardian.

SEC. 4. No person other than a bank or trust company shall be guardian of more than five wards at one time, unless all the wards are members of one family. Upon presentation of a petition by an attorney of the veterans administration or other interested person, alleging that a guardian is acting in a fiduciary capacity for more than five wards as herein provided and requesting his discharge for that reason, the court, upon proof substantiating the petition, shall require a final accounting forthwith from such guardian and shall discharge him from guardianships in excess of five and forthwith appoint a successor.

Limitation on wards per guardian.

SEC. 5. (1) A petition for the appointment of a guardian may be filed by any relative or friend of the ward or by any person who is authorized by law to file such a petition. If there is no person so authorized or if the person so authorized refuses or fails to file such a petition within thirty days after mailing of notice by the veterans administration to the last known address of the person, if any, indicating the

Petition for appointment.

necessity for the same, a petition for appointment may be filed by any resident of this state.

Contents  
of petition.

(2) The petition for appointment shall set forth the name, age, place of residence of the ward, the name and place of residence of the nearest relative, if known, and the fact that the ward is entitled to receive benefits payable by or through the veterans administration and shall set forth the amount of moneys then due and the amount of probable future payments.

Person hav-  
ing custody  
of ward.

(3) The petition shall also set forth the name and address of the person or institution, if any, having actual custody of the ward and the name, age, relationship, if any, occupation and address of the proposed guardian and if the nominee is a natural person, the number of wards for whom the nominee is presently acting as guardian. Notwithstanding any law as to priority of persons entitled to appointment, or the nomination in the petition, the court may appoint some other individual or a bank or trust company as guardian, if the court determines it is for the best interest of the ward.

Mentally  
incompetent  
ward.

(4) In the case of a mentally incompetent ward the petition shall show that such ward has been rated incompetent by the veterans administration on examination in accordance with the laws and regulations governing the veterans administration.

Where ward  
is a minor.

SEC. 6. Where a petition is filed for the appointment of a guardian for a minor, a certificate of the administrator or his authorized representative, setting forth the age of such minor as shown by the records of the veterans administration and the fact that the appointment of a guardian is a condition precedent to the payment of any moneys due the minor by the veterans administration shall be *prima facie* evidence of the necessity for such appointment.



SEC. 7. Where a petition is filed for the appointment of a guardian for a mentally incompetent ward, a certificate of the administrator or his duly authorized representative, that such person has been rated incompetent by the veterans administration on examination in accordance with the laws and regulations governing such veterans administration and that the appointment of a guardian is a condition precedent to the payment of any moneys due such ward by the veterans administration, shall be *prima facie* evidence of the necessity for such appointment.

Certificate of administrator.

*Prima facie* evidence.

SEC. 8. Upon the filing of a petition for the appointment of a guardian under this act, notice shall be given to the ward, to such other persons, and in such manner as is provided by the general law of this state, and also to the veterans administration as provided by this act.

Notice of petition to ward.

SEC. 9. (1) Upon the appointment of a guardian, he shall execute and file a bond to be approved by the court in an amount not less than the estimated value of the personal estate and anticipated income of the ward during the ensuing two years, except in cases where banks or trust companies are appointed as guardian and no bond is required by the general state law. The bond shall be in the form and be conditioned as required of guardians appointed under the general guardianship laws of this state. The court may from time to time require the guardian to file an additional bond.

Guardian's bond.

Form.

(2) Where a bond is tendered by a guardian with personal sureties, there shall be at least two such sureties and they shall file with the court a certificate under oath which shall describe the property owned, both real and personal, and shall state that each is worth the sum named in the bond as the penalty thereof over and above all his debts and liabilities and the aggregate of other bonds in which he is principal or surety and exclusive of property

Bond with personal sureties.

Additional  
sureties.

exempt from execution. The court may require additional security or may require a corporate surety bond, the premium thereon to be paid from the ward's estate.

Guardian's  
account.

Filed every  
two years.

Filing with  
veterans ad-  
ministration.

SEC. 10. (1) Every guardian, who has received or shall receive on account of his ward any money or other thing of value from the veterans administration, at the expiration of two years from date of his appointment, and every two years thereafter on the anniversary date of his appointment, or as much oftener as the court may require, shall file with the court a full, true and accurate account under oath of all moneys or other things of value received by him, all earnings, interest or profits derived therefrom, and all property acquired therewith and of all disbursements therefrom, and showing the balance thereof in his hands at the date of the account and how invested. Each year when not required to file an account with the court, the guardian shall file an account with the proper office of the veterans administration. If the interim account be not filed with the veterans administration, or, if filed, shall be unsatisfactory, the court shall upon receipt of notice thereof from the veterans administration require the guardian forthwith to file an account which shall be subject in all respects to the next succeeding paragraphs. Any account filed with the veterans administration and approved by the chief attorney thereof may be filed with the court and be approved by the court without hearing, unless a hearing thereon be requested by some party in interest.

Guardian to  
exhibit  
securities or  
investments.

(2) The guardian, at the time of filing any account with the court or veterans administration shall exhibit all securities or investments held by him to an officer of the bank or other depository wherein said securities or investments are held for safekeeping or to an authorized representative of the corporation which is surety on his bond, or to the judge

or clerk of a court of record in this state, or upon request of the guardian or other interested party, to any other reputable person designated by the court, who shall certify in writing that he has examined the securities or investments and identified them with those described in the account and shall note any omissions or discrepancies. If the depository is the guardian, the certifying officer shall not be the officer verifying the account. The guardian may exhibit the securities or investments to the judge of the court, who shall endorse on the account and copy thereof, a certificate that the securities or investments shown therein as held by the guardian were each in fact exhibited to him and that those exhibited to him were the same as those in the account and noting any omission or discrepancy. The certificate, and the certificate of an official of the bank in which are deposited any funds for which the guardian is accountable, showing the amount on deposit, shall be prepared and signed in duplicate and one of each shall be filed by the guardian with his account.

Certificate of examination.

Depository as guardian.

Examination by judge.

Certificate to be filed.

(3) At the time of filing in the court any account, a certified copy thereof and a signed duplicate of each certificate filed with the court shall be sent by the guardian to the office of the veterans administration having jurisdiction over the area in which such court is located. A duplicate signed copy or a certified copy of any petition, motion or other pleading pertaining to an account, or to any matter other than an account, and which is filed in the guardianship proceedings or in any proceedings for the purpose of removing the disability of minority or mental incapacity, shall be furnished by the persons filing the same to the proper office of the veterans administration. Unless hearing be waived in writing by the attorney of the veterans administration and by all other persons, if any, entitled to notice,

Copies of accounts and certificates to veterans administration.

Copies of pleadings, etc., to veterans administration.

Order for hearing.

the court shall fix a time and place for the hearing on the account, petition, motion or other pleading, not less than fifteen days nor more than sixty days from the date same is filed, unless a different available date be stipulated in writing. Unless waived in writing, written notice of the time and place of hearing shall be given the veterans administration office concerned and to the guardian and any others entitled to notice, not less than fifteen days prior to the date fixed for the hearing. The notice may be given by mail, in which event it shall be deposited in the mails not less than fifteen days prior to said date. The court or clerk thereof, shall mail to said veterans administration office a copy of each order entered in any guardianship proceeding wherein the administrator is an interested party.

Notice of hearing.

Accountability for property not derived from veterans administration.

(4) If the guardian is accountable for property derived from sources other than the veterans administration, he shall be accountable as is or may be required under the applicable law of this state pertaining to the property of minors or persons of unsound mind who are not beneficiaries of the veterans administration, and as to such other property shall be entitled to the compensation provided by such law. The account for other property may be combined with the account filed in accordance with this section.

Compensation of guardian.

Account.

Failure to file account or to furnish true copies to veterans administration, grounds for removal.

SEC. 11. If any guardian shall fail to file with the court any account as required by this act, or by an order of the court, when any account is due or within thirty days after citation issues and provided by law, or shall fail to furnish the veterans administration a true copy of any account, petition or pleading as required by this act, such failure may in the discretion of the court be ground for his removal, in addition to other penalties provided by law.

SEC. 12. Compensation payable to guardians shall be based upon services rendered and shall not exceed five per cent of the amount of moneys received during the period covered by the account, except that the court may allow a fee of not exceeding twenty-five dollars per year, as a minimum fee, upon the approval of the chief attorney for the veterans administration. In the event of extraordinary services by any guardian, the court, upon petition and hearing thereon may authorize reasonable additional compensation therefor. A copy of the petition and notice of hearing thereon shall be given the proper office of the veterans administration in the manner provided in the case of hearing on a guardian's account or other pleading. No commission or compensation shall be allowed on the moneys or other assets received from a prior guardian nor upon the amount received from liquidation of loans or other investments.

Compensation of guardian.

Extraordinary services.

Compensation on certain assets prohibited.

SEC. 13. Every guardian shall invest the surplus funds of his ward's estate in such securities or property as authorized under the laws of this state but only upon prior order of the court; except that the funds may be invested, without prior court authorization, in direct unconditional interest-bearing obligations of this state or of the United States and in obligations the interest and principal of which are unconditionally guaranteed by the United States. A signed duplicate or certified copy of the petition for authority to invest shall be furnished the proper office of the veterans administration, and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account.

Investment of surplus.

Copy of petition and notice to veterans administration.

SEC. 14. A guardian shall not apply any portion of the income or the estate for the support or maintenance of any person including the ward, the spouse and the minor children of the ward, except upon petition to and prior order of the court after a hear-

Use of estate for support of ward pursuant to court order.

ing. A signed duplicate or certified copy of said petition shall be furnished the proper office of the veterans administration and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account or other pleading.

Home for ward.

SEC. 15. (1) The court may authorize the purchase of the entire fee simple title to real estate in this state in which the guardian has no interest, but only as a home for the ward, or to protect his interest, or (if he is not a minor) as a home for his dependent family. Such purchase of real estate shall not be made except upon the entry of an order of the court after hearing upon verified petition. A copy of the petition shall be furnished the proper office of the veterans administration and notice of hearing thereon shall be given said office as provided in the case of hearing on a guardian's account.

Purchase authorized by court.

Notice to veterans administration.

Evidence of value and title.

(2) Before authorizing such investment the court shall require written evidence of value and of title and of the advisability of acquiring such real estate. Title shall be taken in the ward's name. This section does not limit the right of the guardian on behalf of his ward to bid and to become the purchaser of real estate at a sale thereof pursuant to decree of foreclosure of lien held by or for the ward, or at a trustee's sale, to protect the ward's right in the property so foreclosed or sold; nor does it limit the right of the guardian, if such be necessary to protect the ward's interest and upon prior order of the court in which the guardianship is pending, to agree with co-tenants of the ward for a partition in kind, or to purchase from co-tenants the entire undivided interests held by them, or to bid and purchase the same at a sale under a partition decree, or to compromise adverse claims of title to the ward's realty.

Protection of ward's interest in realty.

SEC. 16. When a copy of any public record is required by the veterans administration to be used in determining the eligibility of any person to participate in benefits made available by the veterans administration, the official custodian of such public record shall without charge provide the applicant for such benefits or any person acting on his behalf or the authorized representative of the veterans administration with a certified copy of such record.

Copies of public records.

Available without charge.

SEC. 17. In addition to any other provisions of law relating to judicial restoration and discharge of guardian, a certificate by the veterans administration showing that a minor ward has attained majority, or that an incompetent ward has been rated competent by the veterans administration upon examination in accordance with law shall be *prima facie* evidence that the ward has attained majority, or has recovered his competency. Upon hearing after notice as provided by this act and the determination by the court that the ward has attained majority or has recovered his competency, an order shall be entered to that effect, and the guardian shall file a final account. Upon hearing after notice to the former ward and to the veterans administration as in case of other accounts, upon approval of the final account, and upon delivery to the ward of the assets due him from the guardian, the guardian shall be discharged and his sureties released.

Certificate of majority or competency of ward.

*Prima facie* evidence.

Order.

Final account.

Discharge.

SEC. 18. (1) Whenever, in any proceeding under the laws of this state for the commitment of a person alleged to be of unsound mind or otherwise in need of confinement in a hospital or other institution for his proper care, it is determined after such adjudication of the status of such person as may be required by law that commitment to a hospital for mental disease or other institution is necessary for safekeeping or treatment and it appears that such person is eligible for care or treatment by the vet-

Commitment of mental incompetents to care of veterans administration.

erans administration or other agency of the United States government, the court, upon receipt of a certificate from the veterans administration or such other agency showing that facilities are available and that such person is eligible for care or treatment therein, may commit such person to said veterans administration or other agency. The person whose commitment is sought shall be personally served with notice of the pending commitment proceeding in the manner as provided by the law of this state; and nothing in this act shall affect his right to appear and be heard in the proceedings. Upon commitment, such person, when admitted to any hospital operated by any such agency within or without this state shall be subject to the rules and regulations of the veterans administration or other agency. The chief officer of any hospital of the veterans administration or institution operated by any other agency of the United States to which the person is so committed shall with respect to such person be vested with the same powers as superintendents of state hospitals for mental diseases within this state with respect to retention of custody, transfer, parole or discharge. Jurisdiction is retained in the committing or other appropriate court of this state at any time to inquire into the mental condition of the person so committed, and to determine the necessity for continuance of his restraint, and all commitments pursuant to this act are so conditioned.

Notice to person affected.

Committed persons subject to rules and regulations of veterans administration.

Continuing jurisdiction of committing court.

Commitment by another state.

(2) The judgment or order of commitment by a court of competent jurisdiction of another state or of the District of Columbia, committing a person to the veterans administration, or other agency of the United States government for care or treatment shall have the same force and effect as to the committed person while in this state as in the jurisdiction in which is situated the court entering the judgment or making the order; and the courts of the



committing state, or of the District of Columbia, shall be deemed to have retained jurisdiction of the person so committed for the purpose of inquiring into the mental condition of such person, and of determining the necessity for continuance of his restraint; as is provided in sub-section (1) of this section with respect to persons committed by the courts of this state. Consent is hereby given to the application of the law of the committing state or district in respect to the authority of the chief officer of any hospital of the veterans administration, or of any institution operated in this state by any other agency of the United States to retain custody, or transfer, parole or discharge the committed person.

Jurisdiction of foreign court is retained.

Consent to application of law of committing state.

(3) Upon receipt of a certificate of the veterans administration or such other agency of the United States that facilities are available for the care or treatment of any person heretofore committed to any hospital for the insane or other institution for the care or treatment of persons similarly afflicted and that such person is eligible for care or treatment, the superintendent of the institution may cause the transfer of such person to the veterans administration or other agency of the United States for care or treatment. Upon effecting any such transfer, the committing court or proper officer thereof shall be notified thereof by the transferring agency. No person shall be transferred to the veterans administration or other agency of the United States if he be confined pursuant to conviction of any felony or misdemeanor or if he has been acquitted of the charge solely on the ground of insanity, unless prior to transfer the court or other authority originally committing such person shall enter an order for such transfer after appropriate motion and hearing.

Transfer to veterans administration of person committed to other institutions.

Transfer of persons convicted of crime.

Any person transferred as provided in this section shall be deemed to be committed to the veterans

administration or other agency of the United States pursuant to the original commitment.

Construction  
of act.

SEC. 19. This act shall be so construed to make uniform the law of those states which enact it.

Act, cited as.

SEC. 20. This act may be cited as the "uniform veterans' guardianship act."

Act applies  
to all  
"income"  
and "estate."

SEC. 21. The provisions of this act relating to surety bonds and the administration of estates of wards shall apply to all "income" and "estate" as defined in section 1 of this act whether the guardian shall have been appointed under this act or under any other law of this state, special or general, prior or subsequent to the enactment hereof.

Passed the Senate February 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 54.

[ H. B. 237. ]

### MOTOR VEHICLE FUND—CITY AND TOWN STREETS, REPAIR OF BY STATE OR COUNTIES.

AN ACT relating to city streets; authorizing agreements for reimbursement of the motor vehicle fund for work performed by the highway department in certain cases, and amending section 47.24.050, R.C.W., and declaring an emergency.

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

Amendment.

SECTION 1. Section 47.24.050, R.C.W., as derived from section 6, chapter 220, Laws of 1949, is amended to read as follows:

If a city or town, whether or not any of its streets are designated as forming a part of a state highway,

is unable to construct, repair or maintain its streets for good cause, or if it is in need of engineering assistance to construct, repair or maintain any of its streets, it may authorize the director to perform such construction, repair or maintenance, or may secure necessary engineering assistance from the director, to the extent of the funds credited or to be credited in the motor vehicle fund for payment to the city or town. Any sums due from a city or town for such purposes shall be paid on vouchers approved and submitted by the director, from moneys credited to the city or town in the motor vehicle fund, and the amount of the payments shall be deducted from funds which would otherwise be paid to the city or town from the motor vehicle fund. The director may in certain special cases, in his discretion, enter into an agreement with the governing officials of such city or town for the performance of such work or services, the terms of which shall provide for reimbursement of the motor vehicle fund for the benefit of the state's share of such fund by such city or town of the cost thereof from any funds on hand of such city or town and legally available for such work or services. The city or town may, by resolution, authorize the board of commissioners of the county in which it is located, to perform any such construction, repair or maintenance and the same shall be paid for by the city or town at the actual cost thereof as provided for payment for work performed on city streets, and any payment received therefor by a county shall be deposited in the county road fund to be expended under the same provisions as are imposed upon the funds used to perform such construction, repair or maintenance.

[Am. Rem. Supp. 1949, § 6450-63.]

SEC. 2. This act is necessary for the preservation of the public peace, health, safety and welfare, and for the immediate support of the state govern-

Construction or repair of city streets by director of highways.

Motor vehicle fund moneys.

How paid.

In director's discretion, work performed on reimbursement basis.

City street work by county.

Terms.

Payment.

Emergency.

ment and its existing public institutions, and shall take effect immediately.

Passed the House February 24, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 55.

[ H. B. 448. ]

### TEMPORARY PUBLICATION OF SESSION LAWS.

AN ACT appropriating the sum of fourteen thousand two hundred dollars, or so much thereof as may be necessary for the temporary publication of session laws of the thirty-second session of the Washington state legislature, and declaring an emergency.

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

Appropriation.

Temporary publication of session laws.

Emergency.

SECTION 1. There is hereby appropriated out of the general fund the sum of fourteen thousand two hundred dollars, or so much thereof as may be necessary for the printing and mailing of the temporary publication of the session laws of the thirty-second session of the Washington state legislature.

SEC. 2. 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 House February 13, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 56.

[ H. B. 109. ]

## MOTOR VEHICLES.

AN ACT relating to motor vehicles, the definitions thereof, traffic signals controlling the same and the equipment thereof; amending chapter 46.04, R.C.W., by adding a new section thereto, and amending sections 46.36.030 and 46.60.230, R.C.W.

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

SECTION 1. There is added a new section to chapter 46.04, R.C.W., to read as follows: New section.

“Pole trailer” means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregular shaped loads such as poles, pipes, logs or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

“Pole trailer.”

[Ch. 46.04 R.C.W. is derived from R.R.S. §§ 6312-1 and 6360-1.]

SEC. 2. Section 46.36.030, R.C.W., as derived from section 34, chapter 189, Laws of 1937, is amended to read as follows: Amendment.

Every new motor vehicle, trailer, and semi-trailer sold in this state after January 1, 1938, and operated upon the public highways shall be equipped with foot or service brakes upon all wheels of at least two axles of every such vehicle, except any bicycle or motorcycle, and except that any such trailer or semi-trailer of less than two thousand pounds gross weight, including load, need not be equipped with brakes.

New vehicles, trailers, etc., sold after Jan. 1, 1938; brakes required.

Every motor vehicle or combination of motor-drawn vehicles shall be capable, at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material,

Stopping distances.

upon application of the service brake, within the distances specified below, or shall be capable of being decelerated at a sustained rate corresponding to these distances:

Deceleration rate.

	<i>Feet to stop from 20 miles per hour</i>	<i>Deceleration in feet per second per second</i>
Vehicles or combinations of vehicles having brakes on all wheels.....	30	14
Vehicles or combinations of vehicles not having brakes on all wheels...	40	10.7

Standards apply to loaded vehicles.

All braking distances and rates of deceleration specified in this section shall apply to all vehicles mentioned, whether such vehicles are not loaded or are loaded to the maximum capacity permitted under this title. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicles. It shall be unlawful to operate any vehicle with the brakes out of adjustment to the extent that the unequal application between opposite sides of the vehicle will cause the vehicle to swerve, pull to the side, or otherwise affect the operator's control.

Brake adjustment.

Unlawful to operate vehicle with brakes out of adjustment.

Brakes other than foot brake, standards.

The means of applying the brakes other than the foot brake shall be capable of holding any motor vehicle or combination of vehicles stationary upon any plus or minus grade upon which the same is to be operated and in any event upon a plus or minus grade of at least five per cent.

[Am. R.R.S. § 6360-34 (last 4 para.).]

Amendment.

SEC. 3. Section 46.60.230, R.C.W., as derived from section 98, chapter 189, Laws of 1937, as last amended by section 7, chapter 196, Laws of 1949, is amended to read as follows:

Traffic control signals.

Whenever, at any point, traffic is controlled by traffic control signals exhibiting the words "Go," "Caution," or "Stop" or exhibiting different colored lights, the following words or colors only shall be used and shall indicate as follows:

Use and meaning of words and colors.

Green or the word "Go": Vehicular traffic facing the signal except when prohibited by a superior regulation, may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or an adjacent cross walk at the time such signal is exhibited. Pedestrians facing the signal may proceed across the roadway within any marked or unmarked cross walk unless directed otherwise by a pedestrian signal.

Green  
or "Go."

Yellow alone or the word "Caution" when shown following green or "Go" signal: Vehicular traffic facing the signal is thereby warned that the red or Stop signal shall be exhibited immediately thereafter, and such vehicular traffic shall not enter or be crossing the intersection when the red or Stop signal is exhibited. Pedestrians facing such signal are thereby advised that there is insufficient time to cross the roadway, and any pedestrian then starting to cross shall yield the right of way to all vehicles.

Yellow or  
"Caution",  
following  
green  
or "Go."

Red alone or the word "Stop": Vehicular traffic facing the signal shall stop before entering the cross walk on the near side of the intersection, or, if none, then before entering the intersection and shall remain standing until a green signal is shown. No pedestrian facing such signal shall enter the roadway unless he can do so safely and without interfering with any vehicular traffic or unless a separate Walk indication is shown.

Red or  
"Stop."

Red or the word "Stop" with green arrow: Vehicular traffic facing such signal may cautiously enter the intersection only to make the movement indicated by such arrow, but shall yield the right of way to pedestrians lawfully within a cross walk and to other traffic lawfully using the intersection. No pedestrian facing such signal shall enter the roadway unless he can safely and without interfering

Red or  
"Stop" with  
green arrow.

with any vehicular traffic: or unless a separate Walk indication is shown.

**Flashing red.**

**Flashing red:** When a red lens is illuminated by rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest cross walk at an intersection or at a Stop line when marked, and the right to proceed shall be subject to the rules applicable after making a stop at a Stop sign.

**Flashing yellow.**

**Flashing yellow:** When a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

**Erection of control signals on city streets.**

No traffic control signal or device shall be erected or maintained upon any city street designated as forming a part of the route of a primary state highway or secondary state highway unless first approved by the director of highways.

**New control signals.**

All new traffic control signals and all replacements of existing traffic control signals directing traffic to alternately stop and go shall have three signal faces facing each street, road or highway leading into the intersection with the red "Stop" signal located at the top of such signal, the amber "Caution" signal located at the center of such signal and the green "Go" signal located at the bottom of such signal.

[Am. Rem. Supp. 1949, § 6360-98.]

Passed the House January 29, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.



## CHAPTER 57.

[ H. B. 98. ]

## CONSERVATION AND DEVELOPMENT—WATER RIGHTS.

AN ACT relating to conservation and development and water rights, and amending sections 43.21.010, 43.21.120, 43.21.130, 43.21.140 and 90.04.040, R.C.W.

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

SECTION 1. Section 43.21.010, R.C.W., as derived from section 61, chapter 7, Laws of 1921, is amended to read as follows: Amendment.

The department of conservation and development shall be organized into seven divisions, to be known as, (1) the division of forestry, (2) the division of geology, (3) the division of mines, (4) the division of reclamation, (5) the division of water resources, (6) the division of flood control, and (7) the division of progress and industry development. Dept. of conservation and development; organization of.

The director of conservation and development may appoint such clerical and other assistants as may be necessary for the general administration of the department. Assistants.

[Am. R.R.S. § 10819.]

SEC. 2. Section 43.21.120, R.C.W., as derived from section 66, chapter 7, Laws of 1921, is amended to read as follows: Amendment.

The director of conservation and development shall appoint and depute an assistant director, to be known as the supervisor of water resources, who shall have charge and supervision of the division of water resources. Supervisor of water resources.

With the approval of the director, he may appoint and employ such engineers and clerical and other assistants as may be necessary to carry on the work of the division. Engineers and other help.

[Am. R.R.S. § 10824.]

**Amendment.** SEC. 3. Section 43.21.130, R.C.W., as derived from section 72, chapter 7, Laws of 1921, is amended to read as follows:

**Powers and duties of director.** The director of conservation and development, through the division of water resources, shall have the following powers and duties:

**Supervision of public waters.** (1) The supervision of public waters within the state and their appropriation, diversion, and use, and of the various officers connected therewith;

**Inspection of water works.** (2) In so far as may be necessary to assure safety to life or property, he shall inspect the construction of all dams, canals, ditches, irrigation systems, hydraulic power plants, and all other works, systems, and plants pertaining to the use of water, and he may require such necessary changes in the construction or maintenance of said works, to be made from time to time, as will reasonably secure safety to life and property;

**Control of diversion.** (3) He shall regulate and control the diversion of water in accordance with the rights thereto;

**Determine discharge and capacities.** (4) He shall determine the discharge of streams and springs and other sources of water supply, and the capacities of lakes and of reservoirs whose waters are being or may be utilized for beneficial purposes;

**Records.** (5) He shall keep such records as may be necessary in the administration of the division and for the recording of the financial transactions and statistical data thereof, and shall procure all necessary documents, forms, and blanks. He shall keep a seal of the office, and all certificates by him covering any of his acts or the acts of his office, or the records and files of his office, under such seal, shall be taken as evidence thereof in all courts;

**Evidence.** (6) He shall render to the governor, on or before the last day of November immediately preceding the regular session of the legislature, and at other times when required by the governor, a full written report of the work of his office, including a detailed state-

**Submit written report.**

ment of the expenditure thereof, with such recommendations for legislation as he may deem advisable for the better control and development of the water resources of the state;

(7) He, the supervisor, and duly authorized deputies may administer oaths.

[R.C.W. 43.21.130 is derived from R.R.S. §§ 10830 and 7358, excepting (7) of the latter, which is probably 43.17.060.]

SEC. 4. Section 43.21.140, R.C.W., as derived from section 1, chapter 30, Laws of 1943, is amended to read as follows: Amendment.

The director of conservation and development, through the division of water resources, may create within his department a trust fund to be known as the "stream gaging fund." "Stream gaging fund."

Into such fund shall be deposited all moneys contributed by persons for stream flow data or other hydrographic information furnished by the department in cooperation with the United States geological survey, and the fund shall be expended on a matching basis with the United States geological survey for the purpose of obtaining additional basic information needed for an intelligent inventory of water resources in the state. Deposits.  
Expended on matching basis.

Disbursements from the stream gaging fund shall be on vouchers approved by the supervisor of water resources and the district engineer of the United States geological survey. Disbursements.

[Am. Rem. Supp. 1943, § 5505-1.]

SEC. 5. Section 90.04.040, R.C.W., as derived from section 8, chapter 122, Laws of 1929, is amended to read as follows: Amendment.

The following fees shall be collected by the supervisor in advance: Advance fees.

(1) For the examination of an application for permit to appropriate water, a minimum of ten dollars, to be paid with the application. For each second foot between one and five hundred second feet, two dollars per second foot; for each second foot between five hundred and two thousand second feet, fifty Application for permit to appropriate water.

cents per second foot; and for each second foot in excess thereof, twenty cents per second foot. For each acre foot of storage up to and including one hundred thousand acre feet, one cent per acre foot, and for each acre foot in excess thereof, one-fifth cent per acre foot. The ten dollar fee payable with the application shall be a credit to that amount whenever the fee for direct diversion or storage totals more than ten dollars under the above schedule and in such case the further fee due shall be the total computed amount less ten dollars.

Application fee credit on diversion or storage fee.

Within five days from receipt of an application the supervisor shall notify the applicant by registered mail of any additional fees due under the above schedule and any additional fees shall be paid to and received by the supervisor within thirty days from the date of filing the application, or the application shall be rejected.

Additional fees.

(2) For filing and recording a permit to appropriate water for irrigation purposes, twenty cents per acre for each acre to be irrigated up to and including one hundred acres, and ten cents per acre for each acre in excess of one hundred acres up to and including one thousand acres, and five cents for each acre in excess of one thousand acres; and also twenty cents for each theoretical horsepower up to and including one thousand horsepower, and four cents for each theoretical horsepower in excess of one thousand horsepower, but in no instance shall the minimum fee for filing and recording a permit to appropriate water be less than four dollars. For all other beneficial purposes the fee shall be twice the amount of the examination fee except that for individual household and domestic use, which may include water for the irrigation of a family garden, the fee shall be four dollars.

Appropriation for irrigation purposes, recording fee.

Minimum fee.

Appropriation for other purposes.

(3) For filing and recording any other water right instrument, two dollars for the first hundred

Filing other instruments.

words and twenty cents for each additional hundred words or fraction thereof.

(4) For making a copy of any document recorded or filed in his office, twenty cents for each hundred words or fraction thereof, but when the amount exceeds ten dollars, only the actual cost in excess of that amount shall be charged. Copies.

(5) For certifying to copies, documents, records or maps, two dollars for each certification. Certifying copies.

(6) For blueprint copies of a map or drawing, or, for such other work of a similar nature as may be required of his office, at actual cost of the work. Blueprints.

(7) For granting each extension of time for beginning construction work under a permit to appropriate water, an amount equal to one-half of the filing and recording fee, and for granting an extension of time for completion of construction work or for completing application of water to a beneficial use, two dollars. Extension of time.

(8) For the inspection of any hydraulic works to insure safety to life and property, the actual cost of the inspection, including the expense incident thereto. Inspection.

(9) For the examination of plans and specifications as to safety of controlling works for storage of ten acre feet or more of water, a minimum fee of ten dollars, or the actual cost. Examination of plans.

(10) For recording an assignment either of a permit to appropriate water or of an application for such a permit, a fee of four dollars. Recording assignments.

(11) For issuing a certificate for change of point of diversion, place or purpose of use, ten dollars. Certificates.

(12) For filing and recording a protest against granting an application for a permit to appropriate water for any purpose, two dollars. Filing protests.

[Am. R.R.S. § 7399.]

Passed the House February 5, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 58.

[ H. B. 112. ]

FOREST PROTECTION FROM FIRES.

AN ACT relating to forest products, forest protection and the payment of forest protection assessments; prescribing penalties; amending sections 76.04.010, 76.04.150, 76.04.230, 76.04.250, 76.04.260, 76.04.270, 76.04.320, 76.04.360, and 76.04.380, R.C.W.; repealing section 76.04.330, R.C.W., and declaring an emergency.

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

Amendment. SECTION 1. Section 76.04.010, R.C.W., as derived in part from section 6, chapter 105, Laws of 1917, is amended to read as follows:

Definitions. As used in this chapter:

"Director." "Director" means the director of conservation and development;

"Supervisor." "Supervisor" means the supervisor of forestry;

"Forest fire service." "Forest fire service" includes all wardens, rangers, and other help employed especially for preventing or fighting forest fires;

"Forest land." "Forest land" means any land which has enough timber, standing or down, or inflammable material, to constitute in the judgment of the director a fire menace to life or property: *Provided*, That sagebrush and grass areas east of the summit of the Cascade Mountains are not included unless such areas are adjacent to or intermingled with areas supporting tree growth;

"Forest material." "Forest material" means forest slashing, chopping, woodland, or brushland.

[R.C.W. 76.04.010 is derived from R.R.S. §§ 5781, 5784 (part defining "forest fire service") and 5809.]

Amendment. SEC. 2. Section 76.04.150, R.C.W., as derived from section 1, chapter 11, Laws of 1945, is amended to read as follows:

Burning inflammable material. No one shall burn any inflammable material within any county in this state in which there is a warden or ranger during the period beginning the

fifteenth day of February, and ending on the fifteenth day of October in each year, unless a different date for such beginning and ending is fixed by proclamation of the governor, without first obtaining permission in writing from the supervisor, or a warden, or ranger, and afterwards complying with the terms of said permit. However, if such fire is contained in a suitable device sufficient, in the opinion of the supervisor to prevent the fire from spreading, said written permission will not be necessary. A person violating this section shall, upon conviction, be fined not less than twenty-five dollars nor more than five hundred dollars or be imprisoned in the county jail not exceeding thirty days. Permission for burning shall be given only upon compliance with such rules and regulations as the director shall prescribe, which shall be only such as the director deems necessary for the protection of life or property.

Permit.

Penalty.

Rules and regulations of director.

The supervisor, any of his assistants, any warden or ranger, may refuse, revoke, or postpone the use of permits to burn when such act is clearly necessary for the safety of adjacent property.

Revocation of permits.

[Am. Rem. Supp. 1945, § 5788.]

SEC. 3. Section 76.04.230, R.C.W., as derived from section 1, chapter 102, Laws of 1945, is amended to read as follows:

Amendment.

When any fire hazard exists, or has been created by any logging or clearing operations, and whether the supervisor has declared the same to be a fire hazard or not, and whether or not an effort has been made to remove or abate such fire hazard, an application may be made to the supervisor for a certificate of clearance.

Fire hazard.

Certificate of clearance.

As soon as practicable after the receipt of such written request the supervisor shall cause the area to be carefully inspected and if it is found that the unused material and debris has been properly disposed of or the fire hazard abated, through deterioration or utilization, the supervisor shall issue a

Supervisor to inspect.

Certificate  
of clearance.

certificate of clearance in duplicate, one copy to be delivered to the applicant and one copy to be retained in the records of his office. Each such certificate of clearance shall describe with reasonable accuracy the slashing, chopping or other area on which the unused material or other debris or fire hazard has been satisfactorily disposed of or the fire hazard abated through deterioration or utilization, by subdivision, section, township, and range, shall give the approximate acreage of the area to which the certificate applies, shall name the person who created such slashing, chopping, unused material, or fire hazard, if known, and name the person by whom the disposal or abatement was done, shall give the date on which the area was inspected and the name of the person making the inspection, and shall certify that in the opinion of the inspector such unused forest material or debris has been properly disposed of or through deterioration or utilization the fire hazard abated. Such certificate of clearance shall be issued for any fraction or part of the area inspected when the inspector finds that only such fraction or part meets the requirements of satisfactory and legal disposition of such unused material or debris and of the abatement of such fire hazard.

Certificate  
covering  
fraction of  
area.

Where  
burning  
would be  
detrimental.

Whenever the supervisor determines that the burning of any area will result in the destruction of second growth or will be detrimental to the growth of a new forest crop, or that burning such area will create a greater fire hazard than already exists, he may issue a certificate of clearance therefor: *Provided*, That the owner and/or operator will still be responsible for the costs of fire fighting made necessary by said fire hazard and the supervisor will have the right to require extra protection to be given the area by the owner and/or operator if the hazard warrants it: *Provided further*, That should the owner elect not to continue to be responsible for fire fight-

Owner's  
or operator's  
responsibility  
for  
fire fighting.



ing costs, he may in lieu thereof request the supervisor to be relieved of this responsibility and if agreeable with the supervisor, contract to pay to the division of forestry, or an organized forest protection agency approved by the supervisor a sum to be fixed by the supervisor.

Contract for fire protection.

All certificates of clearance shall be conclusive evidence of the satisfactory and legal disposition and abatement of the unused material and debris and the fire hazard created thereby to the extent in such certificate set forth; but any such certificate may be cancelled or set aside, upon due notice served in writing by the supervisor for fraud or collusion in the procuring or issuance thereof, or in the event of non-compliance with any provision or condition therein.

Certificates conclusive.

Cancellation; grounds.

[Am. Rem. Supp. 1945, § 5792-1.]

SEC. 4. Section 76.04.250, R.C.W., as derived from section 14, chapter 125, Laws of 1911; section 6, chapter 184, Laws of 1923; sections 1, 2 and 3, chapter 152, Laws of 1937; and section 1, chapter 63, Laws of 1941, is amended to read as follows:

Amendment.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land between the fifteenth day of April and the fifteenth day of October, which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions:

Certain operations declared unlawful.

(1) Any woods operation or mill using spark-emitting or electric engines unless provided with the following fire tools, or the serviceable equivalent thereof, at each landing, and/or yarding tree or mill:

Conditions of operation; spark-emitting or electric engines.

(a) For operations employing more than five men:

Five men or more.

To be kept in a sealed tool box: Three axes, six shovels and six adze hoes;

Equipment required.

To be kept adjacent to the tool box: Two bucking saws with handles, and one five-gallon pump can filled with water;

Five men  
or less.  
Equipment  
required.

(b) For operations employing five men or less:

To be kept in a sealed tool box: Two axes, three shovels, and three adze hoes;

To be kept adjacent to the tool box: One bucking saw with handles, one hundred gallons of water and two buckets.

Yarding,  
skidding or  
loading  
engine.

(2) Any gasoline, diesel, or electric yarding, skidding, or loading engine unless:

Equipment  
required.

(a) Equipped with two chemical fire extinguishers of not less than one and one-half quart capacity;

(b) Exhaust is turned up perpendicular and is clear of all obstructions or is equipped with an adequate spark arrestor.

Tractor.

(3) Any tractor unless:

Equipment  
required.

(a) Equipped with one chemical fire extinguisher of not less than one quart capacity;

(b) It has exhaust turned up perpendicular or is equipped with an adequate spark arrestor.

Truck haul-  
ing forest  
products.

(4) Any truck hauling forest products from any forest area unless:

Equipment  
required.

(a) Equipped with a chemical fire extinguisher of at least one quart capacity;

(b) Equipped with one axe;

(c) Equipped with one shovel;

(d) Exhaust is turned up perpendicular or equipped with adequate spark arrestor or muffler.

Portable  
power saw.

(5) Any portable power saw unless the power saw operators keep in their immediate possession, a chemical fire extinguisher of at least eight ounce capacity, or a serviceable shovel.

Other  
gasoline or  
diesel  
engines.

(6) Any gasoline or diesel engine used in a mill or for uses not specifically mentioned above unless:

Equipment  
required.

(a) Equipped with chemical fire extinguisher of at least one quart capacity;

(b) Exhaust is pointed up perpendicular and is

clear of all obstructions or is equipped with an adequate spark arrester;

(c) One hundred gallons of water and two buckets.

[Am. Rem. Supp. 1941, § 5794 (part).]

[Rem. Supp. 1941, § 5794 has been divided and codified as R.C.W. §§ 76.04.250, 76.04.260 and 76.04.270.]

SEC. 5. Section 76.04.260, R.C.W., as derived from section 14, chapter 125, Laws of 1911; section 6, chapter 184, Laws of 1923; sections 1, 2 and 3, chapter 152, Laws of 1937; and section 1, chapter 63, Laws of 1941, is amended to read as follows:

Amendment.

It shall be unlawful for anyone to operate within one-eighth mile of any forest land between the fifteenth day of April and the fifteenth day of October, which period shall be designated as the closed season unless the designated season is extended by the supervisor due to dangerous fire conditions:

Certain operations declared unlawful.

(1) Any spark-emitting railroad logging locomotive unless:

Conditions of operation; spark-emitting railroad logging locomotive.

(a) Equipped with a safe and suitable device for arresting sparks;

(b) Equipped with a suitable power pump with a capacity of not less than twenty gallons per minute at pressures not less than forty pounds per square inch;

Equipment required.

(c) Equipped with three hundred feet of hose not less than one inch in diameter equipped with a standard nozzle;

(d) Equipped with all the complement of hand tools listed under section 1(a) of section 76.04.250, kept in a sealed tool box on such locomotive ready for instant use;

(e) Equipped with a sprinkler system which can be capable of wetting the tracks and at least two feet on either side of each rail. Such sprinkler system shall be manually controlled from the cab. The water supply tank for such sprinkler shall be capable of carrying an adequate supply of water in direct

relation to the mileage of track covered and the available water supply;

Follow-up patrol.

(f) During the closed season it is followed by a speeder or other patrol. Such patrol shall be equipped with two shovels, one axe, and one five-gallon pump can filled with water. When a logging train operates on a common carrier track the patrol will be regulated under laws pertaining to common carrier railroads.

Common carrier railroad trains; conditions of operation.

(2) Any common carrier railroad trains operating through forest lands unless:

(a) Such trains are followed by a speeder patrol at such times and in such places as the supervisor may designate, each patrol to be equipped with a five gallon fire extinguisher, two shovels and one axe. In case a railroad company fails to provide patrol as required, the supervisor is hereby authorized to employ patrolmen for such purpose and the railroad company concerned shall be liable for the expense of the same to be collected in a civil suit brought by the state against said railroad company;

(b) At the request of the supervisor, such common carrier maintain pumping equipment and fire fighting tools specified by the supervisor but not to exceed those required of logging locomotives.

Steam logging engines or boilers.

(3) Any steam logging engine or boiler unless:

(a) Being equipped with and using a safe and suitable device for arresting sparks;

Equipment required.

(b) Equipped with a suitable power pump with a capacity of not less than twenty gallons per minute at pressures of not less than forty pounds per square inch;

(c) Equipped with three hundred feet of hose not less than one inch in diameter equipped with a standard nozzle.

Locomotives, engines and boilers; ash pan and fire box devices.

(4) Any railroad locomotive, logging locomotive, logging or other engine or boiler unless equipped with an adequate device to prevent the escape of fire or live coals or other burning substance from all ash

pans, and all fire boxes, except when ash pans or fire boxes are being cleaned when not in motion. Any donkey boiler, when equipped to operate without the use of exhaust steam within the stack, and without any artificial means of creating a forced draught, shall not require a spark arrestor.

[Am. Rem. Supp. 1941, § 5794 (part); see note to sec. 4, *supra*.]

[R.C.W. 76.04.250 is sec. 4, *supra*, this chapter.]

SEC. 6. Section 76.04.270, R.C.W., as derived from section 3, chapter 152, Laws of 1937, is amended to read as follows: Amendment.

Every person violating the provisions of sections 76.04.250 and 76.04.260 shall upon conviction be punished by a fine of not less than twenty-five dollars nor more than seventy-five dollars and the judgment of the court, in case of conviction, shall prohibit such person from operating a train, railroad locomotive, logging locomotive, or other engine, power equipment or boiler until the requirements of such sections have been complied with. Penalties.

[Am. Rem. Supp. 1941, § 5794 (part); see note to sec. 4, *supra*.]

[R.C.W. §§ 76.04.250 and 76.04.260 are secs. 4 and 5 *supra*, this chapter.]

SEC. 7. Section 76.04.320, R.C.W., as derived from section 8, chapter 184, Laws of 1923, is amended to read as follows: Amendment.

Every one operating a spark-emitting or electric engine, within one-eighth mile of forest land, for the logging of timber or the clearing of land of tree stumps, or other wood material, or the processing of wood material, shall, during the closed season: Spark-emitting or electric engines, conditions of operation.

(1) Maintain a watchman at the point where the spark-emitting or electric engine is located, the watchman to be on duty for at least two hours following every time the spark-emitting or electric engine ceases operations; Watchman.

(2) Cut down all snags, stubs, and dead trees over fifteen feet in height within a radius of one hundred fifty feet, and clear the ground of all in- Clearing.

flammable debris within a radius of thirty-five feet from each spark-emitting or electric engine.

[Am. R.R.S. § 5797.]

Amendment. SEC. 8. Section 76.04.360, R.C.W., as derived from section 1, chapter 43, Laws of 1925, is amended to read as follows:

Director may provide protection where owner does not.

If any owner of forest land neglects or fails to provide adequate fire protection therefor as required by the preceding section, the director, through the supervisor, shall provide such protection therefor at

Charge.

a cost not to exceed seven cents an acre per year on lands west of the summit of the Cascade Mountains and five cents per acre per year on lands east of the summit of the Cascade Mountains and for that purpose may divide the forest lands of the state, or any part thereof, into districts, for patrol and assessment purposes, may classify lands according to the character of timber prevailing, and the fire hazard existing, and place unprotected lands under the administration of the proper district. Such cost must be justified by a showing of budgets on demand of twenty-five owners of forest land in the county concerned at public hearing. Any amounts paid or contracted to be paid by the supervisor for this purpose from any

Administration.

Lien.

funds at his disposal shall be a lien upon the property patrolled and protected, and unless reimbursed by the owner within ten days after October first of the year in which they were incurred, on which date the supervisor shall be prepared to make statement thereof upon request to any forest owner whose own protection has not been previously approved by him as adequate, shall be reported by the supervisor to the assessor of the county in which the property is situated who shall extend the amounts upon the tax rolls covering the property, and the amounts shall be collected at the time, in the same manner, by the same procedure, and with the same penalties attached that the next general state and county taxes on the same property are collected, except that er-

Assessment on tax roll.

rors in assessment may be corrected at any time by the supervisor certifying them to the treasurer of the county in which the land involved is situated. Upon the collection of such assessments the county treasurer shall transmit them to the supervisor to be applied against expenses incurred in carrying out the provisions of this section.

Use of receipts.

The supervisor shall include in the assessment a sum not to exceed one-half of one cent per acre, to cover the necessary and reasonable cost of office and clerical work incurred in the enforcement of these provisions. He may also expend any sums collected from owners of forest lands or received from any other source for necessary office and clerical expense in connection with the enforcement of section 76.04.370.

Office and clerical expense.

When land against which fire patrol assessments are outstanding is acquired for delinquent taxes and sold at public auction, the state shall have a prior lien on the proceeds of sale over and above the amount necessary to satisfy the county's delinquent tax judgment, and the county treasurer in case the proceeds of sale exceed the amount of the delinquent tax judgment shall forthwith remit to the supervisor the amount of the outstanding patrol assessments.

State's prior lien.

The supervisor shall furnish a good and sufficient surety company bond running to the state, in a sum as great as the probable amount of money annually coming into his hands under the provisions of this chapter, conditioned for the faithful performance of his duties and for a faithful accounting for all sums received and expended thereunder, which bond shall be approved by the attorney general.

Supervisor's official bond.

Attorney general to approve bond.

[Am. R.R.S. § 5805.]

[R.C.W. 76.04.370 is Rem. Supp. § 5807.]

SEC. 9. Section 76.04.380, R.C.W., as derived from section 1, chapter 99, Laws of 1945, is amended to read as follows:

Amendment.

Uncontrolled fire a public nuisance.

Any fire on any forest land burning uncontrolled and without proper action being taken to prevent its spread, notwithstanding the origin of such fire, is a public nuisance by reason of its menace to life and

Responsibility of owner or possessor.

property. The owner, operator, or person in possession of land, on which a fire exists, or from which it may have spread, notwithstanding the origin or subsequent spread thereof on his own or other lands, shall make every reasonable effort to control and extinguish such fire immediately after receiving written notice to do so from the supervisor, or a warden or ranger; and if such owner, operator, or person in possession refuses, neglects, or fails to do so, the supervisor or any fire warden or forest ranger shall summarily abate the nuisance thus constituted by controlling or extinguishing the fire and the cost thereof may be recovered from such owner, operator, or person in possession and if the work is performed on the property of the offender, shall also constitute a lien upon the property or chattels under his ownership. Such lien may be filed by the supervisor in the office of the county auditor and foreclosed in the manner provided by law for the foreclosure of mechanics' liens. The prosecuting attorney shall bring the action to recover the cost or foreclose the lien, upon the request of the supervisor.

Summary abatement by public official.

Lien.

Action by prosecuting attorney.

Payment of assessment; effect of.

The payment of forest patrol assessment on the land shall be interpreted as a reasonable effort in suppressing and extinguishing any fire on the land except when the fire started on that land as a result of owner/operator negligence and except when extra debris is present as described under laws pertaining to slash responsibility.

Fire in a logging operation.

When a fire occurs in a logging operation it shall be fought to the full limit of available employees, and such fire fighting shall be continued with the necessary crews in such numbers as are, in the opinion of the supervisor or his authorized deputies, sufficient to bring the fire to a patrol basis, and the



fire shall not be left without a fire fighting crew or fire patrol until authority so to do has been granted in writing by the supervisor, or his authorized deputies.

[Am. Rem. Supp. 1945, § 5806.]

SEC. 10. Section 76.04.330, R.C.W., as derived from section 18, chapter 125, Laws of 1911, is repealed.

Repealing clause.

[Rep. R.R.S. 5798.]

SEC. 11. If any section, subdivision, sentence or clause in this act shall be held invalid or unconstitutional, such holding shall not affect the validity of the remaining portions of the act.

Partial invalidity.

SEC. 12. 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.

Emergency.

Passed the House February 5, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 59.

[ H. B. 151. ]

### CONVEYANCE OF STATE LANDS.

AN ACT authorizing and directing a conveyance of certain real estate to Lenore Barthen, and to Frank T. Sager.

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

SECTION 1. The governor is hereby authorized and directed to execute on behalf of the state of Washington and the secretary of state to attest, a quit claim deed, conveying to Lenore Barthen the following described real property in Grays Harbor County which was formerly owned by Lincoln Merrill and Sylvia Merrill, her father and mother now deceased, but which was conveyed by them to the

Governor to execute deed.

Lenore Barthen.

state by error and was not intended to be acquired by the state for highway purposes:

Legal  
description.

All that portion of the right of way of primary state highway No. 9, Oakville to Elma, situate in the northeast quarter of the northwest quarter (NE $\frac{1}{4}$  of NW $\frac{1}{4}$ ), section 7, township 17 north, range 5 west, W.M., as conveyed to the state of Washington by deed from Lincoln Merrill and Sylvia Merrill, his wife, dated April 16, 1932, and recorded in the office of the county auditor of Grays Harbor County on June 28, 1932, in volume 212, deeds, page 38, auditor's file No. 298130, lying and being northeasterly of a line drawn parallel with and seventy feet northeasterly, when measured at right angles, from the center line of said highway; the specific details concerning all of which are to be found within that certain map of definite location now of record and on file in the office of the director of highways at Olympia and bearing date of approval February 3, 1931, revised February 23, 1939.

Governor  
to execute  
deed.

SEC. 2. The governor is hereby authorized and directed to execute on behalf of the state of Washington, and the secretary of state to attest, a quit claim deed conveying to Frank T. Sager the following described real property in Spokane County which was formerly owned by Lillian B. Cone, now deceased, whose estate was probated in the superior court of the state of Washington for Spokane County, and which was escheated to the state of Washington through error, and should be reconveyed to Frank T. Sager, the sole heir at law of the said Lillian B. Cone, deceased:

Frank T.  
Sager.

Legal  
description.

Lot 1, block 7, South Side Cable Addition to Spokane Falls (now Spokane) in the city of Spokane, Washington.

Passed the House February 5, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 60.

[ H. B. 206. ]

AGRICULTURAL FAIRS AND STUDENT EXHIBITIONS.

AN ACT relating to agricultural fairs and to encourage 4-H clubs and Smith-Hughes students; providing for the classification and supervision thereof and for state aid thereto; creating a fair commission and prescribing its duties and repealing sections 15.76.010, 15.76.020, 15.76.030 and 15.76.040, R.C.W.

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

SECTION 1. For the purpose of this act all agricultural fairs held in the state of Washington where- in 4-H clubs or Smith-Hughes students participate and which may become eligible for state financial aid, shall be divided into classes, to wit:

Classification of fairs.

Special youth shows, A, B and C fairs.

SEC. 2. There is hereby created four special youth shows, to wit:

Special youth shows.

A—A junior livestock show;

B—A Washington state 4-H fair;

C—A Washington state junior poultry exposition;

and

D—A Washington state junior dairy show.

The director of agriculture may designate any additional special youth show not herein designated.

Additional shows.

SEC. 3. There may be ten class A fairs to be allocated by the director of agriculture and before any fair may be eligible for such classification it must have been in existence for two or more years and have had 4-H or Smith-Hughes students and general competition among persons from two or more counties during such period.

Class A fairs.

SEC. 4. Any county not holding a class A fair may hold a class B fair and qualify hereunder for state aid: *Provided*, That such fair is open to all exhibitors in the county and which has sponsored

Class B fairs; state aid.

classifications for 4-H club work or Smith-Hughes vocational work for two or more years.

Class C  
fairs.

SEC. 5. Class C fair is one which has held open competitions, 4-H club or Smith-Hughes vocational competition or all of these, but wherein said competition is restricted to an area smaller than a county, or restricts its classes to less than those of a class A or B fair. There may be more than one class C fair in a county.

Allocation  
of state fair  
fund moneys  
to fairs  
encouraging  
4-H and  
Smith-  
Hughes  
work.

SEC. 6. For the purpose of encouraging 4-H club and Smith-Hughes work in county, community and other fairs or youth shows where such competition is permitted, the board of trustees of any fair or youth show that qualifies hereunder may apply to the director of agriculture of the state of Washington for an amount of money as hereinafter set out. It shall be the duty of the director of agriculture to allot annually to participating fairs and to issue vouchers to be paid by the state treasurer out of the state fair fund the following amounts: Fifteen per cent of such fund to be paid *pro rata* to the special youth shows; thirty-five per cent of the amount of such fund to be paid *pro rata* to class A fairs; thirty-five per cent of said fund to be paid *pro rata* to class B fairs; ten per cent of said amount to be available for class C fairs, but no allocation to class C fairs shall exceed fifty per cent of the total value of premiums or prizes awarded by any such class C fair. Five per cent of such fair fund is to be available for administrative costs, including expenditures incurred by the fair commission and approved by the director of agriculture. Any money remaining in such fund shall be disbursed by the director of agriculture by making an additional payment to the special or class A, B and C fairs as he may deem necessary and appropriate for continued development and operation of said fairs. The division and payment of said fund shall occur at such

Surplus.

times as the director of agriculture shall fix. Any class A, B or C fairs, before being able to qualify and participate in any allocation herein provided must be able to match the amount of such allocation from its own local fair resources, derived either from general admission or otherwise.

Matching  
basis.

SEC. 7. There is hereby created a fair commission to consist of five members to be appointed by the director of agriculture to be persons who are interested in fair activities, at least two of whom shall be from opposite sides of the Cascade Mountains. The first appointments shall be two for a one year term; two for a two year term, and one for a three year term and thereafter the appointments shall be for a three year term. The director of agriculture shall at all times be an *ex-officio* member thereof and chairman of the commission. Members of the commission shall serve without pay except reimbursement for actual expenses payable upon voucher submitted and approved by the director of agriculture payable from the five per cent allocation fund referred to herein, and shall meet at the call of the chairman, but shall meet at least once a year. It shall be the duty of such commission to act as an advisory committee, to counsel with and make recommendations to the director of agriculture and perform such other duties from time to time as may be required by the director.

Fair  
commission  
created.

Terms.

Director  
*ex-officio*  
member.

Expenses.

Duties.

SEC. 8. It shall be a condition precedent before any class C fair may qualify for state aid hereunder that such class C fair must not be held at a time to conflict with any class A or B fair held in such county or at a time which does not give exhibitors at its show ample time to attend and exhibit at such class A and B fairs. The director of agriculture, with the advice of the commission, shall set up rules and regulations by which this fund is prorated.

Rules and  
regulations.

Repealing clause.

SEC. 9. Section 15.76.010, R.C.W., as derived from section 1, chapter 34, Laws of 1947; section 15.76.020, R.C.W., as derived from section 2, chapter 48, Laws of 1941; sections 15.76.030 and 15.76.040, R.C.W., as derived from section 3, chapter 48, Laws of 1941, are repealed.

[Rep. Rem. Supp. 1947, § 2753-6a; Rem. Supp. § 2753-6c; Rem. Supp. 1941, §§ 2753-6d, 2753-6e, 2753-8.]

Passed the House February 9, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 61.

[ H. B. 255. ]

REGULATING USE OF INSECTICIDES AND HERBICIDES.

AN ACT relating to commercial applicators using insecticides or herbicides and regulating use of the same, and amending sections 17.20.010, 17.20.020, 17.20.030, and 17.20.040, R.C.W.

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

Amendment. SECTION 1. Section 17.20.010, R.C.W., as derived from chapter 120, Laws of 1945, is amended to read as follows:

Definitions. As used in this chapter:

"Director." "Director" means the director of agriculture;

"Commercial applicator." "Commercial applicator" is one who applies insecticides or herbicides to crops other than his own.

[Am. Rem. Supp. 1945, § 2787-31.]

[Rem. Supp. 1945, § 2787-31 is divided and codified as R.C.W. 17.20.010, 17.20.020, 17.20.030, and 17.20.040.]

Amendment. SEC. 2. Section 17.20.020, R.C.W., as derived from chapter 120, Laws of 1945, is amended to read as follows:

Powers and duties of director. The director shall:

(1) Have the enforcement of this chapter;

(2) Control the use of insecticides and herbicides which are lethal or injurious to pollinating insects,

bees, crops and livestock when applied by commercial applicators;

(3) Prescribe and enforce such reasonable regulations which he shall deem necessary to protect pollinating insects, bees, crops and livestock from the use of insecticides and/or herbicides;

(4) Define areas within which insecticides and herbicides, or any of them, may not be used;

(5) Prescribe and enforce reasonable regulations applicable to the use of insecticides and herbicides by commercial applicators in any area.

[Am. Rem. Supp. 1945, § 2787-31.]

SEC. 3. Section 17.20.030, R.C.W., as derived from chapter 120, Laws of 1945, is amended to read as follows: Amendment.

The director shall hold such hearings in any area as he shall deem necessary. Any county agent or ten or more interested persons in any area within a county or two or more counties, may request the director to issue special regulations applicable only to such area. The director shall give notice of the hearing by publication in a newspaper in the county or counties in which the area is situated for two successive weekly issues, the first of which shall be at least ten days before the hearing. Hearings.  
Request for area regulations.

At the hearing all interested persons shall be heard. The director may then make and promulgate such reasonable regulations applicable only to such county, counties or area as he shall deem necessary to protect pollinating insects, bees, crops and livestock from injury from the use of insecticides or herbicides. Notice.  
Promulgation of area regulations.

[Am. Rem. Supp. 1945, § 2787-31.]

SEC. 4. Section 17.20.040, R.C.W., as derived from chapter 120, Laws of 1945, is amended to read as follows: Amendment.

Commercial applicators shall procure from the director an annual license, and pay therefor a fee Commercial applicators license.

Fee. of not more than twenty dollars, the proceeds of which shall be used exclusively for the enforcement of this act.

Expiration. Licenses shall expire on December thirty-first following issuance, unless sooner revoked for cause, and shall not be transferable. The director may

Revocation. revoke or suspend a license if he finds that the licensee has violated any provision of this chapter or any regulation issued hereunder.

[Am. Rem. Supp. 1945, § 2787-31.]

Exclusion from act. SEC. 5. None of the provisions of this act shall apply to the use of liquid herbicides in the control of weed trees and forest insects on authorized tree farms.

Passed the House February 6, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 62.

[ H. B. 9. ]

TAX LEVIES IN WATER DISTRICTS.

AN ACT relating to general tax levies in water districts, amending section 57.20.100, R.C.W.

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

Amendment. SECTION 1. Section 57.20.100, R.C.W., as derived from section 18, chapter 114, Laws of 1929, is amended to read as follows:

Additional two mill levy authorized. Increase authorized where fire department is maintained. A district may in addition to the levy mentioned in section 57.20.010, levy a general tax on all property located in the district each year not to exceed two mills on the assessed valuation of the property: *Provided*, That such general tax levy may be increased to not exceed four mills in water districts maintaining a fire department as authorized by sec-



tions 57.16.010 to 57.16.040, inclusive, R.C.W., but this proviso shall not apply where property is located in water districts maintaining a fire department when said property lies within the boundaries of any fire protection district created under sections 52.04.010 to 52.04.160, inclusive, R.C.W. The taxes shall be certified to the proper county official for the collection as other general taxes, and the proceeds shall be placed in a separate fund to be known as the "Water District Fund" and paid out on warrants issued for the specified purposes.

No increase where property within fire protection district.

Collection.

Water district fund.

[Am. R.R.S. § 11595.]

[R.C.W. 57.20.010 is R.R.S. § 11589.]

[R.C.W. 57.16.010 to 57.16.040 is Rem. Supp. § 11588.]

[R.C.W. 52.04.010 to 52.04.160 is Rem. Supp. §§ 5654-101 to 5654-114 and amendments thereto.]

Passed the House January 26, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 63.

[ H. B. 66. ]

### ASSESSMENTS — DIKING, DRAINAGE AND SEWERAGE IMPROVEMENT DISTRICTS.

AN ACT relating to diking, drainage and sewerage improvement districts; providing for hearings upon the determination or redetermination of special benefits upon appraisal; providing for the correction of obvious errors in maintenance assessments; providing for segregation of assessments for collection by the county treasurer; amending sections 85.16.060 and 85.16.200, R.C.W., and adding two new sections to chapter 85.16, R.C.W.

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

SECTION 1. Section 85.16.060, R.C.W., as derived from section 4, chapter 26, Laws of 1949, is amended to read as follows:

Amendment.

At any time and from time to time, after completion of the original construction of any such district's

Board hearing to determine or redetermine special benefits to property.

system of improvements or after the completion of any alteration, reduction, enlargement, addition to, or other improvement of the system not constituting maintenance, as herein defined, the board may upon their own initiative, or upon petition filed by at least ten per cent of the total number of owners of property within the district subject to assessments for maintenance, as shown by the latest assessment roll of the district shall, fix a date for and hold a hearing at the county seat for the purpose of determining or redetermining the special benefits accruing from the maintenance of the district's system of improvements to all property benefited thereby.

[Am. Rem. Supp. 1949, § 4459-23.]

Amendment.

SEC. 2. Section 85.16.200, R.C.W., as derived from section 15, chapter 26, Laws of 1949, is amended to read as follows:

Where change in condition of property renders benefit inequitable.

Whenever, after the determination of special benefits accruing from the maintenance of the district's system of improvements, it appears to the board from a petition filed by the affected property owner or owners or otherwise, that by reason of permanent improvements or additions made, removed, abandoned or destroyed by fire or other casualty, or of other changes in the character or condition of the property, the benefits theretofore determined in respect to any one or more pieces or parcels of property are no longer fair, just and equitable, then the board shall appoint three appraisers who shall qualify as in 85.08.360 hereof. Said appraisers shall proceed immediately to carefully examine the pieces or parcels of property as to which since the last determination of special benefits thereto there have been permanent improvements or additions made, removed, abandoned or destroyed by fire or other casualty or other changes in the character or condition of the property. Said appraisers shall file their sworn report with the

Appraisal.

File report.

board setting forth the special benefits determined by them as accruing to each piece and parcel of property examined by them not less than ten days prior to the date of hearing. The board shall hold a hearing thereon at the county seat at the time of equalization of the real property assessment and shall give notice thereof as provided in 85.16.070.

Hearing.

[Am. Rem. Supp. 1949, § 4459-34.]

[R.C.W. 85.08.360 is R.R.S. 4430.]

[R.C.W. 85.16.070 is Rem. Supp. 1949, § 4459-25.]

SEC. 3. There is hereby added to chapter 85.16 a new section to read as follows:

New section.

Whenever any payer of a diking, drainage, or sewerage improvement district maintenance assessment believes that, through obvious error in name, number, description, amount of benefit valuation, double assessment, or extension, or other obvious error, property on which he has paid an assessment has been erroneously assessed, he may pay such assessment under protest. If, within thirty days after such payment under protest, he files with the board a written verified petition setting out his name, address and legal description of the property, the nature of the obvious error alleged to have been made, and the date and amount of any assessment paid thereon, the board shall cause such claim to be investigated. If upon investigation any assessment is found to be erroneous through obvious error, the board shall order such assessment to be corrected if no bond or long-term warrant issue is affected. Where correction is ordered of an erroneous assessment already collected, the auditor, upon receipt of a certified copy of the board's order of correction, shall refund to the person paying the assessment the difference between the correct assessment and the erroneous assessment, plus legal interest on such difference from date of payment, by a warrant drawn on the maintenance fund of the district.

Obvious errors in assessments.

Payment under protest.

Petition for refund.

Correction of obvious errors.

Refund.

Interest.

SEC. 4. There is hereby added to chapter 85.16 a new section to read as follows:

New section.

Application to pay assessments.

County engineer to apportion benefits.

Assent to apportionment.

Certify apportioned benefit valuations.

Hearing by county commissioners upon filing of protest to apportionment.

When any person applies to the county treasurer to pay the diking, drainage or sewerage improvement district assessments upon a portion of a lot, tract or parcel upon which special benefits have been confirmed, the county treasurer shall refer such matter to the county engineer for investigation. The county engineer shall apportion the total benefits found as to such lot, tract or parcel between the portions thereof in such manner as may be fair, just and equitable taking into account all factors, situations and conditions which may be lawfully taken into consideration in determining such special benefits. Unless the several owners interested in said lot, tract or parcel assent to the apportionment so made, the county engineer shall give notice of the apportionment by mail to them, if known. Upon assent of the interested owners or after the expiration of five days from the date of notice without the filing of a written protest to the apportionment, the county engineer shall certify in writing the apportioned benefit valuations to the county treasurer. The county treasurer, upon receipt of such certification, shall accept payment and issue receipt on the certified apportionment. If a written protest to such apportionment is filed with the county treasurer, the matter shall be heard by the county commissioners at their next regular session for final apportionment and the county treasurer shall accept and receipt for such assessments as determined and ordered by the county commissioners.

Passed the House February 2, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 64.

[ H. B. 157. ]

## SALE OF METALLIFEROUS MINING SECURITIES.

AN ACT relating to the issuance and sale of certain metalliferous mining securities; and amending sections 21.08.040, 21.08-.060, 21.08.070 and 21.08.080, R.C.W.

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

SECTION 1. Section 21.08.040, R.C.W., as derived from section 4, chapter 178, Laws of 1937, is amended to read as follows: Amendment.

The issuing company and every authorized agent or underwriter shall maintain at the principal place of business a copy of the statutory statement, which shall be open to public inspection while the offering is being made. A prospectus issued by the company or its agent or underwriter in connection with the sale of securities shall be filed with the director before public distribution and contain a condensed summary of the material facts contained in the statutory statement on file with the director. A newspaper announcement of the offer or a newspaper advertisement of the issue shall not be regarded as a prospectus, but must designate the place where the statutory statement is available. Copy of statutory statement at principal place of business.

[Am. Rem. Supp. § 5853-34.]

SEC. 2. Section 21.08.060, R.C.W., as derived from section 8, chapter 178, Laws of 1937, is amended to read as follows: Prospectus.

No person, firm, or corporation shall act as underwriter, agent, or salesman of an original issue of metalliferous mining securities until such person, firm, or corporation shall have applied for and obtained from the director a certificate authorizing the applicant to so act. Every such certificate shall be issued for a term of one year, and may be revoked for cause as provided herein. Newspaper announcement.

Application to sell original issue; contents of. Any such person, firm, or corporation desiring to sell the original issue of metalliferous mining securities shall file with the director a verified application stating the following:

Name. (1) Full name and address, including those of officers, directors, managing agents or partners;

Business. (2) The business in which applicant has been engaged for the preceding two years, and the name and address of each employer;

Location of. (3) The location of the principal place of business within the state; and

Other information. (4) Such other information as the director may reasonably require to enable him to determine the competence and trustworthiness of the applicant: *Provided*, That the director may in his discretion grant to the officers and directors of issuer residing

Temporary permit. in the state, and/or any designated agent, a temporary selling permit upon the acceptance of the statutory statement for filing but no such temporary permit shall extend for a period of more than ninety days after its issuance: *Provided further*, That any such temporary permit may be revoked for cause by the director.

Revocation of. This section shall not apply to a licensed broker or dealer in Washington who may act as underwriter, dealer, or distributor of mining securities authorized to be sold in Washington.

Section non-operative as to certain licensed brokers. [Am. Rem. Supp. § 5853-38.]

New section. SEC. 3. There is added a new section to chapter 21.08, R.C.W., to read as follows:

Director may revoke certificate on proof of fraud or misrepresentation. The director, on proof that the holder of a certificate to sell metalliferous mining securities has concealed material facts, or committed a fraud in selling securities, or made a misrepresentation in furnishing information to the department in support of his application for a certificate, may revoke such certificate, or he may modify, amend, or temporarily suspend selling rights granted under the certificate:

*Provided*, That before any such action, the director shall notify the holder thereof that such action is contemplated and shall set forth briefly the basis therefor in writing, and the certificate holder shall have fifteen days after receipt of written notice in which to submit evidence to the director or show cause why such action should not be taken, and the director may thereafter, without further notice, suspend, alter, or terminate said selling certificate or dismiss the proceedings.

Notice to holder.

Reply.

SEC. 4. Section 21.08.070, R.C.W., as derived from section 9, chapter 178, Laws of 1937, is amended to read as follows:

Amendment.

Whenever it shall appear to the director, from competent evidence that a mining company authorized to sell securities under this act is being grossly mismanaged or is selling its securities in the state in disregard of the rights of investors or by the use of fraudulent representations at variance with any material facts contained in its statement on file with the department, the director after giving fifteen days' notice of such charges to the company and an opportunity to be heard on the charges against it may suspend its right to sell securities until he is satisfied that the company has made appropriate corrections or he may apply to the superior court of the county where the company has its place of business for an injunction restraining it and/or its officers and directors from any such acts or practices and/or by and with the written consent of the governor may apply to the superior court for the appointment of a receiver to conserve its property pending outcome of the proceedings.

Proof of misconduct of mining company.

Notice of charges.

Director may suspend right to sell.

Instruction.

Appointment of receiver.

[Am. Rem. Supp. § 5853-39.]

SEC. 5. There is added to chapter 21.08, R.C.W., a new section to read as follows:

New section.

Each order, decision, or other official act of the director under this act shall be subject to review, and

Review of director's act.

Appeal  
to superior  
court.

any aggrieved person may appeal therefrom to the superior court of the county in which he resides by serving upon the director a notice of such appeal, specifying the order, decision or act appealed from and filing the same with the clerk of the superior court of the county of his residence within sixty days after the date of such order, decision or official act. Whereupon the director shall, within ten days after the filing of such notice, make and certify a transcript of all the proceedings, records and papers on file in his office relating to the order, decision or act appealed from and file the same without a filing fee in the office of the clerk of the said superior court.

Director  
to certify  
transcript.

Burden of  
proof.

Upon the hearing of such appeal the burden of proof shall be upon the director and the court shall receive and consider all pertinent evidence, whether oral or documentary, concerning the action of the director from which such appeal is taken. Pursuant to rules of court, either party may appeal the decision to the supreme court. No supersedeas bond on the judgment shall be required except in the discretion of the superior court.

Appeal  
to supreme  
court.

Amendment.

SEC. 6. Section 21.08.080, R.C.W., as derived from section 6, chapter 178, Laws of 1937, is amended to read as follows:

Use of  
proceeds of  
offering.

A corporation subject to the provisions of this chapter, shall devote at least sixty-five per cent of the proceeds of the offering sold in the state to the actual exploration, development, and equipment of its mining property: *Provided*, That in exceptional cases in which it is demonstrated that the nature of the enterprise requires it, the director may by order, permit a corporation to devote a lesser proportion of the proceeds to such purposes.

[Am. Rem. Supp. § 5853-36.]

Passed the House February 17, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.



CHAPTER 65.

[ H. B. 273. ]

BOND ELECTIONS—FORM OF BALLOT.

AN ACT relating to cities and towns other than first class; providing a form of ballot in elections for the incurring of indebtedness or issuance of bonds, and amending section 35.37.060, R.C.W.

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

SECTION 1. Section 35.37.060, R.C.W., as derived from section 3 of "An act to authorize cities and towns to borrow money for municipal purposes and to issue negotiable bonds therefor," at page 261, Laws of 1891, and section 1, chapter 31, Laws of 1911, is amended to read as follows:

Amendment.

The election required to ratify or reject an ordinance authorizing the incurring of indebtedness or the borrowing of money on the credit of city or town shall be conducted consistent with the general election laws of the state.

Election concerning city or town indebtedness.

If the question is that of creating an indebtedness other than that of borrowing money, the ballots shall contain in substance:

Form of ballot.

"Shall the city (or town) of..... } Yes   
for (here state purpose) incur an indebt- }  
edness of \$.....? } No

If the question is that of borrowing money and issuing negotiable bonds therefor, the ballots shall contain in substance:

"Shall the city (or town) of..... } Yes   
for municipal purposes borrow \$..... }  
..... and issue its negotiable bonds }  
therefor? } No

The elector shall prepare his ballot by placing a cross (X) in the square opposite the word "Yes" or in the square opposite the word "No."

How voted.

Polls open  
and close,  
when.

The polls shall open and close at the hours fixed by statute for general state, county or municipal elections, any provisions in the city charter to the contrary notwithstanding.

[Am. R.R.S. §§ 9540 and 9541.]

Passed the House February 27, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 66.

[ H. B. 223. ]

### LOCOMOTIVES TO CARRY FIRST AID KITS.

AN ACT relating to common carrier railroads; requiring the installment of certain equipment and the furnishing of certain facilities thereby, prescribing penalties and providing that this act shall take effect on September 1, 1951.

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

Locomotive  
defined.

SECTION 1. For the purpose of this act a "locomotive" shall include all railroad engines propelled by any form of energy and used in rail line haul or yard switching service.

Common  
carrier  
railroads.

SEC. 2. Every person operating a common carrier railroad in this state shall equip each locomotive and caboose used in train or yard switching service, and every car used in passenger service with a first aid kit of a type to be approved by the director of labor and industries: *Provided, however,* That such kits shall not be required on equipment used exclusively in yard or switching service where such kits are maintained in the yard or terminal.

First aid kits.

Exception.

Drinking  
water.

Each locomotive and caboose shall also be furnished with sanitary cups and sanitary ice-cooled drinking water.

Violation.

SEC. 3. Any person violating any provision of this act shall be guilty of a misdemeanor.

SEC. 4. This act shall take effect on September 1, 1951. Act effective, when.

Passed the House February 23, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 67.

[ H. B. 318. ]

### FEES OF ELECTION OFFICERS.

AN ACT relating to elections; prescribing fees for election officers and amending section 29.45.120, R.C.W.

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

SECTION 1. Section 29.45.120, R.C.W., as derived from section 1, chapter 186, Laws of 1945, is amended to read as follows: Amendment.

The fees of officers of election shall be as follows: Fees of election officers.

To the judges and clerks of an election not less than fifty cents, nor more than one dollar per hour for full time employed by each of them. To inspectors, the rate paid to judges and clerks plus an additional two hours' compensation. The person carrying the returns to the county auditor shall be entitled to ten cents per mile for each mile traveled.

[Am. Rem. Supp. 1945, § 5166.]

Passed the House March 2, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 68.

[ H. B. 326. ]

## PORT DISTRICT ELECTIONS.

AN ACT relating to the election of commissioners in port districts comprising an area less than the entire county; amending section 53.12.160, R.C.W., amending chapter 53.12, R.C.W., by adding two new sections thereto, and repealing section 53.12.170, R.C.W.

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

SECTION 1. Section 53.12.160, R.C.W., as derived from section 1, chapter 133, Laws of 1935, as amended, is amended to read as follows:

Amendment.

Port districts comprising less than entire county; election of commissioners.

In port districts comprising less than the entire county elections for the selection of commissioners shall be held at the same time as the general election is held in the county: *Provided*, That if the petition for the organization of the district so requests, the first election of commissioners may be held at a special election which shall be called and held in the manner provided for special organization elections of port districts.

[Am. Rem. Supp. 1941, § 9691A-1.]

New section.

SEC. 2. There is added a new section to chapter 53.12, R.C.W., as derived from chapter 133, Laws of 1935, to read as follows:

Same; term of office.

In every such port district the term of office of each port commissioner shall be six years and until his successor is elected and qualified, and one commissioner shall be elected at the time of the general election in each even-numbered year for the term of six years from the first of January following his election: *Provided*, That in any district hereafter organized the candidate residing in the first commissioner district receiving the highest number of votes in the port district at the election organizing the district shall hold office until the expiration of six years after the first day of January following his

Districts hereafter organized; terms of office.

election if such election is at a general election, and if such election is at a special election he shall hold office until the expiration of six years after the first day of January following the next succeeding general election; the candidate residing in the second commissioner district receiving the highest number of votes in the port district at such election shall hold office until the expiration of four years from the first day of January following his election if such election is at a general election, and if such election is at a special election he shall hold office until the expiration of four years after the first day of January following the next succeeding general election; and the candidate residing in the third commissioner district receiving the highest number of votes in the port district at such election shall hold office until the expiration of two years after the first day of January following his election if such election is at a general election, and if such election is at a special election he shall hold office until the expiration of two years after the first day of January following the next succeeding general election; in all the foregoing situations, the commissioner to hold office until his successor is elected and qualified.

SEC. 3. There is added a new section to chapter 53.12, R.C.W., as derived from chapter 133, Laws of 1935, to read as follows:

In port districts already organized, at the general election on the first Tuesday following the first Monday in November, 1952, there shall be elected two commissioners from the two commissioner districts for which, but for the passage of this act, there would have been an election of such commissioners; at this election, from the commissioner district of these two districts which most recently had a commissioner elected for a four year term, a commissioner shall be elected to take office on the first day of January, 1953, to hold office for a term of four years and until

New section.

Existing districts; commissioners elected November, 1952.

Terms of office.

his successor is elected and qualified; from the other of these two commissioner districts a commissioner shall be elected to take office on the first day of January, 1953, to hold office for a term of six years and until his successor is elected and qualified.

Repealing clause.

SEC. 4. Section 53.12.170, R.C.W., as derived from sections 2 through 7, chapter 133, Laws of 1935, is repealed.

[Rep. Rem. Supp. §§ 9691A-2 to 9691A-7 incl.]

Passed the House March 1, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 69.

[ H. B. 343. ]

### PORT DISTRICT ELECTIONS.

AN ACT relating to port district elections; providing for nomination and withdrawal of candidates for office of port commissioner, amending sections 53.12.030 and 53.12.040, R.C.W., and amending chapter 53.12, R.C.W., by adding thereto two new sections.

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

Amendment.

SECTION 1. Section 53.12.030, R.C.W., as derived from section 2, chapter 39, Laws of 1921, is amended to read as follows:

Commissioners; how nominated in districts under 1,000 persons.

Nominations for port commissioners in a port district having a population less than one thousand shall be made by petition signed by a number of qualified voters equaling ten per cent or more of the qualified voters residing in the district.

[Am. R.R.S. § 9703.]

Amendment.

SEC. 2. Section 53.12.040, R.C.W., as derived from section 5, chapter 53, Laws of 1923, and section 2, chapter 62, Laws of 1913, is amended to read as follows:

Except as provided in the preceding section, port commissioners shall be nominated by petition signed by one hundred electors of the commissioner district in which the candidate is a resident.

Other districts.

[R.C.W. 53.12.040 is derived from R.R.S. § 9690.]

SEC. 3. Chapter 53.12, R.C.W., is amended by adding thereto a new section to read as follows:

New section.

In all port districts, petitions to nominate candidates for general elections shall be filed with the county auditor not more than sixty nor less than forty-five days prior to the date of the election; petitions to nominate candidates at an election for the formation of a port district shall be filed with the county auditor not more than sixty nor less than twenty days prior to such election.

Petitions filed with auditor.

When.

SEC. 4. Chapter 53.12, R.C.W., is amended by adding thereto a new section to read as follows:

New section.

Any person nominated for the office of port commissioner may file notice of withdrawal of his nomination with the county auditor within five days after the last day for filing nomination petitions, whereupon his nomination shall be void.

Withdrawal of nomination.

Passed the House March 1, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 70.

[ H. B. 402. ]

### CONSOLIDATION OF PRECINCTS FOR ELECTIONS.

AN ACT relating to elections in cities, towns and districts, and providing for consolidation of precincts, and declaring an emergency.

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

SECTION 1. At any primary, regular, or special city or town election, and at any regular or special

City or town election.

Uniting,  
dividing  
precincts.

district election, the election authority of any such municipality or district may combine, unite, or divide precincts for the purpose of holding such election: *Provided*, That in the event such election shall be held upon the day of any state primary or state general election this act shall not apply.

Emergency.

SEC. 2. 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 House March 2, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 71.

[ H. B. 432. ]

### ELECTIONS IN SECOND CLASS CITIES.

AN ACT relating to elections in second class cities, and amending sections 35.23.040 and 35.23.070, R.C.W.

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

Amendment.

SECTION 1. Section 35.23.040, R.C.W., as derived from section 4, chapter 241, Laws of 1907, and section 4, chapter 120, Laws of 1909, is amended to read as follows:

Municipal  
elections;  
when held in  
2nd class city  
not having  
commission  
form.

A general municipal election shall be held biennially in second class cities not operating under the commission form of government and shall be held on the second Tuesday in March of each even-numbered year. The term of office of mayor, city clerk, city treasurer and councilmen in such cities shall be four years, and until their successors are elected and qualified, but not more than six councilmen shall be elected in any one year to fill a full term. The term of office of police judge shall be two

Terms of  
officers.



years and until his successor is elected and qualified. The officers elected at such municipal election shall take office on the first Monday of June following their election: *Provided*, That such city officers, except the police judge, elected to office at the election held during the year 1951, whose terms, but for this act, would have expired on the first Monday in June, 1953, shall remain in office until (1) at the regular election to be held on the second Tuesday of March, 1954, their successors have been elected, and (2) such successors have, upon the first Monday in June, 1954, or thereafter, qualified for the office: *Provided further*, That the police judge shall not be elected for a two-year term until the regular election to be held during the year 1952.

[Am. R.R.S. §§ 9008 and 9009.]

SEC. 2. Section 35.23.070, R.C.W., as derived from section 7, chapter 241, Laws of 1907, is amended to read as follows: Amendment.

The city council as constituted at the time of the election, or as it may be constituted between that date and the first Monday of June following, shall hear and determine any and all contested elections of any and all city offices. The city council shall have power by general ordinance to prescribe rules and regulations for the hearing of contested elections of city officers, but proceedings before the city council in cases of contested elections shall conform as near as may be to the provisions of the general election laws, relating to contested elections. Election contests.

[Am. R.R.S. § 9012.]

Passed the House March 2, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 72.

[ H. B. 440. ]

CITY FIREMEN'S PENSION FUND.

AN ACT relating to the municipal firemen's pension fund, and tax levies authorized therefor; and amending section 41.16.060, R.C.W.

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

Amendment. SECTION 1. Section 41.16.060, R.C.W., as derived from section 6, chapter 91, Laws of 1947, is amended to read as follows:

Cities and towns; annual one mill levy.

It shall be the duty of the legislative authority of each municipality, each year as a part of its annual tax levy, to levy and place in the fund a tax of one mill on all the taxable property of such municipality: *Provided*, That should the estimated amount to be raised by said levy of one mill, together with other estimated income be insufficient to meet the estimated requirements of the fund then there shall be levied such additional tax, not to exceed one mill, as will meet said requirements: *Provided further*, That this additional levy may be in addition to the city fifteen mill levy limit now provided by law.

Additional levy.

Examination of pension fund.

Any city or town may, at any time before the annual budget for the city or town is made, cause an examination of and report on the condition of the firemen's pension fund by an actuary, and if it is established from such examination and report that the condition of the fund and the estimated demands and requirements thereon under this act during the ensuing budget year will not require the levy of the mandatory one mill, or if all or any part of the additional one mill levy is unnecessary to meet the estimated demands on the fund under this act for the ensuing budget year, the levy of the mandatory or additional one mill may be omitted, or the whole or

Sufficient funds for demands.

Levy may be omitted.

any part of such millage may be levied and used for any other municipal purpose.

[Am. Rem. Supp. 1947, § 9578-45.]

Passed the House February 26, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 73.

[ H. B. 56. ]

### RECONVEYANCE OF PUBLIC LANDS.

AN ACT authorizing the state forest board to reconvey certain agricultural lands in Klickitat County, and amending section 1, chapter 185, Laws of 1945.

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

SECTION 1. Section 1, chapter 185, Laws of 1945 Amendment.  
(uncodified), is amended to read as follows:

The state forest board is hereby empowered to reconvey by quit claim deed certain lands heretofore acquired through tax foreclosure and subsequently deeded by Klickitat County to said state forest board: *Provided, however,* That only such lands as may be determined by a board comprised of a representative of the soil conservation service, the extension service of the State College of Washington, the division of forestry and the chairman of the board of county commissioners of Klickitat County, to be more suitable for agricultural development than the growing of timber, shall be affected by the provisions of this act. Reconvey-  
ance of  
lands.  
  
Suitable for  
agriculture  
development.

Passed the House January 25, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 74.

[ H. B. 90. ]

QUALIFICATIONS OF JUSTICES OF THE PEACE.

AN ACT relating to justices of the peace and amending section 3.12.070, R.C.W.

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

SECTION 1. Section 3.12.070, R.C.W., as derived from section 1 of "An act relating to justices of the peace and constables in cities of the first class" at page 135, Laws of 1899, is amended to read as follows:

Amendment.

Cities of 5,000 plus, justices to be attorneys.

In all cities having a population of five thousand or more, the justices of the peace shall be attorneys at law, duly admitted to practice in the supreme court of the state.

[Am. R.R.S. § 7564 (part).]

Passed the House January 26, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 75.

[ S. H. B. 107. ]

PUBLIC SERVICE COMMISSION—RATES OF CARRIERS.

AN ACT relating to rates of carriers; authorizing the Washington public service commission to use alternative methods in establishing rates, amending section 81.04.250, R.C.W., and declaring an emergency.

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

SECTION 1. Section 81.04.250, R.C.W., as derived from section 4, chapter 165, Laws of 1933, is amended to read as follows:

Amendment.

The commission shall have the power upon complaint or upon its own motion to prescribe and au-

thorize just and reasonable rates for the transportation of persons or property by carriers, and shall exercise such power whenever and as often as it shall deem necessary or proper. The commission shall, before any hearing is had upon such complaint or motion, notify the complainants and the carrier concerned of the time and place of such hearing by giving at least ten days' written notice thereof, specifying that at the time and place designated a hearing will be held for the purpose of prescribing and authorizing such rates, which notice shall be sufficient to authorize the commission to inquire into and pass upon the matters designated in this section.

May prescribe rates.

Notice of hearing on.

In exercising its aforesaid power the commission may use any standard, formula, method or theory of valuation reasonably calculated to arrive at the objective of prescribing and authorizing just and reasonable rates.

Standards.

In the exercise of said power the commission may in its discretion give consideration in lieu of other factors to the following:

Factors to be considered.

(1) To the effect of such rates upon movement of traffic by such carriers;

Traffic movement.

(2) To the public need for adequate transportation facilities, equipment and service at the lowest level of charges consistent with the provision, maintenance and renewal of such facilities, equipment and service; and

Public need.

(3) To the carrier need for revenue of a level which under honest, efficient and economical management is sufficient to cover the cost (including all operating expenses, depreciation accruals, rents and taxes of every kind) of providing adequate transportation service, plus an amount equal to such percentage of said cost as shall be reasonably necessary for the provision, maintenance and renewal of said transportation facilities or equipment and a reasonable profit to the carrier. The relation of carrier

Need for revenue.

expenses to carrier revenues may be deemed the proper test of a reasonable profit.

[R.C.W. 81.04.250 is derived from Rem. Supp. § 10441. R.C.W. 80.04.250 likewise derived from Rem. Supp. § 10441, and relating to public service companies other than carriers, is not amended by this act.]

Emergency.

SEC. 2. 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 House February 20, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 76.

[ H. B. 115. ]

### OPERATION OF BICYCLES ON PUBLIC HIGHWAYS.

AN ACT relating to bicycles and play vehicles and the operation thereof upon the public highways, providing for equipment thereon and amending section 46.40.070, R.C.W., and prescribing penalties.

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

"Bicycle," defined.

SECTION 1. Wherever used in this act, the term "bicycle" shall mean every device propelled by human power, upon which any person may ride, having two tandem wheels either of which is over twenty inches in diameter. These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles, subject to those exceptions stated herein.

Application of act.

Use of bicycles on roadways.

SEC. 2. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to a driver of a motor vehicle, except as to the special regulations of this chapter.

SEC. 3. A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto. **Bicycle seat.**

SEC. 4. No bicycle shall be used to carry more persons at any one time than the number for which it is designed and equipped. **Persons on bicycle.**

SEC. 5. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any vehicle upon the public highways of this state. **Attachment to other vehicles.**

SEC. 6. Every person operating a bicycle upon a public highway of this state shall ride as near to the right side of the roadway as practicable, exercise due care when passing standing vehicles or one proceeding in the same direction. Persons riding bicycles upon a public highway in this state shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. Whenever a usable path for bicycles has been provided adjacent to a public highway, bicycle riders shall use such path and shall not use the roadway. **Operation on public ways.**

SEC. 7. No person operating a bicycle shall carry any package, bundle or article which prevents the driver from keeping at least one hand upon the handle bars. **Carrying packages.**

SEC. 8. Section 46.40.070, R.C.W., as derived from section 20, chapter 189, Laws of 1937, is amended to read as follows: **Amendment.**

Every bicycle when used during the hours of darkness shall be equipped with one lamp on the front exhibiting a white light visible from a distance of at least five hundred feet to the front, and with a lamp on the rear exhibiting a red light visible from a distance of five hundred feet to the rear, excepting that a red reflector meeting the requirements of this act may be used in lieu of a rear light. No person shall operate a bicycle unless it is equipped with a **Equipment required.**  
**Lights.**

Bell. bell or other device capable of giving a signal audible for a distance of one hundred feet, except that a bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

[Am. R.R.S. § 6360-20.]

Violation, misdemeanor.

Violation by minor under 16 not negligence per se.

SEC. 9. It shall be a misdemeanor for any person to do any act forbidden or fail to perform any act required in this chapter. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this act: *Provided*, That no violation of this act by any child under the age of sixteen years, or by a parent or guardian of such child shall constitute negligence *per se* in any civil action brought or defended by or in behalf of such child.

Passed the House January 29, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 77.

[ H. B. 160. ]

PUBLIC LANDS.

AN ACT relating to public lands; authorizing the withdrawal of certain tide lands from sale or lease in certain cases; authorizing the use of such tide lands as public shooting grounds and providing for the control thereof by the state game commission.

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

Commissioner public lands.

SECTION 1. The commissioner of public lands shall withdraw from sale or lease, except leave for the production of oysters or for booming purposes,



the following described second class tide lands and detached tide lands within the boundaries herein-after set forth:

Withdraw from sale following lands.

Those tide lands lying within an area beginning at a point on the meander line at the Skagit-Whatcom line, thence following the meander line in its general southerly direction to the north boundary of the Swinomish Indian Reservation, thence westerly along the north line of said Indian reservation to the base of Marches Point, thence northerly along the meander line to the north meander corner on the west line of section 28, township 35 north, range 2 E.W.M., thence north to the Whatcom County line, thence easterly along said county line to the point of beginning.

Description.

Also, all tide lands of the second class, including detached tide lands in Skagit County lying south of the main channel of the Swinomish Slough.

Certain tide lands.

Also, those tide lands in Snohomish and Island counties located in township 32 north, range 3 E.W.M.

Also, those tide lands lying in front of sections 1, 2 and 11 and 12, township 31 north, range 3 E.W.M. in Snohomish County.

SEC. 2. All the tide lands described in section 1 shall be available for use as public shooting grounds under the direction and control of the state game commission.

Public shooting grounds.

Passed the House February 17, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 78.

[ H. B. 249. ]

ORGANIZED BASEBALL—CONTRACTS WITH  
MINOR PERSONS.

AN ACT for the protection of certain minors who contract with persons engaged in or promoting the interest of organized professional baseball, and providing penalties for violations thereof.

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

Declaration  
of intent.

SECTION 1. The welfare of the children of this state is of paramount interest to the people of the state. It is the purpose of this act to foster the education of minors and to protect their moral and physical well-being. Organized professional baseball has in numerous cases induced minors to enter into contracts and agreements which have been unfair and injurious to them.

Definitions.

SEC. 2. As used in this act the following terms shall have the following meanings:

"Minor."

(1) "Minor" shall mean any person under the age of eighteen years, and who has not graduated from high school: *Provided*, That should he become eighteen during his senior year he shall be a minor until the end of the school year;

"Contract."

(2) "Contract" shall mean any contract, agreement, bonus or gratuity arrangement, whether oral or written;

"Organized  
professional  
baseball."

(3) "Organized professional baseball" shall mean and include all persons, firms, corporations, associations, or teams or clubs, or agents thereof, engaged in professional baseball, or in promoting the interest of professional baseball, or sponsoring or managing other persons, firms, corporations, associations, teams, or clubs who play baseball in any of the major or minor professional baseball leagues, or any such league hereafter organized;

(4) "Agent" shall, in addition to its generally accepted legal meaning, mean and include those persons commonly known as "baseball scouts";

"Agent."

(5) "Prosecuting attorney" shall mean the prosecuting attorney, or his regular deputy, of the county in which the minor's parent is domiciled;

"Prosecuting attorney."

(6) "Parent" shall mean parent, parents or guardian.

"Parent."

SEC. 3. Any contract between organized professional baseball and a minor shall be null and void and contrary to the public policy of the state, unless and until such contract be approved as hereinafter provided.

Contracts null and void.

SEC. 4. No contract within this act shall be null and void, nor shall any of the prohibitions or penalties provided in this act be applicable if such contract be first approved in writing by the prosecuting attorney. Such approval may be sought jointly, or at the request of either party seeking a contract.

Where contract approved.

SEC. 5. The prosecuting attorney shall have the authority to examine all the parties to the proposed contract and any other interested person and shall approve such contract if the following facts and circumstances are found to exist:

Prosecuting attorney to approve, when.

(1) That the minor has not been signed, approached, or contacted, directly or indirectly, pertaining to a professional baseball contract except as herein permitted by approval of the prosecuting attorney;

Minor not signed.

(2) That the minor has been apprised of the fact that approval of the contract may deprive him of his amateur status;

Amateur status.

(3) That the parent of the minor and the minor have consented to the contract;

Parent's consent.

(4) That the prosecuting attorney has concluded that the contract conforms to the provisions of this act, and is a valid and binding contract;

Prosecutor's approval.

Minor's education.

(5) That the contract permits the minor to have at least five months available each year to continue his high school education.

Effect of non-approval.

SEC. 6. Should the prosecuting attorney not approve the contract as above provided, then such contract shall be void, and the status of the minor shall remain as if no contract had been made, unless the prosecuting attorney's determination be the result of arbitrary or capricious action.

Inducing evasion of law prohibited.

SEC. 7. No representative of organized professional baseball nor agent, nor person purporting to be able to represent any institution in organized baseball, whether so authorized to represent such institution or not, shall initiate or participate in any negotiations which would induce an evasion of this law in any way, including the removal of any minor to another state, or violate the minor's high school athletic eligibility.

Violation gross misdemeanor.

SEC. 8. Any person, firm, corporation, association, or agent thereof, who enters into a contract with a minor, or gives a bonus or any gratuity to any minor to secure the minor's promise to enter into a contract in violation of the provisions of this act, or shall otherwise violate any provisions of this act, shall be guilty of a gross misdemeanor.

Emergency.

SEC. 9. If any portion, section, or clause of this act, shall be declared or found invalid by any court of competent jurisdiction, such adjudication shall not affect the remainder of this act.

Passed the House February 16, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 79.

[ H. B. 286. ]

## JUDGES' RETIREMENT.

AN ACT relating to supreme and superior court judges; providing in certain cases retirement benefits for widows of judges, increasing deductions from judges' salaries, and amending sections 2.12.030 and 2.12.060, R.C.W.

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

SECTION 1. Section 2.12.030, R.C.W., as derived from section 3, chapter 229, Laws of 1937, as last amended by section 1, chapter 19, Laws of 1945, is Amendment. amended to read as follows:

Every judge of the supreme or superior court of the state who retires from office under the provisions of this chapter shall be entitled to receive monthly during the period of his natural life, out of the fund hereinafter created, an amount equal to one-half of the monthly salary he was receiving as a judge at the time of his retirement, or at the end of the term immediately prior to his retirement if his retirement is made after expiration of his term. The Judges who retire.  
Monthly payments.  
Amount.  
Widow.  
Wife for 10 years.  
Other grants-in-aid deducted.

The widow of any judge who shall have heretofore retired or may hereafter retire, or of a judge who was heretofore or may hereafter be eligible for retirement at the time of his death, if she had been his wife continuously for ten years prior to his being eligible for retirement, shall be paid an amount equal to one-half of the retirement pay for her husband, as long as she remains unmarried. Payments to any widow shall be reduced by any amount received by her subsequent to her husband's death under social security, old age assistance, or other grant in aid under state and federal law. The retirement pay shall be paid monthly by the state treasurer on or before the tenth day of each month.

[Am. Rem. Supp. 1945, § 11054-3.]

SEC. 2. Section 2.12.060, R.C.W., as derived from section 6, chapter 229, Laws of 1937, as last amended by section 1, chapter 189, Laws of 1949, is hereby amended to read as follows:

Amendment.

Judges retirement fund deductions.

For the purpose of providing moneys in said judges' retirement fund, concurrent monthly deductions from judges' salaries and portions thereof payable from the state treasury and withdrawals from the general fund of the state treasury shall be made as follows: Six and one-half per cent shall be deducted from the monthly salary of each judge of the supreme court and six and one-half per cent of the total salaries of each judge of the superior court shall be deducted from that portion of the salary of such judges payable from the state treasury; and a sum equal to five per cent of the combined salaries of the judges of the supreme court and the judges of the superior court shall be withdrawn from the general fund of the state treasury. In consideration of the contributions made by the judges to the judges' retirement fund, the state hereby undertakes to guarantee the solvency of said fund and the legislature shall make biennial appropriations from the general fund amounts sufficient to guarantee the making of retirement payments as herein provided for if the money in the judges' retirement fund shall become insufficient for that purpose, but such biennial appropriation may be conditioned that sums appropriated may not be expended unless the money in the judges' retirement fund shall become insufficient to meet the retirement payments. The deductions and withdrawals herein directed shall be made on or before the tenth day of each month and shall be based on the salaries of the next preceding calendar month. The state auditor shall issue warrants payable to the treasurer to accomplish the deductions and withdrawals herein directed, and shall issue the monthly salary warrants of the judges for the amount

State's contribution.

Solvency guaranteed.

Deductions, when made.

Auditor to issue warrants.

of salary payable from the state treasury after such deductions have been made. The treasurer shall cash the warrants made payable to him hereunder and place the proceeds thereof in the judges' retirement fund for disbursement as authorized in this chapter.

Treasurer to place sums in fund.

[Am. Rem. Supp. 1949, § 11054-6.]

Passed the House February 22, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 80.

[ H. B. 308. ]

### BUDGETARY POWER OF TRANSPORTATION COMMISSION IN CERTAIN CITIES.

AN ACT authorizing transportation commissions of certain first class cities to budget and manage their own funds.

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

SECTION 1. In any city of the first class having a population of three hundred thousand or more, where there is a transportation commission vested with the power to manage a municipal transportation system, that commission is hereby vested with the power to budget and manage all funds of the municipal transportation system.

Cities over 300,000.

Transportation commission.

Passed the House February 28, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 81.

[ H. B. 344. ]

STATE EMPLOYEES' RETIREMENT SYSTEM.

AN ACT relating to the state employees' retirement system, and amending section 41.40.180, R.C.W.

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

SECTION 1. Section 41.40.180, R.C.W., as derived from section 13, chapter 240, Laws of 1949, is amended to read as follows:

Amended.

(a) On and after April 1, 1949, any member who has attained age sixty or over may retire upon his written application to the retirement board, setting forth at what time, not less than thirty days, nor more than ninety days subsequent to the execution and filing thereof, he desires to be retired: *Provided*, That in the national interest, during time of war engaged in by the United States, the retirement board may extend beyond age sixty, subject to the provisions of subsection (b) of this section, the age at which any member may be eligible to retire.

Member, aged sixty, may retire.

During war board may extend retirement age.

(b) On and after April 1, 1949, any member who has attained age seventy shall be retired forthwith or on the first day of the calendar month next succeeding that in which the said member shall have attained the age of seventy: *Provided*, That upon application of both a member who has attained age seventy and his employer, the retirement board may continue such member in service for such periods as the retirement board may determine to be necessary: *Provided further*, That upon application by his employer concurred in by the member stating that a member who has attained the age of seventy is possessed of special skill in the performance of particular duties, the retirement board shall continue such member in service for such period or periods as may be applied for by the employer.

Member seventy shall be retired.

Such member may continue, when.

Member possessed of special skill.



(c) On and after April 1, 1949, any member who has completed thirty-five years of service may retire on his written application to the retirement board, if he so desires, subject to war measures.

Member of 35 years service.

[Am. Rem. Supp. 1949, § 11072-19.]

Passed the House February 21, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 82.

[ H. B. 348. ]

SOCIAL SECURITY BENEFITS FOR EMPLOYEES OF STATE OPERATED FERRIES.

AN ACT providing for social security benefits for employees on a state-operated ferry system; amending sections 47.64.050 and 47.64.060, R.C.W., and declaring an emergency.

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

SECTION 1. Section 47.64.050, R.C.W., as derived from section 4, chapter 148, Laws of 1949, is amended to read as follows: Amendment.

The commission shall place all employees engaged in the operation of ferries acquired by the authority under the unemployment compensation benefits secured to workmen as set forth in title 50. The department of employment security is authorized and directed to accept coverage under this section. Unemployment compensation benefits for ferry employees.

[Am. Rem. Supp. 1949, § 6524-25.]

SEC. 2. Section 47.64.060, R.C.W., as derived from section 5, chapter 148, Laws of 1949, is amended to read as follows: Amendment.

All employees engaged in the operation of ferries acquired by the authority shall remain subject to the federal social security act and shall not be under the state employees' retirement act, and the author- Ferry employees under federal social security.

ity shall make such deductions from salaries of employees and contributions from revenues of the authority as shall be necessary to qualify such employees for benefits under the federal social security act; and the appropriate officials are authorized to contract with the federal security agency to effect such coverage.

Contract coverage.

[Am. Rem. Supp. 1949, § 6524-26.]

SEC. 3. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

Emergency.

Passed the House February 17, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 83.

[ H. B. 380. ]

PUBLIC LANDS.

AN ACT relating to state lands, and authorizing the sale of certain school land in Skagit County.

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

SECTION 1. The commissioner of public lands is authorized to sell at public auction in the manner provided by law that portion of lot 4, section 16, township 35 north, range 8 east, W. M., lying easterly and southeasterly of the right-of-way for county road heretofore granted to Skagit County, as shown on the plat thereof on file in the office of the commissioner in connection with county road right-of-way application No. 1988.

Commissioner of public lands may sell lands described.

Passed the House February 16, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 84.

[ H. B. 505. ]

## MAXIMUM HOURS OF WORK FOR FEMALES.

AN ACT relating to female employment; providing a maximum number of hours that females may work during twenty-four, and amending section 49.28.070, R.C.W.

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

SECTION 1. Section 49.28.070, R.C.W., as derived from section 1, chapter 37, Laws of 1911, is amended Amendment. to read as follows:

No female shall be employed in any mechanical or mercantile establishment, laundry, hotel, or restaurant for more than eight hours during any day. The hours of work may be so arranged as to permit the employment of females at any time so that they shall not work more than eight hours during the twenty-four: *Provided*, That this section shall not apply to, or affect, females employed in harvesting, packing, curing, canning, or drying any variety of perishable fruit or vegetable, or to females employed in canning fish or shellfish: *Provided further*, That a three-member commission, consisting of one representative of labor, one of industry and one of state government, is hereby established. The commission shall be appointed by the governor from names submitted to him by organizations or associations representing labor, industry and government. The committee shall consider problems of national defense which may require relaxation of certain state practices or standards for the purpose of increasing defense and war production and shall consider any application made by employers therefor, which application must set forth the reason for the same. After investigation of any such application, the commission may, by majority vote, grant such application, in whole or in part, and issue a defense

Eight hour day for female employees.

Exception.

Commission created.

Governor to appoint.

Shall consider national defense problems.

Defense production permit.

production permit covering a designated place of employment. Such permits shall be valid only during the existence of the specific emergency for which the permit was issued.

Duration of commission.

The commission shall continue in existence only so long as a national emergency, as proclaimed by the president, continues to exist.

Penalty.

Any employer violating the provisions hereof shall, upon conviction, be fined a sum not less than ten dollars nor more than one hundred dollars for each offense.

[Am. R.R.S. § 7651.]

Partial invalidity.

SEC. 2. The provisions of this act are to be severable, and if any section, subdivision or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

Passed the House February 24, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 85.

[ H. B. 138. ]

SALARIES OF OFFICERS IN SECOND CLASS CITIES.

AN ACT relating to salaries of officers of cities of the second class and amending section 35.23.220, R.C.W.

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

SECTION 1. Section 35.23.220, R.C.W., as derived from sections 1 to 5, inclusive, chapter 105, Laws of 1939, is amended to read as follows:

Amendment.

Council shall fix salaries subject to limitations below.

The city council shall fix the salary of all officials (except library trustees who shall serve without compensation) subject to the following limitations:

(1) The salary of the mayor shall not exceed **Mayor.**  
fifteen hundred dollars per year; and

(2) The salary of councilmen shall not exceed **Councilmen.**  
four hundred dollars per year, subject to a deduction of five dollars for each absence from a regular meeting of the city council.

No officer's salary or compensation shall be in- **Prohibitions.**  
creased or diminished during his term of office, nor shall any officer be allowed any extra or additional compensation, either directly or indirectly, for the rendition of services that the city council have authority to require of him by virtue of his office.

The salaries of all city officers shall be paid **Paid**  
monthly. **monthly.**

[R.C.W. 35.23.220 is derived from that part of Rem. Supp. § 9025 dealing with salaries of city clerks, that part of Rem. Supp. § 9031 dealing with salaries of city attorneys, and all of Rem. Supp. §§ 9017, 9026, and 9027. Duties of city clerks are codified in R.C.W. 35.23.090, and duties of city attorneys are codified in R.C.W. 35.23.140.]

Passed the House February 16, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 86.

[ H. B. 199. ]

INCORPORATION OF CITIES AND TOWNS.

AN ACT relating to the incorporation, organization and government of municipal corporations; adding a new section to chapter 35.02, R.C.W., and declaring an emergency.

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

New section.

SECTION 1. There is added to chapter 35.02, R.C.W., as derived from chapter 7, Laws of 1889-1890, a new section to read as follows:

Incorporation election; selection of form of government.

At an election for the incorporation of a city or town, the voters shall also select the form of government under which the city or town is to be organized as permitted by law for cities or towns of like class. If a majority of the votes cast are in favor of incorporation, the city or town shall be organized under the form of government receiving the greatest number of votes.

Emergency.

SEC. 2. 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 House February 7, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 87.

[ H. B. 168. ]

## SCHOOL DISTRICT ORGANIZATION.

AN ACT relating to education, prescribing duties of the county committee on school district organization and the county superintendent, in connection with proposed changes in school district organization and proposed terms of adjustment of assets and liabilities of school district; providing for a special election on the aforesaid changes in certain cases, and amending section 28.57.070, R.C.W.

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

SECTION 1. Section 28.57.070, R.C.W., as derived from section 19, chapter 266, Laws of 1947, is amended to read as follows: Amendment.

Upon receipt and consideration by the county committee of such statement from the state board as is required in subsection 2 of the preceding section, the committee shall take action respecting the disposition of the proposed changes and proposed terms of adjustment dealt with therein. Upon approval by the county committee of any proposed changes or terms of adjustment, the county superintendent shall make an order establishing all approved changes involving the alteration of the boundaries of an established school district or districts and all approved terms of adjustment involving an established district or districts the boundaries of which have been or are hereafter altered in the manner provided by law, and shall certify his action to the county auditor for the board of county commissioners, and to the county treasurer, the county assessor and the clerks of all school districts affected by such action. Upon receipt of such certification the clerk of each school district which is annexed to another district by the action shall deliver to the proper school district officer of the district all books, papers, documents, records, and other materials pertaining to his office.

Duties of county committee on receipt of statement from state board.

County superintendent to order changes.

Certification.

District clerk to deliver records.

Special election where committee proposes formation of new district or adjustment of bonded indebtedness.

In case the aforesaid approval by the county committee concerns a proposal to form a new school district or a proposal for adjustment of bonded indebtedness involving an established school district and one or more former school districts now included therein pursuant to a vote of the people concerned, a special election of the voters residing within the territory of the proposed new district or of the established district involved in a proposal for adjustment of bonded indebtedness as the case may be shall be held for the purpose of affording said voters an opportunity to approve or reject such proposals as concern or affect them.

Where both proposals made; how submitted to voters.

In a case involving both the question of the formation of a new district and the question of adjustment of bonded indebtedness, the questions may be submitted to the voters either in the form of a single proposition or as separate propositions, whichever to the county superintendent seems expedient. The county superintendent shall perform in connection with the calling and conducting of the special elections provided for in this chapter all duties that are required by law to be performed by a board of directors and the clerk or secretary of a school district in connection with the calling and conducting of school district elections.

Election duties of county superintendent.

[Am. Rem. Supp. 1947, § 4693-38.]

Passed the House February 16, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.



## CHAPTER 88.

[ H. B. 172. ]

## SCHOOL DISTRICT BONDS.

AN ACT relating to the issuance of bonds by school districts and providing for signing and authenticating the same.

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

SECTION 1. The board of directors of any school district authorized by vote of the electorate to issue bonds for capital purposes or the payment of validated indebtedness, or any officer required by law to sign such bonds, may in the manner herein provided, authorize one or more bonded persons to affix the signature of the designating officer to such bonds. When the signature of such officer is so affixed to any such bond or bonds pursuant to such designation, the bond or bonds shall bind the school district and all persons concerned as though the signature were made by the designating officer.

Enabling delegation of authority to sign school district bonds.

SEC. 2. Whenever any such board or officer desires to designate a person for said purpose, such action shall be authorized by resolution at a regular or special meeting of the board, giving the name of the person who has been selected therefor and stating, either generally or specifically, what bond or bonds such person shall have authority to sign. If so stated and appearing in such resolution, for the signature of such officer upon any such bond or bonds there may be a facsimile reproduction of such officer's own signature impressed by some mechanical process followed by the word "By" and the original signature of the bonded person so designated by such board or officer. Any such designation may be revoked by resolution signed by the board or officer who has made such designation, and such revocation shall be effective from the time of receipt of a certified copy of such resolution, but shall not

Delegation; how accomplished.

Facsimile.

Revocation.

affect the validity of any signature theretofore validly made.

Liability of  
delegating  
officer.

SEC. 3. Any such officer authorizing the affixing of his signature in the manner provided in this act shall be subject to the same liability, personally and on his official bond, for any signature so affixed, to the same extent as if such signature had been affixed by himself in person.

Coupons.

SEC. 4. In the case of coupons attached to any bond or bonds, the signature or signatures of any of said officers on any such coupons shall be lawful and sufficient if a facsimile reproduction of such officer's own signature is printed, lithographed or engraved on such coupons without further authentication thereon.

Facsimile  
of officer's  
signature.

Passed the House February 16, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 89.

[ H. B. 251. ]

TERMS OF COUNTY COMMISSIONERS.

AN ACT relating to counties and terms of county commissioners,  
and amending section 36.32.030, R.C.W.

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

SECTION 1. Section 36.32.030, R.C.W., as derived  
from chapter LXVII (67), Laws of 1891, is amended Amendment.  
to read as follows:

The terms of office of county commissioners shall County com-  
missioners  
terms.  
be four years and until their successors are elected  
and qualified. At the expiration of the present term  
of office of each county commissioner, each county  
commissioner thereafter shall be elected for a term  
of four years.

[R.C.W. 36.32.030 has combined R.R.S. §§ 4038, 4039, 4040,  
and 4041.]

Passed the House February 16, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 90.

[ H. B. 276. ]

GRAND JURIES SUMMONED BY SUPERIOR COURTS.

AN ACT relating to grand juries; authorizing superior court judges in certain cases to summon and convene a grand jury on their own motion, limiting any one period in which a grand jury sits to sixty days, and repealing section 10.28.230, R.C.W.

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

Judge of superior court may summon grand jury.

SECTION 1. The judge of the superior court of any county or counties, or a majority of superior court judges where there is more than one judge of said court, may summon a grand jury to attend court in any county within such judicial district, when in their opinion the public interest so demands, by filing their written directions with the clerk of the court.

Time jury to sit may be limited.

SEC. 2. Such superior court judge or such majority of judges, wherein the grand jury is convening, may limit the length of time the grand jury may sit after being summoned to sixty days.

Repealing clause.

SEC. 3. Section 10.28.230, R.C.W., as derived from section 7, of the act approved January 29, 1890, Laws of 1889-1890, page 102, is repealed.

[Not codified in R.R.S.]

Partial invalidity.

SEC. 4. If any provisions of this act, or the application thereof to any person or circumstances, is held invalid the remainder of this act and the application of such provisions to other persons or circumstances shall not be affected thereby.

Passed the House February 7, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 91.

[ H. B. 287. ]

## FOREST LANDS.

AN ACT relating to certain state forest lands, and amending section 76.12.030, R.C.W.

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

SECTION 1. Section 76.12.030, R.C.W., as derived from section 1, chapter 126, Laws of 1935, is amended to read as follows: Amendment.

If any land acquired by a county through foreclosure of tax liens, or otherwise, comes within the classification of land described in the preceding section and can be used as state forest land and if the board deems such land necessary for the purposes of this chapter, the county shall, upon demand by the board, deed such land to the board and the land shall become a part of the state forest lands, and upon such deed being made the commissioner of public lands shall be notified and enter and note it upon the records of his office. Deed of foreclosed lands by county to state forest board.

Such land shall be held in trust and administered and protected by the board as other state forest lands. Any moneys derived from the lease of such land or from the sale of forest products, oils, gases, coal, minerals, or fossils therefrom, shall be distributed as follows: Treated as other state forest lands.  
Distribution of moneys derived therefrom.

(1) The expense incurred by the state for administration, reforestation, and protection, not to exceed ten per cent, shall be returned to the forest development fund of the state treasury.

(2) Ten per cent thereof shall be placed in the forest development fund of the state treasury.

(3) Any balance remaining shall be paid to the county in which the land is located to be paid, distributed, and prorated to the various funds in the

same manner as general taxes are paid and distributed during the year of payment.

[Am. Rem. Supp. § 5812-3b.]

Passed the House February 23, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 92.

[ H. B. 310. ]

EDUCATION OF HANDICAPPED CHILDREN.

AN ACT relating to education; providing special services for handicapped children, and amending sections 28.13.010 and 28.13.050, R.C.W.

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

SECTION 1. Section 28.13.010, R.C.W., as derived from sections 1 and 2, chapter 120, Laws of 1943, is amended to read as follows:

Amendment.

There is established in the office of the superintendent of public instruction a division of special educational aid for handicapped children, to be known as the division for handicapped children.

Division for handicapped children; created.

Handicapped children are those children in school or out of school who are temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of social or emotional maladjustment, or by reason of other handicap: *Provided*, That no child shall be removed from the jurisdiction of juvenile court for training or education under this act without the approval of the superior court of the county.

Handicapped children, defined.

Removal from jurisdiction of juvenile court.

[R.C.W. 28.13.010 is a combination of Rem. Supp. 1943, § 4679-25 and para. (a) of § 4679-26.]

SEC. 2. Section 28.13.050, R.C.W., as derived from section 1, chapter 186, Laws of 1949, is amended to read as follows:

Amendment.

Special educational and training programs provided by the state and the school districts thereof for children temporarily or permanently retarded in normal educational processes by reason of physical or mental handicap, or by reason of social or emotional maladjustment, or by reason of other handicap may be extended to include children of pre-school age. School districts which extend such special programs, as provided in this section, shall be entitled to apportionments from state and county school funds, as provided by law for regular school attendance and educational units, and to allocations from state funds made available for such special services, for handicapped children three or more years of age who are given such special services.

Extension of programs to include children of pre-school age.

Aid to extending districts.

[Am. Rem. Supp. 1949, § 4901-3.]

Passed the House February 19, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 93.

[ H. B. 312. ]

### REVENUE STAMPS ON BEER.

AN ACT relating to intoxicating liquor and to revenue stamps on beer; and amending section 66.24.300, R.C.W.

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

SECTION 1. Section 66.24.300, R.C.W., as derived from section 2, chapter 217, Laws of 1937, is amended to read as follows:

Amendment.

(a) The board may make refunds for all stamp taxes paid on beer exported from the state for use outside the state, and also for tax stamps destroyed prior to the consummation of any sale of beer within the state, or for unused stamps returned to the board.

Refund for stamp taxes on beer.

Waiver of use of stamps.  
Bond may be required if other collection means used.  
Failure to pay tax.

(b) The board may waive the use of revenue stamps in the collection of the tax on beer. If the tax is not collected by means of stamps, the board may require filing with the board of a bond to be approved by it, in such amount as the board may fix, securing the payment of the tax. If any licensee fails to pay the tax when due, the board may forthwith suspend or cancel his license until all taxes are paid.

[Am. Rem. Supp. § 7306-24b.]  
Passed the House February 27, 1951.  
Passed the Senate March 6, 1951.  
Approved by the Governor March 13, 1951.

---

CHAPTER 94.

[ H. B. 351. ]

EMINENT DOMAIN BY COMMON CARRIERS OF OIL AND GAS.

AN ACT granting the right of eminent domain to certain corporate common carriers of oil and gas, repealing section 81.88.010, R.C.W., and amending section 81.88.020, R.C.W.

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

Repealing clause.

SECTION 1. Section 81.88.010, R.C.W., derived from section 1, chapter 132 of the Laws of 1915, is hereby repealed.

[Rep. R.R.S. § 9964.]

Amendment.

SEC. 2. Section 81.88.020, R.C.W., derived from section 2, chapter 132 of the Laws of 1915, is hereby amended to read as follows:

Common carriers of petroleum products; subject to regulation by public service commission.

All corporations having for one of their principal purposes the construction, maintenance and operation of pipe lines and appurtenances for the conveyance and transportation as common carriers of oils, gas, gasoline and other petroleum products shall be subject to control and regulation by the public ser-



vice commission of this state in the same manner and to the same extent as other public service corporations. The power of eminent domain is hereby conferred upon such corporations to be used for acquiring rights of way for common carrier pipe lines and they shall have the right to condemn and appropriate lands and property and interests therein for their use under the same procedure as is provided for the condemnation and appropriation of private property by railway companies, but no private property shall be taken or damaged until the compensation to be made therefor shall have been ascertained and paid as provided in the case of condemnation and appropriation by railway companies. Any property or interest therein acquired by any corporation under the provisions of this act by the exercise of the right of eminent domain shall be used exclusively for the purposes for which it was acquired. In all actions brought under this section to enforce the right of eminent domain, courts wherein such actions are brought may give such actions preference over all other civil actions in the matter of setting the same for hearing or trial and in hearing the same.

Power  
of eminent  
domain  
conferred.

Procedure.

No taking  
until com-  
pensation  
paid.

Use.

Preference  
over other  
civil actions.

[Am. R.R.S. § 9965.]

Passed the House February 24, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 95.

[ H. B. 360. ]

SALE OF PUBLIC LANDS.

AN ACT authorizing sale and conveyance of certain lands in Kitsap County to the city of Port Orchard, and providing for disposition of the proceeds thereof.

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

Sale authorized.

SECTION 1. The director of conservation and development may sell lots 7, 8 and 9, block 4, Sweeney's addition to Sidney, Kitsap County, state of Washington, to the city of Port Orchard, for such a price as will meet the approval of the governor.

To city of Port Orchard.

SEC. 2. The governor is hereby authorized and directed to execute, and the secretary of state to attest, a deed to the city of Port Orchard conveying all of said lands.

Proceeds of sale.

SEC. 3. Any amount received from the sale provided for in section 1 shall be credited to the Clark-McNary fund.

Passed the House March 1, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 96.

[ H. B. 421. ]

## STATE CENSUS BOARD.

AN ACT relating to population of cities and towns; creating a state census board to determine population, making an appropriation from the motor vehicle excise fund for such purpose, and declaring an emergency.

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

SECTION 1. There is hereby created a state census board hereinafter referred to as the board, which shall consist of three members, one of whom shall be a member of the faculty of the University of Washington, appointed by the president thereof; one a member of the faculty of the State College of Washington, appointed by the president thereof, and one member appointed by the governor. If a member of said board declines to act, resigns, or is unable to act, his successor shall be named as in the original case. The board shall elect a chairman and shall employ such assistance and clerical help as is necessary in the performance of its duties. Each member of the board and any assistants or employees of the board when authorized to make expenditures in behalf of the board shall be reimbursed for necessary traveling and other expenses. *Per diem* and expenditures herein authorized shall be made upon vouchers approved by the chairman of the board, and shall be paid out of funds allocated to cities and towns under section 82.44.150, R.C.W., as derived from section 5, chapter 152, Laws of 1945, and shall be paid from said fund before any allocations or payments are made to cities and towns under said act.

State  
census board  
created.

Members.

Chairman.  
Assistance.

Expenses.

[R.C.W. 82.44.150 is Rem. Supp. 1945, § 6312-128.]

SEC. 2. The board shall as of April 1, 1952, and annually thereafter as of April first, determine the population of all cities and towns of the state; and on

Annual de-  
termination  
of population  
of cities  
and towns.

**Certificate.** or before June first of each year, except the year 1951, shall file with the secretary of state a certificate showing its determination as to the population of the cities and towns of the state. On and after January first next following the date when such certificate is filed the population shown in such certificate shall be used as the basis for the allocation and payment of state funds to cities and towns until the next January first following the filing of successive certificates by the board.

**Basis for payment of state funds to cities and towns.**

**Officials to assist board.** SEC. 3. The tax commission or any other state officer or officials of cities and towns shall upon request of the board furnish such information, aid, and assistance as may be required by the board in the performance of its duties. The action of the board in determining the population shall be final and conclusive.

**Determination conclusive.**

**Appropriation.** SEC. 4. There is hereby appropriated from the motor vehicle excise funds, allocated to cities and towns, the sum of twenty thousand dollars, or so much thereof as may be necessary, for carrying out the provisions of this act for the biennium ending March 31, 1953.

**Emergency.** SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, and support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 24, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 97.

[ H. B. 516. ]

METROPOLITAN BUILDING TRACT.

AN ACT relating to the board of regents of the university; its powers relative to the metropolitan building tract; and amending section 28.77.340, R.C.W.

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

SECTION 1. Section 28.77.340, R.C.W., as derived from section 1, chapter 44, Laws of 1923, is amended to read as follows: Amendment.

The board of regents of the university shall not sell, renew the present lease, lease for a term in excess of twenty-five years, or make any other disposition for a period in excess of twenty-five years of that certain tract of land in the city of Seattle, commonly known as the "old university grounds", or any part thereof, until authorized and empowered to do so by statute of the legislature, and any contract of sale, renewal of the present lease, lease for a term in excess of twenty-five years, or any other disposition for a period in excess of twenty-five years, made or attempted to be made by the board of regents shall be null and void unless and until the same has been approved, ratified and confirmed by legislative act. "Old university grounds"; powers of university regents limited.

The board of regents shall have power to lease or demise the property or any part thereof without authorization or confirmation by the legislature when the interest so created is for a term not exceeding twenty-five years. Regents may lease for term under 25 years.

[Am. R.R.S. § 7846-1.]

Passed the House February 23, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 98.

[ H. B. 427. ]

RELATING TO PENSION AND RETIREMENT SYSTEMS OF THE STATE AND ITS POLITICAL SUBDIVISIONS.

AN ACT relating to pension and retirement systems of the state and political subdivisions thereof; conditionally permitting the retention of accrued service credit by members of such systems when undertaking other public employment, or upon the amalgamation of any one such public service with another.

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

Declaration of intent.

SECTION 1. It is the intent of this act to allow the preservation, accumulation and retention of service credits towards eventual retirement by officers and employees who by reason of employment by more than one public agency in the state may participate in one or more retirement or pension systems. It is also intended that sovereignty of the various retirement and pension systems operating in the state shall not be intruded upon and the eventual granting of pensions and/or annuities to such officers and employees shall remain under the control of and be controlled by act of the governing bodies of such retirement or pension systems except as specifically set forth herein.

Members of pension or retirement systems accepting other public employment or office may retain credit for service.

SEC. 2. Any officer or employee of the state or of any political subdivision thereof who is a member of any pension or retirement system thereof may upon acceptance of any other public employment or office, retain credit for service in his or her previous office or employment toward eventual retirement upon such terms and conditions as may be prescribed by the governing body or bodies of any such political subdivisions and by the pension board or authority concerned in the case of the state; and such like privilege shall be extended to any such officer or employee whose employment or office is changed as the

result of any amalgamation of any public service agency in this state with another.

Amalgama-  
tion of  
public  
service  
agencies.

SEC. 3. It is hereby specifically provided that the governing bodies referred to in section 2 hereof may allow persons to recover or regain credit lost or lapsed by reason of previous lack of authority to proceed as intended in this act, such recovery to be allowed under rules separately established by the aforementioned governing bodies.

Retroactive  
operation  
authorized.

SEC. 4. The receipt of any pension or annuity earned as a member of any system under the circumstances provided for herein shall not preclude the receipt of another pension earned as a member of any other system, any local provision of law to the contrary notwithstanding, but the total of the one or more system payments due at time of retirement shall not exceed the maximum payment for full service in the system last participated in.

Receipt of  
pension  
under one  
system does  
not preclude  
receipt  
under any  
other.

SEC. 5. When there exists a joint operation of a public service, the authorities may make provision for membership of all new employees in one designated retirement system by agreement with the proper authorities.

Joint  
operation  
of a public  
service.

Passed the House February 24, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 99.

[ H. B. 446. ]

MINIMUM COMPENSATION OF STATE EMPLOYEES.

AN ACT relating to state government; prescribing minimum compensation of certain state employees, amending section 43.03.080, R.C.W., and declaring this act shall take effect April 1, 1951.

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

Amendment. SECTION 1. Section 43.03.080, R.C.W., as derived from section 1, chapter 139, Laws of 1937, is amended to read as follows:

Full time state employees. Each full-time employee of the state or of any office, department, or institution thereof, who has been actually employed on a full-time basis for not less than six months shall receive for his services such compensation as may be prescribed by the head of the employing office, department, or institution; but such compensation, however computed, shall be not less than one hundred and seventy-five dollars a month.

Minimum compensation.

Where compensation includes subsistence and lodging. Any such employee whose compensation includes subsistence and lodging shall receive, in addition to such maintenance, however computed, not less than one hundred and fourteen dollars per month.

[Am. Rem. Supp. 10890-1.]

Emergency. SEC. 2. 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 April 1, 1951.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.



## CHAPTER 100.

[ H. B. 267. ]

## OFFICE HOURS FOR PUBLIC OFFICES.

AN ACT relating to office hours for public offices, and amending sections 36.16.100 and 42.04.060, R.C.W., and adding a new section.

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

SECTION 1. Section 36.16.100, R.C.W., as derived from section 1, chapter 113, Laws of 1941, is amended to read as follows: Amendment.

All county and precinct offices shall be kept open for the transaction of business during such hours as the board of county commissioners shall by resolution prescribe. County and precinct offices.

[R.C.W. 36.16.100 is derived from Rem. Supp. 1941, § 9963-1 and R.R.S. § 4159.]

SEC. 2. All city and town offices shall be kept open for the transaction of business during such hours as the municipal legislative authority shall by ordinance prescribe. City and town offices.

SEC. 3. Section 42.04.060, R.C.W., as derived from section 1, chapter 113, Laws of 1941, is amended to read as follows: Amendment.

All state elective and appointive officers shall keep their offices open for the transaction of business from eight o'clock A. M., to five o'clock P. M. of each business day from Monday through Friday, holidays excepted. On Saturday, such offices may be closed. State offices.

[Am. Rem. Supp. 1941, § 9963-1.]

SEC. 4. The provisions of this act shall not apply to the courts of record of this state or to their officers nor to the office of the Attorney General and the Lieutenant Governor. Exceptions.

Passed the House February 6, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 101.

[ H. B. 459. ]

## ELECTIONS.

AN ACT relating to elections; amending sections 29.13.020, 29-.13.030, 29.13.040, 29.21.060, 29.24.110, 29.27.040 and 29.27-.080, R.C.W., and repealing sections 29.09.09 and 29.09.11 [old numbers], R.C.W.

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

Amendment. SECTION 1. Section 29.13.020, R.C.W., as derived from section 1, chapter 161, Laws of 1949, is amended to read as follows:

City and district elections in Class A counties.

All city, town, school district, park district, diking district, drainage district, drainage improvement district, diking improvement district, river improvement district, commercial waterway district, water district, fire district, hospital district, ferry district, sewer district and all other municipal and district elections, except as hereinafter provided, whether general or special, and whether for the election of municipal or district officers or for the submission to the voters of any city, town or district of any question for their adoption and approval, or rejection, shall be held in Class A counties on the second Tuesday in March in the year in which they may be called.

Held, when.

Certain elections excluded.

This section shall not apply to (1) elections for the recall of city, town, or district officers, or (2) elections in irrigation districts, port districts, and public utility districts, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto.

Special election.

The county auditor, as *ex officio* supervisor of elections, upon request in the form of a resolution of the governing body of a city, town, or district, presented to him at least forty-five days prior to the proposed election date, may, if he deems an emergency to exist, call a special election at any time in

such city, town, or district and for the purpose of such special election he may combine, unite, or divide precincts. Such special election shall be noticed and conducted in the manner provided by law.

[Am. Rem. Supp. 1949, § 5144.]

SEC. 2. Section 29.13.030, R.C.W., as derived from section 2, chapter 161, Laws of 1949, is amended to read as follows:

Amendment.

All city and town elections, other than in Class A counties, whether general or special, and whether for the election of officers, or for the submission to the voters of such city or town, of any question for their adoption and approval, or rejection, shall be held on the second Tuesday of March in the year in which they may be called. All school district elections, other than in Class A whether general or special, and whether for the election of officers, or for the submission to the voters of such district, of any question for their adoption and approval, or rejection, shall be held on the second Tuesday of March in the year in which they may be called: *Provided*, That this section shall not be construed as fixing the time for holding the elections for the recall of any city, town or district officers or primary election or special bond election or any election held in a city of the first class for choosing qualified electors to prepare a new charter for such city by altering, changing, revising, adding to or repealing its existing charter, or any election held in any such city for ratifying such new charter. Whenever in the judgment of the governing board of any such city, town or school district an emergency exists, such board may, by resolution, call a special election at any time in such municipality or district, and at any such special election said governing board may combine, unite or divide precincts for the purpose of holding such special election and every such special election so called shall be conducted and notice thereof given in the manner provided by law. This and sections

City and town elections in other than Class A counties, when held.

School district elections, when held.

Certain elections not affected.

Special election pursuant to emergency.

29.13.010 and 29.13.020 are referred to as the consolidated election laws.

Amendment.

[This sec. (R.C.W. 29.13.030) was also amended by sec. 3, ch. 257, L. 1951.]

[Am. Rem. Supp. 1949, § 5150.]

[R.C.W. 29.13.010 was derived from R.R.S. §§ 5143 and 5145; R.C.W. 29.13.020 was derived from Rem. Supp. 1949, § 5144.]

Fourth class municipalities.

SEC. 3. Section 29.24.110, R.C.W., as derived from section 4, chapter 161, Laws of 1949, is amended to read as follows:

Fourth class municipalities shall not hold primaries and the election of town officers shall be non-partisan. Not less than ninety days prior to the holding of a town election, the town council shall by ordinance prescribe as the method for nominating candidates, either the holding of a caucus or caucuses, in which case it shall further prescribe regulations therefor, or the filing of declarations of candidacy.

Alternative methods for nominating candidates.

Caucuses.

If caucuses are provided for, the town clerk shall publish once in a newspaper having general circulation within the county at least ten days prior to the date thereof, a notice of any caucus. If there be no such newspaper, notice shall be posted ten days prior to date of the caucus, at the three most prominent places in town.

Declarations of candidacy.

If declarations of candidacy are provided for, they shall be filed with the town clerk not more than sixty nor less than forty-five days prior to the election, and shall be accompanied by a filing fee equal to one per cent of the annual salary of the office: *Provided, however,* That no filing fee shall be charged in the event that the office sought is without compensation. Declarations of candidacy shall substantially conform to the form set forth in section 29.18.030, R.C.W.

Filing fee.

Form of declaration.

List of candidates to county auditor.

If, by law, the county auditor, as *ex officio* supervisor of elections, has jurisdiction over such town election, the town clerk shall at least thirty-five days

prior thereto, submit to him a certified list of candidates.

[Am. Rem. Supp. 1949, § 5179-2.]  
[R.C.W. 29.18.030 is Rem. Supp. 1947, § 5180.]

SEC. 4. Section 29.13.040, R.C.W., as derived from section 5, chapter 161, Laws of 1949, is amended to read as follows: Amendment.

All elections held under section 29.13.020 shall be conducted by the county auditor as *ex officio* county supervisor of elections and shall be canvassed by the county canvassing board. In all elections held under section 29.13.030, the duties enjoined upon the county auditor by section 29.04.020, as derived from section 1, chapter 182, Laws of 1947, shall be performed by the city, town, or school district clerk. Such elections shall be canvassed by the city, town, or school district canvassing authority: *Provided*, That if the laws governing any such city, town, or school district do not designate a canvassing authority, the canvass shall be made by the legislative body thereof. Supervisory and canvassing powers, where vested.

[This sec. (R.C.W. 29.13.040) also amended by sec. 4, ch. 257, L. 1951.]

[Am. Rem. Supp. 1949, § 5153-1.]  
[R.C.W. 29.13.020 is sec. 1, *supra*, this chapter.]  
[R.C.W. 29.13.030 is sec. 2, *supra*, this chapter.]  
[R.C.W. 29.04.020 is Rem. Supp. 1947, § 5166-10.]

SEC. 5. Section 29.21.060, R.C.W., as derived from section 6, chapter 161, Laws of 1949, is amended to read as follows: Amendment.

All candidates for offices to be voted on at any election in first, second, and third class cities shall file declarations of candidacy not more than sixty nor less than forty-five days prior to the day of the primary with the clerk thereof. Declarations of candidacy; 1st, 2nd and 3rd class cities.

All candidates for district offices, other than in irrigation districts, shall file declarations of candidacy not more than sixty nor less than forty-five days prior to the date of the election with the officer or board charged with the conduct of the election: *Provided*, That in the case of port districts and public Same; district elections.

Port or public utility district.

utility districts, and in no others, nominations shall be made by means of nominating petitions: *Provided further*, That this chapter shall not change the method of nomination for first district officers at the formation of the district. Any candidate may withdraw his declaration at any time within five days after the last day allowed for filing declarations of candidacy.

Withdrawal of candidacy.

Certified list of candidates; cities in Class A counties.

The city clerk in Class A counties shall transmit to the county auditor at least thirty-five days before the date fixed for the primary, a certified list of the candidates to be voted on thereat as represented by the declarations of candidacy filed in his office.

Filing fees.

All candidates required to file declaration of candidacy shall pay the same fees and be governed by the same rules as obtain with respect to candidates for nomination at the September primary elections: *Provided*, That no filing fee shall be charged in the event that the office sought is without compensation.

[Am. Rem. Supp. 1949, § 5166-4.]

Amendment.

SEC. 6. Section 29.27.040, R.C.W., as derived from section 7, chapter 161, Laws of 1949, is amended to read as follows:

Certified list of candidates; towns in Class A counties.

Clerks of fourth class towns, in Class A counties, shall certify and file a list of nominees with the county auditor not less than thirty-five days before the election.

[Am. Rem. Supp. 1949, § 5172.]

Amendment.

SEC. 7. Section 29.27.080, R.C.W., as derived from section 11, chapter 161, Laws of 1949, is amended to read as follows:

Notices of election.

Notice for any state, county, district, or municipal election, whether special or general, shall be given by publication not more than ten nor less than three days prior to the election by the county auditor or the officer conducting the election as the case may be, in one or more newspapers of general circulation

Publication.

within the county. Said legal notice shall contain the title of each office under the proper party designation, the names and addresses of all officers who have been nominated for an office to be voted upon at that election, together with the ballot titles of all measures, the hours during which the polls will be open, and that the election will be held in the regular polling places in each precinct, giving the address of each polling place: *Provided*, That the names of all candidates for nonpartisan offices shall be published separately with designation of the offices for which they are candidates but without party designation. This shall be the only notice required for a state, county, district or municipal general or special election.

Contents.

Constitutes only notice required.

[Am. Rem. Supp. 1949, § 5148-3a.]

SEC. 8. For the purposes of this act, "Class A county" shall include counties of higher classification whenever such class or classes shall be established.

Rule of construction.

SEC. 9. Section 29.09.09, R.C.W. [old number], as derived from section 12, chapter 163, Laws of 1919, and section 29.09.11, R.C.W. [old number], as derived from section 7, chapter 53, Laws of 1923, are repealed.

Repealing clause.

[R.C.W. 29.09.09 was derived from R.R.S. § 5157; R.C.W. 29.09.11 was derived from R.R.S. § 5148-3.]

[Section 12, ch. 163, Laws of 1919, and section 7, ch. 53, Laws of 1923, were not assigned new numbers in R.C.W. hence are here referred to by the old R.C.W. numbers.]

Passed the House March 1, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 102.

[ H. B. 290. ]

TRANSPORTATION OF EXPLOSIVES AND FLAMMABLE MATERIALS.

AN ACT relating to the transportation of explosives, flammable materials, corrosives, compressed gases, poisons, oxidizing materials and other dangerous articles; providing penalties, and amending section 46.48.170, and repealing sections 46.04.170, 46.04.210 and 46.48.200 to 46.48.250, inclusive, R.C.W.

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

Amendment. SECTION 1. Section 46.48.170, R.C.W., as derived from section 1, chapter 101, Laws of 1949, is amended to read as follows:

Jurisdiction over safety in transport of explosives, etc.; where vested. Rule making power. Limitation. Appointment of personnel. The Washington state patrol acting by and through the chief of the Washington state patrol, together with the committee created by section 46.48.190 shall have jurisdiction over the safety in the transportation of explosives, flammable materials, corrosives, compressed gases, poisons, oxidizing materials and other dangerous articles upon the public highways of this state and shall have power to make rules and regulations pertaining thereto, sufficient to protect persons and property from unreasonable risk of harm or damage. No such rules or regulations shall be inconsistent with the rules and regulations of the interstate commerce commission issued under authority of the "Transportation of Explosives act" (62 Stat. 738, 18 U.S.C.A., pp. 831-835). The chief of the Washington state patrol shall appoint the necessary qualified personnel to carry out the provisions of 46.48.170 to 46.48.190, inclusive.

[Am. Rem. Supp. 1949, § 6360-63a.]

[R.C.W. 46.48.170 to 46.48.190 incl. is Rem. Supp. 1949, §§ 6360-63a to 6360-63c incl.]

Penalty. SEC. 2. Each violation of any rules and/or regulations made pursuant to section 1 shall be a misdemeanor.



SEC. 3. Sections 46.04.170, 46.04.210 and 46.48.200 to 46.48.250, inclusive, R.C.W., as derived from sections 1, 58, 61, 62 and 63, chapter 189, Laws of 1937, and section 1, chapter 25, Laws of 1945, and section 8, chapter 267, Laws of 1947, are repealed. Repealing clause.

[Rep. R.R.S. §§ 6360-1 (parts defining "explosives" and "inflammable liquids") and 6360-58; Rem. Supp. 1947, § 6360-58a; Rem. Supp. 1945, § 6360-60; R.R.S. §§ 6360-61 to 6360-63 incl.]

Passed the House February 17, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 103.

[ H. B. 331. ]

### VOLUNTEER FIREMEN'S RELIEF AND PENSIONS.

AN ACT relating to volunteer firemen's relief and pensions, and amending sections 41.24.170, 41.24.160, 41.24.220 and 41.24.230, R.C.W.

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

SECTION 1. Section 41.24.170, R.C.W., as derived from section 17, chapter 261, Laws of 1945, is amended to read as follows: Amendment.

Whenever any fireman on June 6, 1945 had been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and which municipality and fireman are enrolled within three years thereafter, and the fireman has reached the age of sixty-five years, the board of trustees may order and direct that he be paid a monthly pension of thirty-nine dollars from the fund. Fireman of 25 years service in volunteer fire department.  
  
Sixty-five years of age pension.

Whenever any fireman has been a member, and served honorably for a period of twenty-five years

Where annual retirement fee paid for 25 years.

Pension.

or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and the annual retirement fee has been paid for a period of twenty-five years, the board of trustees shall order and direct that such fireman be paid a monthly pension of sixty-five dollars from the fund upon his attaining the age of sixty-five years and for the balance of his life.

Whenever any fireman has been a member, and served honorably for a period of twenty-five years or more as an active member in any capacity, of any regularly organized volunteer fire department of any municipality in this state, and the annual retirement fee has been paid for a period of less than twenty-five years by reason of the fact that part of such service was rendered prior to June 6, 1945, the board of trustees shall order and direct that such fireman shall receive the minimum monthly pension herein provided increased by the sum of one dollar each month for each year the annual fee has been paid, but not to exceed the maximum monthly pension herein provided, upon such fireman attaining the age of sixty-five years and for the balance of his life.

Fee paid for less than 25 years.

Minimum pension.

Pensions payable at 65.

No pension herein provided shall become payable before the sixty-fifth birthday of the fireman.

25 year minimum.

No pension herein provided shall be payable for any service less than twenty-five years.

[Am. Rem. Supp. 1945, § 9578-31.]

Amendment.

SEC. 2. Section 41.24.160, R.C.W., as derived from section 16, chapter 261, Laws of 1945, is amended to read as follows:

Whenever a fireman dies as the result of injuries received, or sickness contracted, while in the performance of his duties, the board of trustees shall order and direct the payment of the sum of seventy-five dollars per month to his widow during her life;

Payment to widow upon death from line of duty injury or sickness.

or, if there is no widow, or the widow dies while there are minor children, then to his minor child or children until they reach the age of eighteen years; and if there are no widow, child or children entitled thereto, then to his parents or either of them, if it is proven to the satisfaction of the board that the parents, or either of them, were dependent on the deceased for their support at the time of his death: *Provided*, That if the widow, child or children, or the parents, or either of them, marry while receiving such pension the person so marrying shall thereafter receive no further pension from the fund.

Where no widow.

Payments cease on remarriage.

[Am. Rem. Supp. 1945, § 9578-30.]

SEC. 3. Section 41.24.220, R.C.W., as derived from section 2, chapter 145, Laws of 1949, is amended to read as follows:

Amendment.

Whenever any fireman becomes disabled or sick in the performance of his duties by reason of which he is confined to any hospital, an amount not exceeding seventy-five dollars weekly, or a proportional amount for less than a whole week, shall be allowed and paid from said fund toward such hospital expenses for a period not exceeding twenty-six weeks: *Provided*, That this allowance shall not be in lieu of but in addition to any other allowance in this chapter provided: *Provided further*, That costs of surgery, medicine, laboratory fees, X-ray, special therapies, and similar additional costs shall be paid in addition thereto.

Duty connected disability.

Payment toward hospital expenses.

Allowance additional.

Other allowances.

[Am. Rem. Supp. 1945, § 9578-36.]

SEC. 4. Section 41.24.230, R.C.W., as derived from section 23, chapter 261, Laws of 1945, is amended to read as follows:

Amendment.

Upon the death of any fireman resulting from injuries or sickness while in the performance of his duties or while receiving any pension provided for in this chapter, the board of trustees shall authorize the issuance of a voucher for the sum of two hundred

Funeral expenses.

and fifty dollars to help defray the funeral expenses and burial of such fireman, which voucher shall be paid in the manner provided for payment of other charges against the fund.

[Am. Rem. Supp. 1945, § 9578-37.]

Passed the House February 23, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 104.

[ H. B. 458. ]

### CITIES OPERATING PUBLIC UTILITIES OUTSIDE THE COUNTY.

AN ACT authorizing cities owning and operating public utilities having facilities for the generation of electricity located in counties other than that in which such cities are located, to contribute to the support of the county governments of such counties and enter into contracts with such counties therefor, and declaring an emergency.

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

City having electrical generation facilities outside of county may contribute to county where located.

SECTION 1. Any city owning and operating a public utility and having facilities for the generation of electricity located in a county other than that in which the city is located, may provide for the public peace, health, safety and welfare of such county as concerns the facilities and the personnel employed in connection therewith, by contributing to the support of the county government of any such county and enter into contracts with any such county therefor.

Emergency.

SEC. 2. 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 House February 26, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 105.

[ H. B. 484. ]

LIQUIDATION FUNDS—INVESTMENT IN SAVINGS AND  
LOAN ASSOCIATIONS.AN ACT relating to savings and loan associations and the  
liquidations thereof.*Be it enacted by the Legislature of the State of  
Washington:*

SECTION 1. A new section is added to title 33, New section.  
R.C.W., as derived from chapter 235, Laws of 1945,  
as amended.

All funds received by the supervisor from liqui- Funds  
received by  
supervisor  
from liquida-  
tions; invest-  
ment of.  
dations may be invested by him in banks and sav-  
ings and loan associations in amounts not in excess  
of the amount insured by the Federal Deposit In-  
surance Corporation or the Federal Savings and  
Loan Insurance Corporation, or in securities au-  
thorized herein, and the earnings from the moneys  
so held may be applied toward defraying the ex-  
penses incurred in the liquidations.

Passed the House March 1, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

## CHAPTER 106.

[ H. B. 522. ]

## VITAL STATISTICS.

AN ACT relating to vital statistics; amending sections 43.20.080,  
70.58.130, 43.20.090, 70.58.010, 70.58.020, 70.58.080, 70.58.090,  
and 70.58.040, R.C.W.*Be it enacted by the Legislature of the State of  
Washington:*

SECTION 1. Section 43.20.080, R.C.W., as derived Amendment.  
from section 9, chapter 180, Laws of 1915, is amended  
to read as follows:

Duties of  
state  
registrar.

Supply  
forms.

Issue  
instructions.

Use of  
other blanks  
prohibited.

Examine  
certificates.

Permanent  
record of  
births and  
deaths.

Card index.

Inform local  
registrars as  
to infectious  
diseases.

Persons  
possessing  
birth, death  
records may  
file them  
with state  
registrar.

The state registrar of vital statistics shall prepare, print and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of title 70; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. No other blanks shall be used than those supplied by the state registrar. He shall carefully examine the certificates received monthly from the local registrars, and if any are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory, and shall cause such further information to be attached to and filed with the certificate. He shall furnish, arrange, bind, and make a permanent record of the certificates in a systematic manner, and shall prepare and maintain a comprehensive and continuous card index of all births and deaths registered; the cards to show the name of the child or deceased, place and date of birth or death, number of certificate, and the volume in which it is contained.

He shall inform all local registrars of the diseases which are to be considered infectious to the public health, as decided by the state board of health, in order that, when death occurs from such diseases, proper precautions may be taken to prevent the spreading of dangerous diseases.

If any cemetery company or association, or any church or historical society or association, or any other company, society, or association, or any individual, is in possession of any record of births or deaths which may be of value in establishing the genealogy of any resident of this state, such company, society, association or individual may file such record or a duly authenticated transcript thereof

with the state registrar, and the state registrar shall preserve such record or transcript and make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the state registrar may prescribe.

Duty to preserve and index.

Public inspection.

If any person desires a transcript of any record filed in accordance herewith, the state registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record, as filed in his office, and for his services in so furnishing such transcript and certificate he shall be entitled to a fee of one dollar per hour or fraction of an hour necessarily consumed in making such transcript, which fee shall be paid by the applicant.

Transcript of record.

Fee.

[Am. R.R.S. § 6034.]

SEC. 2. Section 70.58.130, R.C.W., as derived from section 4, chapter 176, Laws of 1943, is amended to read as follows:

Amendment.

The birth shall be registered in the records of the state registrar and shall also be filed in the local registration district in which the birth occurred. A certified copy of the record shall be *prima facie* evidence of the facts stated therein. Certified copies shall be furnished at a fee of one dollar each.

Registration of births.

Certified copies.

[Am. Rem. Supp. 1943, § 6011-4.]

SEC. 3. Section 43.20.090, R.C.W., as derived from section 1, chapter 158, Laws of 1945, is amended to read as follows:

Amendment.

The state registrar shall, upon request, furnish an applicant with a certified copy of the record of any birth or death, registered under the provisions of law, or that portion of the record of any birth which shows the child's full name, sex, date of birth, and date of filing of the certificate, for the making and certification of which he shall be entitled to a fee of one dollar to be paid by the applicant: *Provided,*

Certified copies of records.

Fee.

Illegitimacy  
not to be  
disclosed.

That a certified copy of the record of any birth may not disclose the fact of illegitimacy of birth, nor of information from which it can be ascertained, except upon order of the court or in cases where written notice is received from an attorney that the illegitimate child is to be adopted: *Provided further*, That no fees shall be demanded or required for furnishing certified copy, or copies, of birth or death to any veteran of World Wars I or II, or Spanish-American War, or dependent mother or father for use in connection with a claim for compensation or pension pending before the veterans' administration.

No fee in  
certain cases  
where copy  
used in  
veterans'  
administra-  
tion claim.

Search of  
files.

For any search of the files and the records when no certified copy is made, the state registrar shall be entitled to a fee of one dollar for each hour or fractional part of an hour employed in such search, to be paid by the applicant.

Fee.

Certificates  
of age of  
minors.

The state registrar and all local registrars shall furnish upon application certificates of the age of children to be used in attending the public schools or in obtaining employment permits without fee or compensation.

No fee.

Fees;  
records and  
deposit of.

The state department of health shall keep a true and correct account of all fees received and turn the same over to the state treasurer on the first day of January, April, July and October.

Local  
registrars;  
fees.

Local registrars in cities of the first, second, and third class shall be entitled to charge for certified copies of records of births and deaths and for searching of records when no certified copy is made, the same fee as hereinabove provided, but such fees, if any collected, shall be paid into the treasury of the city where collected.

[Am. Rem. Supp. 1945, § 6037.]

Amendment.

SEC. 4. Section 70.58.010, R.C.W., as derived from section 1, chapter 180, Laws of 1915, is amended to read as follows:



Each city of the first class shall constitute a primary registration district and each county and the territory of counties jointly comprising a health district, exclusive of the portion included within cities of the first class, served by full-time health officers shall constitute a primary registration area. All other counties and municipal areas not included in the foregoing shall be divided into registration areas by the state registrar as he may deem essential to obtain the most efficient registration of vital events as provided by law.

[Am. R.R.S. § 6019.]

SEC. 5. Section 70.58.020, R.C.W., as derived from section 3, chapter 83, Laws of 1907, as amended by section 2, chapter 180, Laws of 1915, is amended to read as follows:

Under the direction and control of the state registrar, the health officer of each city of the first class shall be the local registrar in and for the primary registration district under his supervision as health officer and the full-time health officer of each county and district health department shall be the local registrar in and for the registration area which he supervises as health officer and shall serve as such as long as he performs the registration duties as prescribed by law. He may be removed as local registrar of the registration area which he serves by the state board of health upon its finding of evidence of neglect in the performance of his duties as such registrar. The state registrar shall appoint local registrars for those registration areas not included in the foregoing and also in areas where the state board of health has removed the full-time health officer from this position as registrar.

Each local registrar, subject to the approval of the state registrar, shall appoint in writing a sufficient number of deputy registrars to administer the laws relating to vital statistics, and shall certify the

Primary  
registration  
district.

Primary  
registration  
area.

Other  
registration  
areas.

Amendment.

Local  
registrar;  
primary  
registration  
district.

Same;  
primary  
registration  
area.

Removal  
from office.

Appointment  
of other local  
registrars.

Deputy  
registrars.

appointment of such deputies to the state registrar. Deputy registrars shall act in the case of absence, death, illness or disability of the local registrar, or such other conditions as may be deemed sufficient cause to require their services.

[Am. R.R.S. § 6020.]

Amendment.

SEC. 6. Section 70.58.080, R.C.W., as derived from section 12, chapter 83, Laws of 1907, is amended to read as follows:

Birth certificate; by whom and when to be filed.

The attending physician or midwife shall file a certificate of birth, properly and completely filled out, giving all of the particulars required, with the local registrar of the district in which the birth occurred, within ten days after the birth. If there is no attending physician or midwife, the father or mother of the child, householder or owner of the premises, manager or superintendent of public or private institution in which the birth occurred, shall notify the local registrar, within ten days after the birth, of the fact of the birth, and the local registrar shall secure the necessary information and signature to make a proper certificate of birth.

When an infant is found for whom no certificate of birth is known to be on file, a birth certificate shall be filed within the time and in the form prescribed by the state board of health.

[Am. R.R.S. § 6029.]

Amendment.

SEC. 7. Section 70.58.090, R.C.W., as derived from section 1, chapter 157, Laws of 1945, is amended to read as follows:

Same; contents.

The certificate of birth shall contain the following data:

Place of birth, including state, county, township, city or town; if in a city, the ward, street, and house number; if in a hospital, or other institution, the name thereof, instead of the street and house number; full name of the child; if the child dies without a name before the certificate is filed, enter the words

“died unnamed”; if the living child has not been named at the date of filing certificate of birth, the space for “full name of child” is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided; sex of child; whether a twin, triplet, or other plural birth; a separate certificate shall be required for each child in a case of plural birth, giving the number of child in order of birth; whether legitimate or illegitimate: *Provided*, That disclosure of illegitimacy of birth, or of information from which it can be ascertained, may be made only upon order of a court, except in cases where written notice is received from an attorney that the illegitimate child is to be adopted; full name of father; residence of father; color or race of father; birthplace of father; age of father at last birthday, in years; occupation of father; maiden name of mother, in full; residence of mother; color or race of mother; birthplace of mother; age of mother at last birthday, in years; occupation of mother; and number of child of the mother, and number of children of the mother now living.

Disclosure of illegitimacy.

When no putative father is named on the birth certificate of a child, born to an unwed mother, the mother may give any surname she so desires to the child, but shall designate in space provided for father’s name on the birth certificate “none named.”

Putative father not named.

The state board of health, by regulation, may request additional pertinent information relative to the birth and manner of delivery as it may deem necessary for statistical studies. This information shall be placed in a confidential section of the birth certificate file together with the item pertaining to illegitimacy and shall not be subject to the view of the public or for certification purposes except upon order of a court.

Additional information.

Confidential.

[Am. Rem. Supp. 1945, § 6030.]

SEC. 8. Section 70.58.040, R.C.W., as derived from section 10, chapter 180, Laws of 1915, is amended to read as follows:

Fee for registering certificates.

Where no registrations.

Registrars who receive regular compensation.

Fees; how paid to local registrars.

A local registrar shall be paid the sum of fifty cents for each birth or death certificate registered with him and by him returned to the state registrar on or before the tenth day of the following month, which sum shall cover making out the burial permit and copy of the certificate to be filed and preserved in his office. If no births or deaths were registered during any month, the local registrar shall be paid the sum of fifty cents for each report to that effect: *Provided*, That all local registrars who receive regular compensation as health officers shall not be entitled to the fee of fifty cents, above mentioned, but the duties of the local registrar shall be considered as a part of his duty as local health officer. All fees payable to local registrars shall be paid by the treasurer of the county or city, properly chargeable therewith, out of the funds of the county or city, upon warrants drawn by the auditor, or other proper officer of the county or city. No warrant shall be issued to a local registrar except upon a certificate, signed and verified under oath by the state registrar, stating the names and addresses respectively of the local registrars entitled to fees from the county or city, and the number of certificates and reports of births or deaths, properly returned to the state registrar, by each local registrar, during three preceding calendar months prior to the date of the certificate, and the amount of fees to which each local registrar is entitled, which certificate the state registrar shall file with the proper officers during the months of January, April, July, and October of each year. Upon filing of the certificates, the auditor or other proper officer of the county or city shall issue warrants for the amount due each local registrar and mail them to the local registrars at their respective

addresses as given in the certificate of the state registrar.

[Am. R.R.S. § 6036.]

Passed the House February 28, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 107.

[ H. B. 593. ]

### WEED, FIRE PROTECTION, SEWER AND WATER DISTRICTS—SUBSTITUTION OF ASSESSMENTS FOR TAX LEVIES.

AN ACT relating to taxation; substituting assessments for tax levies in weed, fire protection, sewer and water districts and amending sections 17.04.240 and 56.16.120, R.C.W.

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

SECTION 1. Section 17.04.240 of the Revised Code of Washington, derived from section 5, chapter 125, Laws of 1929, is hereby amended to read as follows:

Amendment.

The directors shall annually determine the amount of money necessary to carry on the operations of the district and shall classify the property therein in proportion to the benefits to be derived from the operations of the district and in accordance with such classification shall prorate the cost so determined and shall levy assessments to be collected with the general taxes of the county. In the event that any bonded or warrant indebtedness pledging tax revenue of the district shall be outstanding on April 1, 1951, the directors may, for the sole purpose of retiring such indebtedness, continue to levy a tax upon all taxable property in the district until such bonded or warrant indebtedness shall have been retired.

Weed districts; special benefit assessments.

Tax levy to retire existing indebtedness outstanding on April 1, 1951.

[Am. R.R.S. § 2774-2.]

New section.

SEC. 2. A new section is hereby added to chapter 52.16, Revised Code of Washington, to read as follows:

Fire protection districts; tax levies for retiring indebtedness outstanding on April 1, 1951.

In the year 1952 and subsequent years no tax levy shall be made by any district except for the purpose of retiring indebtedness outstanding on April 1, 1951, for which tax revenue of the district shall have been pledged. In lieu of all tax levies each district shall annually determine its costs of operation, maintenance and capital improvement and the commissioners shall classify all the property within the district in accordance with the degree of benefit conferred by the operation of the district. In accordance with the classification so made they shall apportion the amount required and shall levy assessments therefor to be collected with the general taxes of the county.

Special benefit assessments in lieu of taxation.

Amendment.

SEC. 3. Section 56.16.120 of the Revised Code of Washington, derived from section 4, chapter 210, Laws of 1941, as last amended by section 1, chapter 236, Laws of 1947, is hereby amended to read as follows:

Sewer districts; special benefit assessments.

On or before the first day of October each year, the board of sewer commissioners of each sewer district shall make and file with the board of county commissioners of the county, a statement and estimate in writing of the amount required for maintenance of the sewer system of the district for the ensuing fiscal year, and the board of county commissioners, shall on or before the first day of November next ensuing, levy an assessment for the amount of said estimate, or such amount as it shall deem advisable, upon the property within the district, chargeable therewith in the same proportion as the assessment to pay the original cost of construction of the sewerage system was levied. When such money is collected it shall be placed in a separate fund and paid out on warrants of the county auditor of the

county in which the sewer district is situated and authorized by the board of sewer commissioners for the purposes specified in this title. For the year 1952 and subsequent years no further tax levies shall be made by any sewer district except for the retirement of bond or warrant indebtedness outstanding on April 1, 1951, for which tax revenues of the district have been pledged.

Tax levy to retire indebtedness existing on April 1, 1951.

[Am. Rem. Supp. 1947, § 9425-50.]

SEC. 4. A new section is hereby added to chapter 57.20 of the Revised Code of Washington to read as follows:

New section.

For the year 1952 and subsequent years no taxes shall be levied by any district except for the purpose of paying bond and warrant indebtedness outstanding on April 1, 1951, for which the tax revenues of the district shall have been pledged. In lieu of such tax levies the district commissioners shall determine annually the amount necessary to finance the district, for all purposes, in excess of amounts derived from local improvement districts and shall classify all property within the district upon the basis of the amount of special benefit derived from the operation of the district and in accordance with such classification shall levy an assessment against all such property in an amount sufficient to produce the money required.

Water districts; tax levy to retire indebtedness existing April 1, 1951.

Special benefit assessments in lieu of taxation.

Passed the House February 28, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 108.

[ H. B. 88. ]

JAIL REPORTS.

AN ACT relating to the jail reports of county sheriffs and amending section 36.63.200, R.C.W.

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

Amendment.

SECTION 1. Section 36.63.200, R.C.W., as derived from "An Act Prescribing Prison Regulation", Laws of 1877, section 7, page 303, is amended to read as follows:

Sheriff; annual jail report.

The sheriff shall, on or before the first day of October in each year, make out in writing from the jail register a jail report, one copy of which he shall forthwith file in the office of the clerk of the superior court of his county, and one copy with the county auditor of his county for the use of the commissioners.

Where filed.

[Am. R.R.S. § 10197.]

Passed the House January 30, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 109.

[ H. B. 38. ]

ANNEXATION OF UNPLATTED LANDS.

AN ACT relating to annexation of unplatted lands to fourth class municipal corporations, and amending section 35.27.020, R.C.W.

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

SECTION 1. Section 35.27.020, R.C.W., as derived from section 15 of "An act providing for the organization, classification, incorporation and government



of municipal corporations," Laws of 1889-90, page 141, is amended to read as follows: Amendment.

No more than twenty acres of unplatted land belonging to any one person shall be taken into the limits of municipal corporations of the fourth class without the consent of the owner thereof. Annexation of unplatted land to 4th class cities.

[Am. R.R.S. § 8935 (proviso).]

Passed the House January 25, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 110.

[ H. B. 101. ]

### WAREHOUSES AND WAREHOUSEMEN.

AN ACT relating to storage warehouses and warehousemen in any county of this state having a population of thirty thousand or more; providing for the payment of additional fees thereby; amending section 22.20.040, R.C.W., and declaring an emergency.

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

SECTION 1. Section 22.20.040, R.C.W., as derived from section 6, chapter 154, Laws of 1933, as amended by section 3, chapter 202, Laws of 1937, is amended to read as follows: Amendment.

Each person operating one or more storage warehouses subject to the provisions of this chapter shall procure from the commission, on or before July first of each year, a license for the ensuing year, upon payment of a fee of twenty-five dollars for the first warehouse operated and five dollars for each additional warehouse. The license shall be posted in a conspicuous place in the office of each warehouse. License to operate storage warehouse.

All license fees shall be transmitted to the state treasurer who shall deposit them in the transportation revolving fund. Disposition of fees.

Revocation. The commission may revoke any such license, upon notice and hearing, and any person operating a storage warehouse without a license, or after one has been revoked, shall forfeit to the state, for each day's operation, fifty dollars to be recovered in an action brought by the attorney general in the superior court of Thurston County.

Penalty.

Operation without license enjoinable. The operation of a storage warehouse without a license may also be enjoined upon complaint of the commission.

[Am. Rem. Supp. § 11569-6.]

Emergency. SEC. 2. 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 House February 17, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

---

CHAPTER 111.

[ H. B. 110. ]

LOGGING AND INDUSTRIAL RAILROADS—  
GRADE CROSSINGS.

AN ACT relating to grade crossings of logging and industrial railroads; providing for inspection thereof by the public service commission except in cities authorized to frame their own charters, and for additional fees; amending section 81.52.320, R.C.W.; adding a new section to chapter 81.52, R.C.W., and declaring an emergency.

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

Amendment. SECTION 1. Section 81.52.320, R.C.W., as derived from section 3, chapter 161, Laws of 1941, is amended to read as follows:

Logging railroads and industrial railway operators to report grade crossings.

Every person operating any logging railroad or industrial railway shall, prior to July first of each year, file with the commission a statement showing

the number of, and location, by name of highway, quarter section, section, township, and range of all crossings on his line and pay with the filing a fee not to exceed ten dollars for each crossing so reported. The commission shall, by order, fix the exact fee based on the cost of rendering such inspection service. All fees collected shall be deposited in the state treasury to the credit of the public service revolving fund. Intersections having one or more tracks shall be treated as a single crossing. Tracks separated a distance in excess of one hundred feet from the nearest track or group of tracks shall constitute an additional crossing. Where two or more independently operated railroads cross each other or the same highway intersection, each independent track shall constitute a separate crossing.

Fee based on inspection cost.

Number of crossings at intersection, how determined.

Every person failing to make the report and pay the fees required, shall be guilty of a misdemeanor and in addition be subject to a penalty of twenty-five dollars for each day that the fee remains unpaid after it becomes due.

Violation.

Penalty.

[Am. Rem. Supp. 1941, § 10511-3.]

SEC. 2. Chapter 81.52, R.C.W., is amended by adding a new section to read as follows:

New section.

This act shall not be operative within the limits of cities authorized to frame their own charters.

Not operative within certain cities.

SEC. 3. 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.

Emergency.

Passed the House January 29, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 112.

[ H. B. 214. ]

WATER AND WATER SUPPLY DISTRICTS.

AN ACT relating to water and water supply districts; providing for adoption of bond issues by majority vote; allowing commissioners to provide for water distribution systems in areas annexed; authorizing issuance of bonds by commissioners in certain cases without an election; providing that petitioners for withdrawal from districts shall pay costs thereof, and amending sections 57.16.030, 57.16.040, and 57.28.040, R.C.W.

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

Amendment.

SECTION 1. Section 57.16.030, R.C.W., as derived from section 2, chapter 128, Laws of 1939, is amended to read as follows:

Execution of comprehensive plan upon ratification.

When the plan has been ratified the commissioners shall carry it out to the extent specified in the proposition to incur general indebtedness.

Proposition to issue revenue bonds; how submitted.

The commissioners may submit at the election on the plan, or at any other general or special election, a proposition that the district issue revenue bonds for the construction or other costs of any part or all of the plan. The proposition to issue revenue bonds shall be submitted so as to enable the voters to vote for or against it independent of a vote on the plan, and if revenue bonds are to be issued, the amount of the bonds and the terms thereof shall be included in the proposition submitted.

Refunding of local improvement bonds with proceeds of sale of revenue bonds.

The proposition to adopt the comprehensive plan may include provision for refunding any local improvement district bonds of a district, out of the proceeds of sale of revenue bonds, and a district may pay off any outstanding local improvement bonds with such funds either by purchase in the open market below their par value and accrued interest or by call at par value and accrued interest at the next succeeding coupon maturity date.

No comprehensive plan including provision for issuance of revenue bonds shall be submitted at any election if there are outstanding any district local improvement district bonds issued under the provisions of sections 57.20.030 to 57.20.090, unless the plan provides that all such local improvement district bonds shall be paid out of the proceeds of the sale of the revenue bonds.

Limitation where certain local improvement district bonds are outstanding.

The proposition for issuance of revenue bonds shall be adopted by a majority of the voters voting thereon. When a proposition has been adopted the commissioners may forthwith carry out the general plan to the extent specified.

Revenue bonds; approval by majority of voters voting.

[R.C.W. 57.16.030 is para. 3-7 inclusive of Rem. Supp. § 11588; R.C.W. 57.16.040 is the last three paragraphs of Rem. Supp. § 11588; the remainder of Rem. Supp. § 11588 is codified in R.C.W. §§ 57.16.010 and 57.16.020.]

[R.C.W. 57.20.030 to 57.20.090 incl. is Rem. Supp. §§ 11589-1 to 11589-3 incl.]

SEC. 2. Section 57.16.040, R.C.W., as derived from section 2, chapter 128, Laws of 1939, is amended to read as follows:

Amendment.

In the same manner as provided for the adoption and ratification of the original comprehensive plan, a plan providing for additions and betterments to the original plan may be adopted and ratified. Whenever an area has been annexed to a district after the adoption of the comprehensive plan, the commission shall have the right without further vote of the electors of the district to adopt a scheme for additions and betterments to the original comprehensive scheme to provide for the needs of the area annexed.

Plan for additions and betterments.

Commissioners may without vote adopt scheme for additions for areas annexed.

The district may incur a general indebtedness for the construction of the additions and betterments in the same way that general indebtedness may be incurred for the construction of the original plan after submission to the voters of the entire district in the manner the original proposition to incur indebtedness was submitted. Upon ratification the

General indebtedness for additions and betterments.

additions and betterments may be carried out by the commissioners to the extent specified in the proposition to incur the general indebtedness.

Revenue bonds for additions and betterments.

The district may issue revenue bonds to pay for the construction of the additions and betterments in the same way revenue bonds may be issued for payment of the construction of the original comprehensive plan or any portion thereof. Revenue bonds for additions and betterments may be issued by the water commissioners without authorization of the voters of the district.

No election necessary.

[See note above.]

SEC. 3. Section 57.28.040, R.C.W., as derived from section 4, chapter 55, Laws of 1941, is amended to read as follows:

Amendment.

Withdrawal of territory from district, petition and certificate.

Upon receipt by the commissioners of a petition and certificate of sufficiency of the auditor, or if the petition is signed by land owners and the commissioners are satisfied as to the sufficiency of the signatures thereon, they shall at a regular or special meeting fix a date for hearing on the petition and give notice that the petition has been filed, stating the time and place of the meeting of the commissioners at which the petition will be heard and setting forth the boundaries of the territory proposed to be withdrawn. The notice shall be published for at least two weeks in two successive issues of a weekly newspaper printed in the county in which the district is located and of general circulation therein, and if no such newspaper is printed in the county, then in some newspaper of general circulation in the county and district. Any additional notice of the hearing may be given as the commisioners may by resolution direct.

Hearing notice.

Notice to be published.

Additional notice.

Petitioner's bond.

Prior to fixing the time for a hearing on any such petition, the commissioners in their discretion may require the petitioners to furnish a satisfactory bond conditioned that the petitioners shall pay all costs

incurred by the water district in connection with such petition, including the cost of an election if one is held pursuant thereto, and should the petitioners fail or refuse to post such a bond, if one is required by the water commissioners, then there shall be no duty on the part of the commissioners to act upon the petition.

Failure to  
post bond.

[Am. Supp. 1941, § 11604-4.]

Passed the House February 13, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 113.

[ H. B. 217. ]

### INTERSTATE COMPACT COMMISSION ACT.

AN ACT creating the interstate compact commission; defining its powers and duties, making an appropriation, and declaring an emergency.

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

SECTION 1. There is created the interstate compact commission to consist of five members to be appointed as follows: One member to be appointed by the governor, who shall be its chairman, the chairman of the state legislative council, and three members of the state legislative council to be nominated by the chairman thereof, with the approval of the legislative council. The commission shall represent the state on a joint commission to be composed of commissioners representing the states of Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming and one or more commissioners representing the United States, should they be appointed to said joint commission by the president of the United States, which joint commission shall be organized for the purpose of considering, negotiating

Interstate  
compact  
commission  
created.

To represent  
state on joint  
commission.

Purpose  
of joint  
commission.

Compact  
respecting  
rights in and  
use of  
Columbia  
river waters.

and entering into an agreement or compact between not less than five of said states, with the consent of the congress of the United States respecting the division, apportionment and use of the waters of the Columbia River and of its tributaries and the determination of rights in connection therewith and incidental thereto.

Powers of  
commission.

SEC. 2. The commission representing the state on said joint commission shall have full authority to consider and carry on negotiations for such agreement or compact, to attend meetings of the joint commission convening in or out of the state, to employ clerical, legal and engineering assistance and generally to perform such duties as shall be required of the members thereof in carrying out the purpose and intent of this act; the term of office of said commissioners shall be from the effective date of this act until the agreement or compact agreed upon by said joint commission has been submitted to the legislature and ratified or rejected by it. Any vacancies occurring in the membership of said commission shall be filled by the appointive power shown in section 1. Members of the commission representing the state who are not in the regular employ of the state shall receive a *per diem* of fifteen dollars for the time actually spent on the work of the commission, and reimbursement for subsistence and traveling expenses incurred while away from their respective places of abode. Members of the commission who are in the regular employ of the state shall receive no *per diem*, but shall receive reimbursement for subsistence and traveling expenses incurred while away from their respective places of abode, in lieu of other provisions made by law for reimbursement of their expenses as such state employees. Payment of all expenses incurred by the interstate compact commission, including the *per diem* and expenses of its

Term of  
office.

Vacancies.

Compensa-  
tion of com-  
missioners.



members, shall be made on vouchers approved by its chairman.

SEC. 3. Any agreement or compact approved by said joint commission on behalf of said states shall not be binding or obligatory upon any of said states or the citizens thereof, until and unless the same shall have been ratified and approved by the legislatures of not less than five of said states and by the congress of the United States: *Provided*, That said agreement or compact shall not be binding upon any state the legislature of which fails to ratify or approve the same.

Compact to be ratified by legislatures and congress.

SEC. 4. There is appropriated to the interstate compact commission from the general fund, the sum of five thousand dollars, or so much thereof as may be necessary, to carry out the purposes of this act.

Appropriation.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety and for the immediate support of the state government and its existing institutions, and shall take effect immediately.

Emergency.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 114.

[ H. B. 234. ]

AIRPORT DISTRICTS.

AN ACT relating to airport districts and providing for the government thereof; adding certain sections to chapter 14.08, R.C.W., amending section 14.08.300, R.C.W., and declaring an emergency.

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

Amendment. SECTION 1. Section 14.08.300, R.C.W., as derived from section 13, chapter 182, Laws of 1945, is amended to read as follows:

Governing body designated. The governing body of a county airport district shall be the board of county commissioners except as in this chapter provided.

[Am. Rem. Supp. 1945, § 2722-42.]

New section. SEC. 2. A new section is added to chapter 14.08, R.C.W., to read as follows:

Petition for establishment of board of airport district commissioners. One hundred or more registered voters in any county airport district may make, sign and file a petition with the board of county commissioners asking that thereafter the airport district be governed by a board of airport district commissioners. Within ten days after receipt of such petition, the board of county commissioners shall check the petition. If the petition be found adequate and to be signed by the prescribed number of legal voters, the board of county commissioners shall within a reasonable time call a public hearing, notice of which shall be given by publication one week in advance thereof in a newspaper circulating within the district, at which arguments shall be heard for or against the proposal and if it shall appear to the county commissioners that the residents of the district so desire they shall enter an order declaring that the county airport

Notice and hearing.

Order.

district shall be governed by a board of three airport district commissioners.

[R.C.W. 14.08 is Rem. Supp. 1945, §§ 2722-30—2722-45, with amendments.]

SEC. 3. A new section is added to chapter 14.08, R.C.W., to read as follows: New section.

The board of airport district commissioners shall consist of three members, who shall each be a registered voter and actually a resident of the district. The first commissioners shall be appointed by the board of county commissioners. The term of office of airport district commissioners shall be two years, or until their successors are elected and qualified. Members of the board of airport district commissioners shall be elected at each regular general election on a nonpartisan basis. They shall be nominated by petition of ten registered voters of the district. The elected members of the board of airport district commissioners shall take office as soon as they have been certified as elected by the election board. Vacancies on the board of airport district commissioners shall be filled by appointment by the remaining commissioners. Members of the board of airport district commissioners shall receive no compensation for their services, but shall be reimbursed for actual necessary travelling and sustenance expenses incurred while engaged on official business.

Three member board.  
Qualifications.  
First commissioners.  
Term.  
Election.  
Vacancies.  
No compensation.  
Expenses.

[See note to sec. 2.]

SEC. 4. 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. Emergency.

Passed the House February 21, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 115.

[ S. B. 421.]

WORKMEN'S COMPENSATION.

AN ACT relating to industrial insurance; providing workmen's compensation in case of injury or death; and amending sections 51.32.050, 51.32.060, 51.32.090, 51.32.080 and 51.32-.160, R.C.W.

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

SECTION 1. Section 51.32.050, R.C.W., as derived from section 1, chapter 246, Laws of 1947, [and sec. 1, ch. 219, L.' 49] is amended to read as follows:

Burial expenses.

(a) Where death results from the injury the expenses of burial not to exceed two hundred fifty dollars shall be paid to the undertaker conducting the funeral.

Monthly payment to surviving spouse and children.

(b) If the workman leaves a widow or invalid widower, a monthly payment of one hundred dollars shall be made throughout the life of the surviving spouse, to cease at the end of the month in which remarriage occurs, and the surviving spouse shall also receive per month for each child of the deceased at the time any monthly payment is due the following payments: For the youngest or only child, twenty-five dollars, for the next or second youngest child, twenty dollars, and for each additional child, ten dollars, but the total monthly payments shall not exceed one hundred seventy-five dollars and any deficit shall be deducted proportionately among the beneficiaries. In addition to the monthly payments above provided for, a surviving widow, or parent or parents, if there is no surviving widow of any such deceased workman shall be forthwith paid the sum of three hundred dollars.

Additional payment.

Payment upon remarriage of widow.

Upon remarriage of a widow she shall receive, once and for all, a lump sum of one thousand dollars, but the monthly payments for the child or children shall continue as before.

(c) If the workman leaves no wife or husband, but an orphan child or children a monthly payment of forty dollars shall be paid to each such child, but the total monthly payments shall not exceed one hundred sixty dollars and any deficit shall be deducted proportionately among the beneficiaries.

Payments to orphan children.

(d) In the event a surviving spouse receiving monthly payments dies, leaving a child or children, each shall receive the sum of forty dollars per month, but the total monthly payment shall not exceed one hundred sixty dollars and any deficit shall be deducted proportionately among the beneficiaries.

Payments to children on death of surviving spouse.

(e) If the workman is under the age of twenty-one years and unmarried at the time of his death, the parents or parent of the workman shall receive twenty-five dollars per month for each month after his death until the time at which he would have arrived at the age of twenty-one years.

Payment to parents on death of minor unmarried workman.

(f) If the workman leaves no widow, widower or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty per cent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed sixty dollars per month. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

Payments to other dependents.

(g) If the injured workman dies during the period of permanent total disability, whatever the cause of death, leaving a widow, invalid widower, or child, the surviving widow or invalid widower shall receive one hundred dollars per month until death or

Payments where death occurs during period of permanent total disability.

remarriage, to be increased per month for each child of the deceased, as follows: For the youngest or only child, twenty-five dollars, for the next or second youngest child, twenty dollars, and for each additional child, ten dollars: *Provided*, That the total monthly payments shall not exceed one hundred seventy-five dollars and any deficit shall be deducted proportionately among the beneficiares; but if such child is or shall be without father or mother, such child shall receive forty dollars per month, but the total monthly payment to such children shall not exceed one hundred sixty dollars, and any deficit shall be deducted proportionately among the children. Upon remarriage the payments on account of the child or children shall continue as before to such child or children.

Maximum amounts.

Remarriage.

[Am. Rem. Supp. 1949, § 7679 (part).]

[R.C.W. 51.32.050 was also amended by sec. 5, ch. 236, L. 1951.]

SEC. 2. Section 51.32.060, R.C.W., as derived from section 1, chapter 246, Laws of 1947, [and sec. 1, ch. 219, L. '49] is amended to read as follows:

Monthly payments during permanent total disability.

When permanent total disability results from the injury, the workman shall receive monthly during the period of such disability:

Unmarried.

(a) If unmarried at the time of the injury, the sum of one hundred dollars.

Spouse but no child.

(b) If the workman has a wife or invalid husband, but no child, the sum of one hundred twenty-five dollars. If the husband is not an invalid the monthly payment of one hundred twenty-five dollars shall be reduced to seventy-five dollars as long as they are living together as husband and wife.

Spouse and children or, being a widow or widower, having a child or children.

(c) If the workman has a wife or husband and a child or children, or, being a widow or widower having any such child or children, the monthly payment in the preceding paragraph shall be increased by twenty-five dollars for the youngest or only child, twenty dollars for the next or second youngest child,

and ten dollars for each additional child, but the total monthly payments shall not exceed two hundred dollars and any deficit shall be deducted proportionately among the beneficiaries.

(d) In case of permanent total disability, if the character of the injury is such as to render the workman so physically helpless as to require the services of an attendant, the monthly payment to such workman shall be increased fifty dollars per month as long as such requirement continues, but such increases shall not obtain or be operative while the workman is receiving care under or pursuant to any of the provisions of chapters 51.36 and 51.40.

Disability requiring services of attendant.

(e) Should any further accident result in the permanent total disability of an injured workman, he shall receive the pension to which he would be entitled, notwithstanding the payment of a lump sum for his prior injury.

Further accident.

[Am. Rem. Supp. 1949, § 7679 (part).]

[R.C.W. 51.36 is Rem. Supp. 1943, § 7714 (except sentence on p. 458 relating to transfer to care of surgeon at workman's residence), R.C.W., 51.40 is Rem. Supp. § 7724 together with above mentioned sentence of Rem. Supp. 1943, § 7714.]

SEC. 3. Section 51.32.090, R.C.W., as derived from section 1, chapter 246, Laws of 1947, [and sec. 1, ch. 219, L. '49] is amended to read as follows:

(a) When the total disability is only temporary, the schedule of payments contained in paragraphs (a), (b), and (c) of section 51.32.060 shall apply, so long as the total disability continues.

Temporary total disability: schedule of payments.

(b) But if the injured workman has a wife or husband and has no child or has a wife or husband or, being a widow or widower, with one or more children, the compensation for the case during such period of time as the total temporary disability continues, shall be per month as follows, to-wit: (1) Injured workman whose husband is not an invalid, seventy-five dollars, and for the youngest or only child, ten dollars, and for each additional child, seven dollars and fifty cents, but the total monthly

payments shall not exceed one hundred fifteen dollars and any deficit shall be deducted proportionately among the beneficiaries; (2) injured workman with wife or invalid husband and no child, one hundred ten dollars; injured workman with wife or invalid husband and one child, or being a widow or widower and having one child, one hundred thirty-five dollars; (3) injured workman with wife or invalid husband and two children, or being a widow or widower and having two children, one hundred fifty-five dollars and ten dollars for each additional child, but the total monthly payments shall not exceed one hundred eighty-five dollars and any deficit shall be deducted proportionately among the beneficiaries.

Effect of recovery.

(c) As soon as recovery is so complete that the present earning power of the workman, at any kind of work, is restored to that existing at the time of the occurrence of the injury, the payments shall cease. If and so long as the present earning power is only partially restored, the payments shall continue in the proportion which the new earning power shall bear to the old. No compensation shall be payable out of the accident fund unless the loss of earning power shall exceed five per cent.

When compensation shall commence.

(d) No workman shall receive compensation out of the accident fund for or during the day on which injury was received or the three days following the same.

Payment of wages, effect.

(e) Should a workman suffer a temporary total disability and should his employer at the time of the injury continue to pay him the wages which he was earning at the time of such injury, such injured workman shall not receive any payment provided in paragraph (a) of this section from the accident fund during the period his employer shall so pay such wages.

[Am. Rem. Supp. 1949, § 7679 (part).]

[R.C.W. 51.32.060 appears as section 2, *supra*, this chapter.]



SEC. 4. Section 51.32.080, R.C.W., as derived from section 1, chapter 219, Laws of 1949, is amended to read as follows:

(a) For the permanent partial disabilities here specifically described, the injured workman shall receive compensation as follows:

Permanent partial disability: schedule of payments.

LOSS BY AMPUTATION

Of one leg so near the hip that an artificial limb cannot be worn.....	\$6000
Of one leg at or above the knee so that an artificial limb can be worn.....	4110
Of one leg below the knee.....	2920
Of great toe with metatarsal bone thereof...	870
Of great toe at the proximal joint.....	540
Of great toe at the second joint.....	200
Of one other toe other than the great toe with the metatarsal bone thereof.....	300
Of second toe at proximal joint.....	135
Of third toe at proximal joint.....	135
Of fourth toe at proximal joint.....	135
Of fifth toe at proximal joint.....	60
Of one metatarsal bone at toe other than great toe.....	150
Of one arm so near the shoulder that an artificial arm cannot be worn.....	5400
Of the major arm at or above the elbow.....	4500
Of forearm at upper third.....	3900
Of the major hand at wrist.....	3480
Of thumb with metacarpal bone thereof.....	1320
Of thumb with proximal joint.....	870
Of thumb at second joint.....	325
Of index or first finger at proximal joint....	710
Of index or first finger at second joint.....	600
Of index or first finger at distal joint.....	270
Of middle or second finger at proximal joint..	540
Of middle or second finger at second joint....	450
Of middle or second finger at distal joint....	150

Of ring or third finger at proximal joint.....	\$490
Of ring or third finger at second joint.....	380
Of ring or third finger at distal joint.....	150
Of little or fourth finger at proximal joint....	190
Of little or fourth finger at second joint.....	135
Of little or fourth finger at distal joint.....	60
Of metacarpal bone in finger except thumb..	135

MISCELLANEOUS

Loss of one eye by enucleation.....	\$2590
Loss of sight of one eye.....	1945
Complete loss of hearing in both ears.....	4100
Complete loss of hearing in one ear.....	1140
Complete broken arch in foot.....	1140

Unspecified disability: how computed.

(b) Compensation for any other permanent partial disability shall be in the proportion which the extent of such other disability, called unspecified disability, shall bear to that above specified, which most closely resembles and approximates in degree of disability such other disability, but not in any case to exceed the sum of six thousand dollars: *Provided*, That the total compensation for all unspecified permanent partial disabilities resulting from the same injury shall not exceed the sum of six thousand dollars. For disability to a member not involving amputation, not more than three-fourths of the foregoing respective specified sums shall be paid: *Provided further*, That payment for any injury to minor hand or arm or any part thereof, shall not exceed ninety-five per centum of the amounts hereinbefore enumerated: *Provided further*, That in case permanent partial disability compensation is followed by permanent total disability compensation, any portion of the permanent partial disability compensation which exceeds the amount that would have been paid the injured workman if permanent total disability compensation had been paid in the first instance, shall be deducted from the pension reserve

Permanent partial disability compensation followed by permanent total disability compensation.

of such injured workman and his monthly compensation payments shall be reduced accordingly.

(c) If the injured workman is under the age of twenty-one years and unmarried, the parents or parent shall also receive a lump sum payment equal to ten per cent of the amount awarded to the minor workman.

Payment to parents of unmarried minor workman.

(d) Should a workman receive an injury to a member or part of his body already, from whatever cause, permanently partially disabled, resulting in the amputation thereof or in an aggravation or increase in such permanent partial disability but not resulting in the permanent total disability of such workman, his compensation for such partial disability shall be adjudged with regard to the previous disability of the injured member or part and the degree or extent of the aggravation or increase of disability thereof.

Further injury resulting in increased permanent partial disability but not resulting in permanent total disability.

[Am. Rem. Supp. 1949, § 7679 (part).]

SEC. 5. Section 51.32.160, R.C.W., as derived from section 1, chapter 219, Laws of 1949, is amended to read as follows:

Amendment.

If aggravation, diminution, or termination of disability takes place or be discovered after the rate of compensation shall have been established or compensation terminated, in any case the director, through and by means of the division of industrial insurance, may, upon the application of the beneficiary, made within five years after the establishment or termination of such compensation, or upon his own motion, readjust for further application the rate of compensation in accordance with the rules in this section provided for the same, or in a proper case terminate the payment.

Readjustment of rate upon aggravation, diminution, or termination of disability.

No act done or ordered to be done by the director, or the department prior to the signing and filing in the matter of a written order for such readjustment shall be ground for such readjustment.

[Am. Rem. Supp. 1949, § 7679(h).]

"Child."

SEC. 6. The term "child" whenever used in this act means every natural born child, posthumous child, stepchild, child legally adopted prior to the injury, and illegitimate child legitimated prior to the injury, all while under the age of eighteen years and over the age of eighteen years if the child is a dependent invalid child.

Passed the Senate February 23, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 13, 1951.

CHAPTER 116.

[ S. B. 31. ]

BOUNDARIES OF TAXING DISTRICTS.

AN ACT relating to taxation; establishing boundaries of taxing districts; and amending section 84.08.160, R.C.W.

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

Amendment.

SECTION 1. Section 84.08.160, R.C.W., as derived from section 1, chapter 65, Laws of 1949, is amended to read as follows:

Property taxes; official boundaries of taxing districts established as of March first.

No levy where boundaries not so established.

Filing instrument setting forth boundaries.

For the purposes of property taxation and the levy of property taxes the boundaries of counties, cities and all other taxing districts shall be the established official boundaries of such districts existing on the first day of March of the year in which the levy is made, and no such levy shall be made for any taxing district whose boundaries were not duly established on the first day of March of such year. In any case where any instrument setting forth the official boundaries of any newly established taxing district, or setting forth any change in such boundaries, is required by law to be filed in the office of the county auditor or other county official, said instrument shall be filed in triplicate. The officer

with whom such instrument is filed shall transmit two copies to the county assessor.

[Am. Rem. Supp. 1949, § 11106-1.]

Passed the Senate March 8, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 13, 1951.

---

## CHAPTER 117.

[ S. B. 189. ]

### REGULATION OF NURSING HOMES.

AN ACT relating to licensing and regulation of nursing homes; providing penalties and making an appropriation; amending section 74.32.010, R.C.W.

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

SECTION 1. The purpose of this act is to provide for the development, establishment, and enforcement of standards for the maintenance and operation of nursing homes, which, in the light of advancing knowledge, will promote safe and adequate care and treatment of the individuals therein. An important secondary purpose is the improvement of nursing home practices by educational methods so that such practices eventually exceed the minimum requirements of the basic law and its original standards.

Purpose of act.

SEC. 2. (1) "Nursing Home" means any home, place or institution which operates or maintains facilities providing convalescent or chronic care, or both, for a period in excess of twenty-four consecutive hours for four or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable properly to care for themselves. Convalescent and chronic care may include any or all procedures commonly employed

"Nursing home."

Convalescent and chronic care.

in waiting on the sick, such as administration of medicines, preparation of special diets, giving of bedside nursing care, application of dressings and bandages, and carrying out of treatment prescribed by a duly licensed practitioner of the healing arts. It may also include care of mentally incompetent persons if they do not require psychiatric treatment by or under the supervision of a physician who devotes all or a major portion of his time to this specialized field of medicine. Nothing in this definition shall be construed to include general hospitals or other places which provide care and treatment for the acutely ill and maintain and operate facilities for major surgery or obstetrics, or both: *Provided*, That the mere designation by the operator of any place or institution as a hospital, sanitarium, or any other similar name, which does not provide care for the acutely ill and maintain and operate facilities for major surgery or obstetrics, or both, shall not exclude such place or institution from the provisions of this act.

General hospitals and other places excluded.

"Person."

(2) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

"Director."

(3) "Director" means the state director of health.

"Board."

(4) "Board" means the state board of health.

"Department."

(5) "Department" means the state department of health and those local health departments which receive certificates of approval from the state director of health to enforce the standards, rules and regulations of the board, as provided in this act.

Enforcement; may be delegated to local authorities.

SEC. 3. Any city, county, or district health department, employing a part-time or full-time health officer, may make application in writing to the director for a certificate of approval authorizing such city, county or district to enforce this act, and the rules and regulations of the board within its jurisdiction. Upon receipt of the application the director

shall investigate and determine whether the city, county, or district health department is entitled to approval and if so he shall issue the certificate applied for. Upon receipt of a certificate of approval the local health department shall have full authority through the health officer to perform all of the duties relative to the enforcement of the provisions of this act and of the rules and regulations of the board. Any certificate of approval may be cancelled by the director after thirty days' notice in writing to the holder of the certificate of approval should it be found that the holder is incompetent or unable to enforce the requirements of the act.

SEC. 4. After July 1, 1951 no person shall operate or maintain a nursing home in this state without a license under this act.

License  
required.

SEC. 5. An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires, which may include affirmative evidence of ability to comply with the rules and regulations as are lawfully prescribed hereunder. Each application for license shall be accompanied by a license fee of fifteen dollars plus one dollar per bed capacity per year, but in no event shall the total exceed one hundred dollars: *Provided*, That no fee shall be required of government-operated institutions.

Application  
for license.

Fee.

Government-  
operated  
institutions.

SEC. 6. Upon receipt of an application for a license and the license fee, where required, the department shall issue a license if the applicant and the nursing home facilities meet the requirements established under this act. A license unless suspended or revoked shall be renewable annually. All licenses issued under the provisions of this act shall expire on the first day of July next succeeding the date of issue. Applications for renewal shall be on forms

Licenses;  
issued by  
department.

Expiration.

Renewal.

**When filed.** provided by the department and shall be filed with it not less than ten days prior to its expiration. Each application for renewal shall be accompanied by a license fee of ten dollars. Each license shall be issued only for the premises and persons named in the application, and no license shall be transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place on the licensed premises.

**Renewal fee.**

**Non-transferable.**

**Posting.**

**Suspension or revocation of licenses.** SEC. 7. The department after notice and opportunity for hearing to the applicant or licensee is authorized to deny, suspend, or revoke a license in any case in which it finds that there has been a failure or refusal to comply with the requirements established under this act.

**Notice.** Notice shall be effected by registered mail, or by personal service, setting forth the particular reasons for the proposed action and fixing a date not less than thirty days from the date of mailing or service, at which time the applicant or licensee shall be given an opportunity for a prompt and fair hearing. On the basis of such hearing, or upon default of the applicant or licensee the department shall make a determination specifying its findings and conclusions. A copy of the determination shall be sent by registered mail or served personally upon the applicant or licensee. Any decision revoking, suspending, or denying the license or application shall become final thirty days after it is mailed or served, unless the applicant or licensee, within such thirty-day period, appeals the decision.

**Hearing.**

**Findings and conclusions.**

**Effective date.**

**Hearing procedure.** The procedure governing hearings authorized by this section shall be in accordance with rules promulgated by the board after consultation with the advisory nursing home council. A full and complete record shall be kept of all proceedings, and all testimony shall be reported but need not be transcribed unless the decision is appealed. A copy or copies



of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies. Witnesses may be subpoenaed by either party.

Copies of transcript.

SEC. 8. The board, after consultation with the advisory nursing home council, shall adopt, amend, and promulgate such rules, regulations, and standards with respect to all nursing homes to be licensed hereunder as may be designed to further the accomplishment of the purposes of this act in promoting safe and adequate medical and nursing care of individuals in nursing homes and the sanitary, hygienic and safe conditions of the nursing home in the interest of public health, safety, and welfare.

Board to adopt rules and regulations.

SEC. 9. Any nursing home which is in operation at the time of promulgation of any applicable rules or regulations under this act shall be given a reasonable time, not to exceed three months from the date of such promulgation, within which to comply with the rules and regulations established under this act.

Time to comply with rules.

SEC. 10. The department shall make or cause to be made a yearly inspection and investigation of all nursing homes. Every inspection of a nursing home may include an inspection of every part of the premises. The department may make an examination of all records other than financial records, methods of administration, the general and special dietary and the stores and methods of supply. The board may prescribe by regulations that any licensee or applicant desiring to make specified types of alterations or additions to its facilities or to construct new facilities shall, before commencing such alteration, addition or new construction, submit its plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with the regulations and standards herein authorized.

Annual inspection.

Alterations or new facilities.

Advisory  
nursing  
home  
council.

Members.

SEC. 11. The director shall appoint an advisory nursing home council to consult with the department. The council shall be comprised of the director who shall serve as chairman *ex officio*, and ten members and shall include one representative of each of the following organizations or groups except, that the Washington association of licensed nursing homes shall have three members: State medical association, state hospital association, state nurses association, department of social security, Washington state fire marshal, association of Washington cities, association of county commissioners. Each member shall hold office for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term and the terms of office of the members first taking office shall expire, as designated at the time of appointment, two at the end of the first year, three at the end of the second year, three at the end of the third year, and two at the end of the fourth year after the date of appointment. Thereafter all appointments shall be for four years. The council shall meet as frequently as the chairman deems necessary, but not less than once each year. Upon request by four or more members, it shall be the duty of the chairman to call a meeting of the council.

Terms.

Meetings.

Duties.

Consultation.

Recommendations.

SEC. 12. The advisory nursing home council shall:

(1) consult with the department in matters of policy affecting administration of this act, and in the development of rules, regulations, provided for hereunder; and

(2) review and make recommendations with respect to rules, regulations, and standards authorized hereunder prior to their adoption and promulgation by the board as specified herein.

SEC. 13. All information received by the department through filed reports, inspections, or as otherwise authorized under this act, shall not be disclosed publicly in any manner as to identify individuals or nursing homes, except in a proceeding involving the question of licensure.

Disclosure of information received by department.

SEC. 14. Any applicant or licensee aggrieved by the decision of the department after a hearing, may, within thirty days after the mailing or serving of notice of the decision, file a notice of appeal in the superior court of the county in which the nursing home is located or to be located, and serve a copy of the notice of appeal upon the department. Thereupon the department shall promptly certify and file with the court a copy of the record and decision, including the transcript of the hearing on which the decision is based. Findings of fact by the department shall be conclusive unless unsupported by substantial evidence, but upon good cause shown the court may remand the case to the department to take further evidence, and the department may thereupon affirm or reverse, or modify its decision. The court may affirm or reverse the decision of the department and either the applicant or licensee or the department may apply for further review as is provided by law. Pending final disposition of the matter the *status quo* of the applicant or licensee shall be preserved, except as the court otherwise orders in the public interest.

Appeal.

Status quo preserved.

SEC. 15. Fire protection with respect to all nursing homes to be licensed hereunder, shall be the responsibility of the state fire marshal, who shall adopt by reference, such recognized standards as may be applicable to nursing homes, places of refuge, and maternity homes for the protection of life against the cause and spread of fire and fire hazards. The department upon receipt of an application for a

Fire protection.

State fire marshal.

Inspection  
by state fire  
marshal.

license, shall submit to the state fire marshal in writing, a request for an inspection, giving the applicant's name and the location of the premises to be licensed. Upon receipt of such a request, the state fire marshal or his deputy, shall make an inspection of the nursing home to be licensed, and if it is found that the premises do not comply with the required safety standards and fire regulations as promulgated by the state fire marshal, he shall promptly make a written report to the department as to the manner in which the premises may qualify for a license and set forth the conditions to be remedied with respect to fire regulations. The department, applicant or licensee shall notify the state fire marshal upon completion of any requirements made by him, and the state fire marshal, or his deputy, shall make a reinspection of such premises. Whenever the nursing home to be licensed meets with the approval of the state fire marshal, he shall submit to the department, a written report approving same with respect to fire protection before a license can be issued. The state fire marshal shall make or cause to be made such inspection of such nursing homes as he deems necessary.

Reinspection.

Local  
inspection.

In cities which have in force a comprehensive building code, the regulation of which is equal to the minimum standards of the state fire marshal's code for nursing homes, the building inspector and the chief of the fire department, provided the latter is a paid chief of a paid fire department, shall make the inspection and shall approve the premises before a license can be issued.

In cities where such building codes are in force, the state fire marshal may, upon request by the chief fire official, or the local governing body, or of a taxpayer of such city, assist in the enforcement of any such code pertaining to nursing homes.

SEC. 16. Any person operating or maintaining any nursing home without a license under this act shall be guilty of a misdemeanor and each day of a continuing violation after conviction shall be considered a separate offense.

Operation without license a misdemeanor.

SEC. 17. Notwithstanding the existence or use of any other remedy, the department, may, in the manner provided by law, upon the advice of the attorney general who shall represent the department in the proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the operation or maintenance of a nursing home without a license under this act.

Attorney general.

Injunction.

SEC. 18. There is hereby appropriated from the general fund to the state director of health the sum of twenty thousand dollars to carry out the provisions of this act.

Appropriation.

SEC. 19. There is hereby appropriated from the general fund to the insurance commissioner the sum of twenty-five thousand dollars to carry out the provisions of this act relating to the duties of state fire marshal for the biennium ending March 31, 1953.

Appropriation.

SEC. 20. Section 74.32.010, R.C.W., as derived from section 1, chapter 100, Laws of 1945, is amended to read as follows:

The term "Place of Refuge" when used in this chapter, shall mean any hospital, asylum, almshouse, building, or dwelling for housing the aged, infirm, or imbeciles, wherein three or more persons, not related by blood or marriage to the householder, owner, operator, or manager thereof, are lodged or boarded more than fifteen days in any calendar month. It shall not include any hospital approved by the American College of Surgeons or the Ameri-

"Place of refuge."

Excluded.

can College of Physicians, or any state institution; nor shall it include any nursing home which is licensed and regulated under the provisions of state law providing specifically for the licensing and regulation of such institutions.

[Am. Rem. Supp. 1945, § 8358a.]

Treatment  
by prayer.

SEC. 21. Nothing in this act or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents or patients in any nursing home or institution conducted for those who rely upon treatment by prayer or spiritual means in accordance with the creed or tenets of any well-recognized church or religious denomination.

Partial  
invalidity.

SEC. 22. If any provision of this act or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this act which can be given effect without the invalid provisions or application, and to this end the provisions of this act are declared to be severable.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 14, 1951.

## CHAPTER 118.

[ S. B. 113. ]

UNIVERSITY OF WASHINGTON—ISSUANCE OF BONDS  
FOR HOSPITAL CONSTRUCTION.

AN ACT authorizing the board of regents of the University of Washington to issue revenue bonds against certain income for hospital construction.

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

SECTION 1. The board of regents of the University of Washington is hereby authorized to issue revenue bonds against the income of the metropolitan tract, in an amount not to exceed five million dollars, for the immediate construction of a teaching and research hospital in connection with the schools of medicine and dentistry: *Provided*, That the provisions of sections 28.77.360 and 43.79.090, R.C.W., shall have no application to so much of the income from the metropolitan tract as may be necessary to retire according to their terms the bonds herein provided for.

Revenue  
bonds.

Hospital.

Provisions  
not  
applicable.

[R.C.W. 28.77.360 is Rem. Supp. 1947, § 4566-12, R.C.W. 43.79.090 is R.R.S. § 5536.]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 119.

[ S. B. 123. ]

## LEGAL NOTICES PUBLISHED BY RADIO.

AN ACT authorizing public officials to supplement certain legal notices by radio broadcast.

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

SECTION 1. Any official of the state or any of its political subdivisions who is required by law to pub-

Supplemental publication of notices by spot radio announcements.

lish any notice required by law may supplement publication thereof by radio broadcast when, in his judgment, the public interest will be served thereby: *Provided*, That such supplemental notice is restricted to spot announcements not to exceed in total number the number of publications now required by law for newspaper publications of the same: *Provided further*, That the time, place and nature of such notice only be read with no reference to any person by name then a candidate for political office, and that such announcements shall be made only by duly employed personnel of the station from which such broadcast emanates, and that announcements by political subdivisions may be made only by stations situated within the county of origin of the legal notice.

Record of notices.

SEC. 2. Each radio station broadcasting any legal notice or notice of event shall for a period of six months subsequent to such broadcast retain at its office a copy or transcription of the text of the notice as actually broadcast which shall be available for public inspection.

Proof of publication.

SEC. 3. Proof of publication of legal notice or notice of event by radio broadcast shall be by affidavit of the manager, an assistant manager or a program director of the radio station broadcasting the same.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 15, 1951.



## CHAPTER 120.

[ S. B. 174. ]

## RESTRICTING THE SALE OF INTOXICATING LIQUORS.

AN ACT relating to intoxicating liquors; regulating the sale and use thereof, amending section 66.44.190, R.C.W., and prescribing penalties.

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

SECTION 1. Section 66.44.190, R.C.W., as derived from section 1, chapter 49, Laws of 1933, Extraordinary Session, is amended to read as follows:

It shall be unlawful to sell any intoxicating liquors, with or without a license on the grounds of the University of Washington, or within the district bounded by Lake Washington canal on the south, Eighth Avenue N. E. on the west, East 52nd Street on the north, and Lake Washington the east thereof, and any license granted for the sale of intoxicating liquors within such area shall be void: *Provided*, That a valid license may be issued to any nationally recognized veterans' organization, which has maintained since December 31, 1932, a regularly chartered post off the campus of the university within the above described area, to conduct a cocktail lounge for members and guests during post functions only on such premises as is and has been owned and maintained by it during this period. Said grounds of the University of Washington are otherwise known and described as follows: Fractional section 16, township 25 north, range 4 east of Willamette Meridian.

Sale of liquor prohibited, where.

Exception, certain veterans organizations.

[Am. Rem. Supp. § 5100 and R.R.S. § 5101.]

SEC. 2. There is added to title 66, R.C.W., as derived from chapter 62, Laws of 1933, Extraordinary Session, a new section to read as follows:

"Bottle club" means a club or association operating for profit or otherwise and conducting or main-

"Bottle club."

taining premises in which the members or other persons may resort for the primary or incidental purpose of keeping or consuming liquor on the premises.

License  
required.

Except as permitted under a license issued by the Washington state liquor control board, it is unlawful for any person to conduct or maintain by himself or by associating with others, or to in any manner aid, assist, or abet in conducting or maintaining a bottle club.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 121.

[ S. B. 156. ]

### ISSUANCE OF BONDS FOR HIGHWAY CONSTRUCTION AND AGATE PASS BRIDGE.

AN ACT relating to highways and roads; providing for the issuance, sale and retirement of motor vehicle revenue bonds in order to accelerate the reconstruction of primary state highway No. 1, construction of a four lane highway at Snoqualmie Pass, the construction of a Pasco-Kennewick bridge and the construction of Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties, as projects of the first priority; providing for the issuance of bonds to make the money expended from the motor vehicle fund for Agate Pass Bridge bonds of the Washington toll bridge authority available for war emergency or other high priority highway projects and making said bridge toll free; providing for reimbursement of all construction costs in said counties; regulating investments from the motor vehicle fund and amending section 47.60.100, R.C.W.; making an appropriation; and declaring an emergency.

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

Declaration  
of necessity.

SECTION 1. Reconstruction of primary state highway No. 1 from Oregon to British Columbia, construction of four traffic lanes at Snoqualmie Pass,

construction of an adequate highway bridge from Pasco to Kennewick and construction of county arterial highways and farm to market roads in Grant, Franklin and Adams counties to coincide with the opening of lands for settlement in the Columbia Basin irrigation project, are declared to be highway projects of the first priority. The construction of such projects is required in the interest of the public safety and for the orderly development of the state. The reimbursement of the motor vehicle fund for money used to purchase Agate Pass Bridge bonds will also make possible other war emergency or high priority highway construction. The threat of war makes acceleration of construction a vital necessity at this time.

Projects of first priority.

SEC. 2. To provide funds for accelerating construction of these first priority projects, and to reimburse the motor vehicle fund for money expended for Agate Pass Bridge construction, there shall be issued and sold limited obligation bonds of the state of Washington in the sum of sixty-six million seven hundred three thousand, six hundred and twenty-five dollars. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the state finance committee. The state finance committee shall, when notified by the director of highways, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to the orderly progress of construction of the first priority projects.

Limited obligation bonds.

State finance committee to issue.

SEC. 3. Each of such bonds shall be made payable at any time not exceeding twenty-five years from the date of its issuance, with such reserved rights of prior redemption as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state auditor under the seal of the state, one of which signatures

Bonds payable, when.

Signatures.

Registration.

Negotiability.

Statement that bonds not general obligation of state; payable from motor vehicle fuel excise tax.

Proceeds of taxes pledged.

shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued under authority of this act shall be fully negotiable instruments.

SEC. 4. Bonds issued under the provisions of this chapter shall distinctly state that they are not a general obligation of the state, but are payable in the manner provided in this chapter from the proceeds of all state excise taxes on motor vehicle fuels imposed by chapter 82.36 and sections 82.36.020, 82.36.230, 82.36.250, and 82.36.400, R.C.W., as derived from chapter 58, Laws of 1933, as amended, and as last amended by chapter 220, Laws of 1949; and chapter 82.40 and section 82.40.020, R.C.W., as derived from chapter 127, Laws of 1941, as amended, and as last amended by chapter 220, Laws of 1949. The proceeds of such excise taxes are hereby pledged to the payment of any bonds and the interest thereon issued under the provisions of this chapter, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle fuels in amounts sufficient to pay the principal and interest on all bonds issued under the provisions of this chapter when due.

[R.C.W. 82.36.020 is Rem. Supp. 1949, § 8327-5; R.C.W. 82.36.230 is Rem. Supp. 1949, § 8327-17, 2nd and 3rd para.; R.C.W. 82.36.250 is Rem. Supp. 1949, § 8327-17, last para.; R.C.W. 82.36.400 is Rem. Supp. 1949, § 8327-19 (b); R.C.W. 82.40.020 is Rem. Supp. 1949, § 8327-30.]

SEC. 5. The bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of this chapter shall be legal investment for any of the funds of the state, except the permanent school fund: *Provided*, That bonds authorized herein to reimburse the motor vehicle fund for the cost of the Agate Pass Bridge construction shall be sold at the earliest date which the committee finds feasible.

Bonds; de-nominations.

Public sale.

Legal investment for state funds.

Early sale of Agate Pass bonds.

SEC. 6. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of the motor vehicle fund and such money shall be available only for the construction of such first priority projects, reimbursement of the motor vehicle fund for money expended for construction of the Agate Pass Bridge in order to make such money available for war emergency highway projects or other high priority highway uses, and payment of the expense incurred in the printing, issuance and sale of any such bonds.

Deposit and use of proceeds of sale.

SEC. 7. Any funds required to repay such bonds, or the interest thereon when due, subject to the proviso of this section, shall be taken from that portion of the motor vehicle fund which results from the imposition of all excise taxes on motor vehicle fuels and which is, or may be, appropriated to the highway department for state highway purposes, and shall never constitute a charge against any allocations of such funds to counties, cities and towns unless and until the amount of the motor vehicle

Source of funds to retire bonds.

fund arising from the excise taxes on motor vehicle fuels and available for state highway purposes proves insufficient to meet the requirements for bond retirement or the interest on any bonds: *Provided*, That money required hereunder to pay interest on or to retire any bonds issued for Columbia Basin county arterial highways or farm to market roads shall be repaid by any such county or counties wherein such highways or roads are constructed in the manner set forth in section 9 of this act.

Columbia basin highways.

Estimate of percentage of motor vehicle fund receipts needed for interest and retirement.

SEC. 8. At least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any bonds, the state finance committee shall estimate, subject to the provisions of section 7, the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle fuels, for each month of the year which will be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle fuels of the motor vehicle fund to the highway bond retirement fund, which is hereby established, and which fund shall be available solely for payment of such interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

Transfer of percentage to highway bond retirement fund.

Where estimate insufficient.

Director of highways.

SEC. 9. The director of highways shall report separately to the state finance committee all sums ex-

pended from funds resulting from the sale of bonds for Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties under the provisions of this chapter. Such counties shall repay to the state all the cost of any Columbia Basin highway or road facilities actually constructed under the provisions of this chapter within each of such counties as follows: The state finance committee, at least one year prior to the date any interest is due and payable on such bonds or before the maturity date of any such bonds, shall ascertain the percentage of the motor vehicle funds arising from the excise taxes on motor vehicle fuels, which is to be transferred to such counties under the provisions of law which will be necessary to pay all of the interest upon or retire when due all of the portion of said bonds chargeable to expenditures incurred under the provisions of this chapter in each of said counties. The state finance committee shall notify the state treasurer of this estimate and the treasurer shall thereafter, when distributions are made from the motor vehicle fund to counties, retain such percentage of the total sums credited to such counties as aforesaid in the motor vehicle fund arising from the excise taxes on motor vehicle fuels until such fund is fully reimbursed for all expenditures under this chapter in Grant, Adams and Franklin counties. Any money so retained shall be available for state highway purposes.

Columbia Basin projects; separate report of expenditures.

Counties to repay state.

Procedure.

Use of money retained.

SEC. 10. The sums retained from motor vehicle funds arising from the excise taxes on motor vehicle fuel, of any such counties shall not exceed in any distribution period fifty per cent of the total amount to be credited to such county. If there shall be a deficit in the amount available for reimbursement of the motor vehicle fund, due to this provision, then such deficit shall continue to be a charge against any

Amount retainable.

Deficit.

sums due any such county from the motor vehicle fund from such excise taxes until the full cost of such Columbia Basin highway facilities is paid.

SEC. 11. Whenever the percentage of the motor vehicle fund arising from excise taxes on motor fuels, payable into the highway bond retirement fund, shall prove more than is required for the payment of interest on bonds when due, or current retirement of bonds, any excess may, in the discretion of the state finance committee, be available for the prior redemption of any bonds or remain available in the fund to reduce the requirements upon the fuel excise tax portion of the motor vehicle fund at the next interest or bond payment period.

Excess available for prior redemption or may carry over.

SEC. 12. The bonds authorized herein are allocated to the first priority projects as follows:

Allocation to specific projects.

(1) Forty-nine million two hundred fifty thousand dollars of the total issue for the acceleration of the reconstruction of primary state highway No. 1, said amount to be expended on said primary state highway No. 1 as follows: Thirty-three million five hundred thousand dollars between Everett, Seattle, Tacoma, Olympia, Chehalis, Centralia, Kelso, Vancouver, and the Oregon boundary line, and fifteen million seven hundred fifty thousand dollars between Everett and the Canadian boundary line;

Reconstruction of primary state highway No. 1

(2) Six million five hundred thousand dollars of the total issue for the construction of the highway bridge from Pasco to Kennewick;

Pasco-Kennewick bridge.

(3) Four million two hundred fifty thousand dollars of the total issue for the construction of a four lane highway at Snoqualmie Pass;

Snoqualmie Pass highway.

(4) Five million dollars of the total issue for the construction of Columbia Basin county arterial highways and farm to market roads in Grant, Franklin and Adams counties, for which the state must be reimbursed as provided in section 9; and

Columbia Basin county arterial highways and farm to market roads.



(5) One million seven hundred three thousand six hundred twenty-five dollars of the total issue for reimbursement of the motor vehicle fund for money spent for Washington toll bridge authority bonds purchased in connection with the construction of the Agate Pass Bridge, said sum of one million seven hundred three thousand six hundred twenty-five dollars to be used when it becomes available in the motor vehicle fund, under allotments to be made by the director of highways, for war emergency or other high priority highway projects: *Provided*, That no bonds shall be issued for Columbia Basin county arterial highway and road purposes unless expenditures are actually required for the settlement of lands ready for irrigation in the Columbia Basin project and all construction of arterial highways and roads in such counties shall be accomplished by the engineering forces of the various counties under the supervision of the director of highways.

Reimbursement for Agate Pass Bridge.

Condition to allocation for Columbia Basin project.

SEC. 13. When the state finance committee has made arrangements for the sale of sufficient bonds to reimburse the motor vehicle fund in the sum of one million seven hundred three thousand six hundred twenty-five dollars as aforesaid, the committee shall notify the Washington toll bridge authority and the authority is thereafter directed to transfer the Agate Pass Bridge to the highway department for operation as a toll free part of the state highway system. The bonds of the authority issued to construct the Agate Pass Bridge shall then be cancelled.

Transfer of Agate Pass Bridge to highway department.

Cancellation of bonds.

SEC. 14. Section 47.60.100, R.C.W., as derived from section 8, chapter 179, Laws of 1949, is amended to read as follows:

Amendment.

Notwithstanding any other provision of the law, bonds issued by the authority shall be legal investments by the state finance committee of any state

Legal investment for state funds.

monies in its hands, except permanent school funds and motor vehicle funds.

[Am. Rem. Supp. 1949, § 6584-37.]

Appropriation.

SEC. 15. There is appropriated from the motor vehicle fund the sum of sixty-six million seven hundred three thousand six hundred and twenty-five dollars, or so much thereof as may be necessary, to carry out the provisions of this chapter, but no money shall be available under this appropriation from said fund unless a like amount of the bonds provided for herein are sold and the money derived deposited to the credit of such fund.

Available, when.

Emergency.

SEC. 16. 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 March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 122.

[ S. B. 228. ]

### PUBLIC ASSISTANCE—AID TO THE BLIND.

AN ACT relating to public assistance; and exempting certain resources in aid to the blind assistance to conform with public law 734; amending section 74.08.010, R.C.W.; and declaring an effective date.

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

Amendment.

SECTION 1. Section 74.08.010, R.C.W., as derived from section 3 (f), [section 3] chapter 1, Laws of 1951, is hereby amended in order to conform with the requirements of the federal social security act as follows:

For the purposes of this chapter, unless the context indicates otherwise, the following definitions shall apply: Definitions.

(a) "Department"—The department of social security. "Department."

(b) "Applicant"—Any person who has made a request, or on behalf of whom a request has been made, to any county welfare department for assistance. "Applicant."

(c) "Recipient"—Any person receiving assistance or currently approved to receive assistance at any future date. "Recipient."

(d) "Income"—Net income in cash or kind available to an applicant or recipient, the receipt of which is regular and predictable enough that an applicant or recipient may rely upon it to contribute appreciably toward meeting his needs: *Provided*, That in determining the amount of assistance to which a recipient of aid to the blind is entitled the department of social security is hereby authorized to disregard as a resource the first fifty dollars per month of any earned income of such blind recipient who is otherwise eligible for an aid to the blind grant. In formulating rules and regulations pursuant to this act the department shall define "earned income" in such a manner as to meet with the approval of the federal security agency. "Income."

(e) "Need"—The amount by which the requirements of an individual for himself and the dependent members of his family, as measured by the standards of the department, exceed all income and resources available to such individual in meeting such requirements. "Need."

(f) "Resource"—Any asset, tangible or intangible, which can be applied toward meeting an applicant's or recipient's need, either directly or by conversion into money or its equivalent: *Provided*, That the following described assets shall not be "Resource."  
Exceptions.

considered as a resource available to meet need during such time as they are used by an applicant or recipient in the manner and form as follows:

Home.

(1) The home as defined in section 74.08.020 hereof.

Certain personal property.

(2) Personal property and belongings as defined in section 74.08.020 hereof.

Household goods and clothing.

(3) Household furnishings and personal clothing used and useful to the person.

Automobile, when.

(4) An automobile or other form of conveyance if such conveyance is necessary to an applicant or recipient because of a lack of, or an inability to use, public transportation. The department shall have the right by rules and regulations to fix a maximum value on such conveyance.

Cash, amount.

(5) Cash of not to exceed two hundred dollars for a single person or four hundred dollars for a family unit, or marketable securities of such value.

Life insurance, amount.

(6) Life insurance having a cash surrender value not in excess of five hundred dollars for a single person or one thousand dollars for a family unit: *Provided*, That this maximum allowance shall be decreased by the amount of cash held by the person or the family unit under item 5 above.

[R.C.W. 74.08.020 is section 4, chapter 1, Laws of 1951.]

Act effective, when.

SEC. 2. This act shall take effect on December 8, 1952.

Passed the Senate February 27, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 123.

[ H. B. 179. ]

## ELECTIONS—POLLING PLACES.

AN ACT relating to elections and voting; and authorizing designation of polling places outside of precinct boundaries.

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

SECTION 1. Polling places for the various voting precincts may be located outside the boundaries of the respective precincts, when the officers conducting the election shall deem it feasible: *Provided*, That such polling places shall be located within a reasonable distance of their respective precincts. The purpose of this act is to furnish adequate voting facilities at readily accessible and identifiable locations and nothing herein shall be construed as affecting the number, method of selection or duties of precinct election officer.

Polling places outside of precinct boundaries.

Purpose of act.

Passed the House March 2, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 124.

[ H. B. 7. ]

ASSENT TO FEDERAL AID FOR FISH RESTORATION AND MANAGEMENT PROJECTS.

AN Act relating to game fish; assenting to the purposes and provisions of that certain act of congress entitled: "An Act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950, and empowering and directing the state department of game to establish, conduct, and maintain fish restoration and management projects; and providing that all funds accruing to the state from sale of fresh water sport fishing licenses shall be exclusively for expenses of administration and operations of the department of game.

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

Assent to act of congress.

SECTION 1. The state of Washington hereby assents to the purposes and provisions of that certain act of congress entitled: "An Act to provide that the United States shall aid the states in fish restoration and management projects, and for other purposes," approved August 9, 1950 (Public, No. 681, 81st Congress), and the state department of game is hereby authorized, empowered, and directed to perform such acts as may be necessary to establish, conduct, and maintain fish restoration and management projects, as defined in said act of congress in compliance with said act and with rules and regulations promulgated by the secretary of the interior thereunder.

Department of game to establish fish restoration and management projects.

Limitation on use of funds derived from sale of certain licenses.

SEC. 2. All funds accruing to the state of Washington from the sale of fresh water sport fishing licenses shall be used exclusively to defray the expenses of the administration and operations of the state department of game and shall not be diverted to any other purpose.

Passed the House February 5, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 125.

[ H. B. 48. ]

## ADDITIONAL JUDGES OF THE SUPERIOR COURT.

AN ACT providing additional judges in the superior courts of Pierce County, Walla Walla County and the counties of Island and Snohomish jointly, amending section 2.08.060, R.C.W.; and declaring an emergency.

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

SECTION 1. Section 2.08.060, R.C.W., as derived from section 1, chapter 135, Laws of 1927; section 1, chapter 20, Laws of 1945; and amended by section 1, chapter 237, Laws of 1949; section 2, chapter 237, Laws of 1949; section 3, chapter 237, Laws of 1949; and section 4, chapter 237, Laws of 1949, is divided into the following sections, 2 to 7, inclusive, and is amended to read as follows: Amendment.

SEC. 2. There shall be in each of the counties a superior court. Judges of the superior court shall be elected at the general election in November, 1952, and every four years thereafter. Election of superior court judges.

SEC. 3. There shall be in the county of King sixteen judges of the superior court; in the county of Spokane six judges of the superior court; in the county of Pierce six judges of the superior court. King, Spokane, and Pierce counties.

SEC. 4. There shall be in the county of Chelan one judge of the superior court; in the county of Clark two judges of the superior court; in the county of Grays Harbor two judges of the superior court; in the county of Kitsap two judges of the superior court; in the county of Kittitas one judge of the superior court; in the county of Lewis one judge of the superior court. Chelan, Clark, Grays Harbor, Kitsap, Kittitas, and Lewis counties.

SEC. 5. There shall be in the county of Lincoln one judge of the superior court; in the county of Skagit one judge of the superior court; in the county Lincoln, Skagit.

Walla Walla,  
Whitman,  
Yakima,  
and Adams  
counties.

of Walla Walla, two judges of the superior court; in the county of Whitman one judge of the superior court; in the county of Yakima three judges of the superior court; in the county of Adams, one judge of the superior court.

Benton and  
Franklin;  
Clallam and  
Jefferson;  
Island and  
Snohomish;  
Asotin,  
Columbia  
and Garfield;  
Cowlitz,  
Klickitat and  
Skamania.

SEC. 6. There shall be in the counties of Benton and Franklin jointly, two judges of the superior court; in the counties of Clallam and Jefferson jointly, one judge of the superior court; in the counties of Island and Snohomish jointly, three judges of the superior court; in the counties of Asotin, Columbia and Garfield jointly, one judge of the superior court; in the counties of Cowlitz, Klickitat and Skamania jointly, two judges of the superior court.

Douglas and  
Grant;  
Ferry and  
Okanogan;  
Mason and  
Thurston;  
Pacific and  
Wahkiakum;  
Pend Oreille  
and Stevens;  
San Juan and  
Whatcom.

SEC. 7. There shall be in the counties of Douglas and Grant jointly, one judge of the superior court; in the counties of Ferry and Okanogan jointly, one judge of the superior court; in the counties of Mason and Thurston jointly, two judges of the superior court; in the counties of Pacific and Wahkiakum jointly, one judge of the superior court; in the counties of Pend Oreille and Stevens jointly, one judge of the superior court; and in the counties of San Juan and Whatcom jointly, two judges of the superior court.

[R.C.W. 2.08.060 is derived from R.R.S. § 11045-1; Rem. Supp. § 11045-1a; Rem. Supp. 1945, § 11045-1d; Rem. Supp. 1949, § 11045-1f.]

SEC. 8. To chapter 2.08, R.C.W., is added a new section, to read as follows:

Appointment  
by Governor.

Unless otherwise provided, upon the taking effect of any act providing for additional judges of the superior court and thereby creating a vacancy, the governor shall appoint a person to hold the office until the election and qualification of a judge to fill the vacancy, which election shall be at the next succeeding general election, and the judge so elected shall hold office for the remainder of the unexpired term: *Provided*, That of the two addi-

Election.

Term.



tional judges for Pierce County as provided for herein, one judge shall be appointed by the governor immediately to hold office as provided in this section and the other judge shall be elected at the general election in November, 1952.

Additional  
judges  
for Pierce  
county.

SEC. 9. This act is necessary for the preservation of the public peace, health, and safety, the support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the House February 19, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 126.

[ H. B. 64. ]

### IMPORTATION OF GAME FISH.

AN ACT relating to the importation of game fish, fish fry, spawn, and aquatic plants for propagation purposes or human consumption; amending section 77.16.150, R.C.W., and amending chapter 77.16, R.C.W., by adding two new sections.

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

SECTION 1. Section 77.16.150, R.C.W., as derived from section 54, chapter 275, Laws of 1947, is amended to read as follows:

Except as authorized by permit or license lawfully issued by the director, and after departmental inspection of the matter sought to be planted, it shall be unlawful for any person to plant any fish, fish fry, spawn, or any aquatic plant in any waters within the state or to release any wild animals or wild birds on any lands within the state. The words "aquatic plant" include the seeds thereof.

Fish life,  
aquatic  
plants, wild  
animals  
and birds,  
permit and  
inspection  
before  
planting  
or release.

[Am. Rem. Supp. 1947, § 5992-63.]

SEC. 2. There is added a new section to chapter 77.16, R.C.W., to read as follows:

Importation  
of  
domesticated  
game fish.

Domesticated game fish raised outside of the state may be imported, brought into or sold within this state subject to the following conditions:

(1) When, prior to importation, they are dressed for sale for human consumption; and

(2) Each fish is tagged with a tag, which shall sell for five cents, to be provided by the department in accordance with such rules and regulations as may be promulgated by the game commission;

(3) Compliance with such other rules and regulations relating to the importation of domesticated game fish as the commission shall promulgate: *Provided, however,* That this section shall not apply to the importation of live domesticated fish, fish fry, or spawn: *And provided further,* That live domesticated fish, fish fry or spawn shall be imported under the provisions of section 1.

SEC. 3. There is added a new section to chapter 77.16, R.C.W., to read as follows:

Violations.

The provisions of section 77.16.240, R.C.W., shall apply to all violations of this act.

[R.C.W. 77.16.240 is Rem. Supp. 1947, § 5992-72.]

Passed the House March 1, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 127.

[ H. B. 75. ]

PESTICIDE POISONS.

AN ACT relating to the regulation of pesticide poisons.

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

SECTION 1. Any pesticide poison used for control of rodents or predatory animals, which is highly toxic or has a definite secondary reaction, and for which there is no known or easily available antidote, may be classified by the director of agriculture as detrimental to agriculture or public health, and its sale and/or use prohibited except under special permit.

**Pesticide poisons.**

**Use prohibited when.**

The director may issue permits for the use of these poisons to individuals or organizations when he deems it is for the general welfare and may revoke such permits for good and sufficient reasons. The foregoing is not to apply to the department of game in controlling predator animals; nor to any city, town or county in the performance of their duties relating to rodent or insect destruction and control; nor to any city, town or county or combination of either which by ordinance or regulations either licenses, regulates, and/or controls the use of a pesticide poison.

**Permits.**

**Exclusions.**

Passed the House January 25, 1951.

Passed the Senate March 4, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 128.

[ H. B. 211. ]

OSOYOOS LAKE STATE VETERANS' MEMORIAL PARK.

AN ACT establishing a state park on Osoyoos Lake near Oroville, to be known as Osoyoos Lake State Veterans' Memorial Park and authorizing the acceptance of certain deeds therefor.

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

Osoyoos Lake State Veterans' Memorial Park created.

SECTION 1. There is created and established a state park on Osoyoos Lake near Oroville, to be known as Osoyoos Lake State Veterans' Memorial Park.

Acceptance of deed from town of Oroville authorized.

SEC. 2. The state parks and recreation commission may accept for the state a proper deed for lands to be a part of said park from the town of Oroville, to wit:

Description.

Lot 9, Grandview acres, a recorded plat, according to the files and records of the auditor of Okanogan County, Washington; and the unplatted portion of lot 3, northeast quarter of the southeast quarter, section 21, township 40 north, range 27, E.W.M., all in Okanogan County, Washington.

Acceptance of deed from American Legion post authorized.

SEC. 3. The state parks and recreation commission may accept for the state a proper deed for lands to be a part of said park from the Hodges Post No. 89, American Legion, Oroville, to wit:

Description.

Lots 7 and 8, Grandview acres, a recorded plat, according to the files and records of the auditor of Okanogan County, Washington; the north 125.1 feet of lot 4, southeast quarter of the southeast quarter, section 21, township 40 north, range 27, E.W.M.; and the north 125.1 feet of lot 1, block 1, Grandview addition to the town of Oroville according to the

files and records of plats in the office of the auditor of Okanogan County, Washington.

Passed the House February 21, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 129.

[ H. B. 221. ]

### SEWER DISTRICTS—BONDS.

AN ACT relating to sewer districts; authorizing commissioners to provide for sewer service in areas annexed; providing for adoption of bond issues by majority vote; authorizing issuance of bonds in certain cases by commissioners without an election; amending sections 56.08.040, 56.16.020, and 56.16.030, R.C.W., and repealing section 56.12.040, R.C.W.

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

SECTION 1. Section 56.08.040, R.C.W., as derived from section 3, chapter 74, Laws of 1943, is amended to read as follows: Amendment.

After adoption of the comprehensive plan by the commissioners and approval by the engineer, the director of health, and the city or town, it shall be submitted at a general or special election, as specified in the resolution, to the voters of the district for their consideration. Notice of the election shall be given in accordance with the general election laws applicable to the county in which the district is situated. If at the election a majority of the votes cast favor adoption it shall thereupon be ratified and adopted and proclamation thereof made by the commissioners. Comprehensive plan submitted to voters.

Whenever an area has been annexed to a district after the adoption of the comprehensive plan, the commissioners shall have the right without further vote of the electors of the district to adopt a Plan adopted where majority of votes cast favor adoption.

Area annexed; adoption of scheme for additions without election. Area annexed; adoption of scheme for additions without election.

scheme for additions and betterments to the original comprehensive scheme to provide for the needs of the area annexed.

[Am. Rem. Supp. 1943, § 9425-22.]

SEC. 2. Section 56.16.020, R.C.W., as derived from section 16, chapter 210, Laws of 1941, is amended to read as follows:

Submission of proposition to issue revenue bonds.

At the election to adopt the comprehensive plan, or at any other election, a proposition that the district issue revenue bonds for the construction or other costs of any part or all of the comprehensive plan may be submitted. The proposition shall be submitted so as to enable the voters to vote for or against it, independent of any vote on the plan. The amount of the revenue bonds to be issued and the terms thereof shall be included in the proposition submitted. The proposition shall be adopted by a majority of the voters of the district voting thereon. When the proposition has been adopted, the commissioners may forthwith carry out the general plan to the extent specified therein.

[Am. Rem. Supp. 1941, § 9425-25.]

SEC. 3. Section 56.16.030, R.C.W., as derived from section 11, chapter 140, Laws of 1945, is amended to read as follows:

Additions and betterments; how adopted.

Additions and betterments to the original comprehensive plan, or reorganized district, may be adopted and ratified in the same manner as the original plan. The district may incur general indebtedness for the construction of the additions and betterments in the same way general indebtedness is incurred for the construction of the original comprehensive plan. Upon ratification the additions and betterments may be carried out by the commissioners to the extent specified in the proposition to incur the indebtedness. The district may issue revenue bonds to pay for the construction of the additions and betterments in the same way revenue

Same; general indebtedness for.

Same; issuance of revenue bonds.

bonds may be issued for payment of the construction of the original comprehensive plan or any portion thereof.

Revenue bonds for additions and betterments may be issued by the sewer commissioners without authorization of the voters of the district.

Vote not  
necessary.

[Am. Rem. Supp. 1945, § 9425-26.]

SEC. 4. Section 56.12.040, R.C.W., as derived from section 25, chapter 210, Laws of 1941, is hereby repealed.

[Rep. Rem. Supp. 1941, §§ 9425-34 and 9425-52.]

Passed the House February 13, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 130.

[ H. B. 226. ]

### DENTISTRY.

AN ACT relating to the practice of dentistry and amending sections 18.32.030, 18.32.100, 18.32.160 and 18.32.180, R.C.W.

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

SECTION 1. Section 18.32.030, R.C.W., as derived from section 1, chapter 16, Laws of 1923, as last amended by section 6(f), chapter 112, Laws of 1935, [and from section 3, chapter 92, Laws of 1941] is amended to read as follows:

Amended.

The following practices, acts and operations are excepted from the operation of the provisions of this chapter:

Exceptions  
from  
operation of  
chapter.

(1) The rendering of dental relief in emergency cases in the practice of his profession by a physician or surgeon, licensed as such and registered under the laws of this state, unless he undertakes to or does reproduce lost parts of the human teeth in the

Emergency  
relief by  
physician or  
surgeon.

mouth or to restore or replace in the human mouth lost or missing teeth;

Armed forces  
and certain  
federal  
agencies.

(2) The practice of dentistry in the discharge of official duties by dentists in the United States army, navy, public health service, veterans bureau, or bureau of Indian affairs;

Students  
in training.

(3) Dental schools or colleges approved by the board, and the practice of dentistry by students in dental schools or colleges approved by the board, when acting under the direction and supervision of registered and licensed dentists acting as instructors;

Clinicians  
at meetings.

(4) The practice of dentistry by licensed dentists of other states or counties while appearing as clinicians at meetings of the Washington State Dental Association, or component parts thereof, or at meetings sanctioned by them;

Use of rays  
supervised  
by licensed  
practitioner.

(5) The use of roentgen and other rays for making radiograms or similar records of dental or oral tissues, under the supervision of a licensed dentist or physician;

Artificial  
restorations,  
etc., on  
prescription.

(6) The making, altering or supplying of artificial restorations, substitutes, appliances, or materials for the correction of disease, loss, deformity, malposition, dislocation, fracture, injury to the jaws, teeth, lips, gums, cheeks, palate, or associated tissues or parts; provided the same are made, altered or supplied pursuant to written prescription and order of a licensed dentist which may be accompanied by casts, models or impressions furnished by said dentist, and said prescriptions shall be retained and filed for a period of not less than three years and shall be available to and subject to the examination of the director of licenses or his authorized representatives;

Removal  
of deposits,  
etc., and use  
of mouth  
washes.

(7) The removal of calcareous deposits, accretions and stains from the exposed surfaces of the teeth and prescription or application of ordinary



mouth washes of soothing character when performed or prescribed by a dental hygienist licensed under the laws of this state;

(8) A qualified and licensed physician and surgeon extracting teeth or performing oral surgery; Extraction or oral surgery by physician or surgeon.

(9) A legal practitioner of another state making a clinical demonstration before a medical or dental society, or at a convention approved by the Washington State Medical or Dental Association or Washington Progressive Dental Society; Out-of-state practitioner at society or convention.

(10) Students practicing or performing dental operations, under the supervision of competent instructors, in any reputable dental college. Students.

[R.C.W. 18.32.030 (8) and (9) are derived from Rem. Supp. 1941, § 10031-25; the remainder of R.C.W. 18.32.030 are derived from Rem. Supp. § 10031-6 (vol. 10, p. 364, line 7 to end). First part of Rem. Supp. § 10031-6 is codified as R.C.W. 18.32.020.]

SEC. 2. Section 18.32.100, R.C.W., as derived from section 3, chapter 16, Laws of 1923, as last amended by section 4, chapter 112, Laws of 1935 [section 2, chapter 92, Laws of 1941], is amended to read as follows: Amendment.

The applicant for a dentistry license shall file an application on a form furnished by the director, and therein state his name, age, place of residence, citizenship, the name of the school or schools attended by him, the period of such attendance, and the date of his graduation, if he is a graduate. Application for license.

The application shall be signed by the applicant, and sworn to by him before some person authorized to administer oaths, and shall be accompanied by testimonials of his moral character, and proof of his school attendance and graduation. Signed and sworn to. Testimonials.

Said applicant at the time of making application must, in addition to other requisites, be a citizen of the United States or have first papers for naturalization. Citizenship.

[R.C.W. 18.32.100 is Rem. Supp. 1941, § 10031-4 (2nd and 3rd sentences); matter relating to citizenship is new.]

Amendment.

SEC. 3. Section 18.32.160, R.C.W., as derived from section 17, chapter 112, Laws of 1935, is amended to read as follows:

Licenses;  
signed by  
whom.

All licenses issued by the director shall be signed by him and by all members of the board; provided that all licenses issued to applicants who are not naturalized citizens of the United States shall be conditioned upon full citizenship being acquired within a period of six years from issuance of said licenses, and any holder failing to so qualify shall not be eligible for renewal of his license until full citizenship is acquired. This limitation shall not apply to dentists fully registered and licensed at the effective date of this act.

Citizenship  
of licensee.

[Am. Rem. Supp. § 10031-17.]

Amendment.

SEC. 4. Section 18.32.180, as derived from section 17, chapter 16, Laws of 1923, as last amended by section 24, chapter 112, Laws of 1935, is amended to read as follows:

Renewal fee.

Every person granted a license under this chapter shall pay to the director a license renewal fee of five dollars for the year commencing with the first day of October next following the issuance of his license, and annually thereafter. Payment must be made prior to the commencement of the year for which the same accrues. The license renewal certificate issued by the director shall be indispensable evidence that the same has been made.

Renewal  
certificate.

Forfeiture.

The failure of any licensed dentist to pay in advance his annual license renewal fee shall work a forfeiture of his license. It shall not be reinstated except upon written application and the payment of a penalty of ten dollars, together with all annual license renewal fees delinquent at the time of the forfeiture, and those for each year thereafter up to the time of reinstatement.

Penalty.

The director shall set aside from each annual license renewal fee the sum of three dollars which,

together with any unexpended portion of application fees paid by applicants for dentist licenses shall be devoted by the director for the necessary investigation and legal expenses and costs to enforce the provisions of the dental laws of this state.

[Am. Rem. Supp. § 10031-24.]

Passed the House February 26, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 131.

[ H. B. 311. ]

### HOUSING COSTS OF CAPITOL BUILDINGS.

AN ACT relating to state government and the payment of housing cost by offices, departments and activities financed in whole or in part by funds other than the general fund; amending section 43.01.090, R.C.W., and declaring that this act shall take effect April 1, 1951.

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

SECTION 1. Section 43.01.090, R.C.W., as derived from chapter 228, Laws of 1941, is amended to read as follows:

The director of public institutions, at the close of each quarterly period ending March thirty-first, June thirtieth, September thirtieth, and December thirty-first, shall bill each office, department, and activity financed in whole or in part from funds other than the general fund, for payment of its proportion of housing cost for the preceding quarter, the amount so billed to be computed at rates established by the director of public institutions for each square foot of usable floor space assigned to or occupied by it: *Provided*, That this section shall not be construed to prevent the director from allotting available unused space to governmental agencies for temporary occupancy as deemed in the public interest.

State departments financed from funds other than general fund to be billed for housing cost.

Rates.

Unused space.

Upon receipt of such bill, each office, department, and activity so financed shall cause a warrant or check in the amount thereof to be drawn upon its operating fund, or other special or local fund within its jurisdiction, in favor of the director, by whom the same shall be deposited in the state treasury to the credit of the general fund.

Payment to director.

“Housing cost” means the expense of operating and maintaining capitol buildings and grounds.

“Housing cost.”

[Am. Rem. Supp. 1941, § 10964-31 and incorporating last sentence of Rem. Supp. 1941, § 10964-30.]

Emergency.

SEC. 2. This act is necessary for the support of the state government and its existing public institutions and shall take effect April 1, 1951.

Passed the House February 7, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.

---

CHAPTER 132.

[ H. B. 329. ]

INVESTMENT OF TRUST FUNDS.

AN ACT authorizing certain investments of trust funds by fiduciaries.

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

SECTION 1. Within the standards of judgment and care established by law, and subject to any express provisions or limitations contained in any particular trust instrument, guardians, trustees and other fiduciaries, whether individual or corporate, are authorized to acquire and retain securities of any open-end or closed-end management type investment company or investment trust registered

Fiduciaries may invest in certain securities.

under the federal investment company act of 1940 as now or hereafter amended.

Passed the House February 19, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 133.

[ H. B. 330. ]

TAXATION BY PORT DISTRICTS.

AN ACT relating to port districts; authorizing the levy of taxes for general port purposes, and amending section 53.36.020, R.C.W.

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

SECTION 1. Section 53.36.020, R.C.W., as derived from section 2, chapter 166, Laws of 1943, is amended to read as follows: Amendment.

A district may raise revenue by levy of an annual tax not to exceed two mills on each dollar of the assessed valuation of the taxable property in such port district for general port purposes, including the establishment of a capital improvement fund for future capital improvements, except that any levy for the payment of the principal and interest of the general bonded indebtedness of the port district shall be in excess of any levy made by the port district under the two-mill limitation. The levy shall be made and taxes collected in the manner provided for the levy and collection of taxes in school districts of the first class. Two mill tax levy.  
Establishment of capital improvement fund authorized.  
Excess levy for bonded indebtedness.  
Procedure.

[R.C.W. 53.36.020 is a part of Rem. Supp. 1943, § 9692, page 597.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 134.

[ H. B. 349. ]

PROHIBITING SALE OF CERTAIN STATE LANDS.

AN ACT relating to the reservation of certain state lands in Cowlitz County from sale or lease, and amending chapter 157, Laws of 1915.

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

Amendment. SECTION 1. Chapter 157, Laws of 1915 (uncodified), is amended to read as follows:

Lands reserved from sale.

That all of the shore lands, beds and waters of Lake Merrill, in sections 8, 9, 16, 17 and 21, in township seven, north of range four east of the Wilamette Meridian, in Cowlitz County; and all of the lands in said section 16, are hereby reserved from sale and the same shall not be sold.

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

CHAPTER 135.

[ H. B. 374. ]

ADMISSION INTO STATE PENAL INSTITUTIONS OF PRISONERS OF THE UNITED STATES AND OF OTHER STATES.

AN ACT relating to the admission into Washington penal institutions of persons convicted of crime and sentenced to prison by the authority of the United States or of any state or territory of the United states, and providing for the terms under which such custodial services are to be rendered.

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

Authorizing confinement of persons sentenced by other courts.

SECTION 1. All persons sentenced to prison by the authority of the United States or of any state or territory of the United States may be received by the department of public institutions and im-

prisoned in the Washington state penitentiary or Washington state reformatory in accordance with the sentence of the court by which they were tried. The prisoners so confined shall be subject in all respects to discipline and treatment as though committed under the laws of this state.

SEC. 2. The director of the department of public institutions is authorized to enter into contracts with the proper officers or agencies of the United States and of other states and territories of the United States relative to the *per diem* rate to be paid the state of Washington for the conditions of the keep of each prisoner.

Contracts  
relative to  
*per diem*  
rate.

SEC. 3. The director of the department of public institutions shall not enter into any contract for the care or commitment of any prisoner of the federal government or any other state unless there is vacant space and unused facilities in the Washington state penitentiary or reformatory.

Director may  
not contract  
except for  
use of unused  
facilities.

Passed the House February 23, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 136.

[ H. B. 384. ]

### ENABLING SALE OF SPANAWAY PARK TO THE STATE AND CREATION OF SPANAWAY STATE PARK.

AN Act authorizing the Metropolitan Park District of Tacoma to sell to the state parks and recreation commission the property known as Spanaway Park, and authorizing said commission to thereafter develop the same as Spanaway State Park.

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

SECTION 1. The board of park commissioners of the Metropolitan Park District of Tacoma is author-

Conveyance  
to state  
authorized.

Spanaway  
Park.

Legal  
description.

ized and empowered to convey to the state, for park and recreational purposes, for such consideration as may be determined by the board of park commissioners of the Metropolitan Park District of Tacoma and the state parks and recreation commission of the state, with the approval of the governor, the property generally known as Spanaway Park situated in Pierce County, Washington, and more particularly described as follows:

All that part of the following described property lying west of state road No. 5, known as Pacific Avenue: All of the donation land claim of Henry de la Bushalier and wife, situate in Pierce County, being claim No. 49 and being parts of sections twenty and twenty-one, in township nineteen north of range three east of the Willamette Meridian, bounded and described as follows: Beginning at a point two chains and fifty-two links north from the southeast corner of said section twenty, and running thence west seven chains and nineteen links; thence north five degrees west, six chains and eighty links; thence north fifty-one degrees west, one chain and fifty links; thence north eighty-five degrees west, two chains and fifty links; thence north forty-four degrees west, one chain; thence north twenty degrees east, two chains; thence north 18 degrees west 17 chains 50 links; thence north 25 degrees east two chains; thence north twenty degrees west, seven chains; thence north three chains; thence north twenty-seven degrees east three chains; thence north, sixty-five degrees east, three chains; thence north fifty-three degrees east, two chains; thence north five chains; thence north forty-five degrees west, three chains; thence south sixty degrees west, one chain; thence south ten degrees west, five chains and fifty links; thence north six chains and fifty links; thence east fifty-two chains; thence south thirty-two chains and fifty links; thence east thirty



chains; thence south twenty chains; thence west sixty-three chains and thirty-one links to the place of beginning, containing three hundred and thirteen and seventy one-hundredths (313.70) acres. *Except* therefrom the following: Beginning at the southwest corner of said donation claim and running thence east along the south boundary of said claim 1193.9 feet to the center line of the former track of the Tacoma & Columbia River Railroad; thence north  $5^{\circ} 42'$  east along the center line of track, 1320 feet; thence west parallel to the south boundary of said claim 1826 feet, more or less, to the government meander line of Spanaway Lake, thence southerly along said meander line to the place of beginning.

Also all those certain lots or parcels of land situate in the county of Pierce and state of Washington, particularly described as follows: Lots numbered four and five of section twenty-one; and lots numbered one, nine and ten of section twenty of township nineteen north of range three east of the Willamette Meridian; except of so much of said lot ten as described as follows: Beginning at a point eight hundred and ninety-five feet south and seventeen hundred and forty-six feet west of the northeast corner of said section twenty, said point being defined by a stone monument having a cross cut in the top thereof, buried about six inches below the surface of the ground; running thence south eighty-eight degrees three minutes west, one hundred (100) feet to a point defined, being a stone marked and buried in a manner similar to the one above mentioned; thence south eighty-eight degrees and three minutes west, three hundred (300) feet; thence south to the south boundary of lot ten in section twenty above named; thence east to the southeast corner of said lot ten; thence north along the eastern boundary of said lot ten to a point on the western bank of and forty (40) feet distant from the western shore of the

Other  
parcels.

creek flowing through said lot ten and forming the outlet of Spanaway Lake; thence northwesterly along a line on the western side of, parallel to and forty (40) feet distant from the western shore of said creek, to a point north 88 degrees 3 minutes east from the place of beginning; thence south 88 degrees and 3 minutes west to the place of beginning; Also shore lands of second class abutting upon the above described property conveyed to the Metropolitan Park District of Tacoma, by deed recorded in book 519 of deeds at page 528.

Subject  
to easements.

Subject to rights-of-way of record, subject to easements to Pacific Telephone and Telegraph Company, and subject to roads heretofore granted to Pierce County, Washington, under auditor's fee No. 1543468.

Acceptance  
by  
commission.

SEC. 2. The state parks and recreation commission may accept for the state the lands described in section 1, and upon acquisition may survey, plan and develop the same as a state park, which shall be called Spanaway State Park.

Passed the House February 21, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 137.

[ H. B. 441. ]

## DEPORTATION OF NONRESIDENT INSANE AND FEEBLE-MINDED PERSONS.

AN ACT relating to alien and non-resident insane, feeble-minded, and epileptic persons; providing for their deportation, and amending section 71.04.120, R.C.W.

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

SECTION 1. Section 71.04.120, R.C.W., as derived from section 2, chapter 158, Laws of 1921, as last amended by section 2, chapter 72, Laws of 1939, is amended to read as follows: Amendment.

The director of public institutions, shall also return all non-resident insane, feeble-minded, and epileptic persons who are now confined in or who may hereafter be committed to a state hospital for the insane, feeble-minded, and epileptic in this state to the state or states in which they may have a legal residence. For the purpose of facilitating the return of such persons the director may enter into a reciprocal agreement with any other state for the mutual exchange of insane, feeble-minded, and epileptic persons now confined in or hereafter committed to any hospital for the insane, feeble-minded, or epileptic in one state whose legal residence is in the other, and he may give written permission for the return of any resident of Washington now or hereafter confined in a hospital for the insane, feeble-minded, and epileptic in another state. Such residents may be returned directly to the proper Washington state institution without further court proceedings: *Provided*, That if the superintendent is of the opinion that the returned person is not insane, feeble-minded or epileptic he may discharge said patient: *Provided further*, That if the superintendent deems such person insane, feeble-minded or epileptic, he shall file an application for commitment Return of non resident insane, feeble-minded and epileptic persons.

Reciprocal agreements.

Return of Washington residents.

Discharge of cured persons.

Application for commitment.

within ninety days of arrival at the Washington institution.

Resident, defined.

A person shall be deemed to be a resident of this state within the meaning of this chapter who has maintained his domiciliary residence in the state for a period of two years immediately preceding commitment to a state institution without receiving assistance from any tax supported organization.

Hospitalization time excluded.

The time spent in a hospital for the insane, feeble-minded, and epileptic or on parole therefrom shall not be counted in determining the matter of residence in this or another state.

Expenses of return.

All expenses incurred in returning insane, feeble-minded, and epileptic persons from this to another state may be paid by this state, but the expense of returning residents of this state shall be borne by the state making the return.

[Am. Rem. Supp. § 6934.]

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 138.

[ H. B. 403. ]

### PROPERTY OF DECEASED INMATES OF STATE INSTITUTIONS.

AN ACT relating to the money and property of deceased inmates of state institutions; providing for the custody and disposal of such money and property, the payment to the general fund of unclaimed moneys, and repealing sections 11.08.100 and 11.08.110, R.C.W.

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

Disposition of money and property two years after death of inmate.

SECTION 1. Where, upon the expiration of two years after the death of any inmate of any state institution, there remains in the custody of the superintendent of such institution, money or property be-

longing to said deceased inmate, the superintendent shall forward such money to the state treasurer for deposit in the general fund of the state, and shall report such transfer and any remaining property to the department of public institutions, which department shall cause the sale of such property and proceeds thereof shall be forwarded to the state treasurer for deposit in the general fund.

SEC. 2. Prior to the expiration of the above two-year period, the superintendent may transfer such money or property in his possession, upon request and satisfactory proof submitted to him, to the following designated persons:

Transfer of property prior to expiration of two-year period.

(1) To the executor or administrator of the estate of such deceased inmate; or

To executor.

(2) To the next of kin of the decedent, where such money and property does not exceed the value of three hundred dollars, and the person or persons requesting same shall have furnished an affidavit as to his or her being next of kin; or

To next of kin.

(3) In the case of money, to the person who may have deposited such money with the superintendent for the use of the decedent, where the sum involved does not exceed three hundred dollars: *Provided*, That transfer of such money or property may be made to the person first qualifying under this section and such transfer shall exonerate the superintendent from further responsibility relative to such money or property: *And provided further*, That upon satisfactory showing the funeral expenses of such decedent are unpaid, the superintendent may pay up to three hundred dollars from said deceased inmate's funds on said obligation.

Money to depositor.

Transfer exonerates superintendent.

Funeral expenses.

SEC. 3. The property, other than money, of such deceased inmate remaining in the custody of a superintendent of a state institution after the expiration of the above two-year period may be forwarded to the department of public institutions at its request

Property other than money remaining after two-year period.

and may be appraised and sold at public auction to the highest bidder in the manner and form as provided for public sales of personal property, and all moneys realized upon such sale, after deducting the expenses thereof, shall be paid into the general fund of the state treasury.

Proceeds.

Repealing  
clause.

SEC. 4. Sections 11.08.100 and 11.08.110, R.C.W., as derived from sections 1 and 2, chapter 113, Laws of 1923, are repealed.

[Rep. R.R.S. § 1363-1 and R.R.S. § 1363-2.]

Passed the House February 21, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 139.

[ H. B. 404. ]

### THE MENTAL ILLNESS HOSPITALIZATION ACT.

AN ACT relating to the hospitalization of the mentally ill; providing for the establishment and administration of state hospitals therefor, the care and treatment of the mentally ill, charges for hospitalization and other costs, procedures for admission and transfer of patients, and repealing chapter 71.04, R.C.W., and sections 71.12.020 to 71.12.160, R.C.W., both inclusive.

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

Liberal  
construction.

SECTION 1. The provisions of this act shall be liberally construed so that persons who are in need of care and treatment for mental illness shall receive humane care and treatment and be restored to normal mental condition as rapidly as possible with an avoidance of loss of civil rights where not necessary, and with as little formality as possible, still preserving all rights and all privileges of the person as guaranteed by the constitution.

SEC. 2. As used in this act, the following terms shall have the following meanings:

“Mentally ill person” shall mean any person found to be suffering from psychosis or other disease impairing his mental health, and the symptoms of such disease are of a suicidal, homicidal, or incendiary nature, or of such nature which would render such person dangerous to his own life or to the lives or property of others. “Mentally ill person.”

“Patient” shall mean a person under observation, care or treatment in a state hospital, or a person found mentally ill by the court, and not discharged from a state hospital, or other facility, to which such person had been ordered hospitalized. “Patient.”

“Licensed physician” shall mean an individual licensed as a physician under the laws of the state, or a medical officer, similarly qualified, of the government of the United States while in this state in performance of his official duties. “Licensed physician.”

“State hospital” shall mean any hospital operated and maintained by the state of Washington for the care of the mentally ill. “State hospital.”

“Superintendent” shall mean the superintendent of a state hospital. “Superintendent.”

“Court” shall mean the superior court of the state of Washington. “Court.”

“Department” shall mean the department of public institutions. “Department.”

“Resident” shall mean a resident of the state of Washington who has maintained his domiciliary residence within this state for a period of two years immediately preceding commitment. “Resident.”

Wherever used in this act, the masculine shall include the feminine and the singular shall include the plural. Masculine and singular.

SEC. 3. Any person complained against in any application or proceedings started by virtue of the provisions of this act shall not forfeit or suffer any

Pending proceedings; no legal disability.

Competency presumed on discharge.

Examination prior to discharge.

Where prior discharge issued.

Other laws not affected.

"Insane."

Short title.

State hospitals.

Superintendents of state hospitals; qualifications, powers and duties.

legal disability by the reason of the pendency of proceedings under this act, until an order declaring such person to be mentally ill has been entered. A person shall be presumed to be competent to manage his affairs when such person has been certified as discharged as recovered from a state hospital or other facility to which he has been hospitalized as a mentally ill person: *Provided, however,* Before any such discharge shall issue, the mentally ill person must have been examined by the superintendent of a state hospital, or person in charge of such other facility, within thirty days immediately preceding his discharge as recovered. The superintendent of a state hospital shall have authority to receive such persons for the above examination although a prior discharge has been issued.

SEC. 4. Nothing in this act shall be construed as affecting the laws of this state relating to the criminally insane or insane inmates of penal institutions. Where the term "insane" is used in other statutes of this state its meaning shall be synonymous with mental illness as defined in this act.

SEC. 5. The short title of this act shall be cited as "The Mental Illness Hospitalization Act."

SEC. 6. There are hereby permanently located and established the following state hospitals: Western state hospital at Fort Steilacoom, Pierce County; eastern state hospital at Medical Lake, Spokane County; and northern state hospital near Sedro-Woolley, Skagit County.

SEC. 7. The superintendent of a state hospital shall be a skillful practicing physician, and shall reside in the hospital; he shall have control of the medical, therapeutic, and dietetic treatment of the patients, which shall include authority to cause the performance of all necessary surgery. The superintendent, subject to rules and regulations of the



department, shall have control of the internal government and economy of a state hospital, shall appoint and direct all subordinate officers and employees, and shall designate those employees whose residence at the hospital is deemed essential for its proper operation.

Subordinate officers.

SEC. 8. The superintendent shall provide an official seal upon which shall be inscribed the statutory name of the hospital under his charge and the name of the state. He shall affix the seal of the hospital to any notice, order of discharge, or other paper required to be given by him or issued.

Official seal.

SEC. 9. The superintendent shall not be required to attend any court as a witness in a civil or juvenile court proceedings, but parties desiring his testimony can take and use his deposition; nor shall he be required to attend as a witness in any criminal case, unless the court before which his testimony shall be desired shall, upon being satisfied of the materiality of his testimony require his attendance; and he and all other persons employed at the hospital shall be exempt from serving on juries; and, in time of peace, from performing military duty; and the certificate of the superintendent shall be evidence of such employment.

Testimony by deposition.

Employees exempt from jury service and military duty.

SEC. 10. The superintendent is authorized to accept and receive from any person or organization gifts of money or personal property on behalf of the state hospital under his charge, or on behalf of the patients therein. The superintendent is authorized to use such money or personal property for the purposes specified by the donor where such purpose is consistent with law. In the absence of a specified use the superintendent may use such money or personal property for the benefit of the state hospital under his charge or for the general benefit of the patients therein. The superintendent shall keep an

May accept gifts.

Use.

Records  
of gifts.

accurate record of the amount or kind of gift, the date received, and the name and address of the donor. The superintendent may deposit any money received as he sees fit upon the giving of adequate security. Any increase resulting from such gift may be used for the same purpose as the original gift. Gratuities received for services rendered by a state hospital staff in their official capacity shall be used for the purposes specified in this section.

Gratuities.

Detention  
of voluntary  
patients.

SEC. 11. Pursuant to rules and regulations established by the department, the superintendent of a state hospital may receive and detain any person who is, in his opinion, a suitable person for care and treatment as mentally ill, or for observation as to the existence of mental illness, upon the receipt of a written application of the person, or others on his behalf, in accordance with the following requirements:

Application.

Adults.

(1) In the case of an adult person, the application shall be voluntarily made by the person, at a time when he is in such condition of mind as to render him aware of the significance of his act;

Minors.

(2) In the case of a minor person, the application shall be made by his parents, or by the parent, guardian, or other person entitled to his custody;

Guardian.

(3) In the case of an adult person for whom a guardian of the person has been appointed, such application shall be made by said guardian, when so authorized by proper court order in the guardianship proceedings.

Voluntary  
patients;  
no loss of  
legal  
competency.

SEC. 12. Any person received and detained in a state hospital pursuant to the above section shall be deemed a voluntary patient and shall not suffer a loss of legal competency by reason of his application and admission. Upon the admission of a voluntary patient to a state hospital the superintendent shall immediately forward to the department the record of such patient showing the name, address, sex, age,

Record  
forwarded to  
department.

place of birth, occupation, date of admission, name of nearest relative, and such other information as the department may from time to time require.

SEC. 13. No adult person received into a state hospital under such voluntary application shall be detained therein for more than twelve days after his having given notice in writing to the superintendent of his desire to leave such hospital. No minor person or adult for whom a guardian of the person has been appointed received into a state hospital as a voluntary patient, shall be detained therein for more than twelve days after notice is given in writing to the superintendent by the parents, or the parent or guardian or other person entitled to custody of the minor or adult under guardianship, of their desire to remove him from the hospital. If the superintendent believes that further care, treatment or restraint is required, he shall, within the twelve-day period, start proceedings for the involuntary hospitalization of such patient. A minor received into a state hospital as a voluntary patient shall not be detained after he reaches the age of majority, but such minor upon reaching majority may apply for admission into a state hospital as a voluntary patient: *Provided, however,* If said notice is given within less than eighteen days from date of admission the superintendent shall have the right to detain such voluntary patient for a period not to exceed thirty days from time of admission.

Release within 12 days after request; voluntary patients.

Further care.

Minor; release upon majority.

Detention where notice to leave given within first 18 days.

SEC. 14. It shall be the policy of the department to permit liberal use of the foregoing sections for the admission of those cases that can be benefited by treatment and returned to normal life and mental condition, in the opinion of the superintendent, within a period of six months. No person shall be carried as a voluntary patient for a period of more than one year. No person shall be admitted as a

Foregoing section to be liberally used.

Limitation as voluntary patient.

Residence requirement.

voluntary patient who has not been a resident of the state of Washington for a period of two years immediately preceding application for admission.

Voluntary applicants may be limited.

SEC. 15. If it becomes necessary because of inadequate facilities or staff, the department may limit applicants for voluntary admission in accordance with such rules and regulations as it may establish. The department may refuse all applicants for voluntary admission where lack of adequate facilities or staff make such action necessary.

Payment for hospitalization.

SEC. 16. Payment of hospitalization charges shall not be a necessary requirement for voluntary admission: *Provided, however,* The department may request payment of hospitalization charges, or any portion thereof, from the patient or relatives of the patient within the following classifications: Spouse, parents, or children. Where the patient or relatives within the above classifications refuse to make the payments requested, the department shall have the right to discharge such patient or initiate proceedings for involuntary hospitalization. The maximum charge shall be the same for voluntary and involuntary hospitalization.

Patient and relative responsibility.

Maximum charge.

Application for involuntary hospitalization.

SEC. 17. Any person may make application to the superior court for the county in which an alleged mentally ill person is found, for the involuntary hospitalization of such person. Such application shall be made under oath and shall be to the effect that there is in such county a mentally ill person who by reason of such mental illness is unsafe to be at large and requesting that such person be taken before the superior court for examination. Before accepting said application for filing, the same must be endorsed by the prosecuting attorney of said county, where the court has not designated some other person, to the effect that he has examined the applicant, investigated the merits of the applica-

Endorsed by prosecuting attorney.

tion and believes reasonable grounds exist for filing of same.

SEC. 18. Upon the filing of such application the court shall issue an order setting a date for hearing and examination. Such application may contain a statement to the effect that immediate apprehension and detention is necessary to safeguard the lives and property of the alleged mentally ill person or others. If such statement is contained in the application, the court shall issue an order of apprehension directing that the alleged mentally ill person be immediately apprehended and detained pending hearing and examination. The sheriff or other person as designated by the court, shall execute the order of apprehension. In emergencies requiring immediate apprehension and restraint, or at times when superior courts are not open for business, any sheriff or other peace officer, may, when he shall have reasonable cause to believe any person is so mentally ill as to be unsafe to be at large, apprehend such person without warrant, wherever found, and detain him or her in suitable quarters until an application can be made as above provided.

Order for hearing.

Statement of emergency.

Order of apprehension.

Sheriff to execute.

Emergencies; apprehension without warrant.

SEC. 19. A copy of the application, notice of hearing, and order of apprehension shall be served upon the alleged mentally ill person by the sheriff or other person as designated by the court. The clerk of the court shall cause notice of hearing to be given to the guardian, spouse, or next of kin of the alleged mentally ill person, if known, and in that respective priority, unless such person shall have filed the original application. Such notice shall specify the name of the applicant, date of application, place of detention, and date, time, and place of hearing. Such notice shall also specify the alleged mentally ill person's right to trial by jury and right to be represented by counsel. Notice to the alleged mentally ill person may be eliminated if the court finds

Service of application, notice and order.

Additional notice.

Contents of notice.

that the serving of such notice might be injurious to the health of such person and if a guardian *ad litem* is appointed.

Finding of mental illness.

SEC. 20. If the court shall find after hearing and examination that the person filed against is mentally ill, it shall enter an order directing the hospitalization of such person pursuant to section 25.

Medical testimony required.

SEC. 21. At the hearing on the application the court shall require the testimony of at least two licensed physicians, who shall have made a joint examination of the alleged mentally ill person, and who shall have filed with the court a written report of the facts and circumstances upon which their testimony is based. Such report shall contain a statement as to whether or not the person filed against is mentally ill. The person filed against, his guardian, relatives, or friends, or the court of its own motion, may summon or produce such witnesses and evidence as they may desire. At least two of the testifying physicians must have been appointed by the court for the purpose of examining the alleged mentally ill person.

Written report.

Person filed against may summon witnesses.

Physicians appointed by court.

Guardian ad litem.

SEC. 22. If no guardian of the person has been appointed, the court may appoint a guardian *ad litem* to represent the patient during proceedings. The person filed against shall have the right to be represented by an attorney if requested.

Right to counsel.

Request for jury trial.

SEC. 23. At commencement of hearing the person filed against, his guardian, attorney or guardian *ad litem*, may request a trial by jury. Such request shall be in writing and filed with the court accompanied by the required fee. The court shall then enter an order directing the alleged mentally ill person to be detained pending trial and shall set a date for such trial.

Where trial by jury.

SEC. 24. Where trial is by jury the testimony and evidence required by section 21 shall be pre-

sented. After all the evidence is in the jury shall determine whether or not the person filed against is mentally ill. If the jury finds that such person is mentally ill the court shall enter an order directing the hospitalization of such person in accordance with section 25.

Jury's duty.

Finding of mental illness; order.

SEC. 25. Where a person is found to be mentally ill the court shall:

Same; duties of court.

(1) Order a person hospitalized at a state hospital until released by the superintendent thereof; or

Order person to state hospital; or order eligible persons to federal institution.

(2) Order such person hospitalized by the United States veterans' administration, or other agency of the United States government, where it appears that the mentally ill person is eligible for such treatment, and a certificate of eligibility has been obtained from the veterans' administration, or agency of the United States government, until released by such agency; or

(3) Order such person hospitalized at a private facility for the care and treatment of the mentally ill, where such facility is willing to accept such mentally ill person, until released by the chief officer thereof; or

Order person to private facilities.

(4) Where the mentally ill person is not dangerous to the lives or property of others, and is not dangerous to himself, the court may direct that custody of such person be given to such friends or relatives as are willing and able to care for him.

Order person to care of friends or relatives.

If ordered hospitalized all personal effects, including contents of trunks, boxes and other containers to be transferred with the patient, shall be inventoried by the sheriff or other person making the apprehension and a copy of said inventory shall be given to the representative of the hospital at the time of transfer of the patient.

Disposition of personal effects.

SEC. 26. The United States veterans' administration, or other United States government agency, or

Powers of detaining authority.

the chief officer of a private facility shall have the same powers as are conferred upon the superintendent of a state hospital with reference to retention, transfer, parole, or discharge of mentally ill persons ordered hospitalized in their facilities.

Continuing jurisdiction.

SEC. 27. The court shall retain jurisdiction for the purpose of entering further appropriate orders until such time as a patient is certified as discharged.

Detention wards in county hospitals.

SEC. 28. There shall be set aside in each county of the state of Washington having a county hospital, such portions of such hospital as may be necessary for the detention and observation of those persons detained under the provisions of this act pending further proceedings. In each such hospital there shall be separate detention wards for males and females. The superior court may order the examination of such persons by medical personnel for the purpose of obtaining testimony as to the alleged mentally ill person's condition. Such observation period shall not exceed sixty days unless a jury trial has been demanded: *Provided, however,* That in all counties having no county hospital, the court may designate as a detention ward such other place of detention and treatment as he may deem suitable for the purpose of this act.

Medical examination.

Where no county hospital.

State hospitals designated to accept patients from certain counties.

SEC. 29. Persons found to be mentally ill by the courts of the various counties and in need of hospitalization at a state hospital shall be hospitalized at the following state hospitals: From the counties of Grays Harbor, Clark, Cowlitz, King, Kitsap, Lewis, Mason, Pacific, Pierce, Thurston and Wahkiakum, to the western state hospital; from the counties of Adams, Asotin, Benton, Chelan, Columbia, Douglas, Ferry, Franklin, Garfield, Grant, Kittitas, Klickitat, Lincoln, Okanogan, Pend Oreille, Skamania, Spokane, Stevens, Walla Walla, Whitman and Yakima, to the eastern state hospital; from the counties of Clallam, King, Island, Jefferson, San Juan, Skagit,



Snohomish and Whatcom, to the northern state hospital: *Provided, however,* That whenever the department of public institutions shall certify to the superior court of any county that the hospital above specified to receive mentally ill persons from such county is temporarily unable to care for additional patients, and shall designate one of the other hospitals, the court shall order patients hospitalized at such other hospital until further advised by the department: *And provided further,* That if it shall be made to appear to the satisfaction of the court ordering the hospitalization of a mentally ill person, upon the application of the guardian or attorney representing such person, that by reason of climatic conditions, the nature of the mental illness, or location of relatives, it would be to the best interest of the patient to be hospitalized at another state hospital, and such other hospital can accommodate said patient, the court may order such person hospitalized at such other state hospital.

Where facilities not available.

Hospital serving best interest of patient.

SEC. 30. Whenever any person shall be brought before the court for examination and hearing on application for involuntary hospitalization, the court shall, if such person is found mentally ill, inquire into the nationality of such person and may summon witnesses and require the production of documentary evidence for that purpose. If it shall appear that such person is an alien, the court shall cause the clerk to make out and transmit to the United States district director of immigration and naturalization in the state of Washington, and to the superintendent of the state hospital where such patient is to be hospitalized, a report showing the names and addresses of all witnesses who appeared and testified as to the nationality of the mentally ill person, a synopsis of the testimony of each witness and copies of documentary evidence tending to show the nationality found at the hearing.

Involuntary hospitalization.

Nationality inquired of.

Aliens.

Application;  
no liability  
where made  
in good faith.

SEC. 31. Any person making or filing an application alleging a person to be mentally ill under the provisions of this act shall not be rendered civilly or criminally liable where the making and filing of such application was in good faith.

Disposition  
of property.

SEC. 32. Any person apprehending an alleged mentally ill person under the provisions of this act shall take reasonable precautions to safeguard the property of such person. At any time after application has been filed the court may make such orders relative to such person's personal property as may seem necessary for his best interests, health and welfare, pending the appointment of a guardian of such person's estate.

Hearings;  
where held.

Same; may  
be closed.

SEC. 33. For the purpose of conducting hearings and examinations under this act, court may be convened at any time and place within the limits of the county in which the court resides: *Provided*, That hearings and examinations under this act may be closed to the general public unless the guardian, attorney, or guardian *ad litem* representing the alleged mentally ill person demands an open hearing as in other civil actions, or unless a jury is demanded.

Subpoenas.

Witness fees.

SEC. 34. Subpoenas may be issued to compel the attendance of witnesses or the production of evidence in the same manner as in civil cases: *Provided*, That such subpoenas shall be effective within the boundaries of the county of the issuing court. All witnesses shall be allowed witness fees as in criminal cases.

Forms  
provided by  
department.

SEC. 35. The report of medical testimony, order directing hospitalization, order directing payment of court costs, transportation and hospitalization charges, and order directing disposition or safeguarding of a mentally ill person's property shall be entered on forms provided by the department of public institutions.

SEC. 36. The department of public institutions shall be charged with the execution of orders of hospitalization at state hospitals and orders directing payment of hospitalization charges at such hospitals, including the transportation of persons so hospitalized.

Certain orders to be executed by department.

SEC. 37. A copy of the medical report, order of hospitalization, and order directing payment of hospitalization charges shall be delivered with the patient to the superintendent of the state hospital or officer in charge of veterans' facility, wherein a patient is ordered hospitalized: *Provided, however,* That if said medical report is not filled out legibly and completely, giving essential information pertaining to the patient, the hospital may refuse admission of the patient.

Records and orders to accompany patient.

Admission refused, when.

SEC. 38. All files in these cases shall be closed subject to examination only on court order. Where a person is found mentally ill the clerk shall cause the following facts to be noted in his probate docket: Name and age of such person, date of order of hospitalization, place of hospitalization, date of parole and date of discharge. Where a person is found not to be mentally ill the clerk shall cause such proceedings to be noted in an alphabetically arranged index, which index shall contain the following information: Name of person filed against, date of order dismissing proceedings, and probate cause number. This index shall be open to inspection only under court order. Nothing in this section shall be construed to prevent the forwarding of all case histories, physicians' reports, and other case data to the state hospital or other agency in which a mentally ill person may have been ordered hospitalized.

Closed files.

Duties of clerk.

Inspection of index.

SEC. 39. Applications for involuntary hospitalization shall be handled as a probate matter. Nothing in this act shall be construed as limiting or modifying the powers of the various court commissioners.

Involuntary proceedings as probate matter.

Superintendent shall ascertain history.

SEC. 40. It shall be the duty of the superintendent to ascertain by diligent inquiry and correspondence, the history of each and every patient admitted to his hospital.

Parole.

SEC. 41. Whenever in the judgment of the superintendent of any state hospital, any patient shall have so far recovered as to make it safe for such patient and for the public to allow him to be at large, the superintendent may parole such patient and allow him to leave such hospital, and whenever in the judgment of the superintendent any patient has been restored his mental health and is probably free from danger of relapse or recurrence of mental illness, the superintendent shall discharge such patient from the hospital. The superintendent may parole patients on such terms and conditions as he may deem advisable. Whenever a patient shall have been in a parole status for a period of one year, the superintendent shall review such patient's case relative to the advisability of discharge.

Discharge.

Parole; review after one year.

Parole of indigents.

No indigent patient shall be paroled or discharged without suitable clothing, and the superintendent shall furnish the same, together with such sum of money as he shall deem necessary for the immediate welfare of the patient, not to exceed fifty dollars.

Revocation of parole.

When the superintendent revokes the parole of any patient, he may request the superior court of the county wherein the patient is found to order the apprehension and detention of such patient. The court shall thereupon order the apprehension of such patient and shall detain him until returned to the state hospital by the superintendent. Such detention shall be in facilities set forth in section 28 and subject to time limitations therein stated. The various county welfare departments shall assist the superintendents of the state hospitals in the placement of paroled or discharged patients in suitable surroundings when so requested by said superintendents.

County welfare department.

SEC. 42. Whenever it shall be made to appear to the superior court of any county that any paroled patient found in such county has become unsafe to be at large, said court shall order such patient apprehended and returned to the hospital from which he was paroled and shall direct the sheriff to notify the superintendent of such order, which order of return shall be executed by the department of public institutions. In emergencies requiring immediate apprehension and detention, or at times when superior courts are not open for business, the sheriff may apprehend said parolee and detain him without warrant pending the issuance of a superior court order.

Parolee found to be unsafe.

Order of return.

Emergencies.

SEC. 43. If a patient shall escape from a state hospital the superintendent shall cause immediate search to be made for him and return him to said hospital wherever found. Notice of such escape shall be given to the committing court who may issue an order of apprehension and return directed to any peace officer within the state. Notice may be given to any sheriff or peace officer, who, when requested by the superintendent, may apprehend and detain such escapee or return him to the state hospital without warrant.

Patient escaping.

Notice of escape.

Apprehension.

SEC. 44. Whenever a patient dies, escapes, or is paroled or discharged from a state hospital, the superintendent shall immediately notify the clerk of the court which ordered such patient's hospitalization. A copy of such notice shall be given to the next of kin or next friend of such patient if their names or addresses are known or can, with reasonable diligence, be ascertained. Whenever a patient is discharged the superintendent shall issue such patient a certificate of discharge. Such notice or certificate shall give the date of parole, discharge, or death of said patient, and shall state the reasons for parole or discharge, or the cause of death, and shall be signed by the superintendent.

Change of status; notice.

Certificate of discharge.

Contents.

Sudden or mysterious death.

SEC. 45. In the event of the sudden or mysterious death of any patient at a state hospital, not on parole or escape therefrom, such fact shall be reported by the superintendent thereof to the coroner of the county in which the death occurs.

Minors not to be confined in adult wards.

SEC. 46. No mentally ill person under the age of sixteen years shall be regularly confined in any ward in any state hospital which ward is designed and operated for the care of the adult mentally ill. No person between the ages of sixteen and eighteen shall be placed in any such ward, when in the opinion of the superintendent such placement would be detrimental to the mental condition of such a minor person or would impede his recovery or treatment.

Wards solely for minors.

SEC. 47. The department of public institutions may designate one or more wards at one or more state hospitals as may be deemed necessary for the sole care and treatment of minors admitted under the provisions of this act. Nurses and attendants for such ward or wards shall be selected for their special aptitude and sympathy with such young people, and occupational therapy and recreation shall be provided as may be deemed necessary for their particular age requirements and mental improvement.

Nurses.

Occupational therapy.

Letter writing materials.

SEC. 48. The superintendent shall furnish each patient the material for writing at least one letter per week, if he shall request the same, unless otherwise provided. Patients' letters shall be subject to the inspection of the superintendent, who shall mail to the proper address thereof such of them as in his judgment should be sent, and he shall retain such letters as he considers objectionable. All letters directed to the patients shall be delivered to them if, in the judgment of the superintendent, their contents are not prejudicial to the mental condition of the patient.

Letters inspected.

Superintendent as guardian.

SEC. 49. The superintendent of a state hospital shall be the guardian without compensation of the

estate of a patient involuntarily hospitalized therein, without further proceedings and subject to the following limitations: Limitations.

(1) He is guardian of such personal property as may come into his custody while the patient is under the jurisdiction of the hospital. Personal property in his custody.

(2) As such guardian, the superintendent shall have authority to disburse moneys from the patient's estate for the following purposes only: Disbursements for:

(a) For the personal needs of the patient as may be deemed necessary by the superintendent; and personal needs,

(b) For the hospitalization charges of such patient where his estate contains moneys in the sum of three hundred dollars or more and where in the opinion of the superintendent such patient is not likely to be released within a period of six months. hospitalization charges.

(3) Annual reports of receipts and expenditures shall be forwarded to the department of public institutions, and shall be open to inspection by interested parties. Reports of receipts and expenditures.

(4) The appointment of a guardian for the estate of such patient shall terminate the superintendent's authority as guardian upon the superintendent's receipt of certified copies of letters of guardianship, and the superintendent shall forward any property of the patient remaining in his hands to such guardian on request, together with a final accounting of receipts and expenditures. Termination of superintendent's authority as guardian.

(5) Moneys belonging to patients' estates may be deposited in a single fund. Final account.

(6) The superintendent shall have no authority to sell, mortgage, or invest assets of the patient's estate: *Provided, however,* That he may convert choses in action into cash. Money placed in one fund.

SEC. 50. The superintendent shall also have authority to receive funds for the benefit of individual patients and may disburse such funds according to the instructions of the donor of such funds. Acts prohibited.

SEC. 50. The superintendent shall also have authority to receive funds for the benefit of individual patients and may disburse such funds according to the instructions of the donor of such funds. Receipt of donations for patient.

Inquiry as to ability to pay.

SEC. 51. After a person has been found mentally ill under section 20 of this act, the court shall inquire into the ability of the person's estate, or his spouse, parents or children, or any combination thereof, to pay the charges for transportations and hospitalization in a state hospital, detention pending proceedings, and court costs. If the court finds that the patient's estate or above named relatives, or combination thereof, are able to pay such charges or any part thereof, an order to such effect shall be entered. If the court finds that neither the patient's estate nor said relatives are able to pay the charge for transportation to and hospitalization in a state hospital, such costs shall be borne by the state of Washington. If the court finds that neither the patient's estate nor above relatives can pay charges for detention pending proceedings or court costs, such costs shall be borne by the county. When a patient is a resident of another county, the committing county shall recover from the county of the patient's residence all costs and expenses of the patient's detention and commitment [commitment].

Order requiring payment.

Costs borne by county, when.

Resident of other county.

Basis of charges.

SEC. 52. Charges for hospitalization of patients in state hospitals are to be based on the actual cost of operating such hospitals for the previous year, taking into consideration the overhead expense of operating the hospital and expense of maintenance and repair, including in both cases all salaries of supervision and management as well as material and equipment actually used or expended in operation as computed by the department. Costs of transportation shall be computed by the department.

Existing responsibility to continue.

SEC. 53. Patients' estates and relatives now responsible for the payment of maintenance charges upon the taking effect of this act shall remain so responsible hereunder.

Hospitalization charges; change.

SEC. 54. The department may execute a change in rate for hospitalization charges upon the giving of



sixty days' notice to the parties responsible for payment of such charges. Said notice may be mailed to the parties concerned.

Notice.

SEC. 55. The department shall certify to the various superior courts the rate for hospitalization charges when executing a change in rate, including in said certification the effective date of such change.

Rate to be certified to court.

SEC. 56. Hospitalization charges are payable in advance on the first day of each calendar month, and the department may make all necessary rules and regulations relative to the billing and collection of such charges.

Charges payable in advance.

SEC. 57. Advance remittances of such hospitalization charges may be held by the department in a suspense account for a period not to exceed ninety days in order to make prompt refunds in cases of overpayment. Moneys in such account shall be deposited in such bank or banks as the department may select, and any such depository shall furnish suitable surety bond or collateral for their safekeeping. Such funds shall be transmitted to the state treasurer for deposit in the general fund after being held for the above purpose.

Advance remittances suspense account.

Refunds for over-payment.

Deposit.

SEC. 58. The superior court may, upon petition, modify any existing order entered pursuant to section 51 of this act, where it is shown that the petitioner is unable to continue payment of hospitalization charges. A hearing may be had on such petition in the nature of proceedings supplemental to execution in civil actions. Such petition must be served on the department at least ten days prior to hearing.

Modification of orders relative to charges.

Hearing.

SEC. 59. The department may apply for modification of any existing order where it is shown that there exists some relative within the classification set forth in section 51 of this act who is able to pay hospitalization charges. Such relative must be served with notice of such petition in the same manner as summons is served in civil action.

Same; department may apply for, when.

Notice.

Charges collectible without order.

SEC. 60. The department shall have the right to collect hospitalization and transportation charges from a patient's estate or person legally responsible for the support of a patient without the entry of any order to such effect under section 51 of this act. If the person administering the patient's estate or the person responsible for the support of the patient is unable to pay such charges he shall petition the court for an order declaring such inability pursuant to section 58.

Order declaring inability.

Statutes of limitation.

SEC. 61. No statutes of limitations shall run against the state of Washington for hospitalization charges: *Provided, however,* That periods of limitations for the filing of creditors' claims against probate and guardianship estates shall apply against such claims.

Hospitalization charges; criminally insane.

SEC. 62. Patients hospitalized at state hospitals as criminally insane shall be responsible for payment of hospitalization charges unless an order is obtained pursuant to section 58 of this act.

Charges may be cancelled.

SEC. 63. The department shall have authority to cancel accrued hospitalization charges to the extent of one hundred dollars or less, when a patient has deceased or has been discharged.

Collections; prosecutors.

SEC. 64. The prosecuting attorneys of the various counties shall assist the department in the collection of hospitalization charges.

Contracts with federal government.

SEC. 65. The department shall have the power, in the name of the state, to enter into contracts with any duly authorized representative of the United States government, providing for the admission to, and the separate or joint observation, maintenance, care, treatment and custody in, state hospitals of persons entitled to or requiring the same, at the expense of the United States, and contracts providing for the separate or joint maintenance, care, treatment or custody of such persons hospitalized in the

manner provided by law, and to execute and perform such contracts, which contracts shall provide that all payments due the state of Washington from the United States for services rendered under said contracts shall be paid to the department of public institutions.

SEC. 66. No case of idiocy, imbecility, harmless chronic mental unsoundness, or acute mania a potu shall be hospitalized in a state hospital; and whenever, in the opinion of the superintendent after careful examination of the case of any person hospitalized, it shall be ascertained that such person comes within the rule of exemptions provided for by this section the superintendent shall have the authority to discharge such person and return him to the county from which he was ordered hospitalized, at the expense of said county.

Idiocy, etc., cases excluded from state hospitals.

SEC. 67. Non-residents of this state conveyed or coming herein while mentally ill shall not be hospitalized in a state hospital, but this prohibition shall not prevent the hospitalization and temporary care in said hospitals of such persons stricken with mental illness while traveling or temporarily sojourning in this state, or sailors attacked with mental illness upon the high seas and first arriving thereafter in some port within this state.

Non-residents excluded.

Exception.

SEC. 68. Whenever it appears to be to the best interests of the patients concerned, the department of public institutions shall have the authority to transfer such patients among the various state hospitals pursuant to rules and regulations established by said department. The superintendent of a state hospital shall also have authority to transfer patients eligible for treatment to the veterans' administration or other United States government agency where such transfer is satisfactory to such agency. Such agency shall possess the same authority over such

Transfer to serve best interests of patient.

Transfer to federal agency.

patients as the superintendent would have possessed had the patient remained in a state hospital.

Repealing  
clause.

SEC. 69. Chapter 71.04, R.C.W.; sections 71.12.020 to 71.12.160, both inclusive, R.C.W., as derived from section 5, page 37, of an act entitled "An Act to Amend Chapter CX (110) of the Code Relating to Idiots and Insane, and Section 2267, Chapter CLXVI (166), Entitled Hospital for the Insane," approved November 24, 1883, Laws of 1883; section 1, page 141, of an act entitled "An Act to Provide for the Permanent Location and Construction of a Hospital for the Insane at Fort Steilacoom in Washington Territory," approved February 3, 1886, Laws of 1886; section 1, chapter LX (60), Laws of 1888; sections 8, 9, 13, 15 to 19, inclusive, 26, and 29 to 40, inclusive, page 482, of an act entitled "An Act in Relation to the Insane of the State of Washington, and Making Appropriations for the Maintenance Thereof, and Declaring an Emergency," approved March 13, 1890, Laws of 1890; section 8, chapter CXIX (119), Laws of 1901; sections 1, 2, 3 and 4, chapter 110, Laws of 1903; sections 3 and 5, chapter 222, Laws of 1909; sections 1 to 8, inclusive, chapter 81, Laws of 1915; chapters 105 and 109, Laws of 1915; chapter 48, Laws of 1921; chapter 145, Laws of 1923; chapter 77, Laws of 1931; chapter 179, Laws of 1947; and sections 1 to 19, inclusive, chapter 198, Laws of 1949, are repealed.

[R.C.W. 71.04, herein repealed, is Rem. Supp. 1947, §§ 6930, 6930a, 6930b, 6930c; R.R.S. § 6930-1; R.R.S. § 6930-4; Rem. Supp. 1947, § 6930-6; R.R.S. § 6930-7; R.R.S. § 6930-8; R.R.S. § 6931; R.R.S. § 6932; Rem. Supp. §§ 6933-6936 incl., R.R.S. §§ 6937 and 6938; R.R.S. §§ 6941 to 6946 incl., R.R.S. § 6952; R.R.S. § 6953.]

[R.C.W. 71.12.020 to 71.12.160, incl., herein repealed, are Rem. Supp. 1949, §§ 6953-4 to 6953-14 incl., and Rem. Supp. 1949, §§ 6953-16 to 6953-19 incl.]

Partial  
invalidity.

SEC. 70. If any section or part thereof of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid pro-

visions, and to this end the provisions of this act are declared to be severable.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

CHAPTER 140

[ H. B. 443. ]

STATE PATROL RETIREMENT SYSTEM.

AN ACT relating to the Washington state patrol retirement system; amending sections 43.43.120, 43.43.130, 43.43.220, 43.43.250, 43.43.260, 43.43.270, 43.43.280, 43.43.300 and 43.43.310, R.C.W., and amending chapter 43.43, R.C.W., by adding thereto a new section.

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

SECTION 1. Section 43.43.120, R.C.W., as derived from section 1, chapter 250, Laws of 1947, is amended to read as follows: Amendment.

As used in the following sections:

(a) "Retirement System" means the Washington state patrol retirement system. "Retirement System."

(b) "Retirement Fund" means the Washington state patrol retirement fund. "Retirement Fund."

(c) "State Treasurer" means the treasurer of the state of Washington. "State Treasurer."

(d) "Member" means any person included in the membership of the retirement fund. "Member."

(e) "Employee" means any commissioned employee of the Washington state patrol. "Employee."

(f) "Beneficiary" means any person in receipt of retirement allowance or any other benefit allowed by this chapter. "Beneficiary."

(g) "Regular Interest" means interest compounded annually at such rates as may be determined by the retirement board. "Regular Interest."

"Retirement Board."

(h) "Retirement Board" means the board provided for in this chapter.

"Insurance Commissioner."

(i) "Insurance Commissioner" means the insurance commissioner of the state of Washington.

"State Auditor."

(j) "State Auditor" means the auditor of the state of Washington.

"Service."

(k) "Service" shall mean periods of employment (including periods of vacation or sick leave) rendered to the Washington state patrol for which compensation has been paid. Full time employment for ten days or more in any given calendar month shall constitute one month of service. Only months of service shall be counted in the computation of any retirement allowance or other benefit provided for in this act. Years of service shall be determined by dividing the total number of months of service by twelve. Any fraction of a year of service as so determined shall be taken into account in the computation of such retirement allowance or benefit.

"Prior service."

(l) "Prior service" shall mean all service rendered to the Washington state patrol prior to August 1, 1947, as a commissioned employee.

"Current service."

(m) "Current service" shall mean all service as a member rendered on or after August 1, 1947.

"Average final salary."

(n) "Average final salary" shall mean the average monthly salary received by a member during his last ten years of service as an employee of the Washington state patrol, or if he has less than ten years of service, then the average monthly salary received by him during his total years of service.

"Actuarial equivalent."

(o) "Actuarial equivalent" shall mean a benefit of equal value when computed upon the basis of such mortality table as may be adopted and such interest rate as may be determined by the board.

[Am. Rem. Supp. 1947, § 6362-81.]

Amendment.

SEC. 2. Section 43.43.130, R.C.W., as derived from section 2, chapter 250, Laws of 1947, is amended to read as follows:

A. A Washington state patrol retirement fund is hereby established for members of the Washington state patrol which shall include funds created and placed under the management of a retirement board for the payment of retirement allowances and other benefits under the provisions hereof.

State patrol retirement fund established.

B. Any employee of the Washington state patrol, upon date of commissioning, shall be eligible to participate in the retirement plan and shall start contributing to the fund immediately. Any employee of the Washington state patrol commissioned before June 11, 1947, shall have the option to participate in the retirement fund, but after that date each new commissioned employee must automatically participate in the fund. If a member shall terminate service of the patrol and later re-enter, he shall be treated in all respects as a new employee.

Commissioned employees eligible.

Option; employees commissioned before June 11, 1947.

Mandatory after that date.

Re-employment.

C. A member of the retirement system who has served or shall serve on active federal service in the armed forces of the United States in time of war or emergency, declared by competent federal authority, who left or shall leave the Washington state patrol to enter such service, and who within one year from termination of such active federal service, resumes employment as a state employee, shall have his service in such armed forces credited to him as a member of the retirement system: *Provided, however,* That no such service in excess of five years shall be credited unless such service was actually rendered during time of war or emergency.

Member serving in armed forces.

Military service credit.

Limitation.

[Am. Rem. Supp. 1947, § 6362-82.]

SEC. 3. Section 43.43.220, R.C.W., as derived from section 11, chapter 250, Laws of 1947, is amended to read as follows:

Amendment.

A. The Washington state patrol retirement fund shall be the fund from which shall be paid all retirement allowances or benefits in lieu thereof which are payable as provided herein. The expenses of operat-

All benefits payable from retirement fund.

Expenses. ing the retirement system shall be paid from appropriations made for the operation of the Washington state patrol.

State contributions. B. The contributions by the state for benefits under the retirement system shall consist of the sum of a percentage of the compensation of members to be known as the current service contribution, and a fixed sum to be known as the prior service contribution.

Current service contribution.  
Prior service contribution.

Current service contribution rate.

C. After the completion of each actuarial valuation, the retirement board shall determine or re-determine the current service contribution rate. Such current service contribution rate shall become effective in the ensuing biennium. Such contribution rate shall be the uniform and constant percentage of the prospective compensation of all members in the retirement system at the date of such valuation required, together with the prospective value of future contributions from members, and all funds (other than funds allocated to prior service benefits) currently standing to the credit of the retirement fund, to provide for the payment of all future benefits for such members (other than prior service benefits).

Prior service contribution rate.

D. The prior service contribution shall be twenty-five thousand dollars in each calendar year following completion of the first actuarial valuation, and shall continue at such rate until the assets of the retirement fund allocated to prior service benefits are equal to the then outstanding liability for prior service benefits.

Biennial estimate.

E. The retirement board shall estimate biennially the amount required to maintain the retirement fund for the ensuing biennium.

[Am. Rem. Supp. 1947, § 6362-91.]

Amendment.

SEC. 4. Section 43.43.250, R.C.W., as derived from section 14, chapter 250, Laws of 1947, is amended to read as follows:



A. Any member who has attained the age of sixty years shall be retired on the first day of the calendar month next succeeding that in which said member shall have attained the age of sixty: *Provided*, That for the first year after June 11, 1947, members who are sixty years of age may have one additional year within which they may retire.

Retirement at sixty.

Exception.

B. Any member who has attained the age of fifty years or over, and has completed twenty-five years of service, may retire upon his written application to the retirement board, setting forth at what time, not less than thirty days subsequent to the execution and filing thereof, he desires to be retired. Any member who shall retire before attaining the age of sixty years, shall receive as a retirement allowance the actuarial equivalent of the retirement allowance based on the total service credited to such member at the date of his retirement, which he would otherwise have received had he remained in service until attaining age sixty.

Age fifty or over with twenty-five years service.

Retirement before sixty; allowance.

[Am. Rem. Supp. 1947, § 6362-94.]

SEC. 5. Section 43.43.260, R.C.W., as derived from section 15, chapter 250, Laws of 1947, is amended to read as follows:

Amendment.

Upon compulsory retirement from service as provided for in paragraph A of section 43.43.250, a member shall be granted a retirement allowance which shall consist of:

Compulsory retirement; allowance.

A. A prior service annuity which shall be equal to one per cent of the member's average final salary multiplied by the number of years of prior service rendered by the member to the Washington state patrol: *Provided*, That a member shall be entitled to prior service benefit only if such member applies for participation in the retirement fund within sixty days after June 11, 1947.

Prior service annuity.

Limitation.

B. A current service annuity which shall be equal to one and seven-tenths per cent of the mem-

Current service annuity.

ber's average final salary multiplied by the number of years of service rendered while a member of the retirement system: *Provided*, That the current service annuity when added to the past service annuity shall not exceed eighteen hundred dollars per annum.

[Am. Rem. Supp. 1947, § 6362-95.]  
 [R.C.W. 43.43.250 is section 4, *supra*, this chapter.]

Limitation.

Amendment.

SEC. 6. Section 43.43.270, R.C.W., as derived from section 16, chapter 250, Laws of 1947, is amended to read as follows:

Normal allowance, life annuity.

A. The normal form of retirement allowance shall be an annuity which shall continue as long as the member lives.

Optional retirement allowance.

B. Prior to the effective date of his retirement, a member may elect to accept the normal retirement allowance heretofore mentioned or he may elect to receive the actuarial equivalent, at the time of his normal retirement, of such normal retirement allowance as an optional retirement allowance payable throughout life in accordance with the provisions of options I and II, as hereinafter set forth.

Same; conditions.

C. No member may elect an optional retirement allowance unless he either:

Written election to be filed.

1. Files such election in writing with the retirement board at least three years before the date of his retirement, or

2. Files such election within three months after the effective date of this act, or

Health examination.

3. Passes a satisfactory health examination at the time of making such election. No election of an optional retirement allowance shall be effective in case the member making such election dies before retirement.

Election ineffective on death before retirement.

Revocation by member.

D. A member may be permitted to revoke such designations any time prior to retirement but after such revocation future designations may be made only with the consent of the retirement board. If a

joint annuitant should die before the member retires, the member shall be entitled to the normal retirement allowance.

Death of joint annuitant.

Option I. Upon his death his optional retirement allowance shall be continued throughout the life of and be paid to such person as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his election of this option; or

Option I.

Option II. Upon his death one-half of his optional retirement allowance shall be continued throughout the life of and be paid to such person, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his election of this option.

Option II.

[Am. Rem. Supp. 1947, § 6362-96.]

SEC. 7. Section 43.43.280, R.C.W., as derived from section 17, chapter 250, Laws of 1947, is amended to read as follows:

Amendment.

A. If a member dies before retirement, all contributions made by him with interest at two and one-half per cent compounded annually shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representative.

Death before retirement; payment to designee or legal representative of members contributions and interest.

B. If after retirement a member dies before he has received an amount equal to his own contributions with interest compounded to the date of his retirement, the excess shall be paid to such person or persons as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representative.

Death after retirement.

Payment of excess.

C. If a member should cease to be an employee before attaining age sixty for reasons other than his death, or retirement, he may request upon a form

Other termination of employment before reaching sixty.

Refund. provided by the retirement board a refund of all or part of his contributions to the retirement fund, with interest at two and one-half per cent compounded annually, and this amount shall be paid to him.

[Am. Rem. Supp. 1947, § 6362-97.]

Amendment. SEC. 8. Section 43.43.310, R.C.W., as derived from section 20, chapter 250, Laws of 1947, is amended to read as follows:

Allowances exempt from taxes and legal processes.

The right of any person to a retirement allowance or optional retirement allowance under the provisions hereof and all moneys and investments and income thereof are exempt from any state, county, municipal, or other local tax and shall not be subject to execution, garnishment, attachment, the operation of bankruptcy or the insolvency laws, or other processes of law whatsoever and shall be unassignable except as herein specifically provided.

Assignment.

[Am. Rem. Supp. 1947, § 6362-100.]

Amendment. SEC. 9. Section 43.43.300, R.C.W., as derived from section 19, chapter 250, Laws of 1947, is amended to read as follows:

Member contributions.

Beginning on July 1, 1951, every Washington state patrol employee who is a member of the retirement fund shall contribute five per centum of his monthly salary, which the state auditor shall deduct from the compensation of each member on each and every payroll: *Provided*, That the amount of a member's salary in excess of thirty-six hundred dollars per annum shall not be subject to deduction.

No refund on state's contribution.

In event a member severs his connection with the Washington state patrol or is dismissed, the amount paid by the state of Washington shall remain in the retirement fund.

[ Am. Rem. Supp. 1947, § 6362-99.]

New section.

SEC. 10. Chapter 43.43, R.C.W., as derived from chapter 250, Laws of 1947, is amended by adding thereto a new section to read as follows:

In any case where the Washington state patrol retirement system has in existence an agreement with another retirement system in connection with exchange of service credit or an agreement whereby members can retain service credit in more than one system, an employee holding membership in, or receiving pension benefits under, any retirement plan operated wholly or in part by an agency of the state or political subdivision thereof, or who is by reason of his current employment contributing to or otherwise establishing the right to receive benefits from any such retirement plan, shall be allowed membership rights should the agreement so provide.

Agreement  
with another  
system.

Passed the House February 26, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 141.

[ H. B. 451. ]

### STATE EMPLOYEES' RETIREMENT SYSTEM.

AN ACT relating to state employees' retirement system and to optional retirement and optional allowances thereunder, and amending sections 41.40.270 and 41.40.290, R.C.W.

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

SECTION 1. Section 41.40.270, R.C.W., as derived from section 19, chapter 240, Laws of 1949, is amended to read as follows:

Amendment.

Should a member die before commencement of his service retirement allowance as provided in 41.40.180, 41.40.190, 41.40.210 and 41.40.240 and while such member is not receiving a non-duty disability retirement allowance as provided in 41.40.200, the amount of the accumulated contributions standing to his credit in the employees' savings fund, at the time of his death, shall be paid to such person or

Death before  
commence-  
ment of  
retirement  
allowance;  
accumulated  
contribu-  
tions, to  
whom  
payable.

persons, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives: *Provided, however,* That this section, unless elected, shall not apply to any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of seventy years or more as provided for in section 41.40.290 when said member has elected option II or has a surviving spouse.

Section not applicable, when.

- [Am. Rem. Supp. 1949, § 11072-28.]
- [R.C.W. 41.40.180 is Rem. Supp. 1949, § 11072-19.]
- [R.C.W. 41.40.190 is Rem. Supp. 1949, § 11072-20.]
- [R.C.W. 41.40.210 is Rem. Supp. 1947, § 11072-22.]
- [R.C.W. 41.40.240 is Rem. Supp. 1947, § 11072-25.]
- [R.C.W. 41.40.200 is Rem. Supp. 1949, § 11072-21.]
- [R.C.W. 41.40.290 appears as Sec. 2, *supra*, this chapter.]

Amendment. SEC. 2. Section 41.40.290, R.C.W., as derived from section 20, chapter 240, Laws of 1949, is amended to read as follows:

Optional retirement allowance.

Any member may elect, in accordance with the provisions of this section and in lieu of a regular retirement allowance payable throughout life with termination at death, to receive as an optional retirement allowance the actuarial equivalent, at the time of his retirement, of his regular retirement allowance in accordance with the provisions of options I, II and III, as hereinafter set forth. No member may elect an optional retirement allowance unless he either: (a) Files such election in writing with the retirement board at least twelve months before the date of his retirement, or (b) In the case of a member retiring before April 1, 1950, file such election in writing with the retirement board before the date of his retirement and before October 1, 1949, or (c) Passes a satisfactory health examination at the time of making such election. No election of an optional retirement allowance shall be effective in case the member making such election dies before his actual retirement date: *Provided, however,* That

Election; conditions.

Election ineffective on death before retirement.

any option selected in writing by any member who shall have heretofore died or who shall hereafter die while still in service at an attained age of seventy years or more shall be effective and in any such case if no such option shall have been selected, then option II shall automatically be given effect as if in fact selected for the benefit of the surviving spouse, unless such spouse shall elect to take payment under section 41.40.270. Exception.

Option I. If he dies before the total of the annuity portions of the retirement allowance paid to him equals the amount of his accumulated contributions at the time of retirement, then the balance shall be paid to such person or persons having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board, or if there be no such designated person or persons, then to his legal representatives; or Option I.

Option II. Upon his death his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement; or Option II.

Option III. Upon his death, one-half of his reduced retirement allowance shall be continued throughout the life of and paid to such person, having an insurable interest in his life, as he shall have nominated by written designation duly executed and filed with the retirement board at the time of his retirement. Option III.

[Am. Rem. Supp. 1949, § 11072-30.]

[R.C.W. 41.40.270 is Rem. Supp. 1949, § 11072-28.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 142.

[ H. B. 475. ]

LEGISLATIVE COUNCIL—EXPENSE ALLOWANCE.

AN ACT increasing the expense allowance of members of the legislative council, and amending section 44.24.060, R.C.W.

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

Amendment.

SECTION 1. Section 44.24.060, of the Revised Code of Washington, derived from section 6 of chapter 36 of the Laws of 1947, is hereby amended to read as follows:

Reimbursed for expenses.

The members of the council shall be reimbursed for their expenses incurred while attending sessions of the council or meetings of any subcommittees of the council or while engaged on other council business authorized by the council to the extent of fifteen dollars per day plus eight cents per mile in going and coming from council sessions or subcommittee meetings or for travel on other council business authorized by the council. All expenses incurred by the council, including salaries of employees, shall be paid upon voucher forms as provided by the state auditor and signed by the chairman or vice-chairman of the council and attested by the secretary of said council, and the authority of said chairman and secretary to sign vouchers shall continue until their successors are selected in each ensuing session of the legislature. Vouchers may be drawn upon funds appropriated generally by the legislature for legislative expenses or upon any special appropriation which may be provided by the legislature for the expenses of the council.

Vouchers.

[Am. Rem. Supp. 1947, § 8207-6.]

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.



CHAPTER 143.

[ H. B. 483. ]

OBSTRUCTION OF COUNTY ROADS BY LOGS.

AN ACT relating to the obstruction of county roads by logs.

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

SECTION 1. A new section is added to chapter 36.86, R.C.W., as derived from chapter 187, Laws of 1937, to read as follows: Amendment.

Logs dumped on any county road right-of-way or in any county road drainage ditch due to hauling equipment failure, or for any other reason, shall be removed within ten days. Logs remaining within any county road right-of-way for a period of thirty days shall be confiscated and removed or disposed of as directed by the boards of county commissioners in the respective counties. Confiscated logs may be sold by the county commissioners and the proceeds thereof shall be deposited in the county road fund. Disposition of logs in county road right-of-way or drainage ditch.

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 144.

[ H. B. 545. ]

WAR PROJECTS OR DEFENSE PROJECTS  
INSURANCE RATING PLANS.

AN ACT relating to industrial insurance; amending sections 1 and 2, chapter 85, Laws of 1943 (uncodified), and declaring an emergency.

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

Amendment. SECTION 1. Section 1, chapter 85, Laws of 1943 (uncodified), is amended to read as follows:

Insurance rating plans. Section 1. The department of labor and industries upon the request of the secretary of defense of the United States or the chairman of the United States atomic energy commission, may approve or promulgate war projects insurance rating plans or defense projects insurance rating plans, providing for insurance with respect to cost plus fixed fee projects, and all war, defense, or other contracts in the national interest of every kind and nature, involved in the prosecution of the war, national defense or national interest, and engaged in the performance of the work, either directly or indirectly, for the United States, regardless of whether such plan conforms to the requirements specified in the industrial insurance law of this state whenever the department finds that the application of such plan will effectively aid the national interest, the prosecution of the war or the defense of the United States; and the department may further approve or direct changes or modifications of such plans.

Plans providing for pensions. Whenever war projects insurance rating plans or defense projects insurance rating plans provide for pensions, and funds are paid in for pensions pursuant to said plans, the state finance committee is authorized to invest said pension funds in national, state, county, municipal, or school district bonds as such

Investment of pension funds.

plans heretofore or hereafter provide for and not otherwise.

SEC. 2. Section 2, chapter 85, Laws of 1943 (uncodified), is amended to read as follows: Amendment.

Section 2. This act shall remain effective during the continued existence of the emergency proclaimed by the president of the United States on May 27, 1941, in Proclamation 2487, during the continued existence of the emergency proclaimed by the president of the United States on December 16, 1950, in Proclamation 2914, or during the time the amendment of title II of the first war powers act of 1941, approved by the congress of the United States and the president January 12, 1951, is in effect, whichever is later, and any contracts or plans entered into under the terms of this act shall remain in full force and effect in accordance with such terms of such contracts or plans and for such period as the department of labor and industries deems necessary to accomplish the purpose of this act. Act effective during emergencies.

SEC. 3. Section 3, chapter 85, Laws of 1943 (uncodified), is amended to read as follows: Amendment.

Section 3. If any provisions of this act or the application thereof to any person or circumstances is held invalid for any reason, such determination shall not affect other provisions or applications of the act which can be given effect without the invalid provisions, and to this end the provisions of this act are declared to be severable. Partial invalidity.

SEC. 4. 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. Emergency.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 145.

[ H. B. 556. ]

## DISPOSITION OF OBSOLETE PUBLIC RECORDS.

AN ACT relating to disposition of obsolete public records and papers, amending section 40.12.010, 40.12.040, 40.12.050, 40.12.060, 40.12.080, R.C.W., and adding thereto a new section to be known as section 40.12.110, R.C.W.

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

Amendment. SECTION 1. Section 40.12.010, R.C.W., as derived from section 1, chapter 109, Laws of 1941, is amended to read as follows:

Destruction  
by director  
upon written  
authority of  
committee.

The director of public institutions, hereinafter referred to as the director, shall cause to be destroyed such public records as shall be determined to be of no further value either for administrative or historical purposes when authorized in writing by committee hereinafter created.

[Am. Rem. Supp. 1941, § 10964-20.]

Amendment. SEC. 2. Section 40.12.040, R.C.W., as derived from section 3, chapter 109, Laws of 1941, is amended to read as follows:

Committee  
created.

A committee composed of the director of budget, the state auditor, the secretary of state, the attorney general, the state librarian and a representative of the history department of the University of Washington, to be designated by the president thereof, hereinafter referred to as the committee, is hereby created. It shall determine what records shall be authorized to be destroyed. Authorization shall be by majority vote of the committee entered upon an authenticated list of records authorized to be destroyed. A copy of such authorization, accompanied by the authenticated list, shall be filed as a public record in the office of the secretary of state.

[Am. Rem. Supp. 1941, § 10964-22.]

Amendment. SEC. 3. Section 40.12.050, R.C.W., as derived from section 4, chapter 109, Laws of 1941, is amended to read as follows:

Duty.

Authoriza-  
tion.

For the purposes of this act, public records are defined and classified as follows:

Public records classified.

(a) Official public records, to include all original vouchers, receipts and other documents necessary to isolate and prove the validity of every transaction relating to the receipt, use and disposition of all public property and public income from all sources whatsoever; agreements and contracts to which the state of Washington or any office, department or agency is a party; fidelity, surety and performance bonds; claims filed against the state of Washington or any agency thereof; records or documents required by law to be filed with, or kept by any agency; other documents or records determined by the committee, herein created, to be official public records: *Provided*, That in no instance shall such official public records be destroyed until they are either photographed, microphotographed, photostated, reproduced on film, or are ten years old.

Official public records.

May be destroyed, when.

(b) Office files and memoranda, to include all records, correspondence, exhibits, books, booklets, drawings, maps or documents not defined and classified as official public records above; duplicate copies of official public records filed with any state agency; documents and reports made for the internal administration of the office to which they pertain but not required by law to be filed or kept by such agency; documents or records determined by the committee to be office files or memoranda.

Office files and memoranda.

Upon written request of the executive officer of any department, commission or other agency of the state government the committee shall determine and fix the period of time that any office file or memorandum shall be preserved and may authorize such officer to destroy said office files or memoranda or make such other disposition thereof as the committee shall direct, at the expiration of such period of time.

Same; committee to fix period of preservation.

[Am. Rem. Supp. 1941, § 10964-23.]

Amendment. SEC. 4. Section 40.12.060, R.C.W., as derived from section 5, chapter 109, Laws of 1941, is amended to read as follows:

Traveling expenses. Members of the committee shall serve without additional salary but shall be entitled to actual traveling expense incurred incident to their services which shall be paid from appropriation made for the operation of capitol buildings and grounds.

[Am. Rem. Supp. 1941, § 10964-24.]

Amendment. SEC. 5. Section 40.12.080, R.C.W., as derived from section 8, chapter 109, Laws of 1941, is amended to read as follows:

County and city records. May be destroyed, when. In order to provide available space for the filing and storage of current county and city records, the various county auditors and city clerks in the state may, under the provisions set forth herein, destroy the following old records: warrants, vouchers, tax and other miscellaneous receipts, tax rolls and tax roll accounts, or any other old records that may be approved for destruction in writing, by the state auditor, through the division of municipal corporations: *Provided*, That in no instance shall such records be destroyed until they are either photographed, microphotographed, photostated or reproduced on film as provided in chapter 40.20, R.C.W., or are ten years old.

[Am. Rem. Supp. 1941, § 10964-27.]

[Ch. 40.20 R.C.W. is derived from secs. 1-3 incl., ch. 223, L. '49, Rem. Supp. 1949, §§ 1257-4 to 1257-6 incl.]

New section. SEC. 6. There is hereby added a new section to be known as section 40.12.110, as follows:

No repeals intended. The provisions of this act shall not be construed as repealing or modifying any other acts or parts of other acts authorizing the destruction of public records.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 146.

[ H. B. 143. ]

## OIL AND GAS CONSERVATION ACT.

AN ACT relating to the conservation of oil and gas; creating an oil and gas conservation committee; defining its powers and duties; authorizing certain practices, and defining certain crimes.

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

SECTION 1. It is hereby declared to be in the public interest to foster, encourage, and promote the development, production, and utilization of oil and gas in the state in such manner as will prevent waste; to authorize and to provide for the operation and development of oil and gas properties in such manner as to assure that the maximum economic recovery of oil and gas may be obtained and the rights of owners thereof fully protected; and to encourage, authorize, and provide for cycling, recycling, pressure maintenance and secondary recovery operations in order that the maximum economic recovery of oil and gas may be obtained to the end that land owners, royalty owners, producers, and the general public may realize and enjoy the greatest possible benefits from these vital resources.

Declaration  
of public  
interest.

SEC. 2. This act shall be known as the "Oil and Gas Conservation Act."

Short title.

SEC. 3. For the purposes of this act, unless the text otherwise requires, the following terms shall have the following meanings:

Definitions.

(1) "Waste" in addition to its ordinary meaning, shall mean "physical waste" as that term is generally understood in the petroleum industry, and shall include:

"Waste."

(a) The inefficient, excessive or improper use of, or unnecessary dissipation of, reservoir energy; and the locating, spacing, drilling, equipping, operat-

ing or producing of any oil or gas well in a manner which results, or tends to result in reducing the quantity of oil or gas to be recovered from any pool in this state under operations conducted in accordance with good oil field engineering practices;

(b) The inefficient above ground storage of oil; and the locating, spacing, drilling, equipping, operating or producing of any oil or gas well in a manner causing, or tending to cause, unnecessary or excessive surface loss or destruction of oil or gas;

(c) Producing oil or gas in such manner as to cause unnecessary water channeling, or coning;

(d) The operation of an oil well with an inefficient gas-oil ratio;

(e) The drowning with water of any pool or part thereof capable of producing oil or gas, except insofar as, and to the extent, authorized by the committee hereunder;

(f) Underground waste;

(g) The creation of unnecessary fire hazards;

(h) The escape into the open air, from a well producing oil or gas, of gas in excess of the amount which is reasonably necessary in the efficient development or production of the well;

(i) The use of gas for the manufacture of carbon black, except as provided in section 15 hereof; and

(j) Production of oil and gas in excess of the reasonable market demand.

"Oil."

(2) "Oil" shall mean crude petroleum oil, and any other hydrocarbons regardless of gravity, which are produced at the well in liquid form by ordinary production methods or which are the result of condensation of gaseous hydrocarbons before or after they leave the reservoir, other than gas produced in association with oil and commonly known as wet gas.

"Gas."

(3) "Gas" shall mean all natural gas and other fluid or gaseous hydrocarbons not defined as oil in



subsection (2) above, including wet gas, dry gas and residue gas as those terms are generally understood in the petroleum industry.

(4) "Pool" shall mean an underground reservoir proven to contain a common accumulation of oil or gas, or both. Each zone of a general structure which is completely separated from any other zone in the structure is covered by the term "pool" as herein used. "Pool."

(5) "Field" shall mean the general area which is underlaid by at least one pool and shall include the underground reservoir or reservoirs containing oil or gas, or both. The words "field" and "pool" mean the same thing when only one underground reservoir is involved; however, "field," unlike "pool," may relate to two or more pools. "Field."

(6) "Lessee" shall mean the lessee under an oil and gas lease, or the owner of any land or mineral rights who conducts or carries on any oil and gas development, exploration and operation thereon, or any person so operating for himself or others. "Lessee."

(7) "Person" shall mean any natural person, corporation, association, partnership, receiver, trustee, executor, administrator, guardian, fiduciary, or representative of any kind. "Person."

SEC. 4. There is hereby created and established an oil and gas conservation committee, which shall consist of the governor, the land commissioner, and the state auditor together with the director of conservation and development and the state treasurer. The governor shall be the chairman of this committee, and the commissioner of public lands shall be its executive secretary. The members of the committee may act through designated agents or deputies for the purpose of carrying out the provisions of this act. Oil and gas conservation committee created.  
Agents or deputies.

SEC. 5. The committee shall hold hearings at such times and places as may be found by the committee to be necessary to carry out its duties. The commit- Hearings.

tee may establish its own rules for the conduct of public hearings.

Employment of personnel.

SEC. 6. The committee shall have the authority and it shall be its duty to employ all personnel necessary to carry out the provisions of this act.

Powers.

SEC. 7. The committee shall have the power to summon witnesses, to administer oaths, and to require the production of records, books, and documents for examination at any hearing or investigation conducted by it. No person shall be excused from attending and testifying, or from producing books, papers, and records before the committee or a court, or from obedience to the subpoena of the committee or a court, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture: *Provided*, That nothing herein contained shall be construed as requiring any person to produce any books, papers, or records, or to testify in response to any inquiry not pertinent to some question lawfully before such committee or court for determination.

Self incrimination privilege not applicable.

No person shall be subjected to criminal prosecution or to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which, in spite of his objection, he may be required to testify or produce evidence, documentary or otherwise before the committee or court, or in obedience to its subpoena: *Provided, however*, That no person testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

Limitation.

No person shall be subjected to criminal prosecution or to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which, in spite of his objection, he may be required to testify or produce evidence, documentary or otherwise before the committee or court, or in obedience to its subpoena: *Provided, however*, That no person testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

No liability as result of producing such evidence.

SEC. 8. In case of failure or refusal on the part of any person to comply with a subpoena issued by the committee or in case of the refusal of any witness to testify as to any matter regarding which he may be interrogated, any superior court in the state, upon the application of the committee, may compel him to comply with such subpoena, and to attend before

Limitation.

Failure to comply.

SEC. 8. In case of failure or refusal on the part of any person to comply with a subpoena issued by the committee or in case of the refusal of any witness to testify as to any matter regarding which he may be interrogated, any superior court in the state, upon the application of the committee, may compel him to comply with such subpoena, and to attend before

May compel obedience.

the committee and produce such records, books, and documents for examination, and to give his testimony and shall have the power to punish for contempt as in the case of disobedience to a like subpoena issued by the court, or for refusal to testify, therein. Contempt.

SEC. 9. The attorney general shall be the attorney for the committee: *Provided*, That in cases of emergency, the committee may call upon the prosecuting attorney of the county where the action is to be brought, or defended, to represent the committee until such time as the attorney general may take charge of the litigation. Attorney general. Emergency.

SEC. 10. It shall be the duty of the committee to administer and enforce the provisions of this act, and all rules, regulations and orders promulgated hereunder, and the committee is hereby vested with jurisdiction, power and authority, over all persons and property, public and private, necessary to enforce effectively such duty. Enforcement. Jurisdiction.

SEC. 11. The committee shall have authority to make such reasonable rules, regulations and orders as may be necessary from time to time for the proper administration and enforcement of this act. Unless otherwise required by law or by this act or by rules of procedure made under this act, the committee may make such rules, regulations and orders, after notice, as the basis therefor. The notice may be given by publication in some newspaper of general circulation in the state in a manner and form which may be prescribed by the committee by general rule. The public hearing shall be at the time and in the manner and at the place prescribed by the committee, and any person having any interest in the subject matter of the hearing shall be entitled to be heard. Rules and regulations. Notice. Hearing.

SEC. 12. Any interested person shall have the right to have the committee call a hearing for the Interested persons.

Petition for hearing.

Action pursuant to hearing.

Rules, orders, notices, etc., open to inspection.

Copies received in evidence.

Drilling of well prohibited until application made and fee paid.

Form of application.

purpose of taking action with respect to any matter within the jurisdiction of the committee by filing a verified written petition therefor, which shall state in substance the matter and reasons for and nature of the action requested. Upon receipt of any such request the committee, if in its judgment a hearing is warranted and justifiable, shall promptly call a hearing thereon, and after such hearing, and with all convenient speed, and in any event within twenty days after the conclusion of such hearing, shall take such action with regard to the subject matter thereof as it may deem appropriate.

SEC. 13. All rules, regulations and orders of the committee, all petitions, copies of all notices and actions with affidavits of posting, mailing or publications pertaining thereto, all findings of fact, and transcripts of all hearings shall be in writing and shall be entered in full by the committee in the permanent official records of the office of the commissioner of public lands and shall be open for inspection at all times during reasonable office hours. A copy of any rule, regulation, order, or other official records of the committee, certified by the executive secretary of the committee, shall be received in evidence in all courts of this state with the same effect as the original. The committee is hereby required to furnish for the public on request all rules, regulations, orders, and amendments thereof.

SEC. 14. Any person desiring or proposing to drill any well in search of oil or gas, before commencing the drilling of any such well, shall notify the committee upon such form as the committee may prescribe, and shall pay to the state treasurer a fee of one hundred dollars for each such permit. The drilling of any well is prohibited until such notice is given and such fee has been paid as herein provided. The committee shall have the authority to prescribe that the said form indicate the exact location

of such well, the name and address of the owner, operator, contractor, driller, and any other person responsible for the conduct of drilling operations, the proposed depth of the well, the elevation of the well above sea level, and such other relevant and reasonable information as the committee may deem necessary or convenient to effectuate the purposes of this act.

SEC. 15. Waste of oil and gas, as defined in this act, is prohibited.

Waste prohibited.

SEC. 16. The use of gas from a well producing gas only, or from a well which is primarily a gas well, for the manufacture of carbon black or similar products predominantly carbon, is declared to constitute waste *prima facie*, and such gas well shall not be used for any such purpose unless it is clearly shown, at a public hearing to be held by the committee, on application of the person desiring to use such gas, that waste would not take place by the use of such gas for the purpose or purposes applied for, and that gas which would otherwise be lost is not available for such purpose or purposes, and that the gas to be used cannot be used for a more beneficial purpose, such as for light or fuel purposes, except at prohibitive cost, and that it would be in the public interest to grant such permit. If the committee finds that the applicant has clearly shown a right to use such gas for the purpose or purposes applied for, it shall issue a permit upon such terms and conditions as may be found necessary in order to permit the use of the gas, and at the same time require compliance with the intent of this section.

Certain manufacture of carbon products declared waste *prima facie*.

Hearing.

Permit.

SEC. 17. The committee has authority, and it shall be its duty, to make such investigations as it may deem proper to determine whether waste exists or is imminent or whether other facts exist which justify action by the committee.

Investigations.

Committee may require:

SEC. 18. The committee has authority to require:

Identification of ownership.

(1) Identification of ownership of oil or gas wells, producing leases, tanks, plants, structures, and facilities for the transportation or refining of oil or gas;

Filing of logs, surveys and reports.

(2) The making and filing of well logs, directional surveys, and reports on well locations, drilling, and production;

Operation so as to prevent certain occurrences.

(3) The drilling, casing, operating, and plugging of wells in such manner as to prevent the escape of oil or gas out of one pool into another, the intrusion of water into an oil or gas pool, the pollution of fresh water supplies by oil, gas, or salt water, and to prevent blow-outs, cavings, seepages, and fires;

Bond.

(4) The furnishing of a reasonable bond with good and sufficient surety, conditioned on the performance of the duty to plug each dry or abandoned well;

Efficient ratios.

(5) The operation of wells with efficient gas-oil and water-oil ratios, and to fix these ratios;

Accurate measurements.

(6) That the production of oil and gas from wells be accurately measured by such means and upon such standards as may be prescribed by the committee, and that every person who produces, sells, purchases, acquires, stores, transports, refines, or processes oil or gas in this state shall keep and maintain within this state complete and accurate records thereof, which records shall be available for examination by the committee or its agents at all reasonable times, and that every such person file with the committee such reports as it may prescribe with respect to such oil or gas; and

Records.

Reports.

Compliance with the law.

(7) Compliance with each and all of the applicable statutes of this state and the rules and regulations of the supervisor of forestry for the prevention of unreasonable loss or damage to timber.

Committee may regulate:

SEC. 19. The committee shall have further authority to regulate:

(1) The drilling, producing, spacing, and plugging of wells, and all other operations for the production of oil or gas;

Operations for production.

(2) The shooting and chemical treatment of wells;

Treatment of wells.

(3) Operations to increase ultimate recovery such as cycling of gas, the maintenance of pressure, and the introduction of gas, water, or other substances into producing formations;

Ultimate recovery.

(4) Disposal of salt water and oil field brines;

Disposals.

(5) The storage, processing, and refining of natural gas and oil produced within this state.

Storage, refining, processing.

SEC. 20. The committee has authority to limit and to prorate oil or gas produced in this state and to restrict future production of oil and gas from any pool in such amounts as will offset and compensate for any production determined by the committee to be in excess of or in violation of "oil allowable" or "gas allowable" as defined herein.

Restrictions on future production.

SEC. 21. The committee also has authority to classify wells as oil or gas wells for purposes material to the interpretation or enforcement of this act.

Committee may classify wells.

SEC. 22. When necessary to prevent waste, to avoid the drilling of unnecessary wells, or to protect correlative rights, the committee shall establish well spacing areas. Well spacing areas when established shall be of uniform size and shape for the entire pool, except that when found to be necessary for any of the purposes above mentioned, the committee is authorized to divide any pool into zones and establish well spacing areas for each zone, which areas may differ in size and shape from those established in any other zone.

Well spacing areas.

SEC. 23. The size and the shape of well spacing areas are to be such as will result in the efficient and economical development of the pool as a whole, and the size shall not be smaller than the maximum area

Same; size and shape.

that can be efficiently drained by one well, nor greater than forty acres for oil or one hundred sixty acres for gas only.

Order establishing well spacing areas in accordance with plan.

SEC. 24. An order establishing well spacing areas for a pool shall specify the size and shape of each area and the location of the permitted well thereon in accordance with a reasonable uniform spacing plan. Upon application and after hearing, if the committee finds that a well drilled at the prescribed location would not produce in paying quantities, or that surface conditions would substantially add to the burden or hazard of drilling such well, the committee is authorized to enter an order permitting the well to be drilled at a location other than that prescribed by such spacing order; however, the committee shall include in the order suitable provisions to prevent the production from the well spacing area of more than its just and equitable share of the oil and gas in the pool.

Variance in location.

Modification of order; to include additional areas underlaid by pool.

SEC. 25. An order establishing well spacing areas for a pool shall cover all lands determined or believed to be underlaid by such pool, and may be modified by the committee from time to time to include additional areas determined to be underlaid by such pool. When the committee determines that it is necessary for the prevention of waste, or to avoid the drilling of unnecessary wells, or to protect correlative rights, an order establishing well spacing areas in a pool may be modified by the committee to increase the size of well spacing areas in the pool or any zone thereof, or to permit the drilling of additional wells on a reasonably uniform plan in the pool, or any zone thereof.

Same; prevention of waste, etc.

Separately owned tracts within one spacing area; voluntary combination.

SEC. 26. When two or more separately owned tracts are embraced within a well spacing area, or when there are separately owned interests in all or a part of the well spacing area, then the owners and lessees thereof may combine their interests for the



development and operation of the well spacing area. In the absence of this voluntary combination, the committee, upon the application of any interested person, shall enter an order combining all interests in the well spacing area for the development and operation thereof. Each such combining order shall be made after notice and hearing, and shall be upon terms and conditions that are just and reasonable, and that afford to the owner of each tract or interest in the well spacing area the opportunity to recover or receive, without unnecessary expense or penalty, his just and equitable share. Operations incident to the drilling of a well upon any portion of a well spacing area covered by a combining order shall be deemed, for all purposes, the conduct of such operations upon each separately owned tract in the well spacing area by the several owners thereof. That portion of the production allocated to each tract included in a well spacing area covered by a combining order shall, when produced, be deemed for all purposes to have been produced from such tract by a well drilled thereon.

Combining orders.

Basis.

Operations under.

Production deemed from individual tracts.

SEC. 27. Each such combining order shall make provision for the drilling and operation of a well on the well spacing area, and for the payment of the reasonable actual cost thereof by the owners of interests in the well spacing area, plus a reasonable charge for supervision. In the event of any dispute as to such costs the committee shall determine the proper costs. If one or more of the owners shall drill and operate, or pay the expenses of drilling and operating the well for the benefit of others, then, the owner or owners so drilling or operating shall have a lien on the share of production from the well spacing area accruing to the interest of each of the other owners for the payment of his proportionate share of such expenses. Such lien shall be only against the said share of production, and

Combining orders; required provisions.

Costs.

Drilling for benefit of another.

Lien against production for expenses.

Sale; proceeds applied to expenses.

not against any interest, estate, equity or title of any of the said other owners. All the oil and gas subject to the lien shall be marketed and sold and the proceeds applied in payment of the expenses secured by such lien.

"Wildcat" wells; logs, surveys, and reports on request shall be confidential.

SEC. 28. Whenever the committee shall require the making and filing of well logs, directional surveys or reports on the drilling of, subsurface conditions found in, or reports with respect to the substance produced, or capable of being produced from, a "wildcat" or "exploratory" well, as those terms are used in the petroleum industry, such logs, surveys, reports or information shall be kept confidential by the committee for a period of one year, if at the time of filing such logs, surveys, reports or other information, the owner, lessee, or operator of such well requests that such information be kept confidential: *Provided, however,* That the committee shall have the right to divulge or use such information in a public hearing or suit when it is necessary for the enforcement of the provisions of this act or any rule, regulation or order made hereunder.

Information may be used, when.

Oil; limitation of production.

SEC. 29. Whenever the total amount of oil which all of the pools in this state can currently produce in accordance with good operating practices, exceeds the amount reasonably required to meet the reasonable market demand, the committee shall limit the oil which may be currently produced in this state to an amount, designated the "oil allowable." The committee shall then prorate this "oil allowable" among the pools on a reasonable basis, avoiding undue discrimination among the pools, and so that waste will be prevented. In determining the "oil allowable," and in prorating such "oil allowable" among the pools in the state, the committee shall take into account the producing conditions and other relevant facts with respect to such pools, including the separate needs for oil and gas, and separate needs for

"Oil allowable."

Prorated.

"Oil allowable"; standards.

oil of particular kinds or qualities, and shall formulate rules setting forth standards or a program for the determination of the "oil allowable," and shall prorate the "oil allowable" in accordance with such standards or program, and where conditions in one pool or area are substantially similar to those in another pool or area, then the same standards or program shall be applied to such pools or areas so that as far as practicable a uniform program will be followed: *Provided, however,* That if the amount prorated to a pool as its share of the "oil allowable" is in excess of the amount which the pool can efficiently produce currently, then the committee shall prorate to such pool the maximum amount which can be efficiently produced currently without waste.

Amount prorated not to exceed maximum pool production.

SEC. 30. The committee shall not be required to determine the reasonable market demand applicable to any single pool of oil except in relation to all pools producing oil of similar kind and quality and in relation to the reasonable market demand. The committee shall prorate the "allowable" in such manner as will prevent undue discrimination against any pool or area in favor of another or others resulting from selective buying or nomination by purchasers.

Reasonable market demand; determination of.

Proration; discrimination to be prevented.

SEC. 31. Whenever the total amount of gas which all of the pools in this state can currently produce in accordance with good operating practice exceeds the amount reasonably required to meet the reasonable market demand, the committee shall limit the gas which may be currently produced to an amount, designated as the "gas allowable," which will not exceed the reasonable market demand for gas. The committee shall then prorate the "gas allowable" among the pools on a reasonable basis, avoiding undue discrimination among the pools, and so that waste will be prevented, giving due consideration to

Gas; limitation of production.

"Gas allowable."

Prorated.

Basis.

location of pipe lines, cost of interconnecting such pipe lines, and other pertinent factors, and insofar as applicable, the provisions of section 29 shall be followed in determining the "gas allowable" and in prorating such "gas allowable" among the pools therein: *Provided, however,* That in determining the reasonable market demand for gas as between pools, the committee shall give due regard to the fact that gas produced from oil pools is to be regulated in a manner which will protect the reasonable use of gas energy for oil production and promote the most or maximum efficient recovery of oil from such pools.

Protection  
of gas  
energy.

Where  
total gas  
production  
unlimited.

Limiting  
production  
of single  
pools.

SEC. 32. Whenever the total amount of gas which may be currently produced from all of the pools in this state has not been limited as hereinabove provided, and the available production from any one pool containing gas only is in excess of the reasonable market demand or available transportation facilities for gas from such pool, the committee shall limit the production of gas from such pool to that amount which does not exceed the reasonable market demand or transportation facilities for gas from such pool.

Single pool;  
limited pro-  
duction to be  
prorated  
among  
producers.

SEC. 33. Whenever the committee limits the total amount of oil or gas which may be produced from any pool to an amount less than that which the pool could produce if no restrictions were imposed (whether incidental to, or without, a limitation of the total amount of oil which may be produced in the state) the committee shall prorate the allowable production for the pool among the producers in the pool on a reasonable basis, so that each producer will have opportunity to produce or receive his just and equitable share, subject to the reasonable necessities for the prevention of waste, giving where reasonable, under the circumstances, to each pool with small wells of settled production, allowable produc-

tion which prevents the premature abandonment of wells in the pool.

All orders establishing the "oil allowable" and "gas allowable" for this state, and all orders prorating such allowables as herein provided, and any changes thereof, for any month or period shall be issued by the committee on or before the fifteenth day of the month preceding the month for which such orders are to be effective, and such orders shall be immediately published in some newspaper of general circulation printed in Olympia, Washington. No orders establishing such allowables, or prorating such allowables, or any changes thereof, shall be issued without first having a hearing, after notice, as provided in this act: *Provided, however,* When in the judgment of the committee, an emergency requiring immediate action is found to exist, the committee is authorized to issue an emergency order under this section which shall have the same effect and validity as if a hearing with respect to the same had been held after due notice. The emergency order permitted by this subsection shall remain in force no longer than thirty days, and in any event it shall expire when the order made after due notice and hearing with respect to the subject matter of the emergency order becomes effective.

SEC. 34. Whenever the production of oil or gas in this state or any pool therein is limited and the "oil allowable" or "gas allowable" is established and prorated by the committee as provided in section 33, no person shall thereafter produce from any well, pool, lease or property more than the production which is prorated thereto.

SEC. 35. To assist in the development of oil and gas in this state and to further the purposes of this act, the persons owning interests in separate tracts of land, may validly agree to integrate their interests

and manage, operate and develop their land as a unit, subject to the approval of the committee.

Secondary recovery operations.

Order for unit or cooperative development and operation of field or pool.

SEC. 36. When in the judgment of the committee production in any pool or field shall have declined to a point where secondary recovery operations are advisable or necessary, if the lessees or owners of oil and gas rights cannot agree on a unit plan of operation covering the pool or field as a whole, the committee may, after a hearing as hereinafter provided, enter and enforce an order for the unit or cooperative development and operation of a field or pool, in connection with the conduct of re-pressuring or pressure maintenance operations, cycling or recycling operations, including the extraction and separation of liquid hydrocarbons from natural gas in connection therewith, or any other method of operation, including water floods.

Construction of R.C.W. 72.28.110.

SEC. 37. Section 72.28.110, R.C.W., as derived from section 14, chapter 161, Laws of 1937, shall be construed so as to conform with sections 35 and 36.

[R.C.W. 78.28.110 is Rem. Supp. § 7797-185c.]

Unit plan; define unit area.

SEC. 38. Any unit plan shall:

Statement of purpose.

Unitized management.

(1) Define and identify the unit area to be included in, and subject to, the unit plan;

(2) Contain a statement of the nature and purpose of the operation contemplated;

(3) Provide for the efficient unitized management or control of the operation of the unit area for the recovery and production of oil and gas from the pool affected. Under such a plan the actual operations within the unit area may be carried on, in whole or in part, by the several lessees of land within the unit area, or may be conducted by some particular lessee of a lease in the unit area, who is designated as unit operator, dependent upon what is most beneficial or expedient. The designation of the unit operator shall be by vote of the lessees of land in the unit area in a manner provided in the unit plan; and

Unit operator.

(4) Provide for the division of interest and formula for the apportionment and allocation, among and to each of the several separately-owned tracts within the unit area, of a fair, equitable and reasonable share of the production from the pool.

Apportionment of production.

SEC. 39. Any unit plan shall provide for the manner in which the development and operation of the unit area shall or may be financed and the basis, terms and conditions on which the cost thereof shall be apportioned among, and assessed against, the tracts and interests made chargeable therewith, including a detailed accounting procedure governing all charges and credits incident to such operations. Upon and subject to such terms and conditions as to time and rate of interest as may be fair to all concerned, reasonable provisions shall be made in the unit plan for carrying or otherwise financing lessees who are unable to meet their financial obligations under the unit plan. The share of such financing properly and proportionately chargeable to any such lessee may become a lien on such lessee's share of production under the unit plan, but in no event shall any such lien be or operate against any interest, estate, equity or title of any such lessee, but only against the said share of production.

Unit plan; provision for financing and apportioning cost of development and operation.

Financing of lessees.

Lien on lessee's share of production.

SEC. 40. Any unit plan shall also:

(1) Provide for the procedure and basis upon which wells, equipment and other properties of the several lessees within the unit area are to be taken over and used, including the method of arriving at the compensation therefor, or of otherwise proportionately equalizing or adjusting the investment of the several lessees in the unit area as of the effective date of the unit plan;

Unit plan; basis for taking over properties.

(2) Provide a fair and equitable plan for the general over-all management and control of the unit area. Each lessee of land within the unit area shall be entitled to representation in the general over-all

Plan for over-all management.

management and control of the unit development and operations. Voting shall be on a fair, equitable, and reasonable basis as provided in such unit plan;

Provisions as to liabilities of lessees.

(3) Provide that the obligations or liabilities of the lessees shall at all times be several and not joint or collective, and in no event shall a lessee be chargeable with, obligated, or liable, directly or indirectly, for more than the amount of expenses apportioned or otherwise assessed or charged to his interest in his separately-owned tract pursuant to the unit plan;

Lessee's share of production.

(4) Provide that each lessee shall own and take in kind his share of the production allocated under the unit plan;

Amendments.

(5) Provide for possible amendments to the unit plan; and

Miscellaneous provisions.

(6) Contain such other provisions as the lessees may deem appropriate for the prevention of waste or protection of all interested parties.

Creation of unit.

SEC. 41. All petitions or proposals for the creation of a unit and approval of a unit plan shall be set for public hearing by the committee, and the date of the first of such hearings shall be not less than thirty days, nor more than sixty days, from the filing of such petition or proposal.

Hearing.

Notice.

SEC. 42. Notice of the time and place of the first of such hearings, and a description of the lands within the unit area, shall be given by publication and in the following manner:

Publication.

(1) Publication on three consecutive days, at least ten days prior to said hearing, in some newspaper of general circulation printed in Olympia, Washington, and by publication on three consecutive days, at least ten days prior to said hearing, in some newspaper of general circulation in the county, or in each county, if there be more than one, in which the lands embraced in the petition are situated; and

Post card notice.

(2) Mailing a postal card notice to the last known post office address as shown by the record



of the county treasurer in the county where the land is located not less than thirty days prior to the date of the first of such hearings to all persons owning interests in the land within the unit area.

SEC. 43. If the hearing cannot be completed on the first day set for such hearing, the committee shall, before adjournment or recess thereof, publicly announce the time and place at which the hearing will be continued, and such announcement will serve as sufficient notice of such continuance without recourse to the form of public notice as provided above in this section.

Hearings  
continued.

SEC. 44. Within fifteen days after completion of the public hearings held in accordance with the procedure and requirements herein provided, the committee shall determine from the facts and evidence presented to it:

Basis for  
findings.

(1) Whether the unit plan, attached to such petition, or proposal, for the management and operation of a pool is proper, feasible, equitable, reasonably necessary, is for the common good and will result in the general advantage of the lessees and owners of the oil and gas rights within the pool; will prevent waste; will distribute the oil, and gas produced therewith, recovered from the pool, on a fair and equitable basis; and will increase the ultimate recovery of oil from the pool, and that the estimated additional oil to be recovered from the pool under the unit plan will exceed the estimated additional expense, if any, of the conduction of operations under such unit plan;

(2) Whether the unit plan, attached to such petition, or proposal, for the management and operation of a pool containing gas only is proper, feasible, equitable, reasonably necessary, is for the common good, and will result in the general advantage of the lessees and owners of the gas rights within the

pool; will prevent waste; and will distribute the gas recovered from the pool on a fair and equitable basis.

Findings.

If it is the determination of the committee that the unit plan will accomplish the requirements set forth above, it shall make a finding to that effect, and enter an order creating the unit, and designating the date when such unit plan shall become effective.

If it is the determination of the committee that the unit plan will not accomplish the requirements set forth above, it shall make a finding to that effect, reciting, in detail, the considerations upon which such finding is based.

Leases to be conformed to unit plan.

SEC. 45. From and after the date designated by the committee that a unit plan shall be effective, oil and gas leases upon lands within the unit area, or other contracts pertaining to the development thereof, shall be conformed to meet the provisions and requirements of such unit plan, but otherwise to remain in full force and effect. Operations carried on under and in accordance with such unit plan shall be regarded and considered as fulfillment of and compliance with all of the provisions, covenants, and conditions, expressed or implied, of the several oil and gas leases upon lands within the unit area, or other contracts pertaining to the development thereof, insofar as said leases, or other contracts, may relate to the pool or field subject to such unit plan.

Operations under plan deemed compliance with agreements.

Production allocated.

The amount of production apportioned and allocated, pursuant to said unit plan, to each separately-owned tract within the unit area, and only that amount, regardless of the location of the well within the unit area from which it may be produced, and regardless of whether it be more or less than the amount of production from the well, if any, on each separately-owned tract, shall for all intents, uses and purposes be regarded as production from such separately-owned tract, and lessees shall not be obligated to pay royalties or make other payments, required by the

Royalties.

oil and gas leases or other contracts affecting each such separately-owned tract, on production in excess of that amount apportioned and allocated to such separately-owned tract pursuant to the unit plan.

SEC. 46. From and after the date designated by the committee that a unit plan shall become effective, the operation of any well producing from the pool within the area subject to said unit plan, by persons other than persons acting under the authority of the unit plan, or except in the manner and to the extent provided in such unit plan, shall be unlawful and is hereby prohibited.

Deviations  
from plan  
unlawful.

SEC. 47. In any proceeding hereunder in which an order is entered creating a unit and approving a unit plan, the committee shall retain jurisdiction thereof and of all parties in interest for the purpose of amending the unit plan from time to time whenever by reason of changed conditions or otherwise for good cause shown it is made to appear that such amendment is necessary or proper. Any amendment to a unit plan made pursuant hereto shall be effective prospectively only from and after the date on which the order providing for such amendment shall become final. The procedure for any such amendment, including the filing of a petition, the giving of notice and conduct of hearings, shall be the same as that required for the creation of a unit in the same instance, insofar as applicable.

Jurisdiction  
to amend  
plan.

Procedure.

SEC. 48. The commissioner of public lands, or other officer or board having the control and management of state land, and the proper board or officer of any political, municipal, or other subdivision or agency of the state having control and management of public lands, may, on behalf of the state or of such political, municipal, or other subdivision or agency thereof, with respect to land and oil and gas rights subject to the control and management of such re-

Officers who  
may consent  
to participa-  
tion on be-  
half of State  
and its polit-  
ical subdivi-  
sions.

spective body, board or officer, consent to and participate in any unit plan.

Laws prohibiting restraint of trade not violated by plan.

SEC. 49. No plan for the operation of a field or pool of oil or gas as a unit, either whole or in part, created or approved by the committee hereunder shall be held to violate any of the statutes of this state prohibiting monopolies or acts, arrangements, agreements, contracts, combinations or conspiracies in restraint of trade or commerce.

Persons adversely affected by act of committee.

SEC. 50. Any person adversely affected by any rule, regulation or order of the committee may, within thirty days from the effective date of such

Hearing.

rule, regulation or order, apply for a hearing with respect to any matter determined therein; the application shall be granted or denied by the committee within fifteen days from the date the same shall be filed, and if the hearing is not granted within fifteen days it shall be taken as denied. If a hearing is

Time.

granted, the matter shall be set for hearing by the committee within thirty days after the same is submitted. No cause for action arising out of any rule, regulation or order of the committee shall accrue in any court to any party unless such party makes

Application.

application for a hearing as herein provided. Such application shall set forth specifically the ground on which the applicant considers such rule, regulation or order to be unlawful or unreasonable. No party shall, in any court, urge or rely upon any ground not set forth in said application. A rule, regulation, or order made in conformity to a decision resulting from a hearing which abrogates changes or modifies the original rule, regulation or order, shall have the same force and effect as an original.

Committee a party on review.

SEC. 51. In proceedings for review of a rule, regulation or order of the committee, the committee shall be a party to the proceedings and shall have all rights and privileges granted by this act to any other party to such proceedings.

SEC. 52. Within thirty days after the application for a hearing is denied, or if the application is granted, then within thirty days after the rendition of the decision on the hearing, the applicant may apply to the superior court of Thurston County for a review of such rule, regulation, order or decision. The application for review shall be filed in the office of the clerk of the superior court of Thurston County and shall specifically state the grounds for review upon which the applicant relies and shall designate the rule, regulation, order or decision sought to be reviewed. The applicant shall immediately serve a certified copy of said application upon the executive secretary of the committee who shall immediately notify all parties who appeared in the proceedings before the committee that such application for review has been filed.

Superior court review.

Grounds.

Service of application.

SEC. 53. The executive secretary, upon receipt of said copy of the application for review, shall forthwith transmit to the clerk of the superior court in which the application for review has been filed, a certified transcript of all pleadings, applications, proceedings, rules, regulations or orders of the committee and of the evidence heard by the committee on the hearings of the matter or cause: *Provided*, That the parties, with the consent and approval of the committee may stipulate in writing that only certain portions of the record be transcribed. Said proceedings for review shall be for the purpose of having the lawfulness or reasonableness of the rule, regulation, order or decision of the committee, inquired into and determined, and the superior court hearing said cause shall have the power to vacate or set aside such rule, regulation, order or decision on the ground that it is unlawful or unreasonable. After the said transcript is filed, the judge of said superior court may, on his motion, or on application of any parties interested therein, make an order

Transcript of record filed.

Inquiry as to lawfulness or reasonableness.

Powers of the Court.

Appeal to Supreme Court.

Procedure.

No additional evidence.

When additional evidence is proper Court may stay proceedings and order committee to hear it.

Transcript of additional evidence.

fixing a time for the filing of the transcript and briefs and shall fix a day for the hearing of the cause. All proceedings under this section shall have precedence in any court in which they may be pending. An appeal shall lie to the supreme court of this state from orders, judgments and decisions made by the superior court. The procedure upon the trial of such proceedings in the superior court and upon appeal to the supreme court of this state shall be the same as in other civil actions, except as herein provided.

SEC. 54. No new or additional evidence may be introduced upon the trial of any proceedings for review under the provisions of this act, but the cause shall be heard upon the questions of fact and law presented by the evidence and exhibits introduced before the committee and certified by it: *Provided*, That if it is shown to the satisfaction of the court that any party to the proceeding has additional material evidence which could not, by the exercise of due diligence, have been produced at the hearing before the committee, or which for some good reason it was prevented from producing at such hearing, or if upon the trial of the proceeding the court shall find the committee has erroneously refused to admit or consider material evidence offered by any party at the hearing before the committee the court may, in its discretion, stay the proceedings and make an order directing the committee to hear and consider such evidence. In such cases, the committee shall immediately hear and consider such evidence and make an order modifying, setting aside or affirming its former rule, regulation, order or decision. A transcript of the additional evidence and the rule, regulation, order or decision of the committee as modified or affirmed, shall immediately be certified and forwarded to the clerk of the superior court in which such proceeding is pending, and said superior court shall on the motion of any interested party,

order the trial to proceed upon the transcript as supplemented, so as to enable the court to properly determine if the rule, regulation, order or decision of the committee as originally made, or as modified, is in any respect unlawful or unreasonable. If the rule, regulation, order or decision of the committee is affirmed by the court it shall continue in force and effect as if no appeal were pending.

Trial on supplemented transcript.

Affirmance.

SEC. 55. The filing or pendency of the application for review provided for in this act shall not in itself stay or suspend the operation of any rule, regulation or order, but the court, in its discretion, may stay or suspend, in whole or in part, the operation of the rule, regulation or order of the committee.

Court may stay orders pending appeal.

SEC. 56. Whenever it shall appear that any person is violating any provisions of this act, or any rule, regulation or order made by the committee hereunder, and if the committee cannot, without litigation, effectively prevent further violation, the committee may bring suit in the name of the state against such person in the superior court in the county of the residence of the defendant, or in the county of the residence of any defendant if there be more than one defendant, or in the county where the violation is alleged to have occurred, to restrain such person from continuing such violation. In such suit the committee may without bond obtain injunctions prohibitory and mandatory, including temporary restraining orders and preliminary injunctions, as the facts may warrant.

Violations.

Suit in the name of the State.

Injunctions without bond.

SEC. 57. In the event the committee should fail to bring suit within thirty days to enjoin any apparent violation of this act, or of any rule, regulation or order made by the committee hereunder, then any person or party in interest adversely affected by such violation, who has requested the committee in writing to sue, may, to prevent any or further viola-

Failure to sue.

Interested party may sue.

tion, bring suit for that purpose in the superior court of any county where the committee could have instituted such suit. If, in such suit, the court should hold that injunctive relief should be granted, then the state shall be made a party and shall be substituted for the person who brought the suit, and the injunction shall be issued as if the state had at all times been the complainant.

State substituted as party.

SEC. 58. Every person who shall violate or knowingly aid and abet the violation of this act or any valid orders, rules and regulations issued thereunder, or who fails to perform any act which is herein made his duty to perform, shall be guilty of a gross misdemeanor.

Violations a gross misdemeanor.

SEC. 59. It is intended that the provisions of this act shall be liberally construed to accomplish the purposes authorized and provided for, or intended to be provided for by this act.

Liberal construction.

SEC. 60. If any part or parts of this act, or the application thereof to any person or circumstances be held to be unconstitutional, such invalidity shall not affect the validity of the remaining portions of this act, or the application thereof to other persons or circumstances. The legislature hereby declares that it would have passed the remaining parts of this act if it had known that said invalid part or parts thereof would be declared unconstitutional.

Partial invalidity.

Passed the House February 20, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.



CHAPTER 147.

[ H. B. 171. ]

INVESTMENT OF BUILDING CONSTRUCTION  
FUND SURPLUSES.

AN ACT permitting the investment of proceeds of bond issues authorized by sections 28.47.130 to 28.47.180, inclusive, and 72.52.010 to 72.52.060, inclusive, R.C.W., and declaring an emergency.

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

SECTION 1. Whenever there shall be in the public school building construction fund or the institutional building construction fund in the state treasury more cash than is required to cover current allotments as provided in sections 28.47.130 to 28.47.180, inclusive, R.C.W., as derived from chapter 229, Laws of 1949, or sections 72.52.010 to 72.52.060, inclusive, R.C.W., as derived from chapter 230, Laws of 1949, the state finance committee may invest such portion of such funds as the committee may deem expedient in United States discount bills, certificates of indebtedness, notes, or bonds. Such securities may be purchased directly from the United States government through the federal reserve banking system or in the open market at such prices and upon such terms as the state finance committee may determine, and may be sold at such times as the state finance committee may deem expedient or necessary.

Public school and institutional building construction funds.

Investment in Federal securities authorized.

Purchase and sale.

[R.C.W. 28.47.130 to 28.47.180 do not appear in Rem. Rev. Stat.; were ratified by the people Nov. 7, 1950 (Referendum No. 7).]

[R.C.W. 72.52.010 to 72.52.060 do not appear in Rem. Rev. Stat.; were ratified by the people Nov. 7, 1950 (Referendum No. 8).]

SEC. 2. Upon such investment being made the state auditor shall draw his warrant on the proper fund for the amount so invested and the securities so purchased shall be deposited directly with the state treasurer or in trust for the state treasurer, either with the fiscal agent of the state in New York

Deposit of securities.

Trust  
certificate.Treasurer  
to collect  
interest.Funds to  
receive  
earned  
income.

Emergency.

City or with any bank in the state that maintains a trust department and is an approved depository of state funds. In the event securities are purchased and deposited with the fiscal agent of the state or in a state bank as provided herein a trust certificate enumerating and describing the securities so held shall be provided to the state treasurer whose duty it shall be to collect all interest payments falling due thereon and the principal at maturity.

SEC. 3. All income earned from investment of the public school building construction fund shall be credited to the public school building bond redemption fund. All income earned from investment of the institutional building construction fund shall be credited to the institutional building bond redemption fund.

SEC. 4. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House February 5, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 148.

[ H. B. 204. ]

## MOUNT PILCHUCK AND ALTA LAKE STATE PARKS.

AN ACT establishing Mount Pilchuck State Park and  
Alta Lake State Park.*Be it enacted by the Legislature of the State of  
Washington:*

SECTION 1. The state parks and recreation commission may acquire from the state and federal governments by lease or deed the property known as Cedar Flats, located in sections 27, 28 and 29, township 30, N.R. 8, E.W.M., and upon acquisition shall survey, plan and develop said property as a state park which may hereafter be designated and known as Mount Pilchuck State Park.

Mount  
Pilchuck  
State Park.

SEC. 2. The state parks and recreation commission may accept from the town of Pateros the gift of approximately one hundred sixty acres of land at or near Alta Lake in Okanogan county, and acquire such additional property as may be necessary, to be known as Alta Lake State Park.

Alta Lake  
State Park.

Passed the House February 27, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 149.

[ H. B. 298. ]

FOREST DEVELOPMENT FUND.

AN ACT creating the forest development fund in the state treasury; transferring certain funds thereto, and amending section 76.12.110, R.C.W.

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

SECTION 1. Section 76.12.110, R.C.W., as derived from section 2, chapter 118, Laws of 1933, is amended to read as follows:

Forest development fund created.  
Use of monies.  
Bonds constitute a prior lien.  
Withdrawal.  
Appropriations from fund.  
Purpose.  
Sum to be retained in fund.

There is created a forest development fund in the state treasury. The state treasurer shall keep an account of the fund and of all sums deposited therein and expended or withdrawn therefrom. Any sums placed in the fund shall be pledged for the purpose of paying interest and principal on the bonds issued by the board, and for the purchase of land for growing timber. Any bonds issued shall constitute a first and prior claim and lien against the fund for the payment of principal and interest. No sums shall be withdrawn or paid out of the fund except upon order of the board.

Appropriations may be made by the legislature from the forest development fund to the division of forestry and the department of public lands for the purpose of carrying on the activities of that board on state forest board lands. The sum of one hundred fifty thousand dollars must be retained in said fund and pledged for the purpose of paying interest and principal on the bonds that have heretofore been issued by the state forest board and for the purchase of land for growing timber or the payment of principal and interest on bonds that may hereafter be issued by the state forest board for the purchase of land for growing timber.

[Am. Rem. Supp. § 5812-6.]

SEC. 2. All funds in the forest development fund as now constituted shall be paid into or transferred into the forest development fund as created by section 1.

Funds to be transferred.

Passed the House February 23, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 150.

[ H. B. 375. ]

### REGULATION OF MOTOR VEHICLE DEALERS— “DEALER’S LICENSES” ACT.

AN ACT relating to motor vehicles; regulating the licensing of motor vehicle dealers, and the caravaning of motor vehicles, providing penalties, adding a new chapter to Title 46, R.C.W., amending section 46.18.060, R.C.W., and repealing sections 46.16.050 and 46.16.250, R.C.W., and chapter 46.72, R.C.W.

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

SECTION 1. This act shall constitute a new chapter under Title 46, R.C.W., and shall be designated as “Dealer’s Licenses.”

New chapter.

SEC. 2. “Dealer” as defined in this title shall mean any person in the business of buying, selling, exchanging or acting as a broker of new or used motor vehicles, trailers, or motorcycles, with an established place of business at which is kept and maintained the books, records and files of the business.

“Dealer.”

SEC. 3. It shall be unlawful for any person to carry on or conduct business as a dealer unless he shall have applied for and received from the director a license to do so.

Unlawful to act without a license.

SEC. 4. Application for a dealer’s license shall be made on a form provided for the purpose by the director and shall be forwarded with the required

Application for license.

Fee. fee to the director. Such application shall be made by the dealer or his authorized representative who shall certify that the facts contained therein are true.

Contents. SEC. 5. Applications for a dealer's license shall contain:

Name and address of business. (1) The name under which the business is to be conducted and the address of its established place of business;

Owner's name, address. (2) The name and address of owner, or if partnership, name and address of each partner. If owner is a corporation, the names of principal officers and their addresses, and if the corporation is not incorporated under the laws of this state, the name of the state in which it is incorporated, and the name of its resident officers;

Make of vehicles. (3) The make of vehicles for which enfranchised, if any;

Used cars. (4) Whether or not used cars will be sold;

Certificate that applicant is a dealer. (5) A certificate to the effect that the applicant is a dealer as defined in this chapter having an established place of business at the address shown on the application and signed by the chief of police or his deputy in cities having a population of five thousand persons or more, otherwise by a member of the Washington state patrol; and

Previous revocation. (6) Whether or not a previous dealer's license has been denied, suspended, or revoked.

SEC. 6. Upon receiving an application for dealer's license, the director shall, if such application is in proper form and accompanied by a proper fee, retain the application and transmit the fee to the state treasurer with a proper identifying report, such fee to be deposited in the motor vehicle fund. If the director is satisfied that the applicant has complied with the provisions of this chapter and is entitled to a dealer's license, he shall issue an official certificate authorizing the dealer named thereon to carry on and conduct the business of a dealer in

Fee deposited in motor vehicle fund.

Issuance of license.

motor vehicles, trailers and motorcycles. Every license so issued shall expire on December thirty-first, and may be renewed by filing a proper application and paying the fees therefor.

Expiration of license.

SEC. 7. The fee for original dealer license for each calendar year or fraction thereof shall be twenty-five dollars which shall include one set of dealer license plates, and which may be renewed annually for a fee of ten dollars: *Provided*, That any dealer who is otherwise eligible and during the year 1951 has obtained a dealer's license shall be permitted to obtain a renewal of license and pay therefor a fee of ten dollars. Additional sets of the dealer license plates, bearing the same license number, may be obtained for three dollars per set. If any dealer shall fail or neglect to apply for such renewal prior to February first in each year, his license shall be declared cancelled by the director of licenses, in which case the dealer will be required to apply for an original license and pay the fee required for such original license. The fees prescribed herein shall be in addition to any excise taxes imposed by chapter 82.44, R.C.W., as derived from chapter 144, Laws of 1943, as amended.

Fees; original and renewal licenses; license plates.

Fees are in addition to excises.

[Ch. 82.44 R.C.W. is Rem. Supp. 1945, § 6312-115, Rem. Supp. 1943, §§ 6312-116—6312-120, Rem. Supp. 1949, § 6312-120a, Rem. Supp. 1943, §§ 6312-121—6312-124, Rem. Supp. 1949, § 6312-125, Rem. Supp. 1945, § 6312-126, Rem. Supp. 1943, § 6312-127, Rem. Supp. 1945, §§ 6312-128—6312-128a.]

SEC. 8. Before issuing a motor vehicle dealer license, the director shall require the applicant to file with said director a surety bond in the amount of two thousand dollars running to the state, and executed by a surety company authorized to do business in the state. Such bond shall be approved by the attorney general as to form and conditioned that the dealer shall conduct his business in conformity with the provisions of this chapter. Any person who shall have suffered any loss or damage by reason of any act by a dealer which constitutes a violation

Applicant to file bond.

Approved by attorney general.

Recovery  
against  
surety.

of this chapter shall have the right to institute an action for recovery against such motor vehicle dealer and the surety upon such bond. Successive recoveries against said bond shall be permitted but the aggregate liability of the surety to all persons shall in no event exceed the amount of the bond. Upon exhaustion of the penalty of said bond or cancellation of the bond by the surety the director shall revoke the license of the dealer.

Revocation  
of license.

Separate  
license plates  
for branch  
offices.

SEC. 9. Every dealer maintaining a branch or subagency in another city or town in this state, shall be required to have separate dealer license plates for such branch or subagency, in the same manner as though each constituted a separate and distinct dealer.

Display and  
use of  
dealer's  
plates.

SEC. 10. The dealer license plate shall be displayed upon every vehicle demonstrated by such dealer whenever the same is operated upon any public highway in this state, and on such vehicles as may be actually owned by the dealer and used by members or employees of his firm. Dealer license plates shall not be used upon any vehicle for the transportation of any person, produce, freight or commodities for compensation, except there shall be permitted the use of such dealer license plates on a vehicle transporting commodities in course of demonstration over a period not to exceed seventy-two consecutive hours from the commencement of such demonstration, if a representative of the dealer is present and accompanies such vehicle during the course of the demonstration.

Tampered  
motor or  
serial  
numbers.  
Failure to  
report motor  
change.

SEC. 11. Any dealer who shall knowingly buy or receive, sell or dispose of, conceal or have in his possession, any motor vehicle, trailer, or motorcycle from which the motor or serial number has been removed, defaced, covered, altered or destroyed, or any dealer, who shall remove from or install in any motor vehicle a new or used motor block without



immediately notifying the director of licenses of such fact upon a form provided by him, or any motor vehicle dealer who shall loan or permit the use of dealer plates by any person not entitled to the use thereof, shall be guilty of a gross misdemeanor.

Lending dealer plates.

Penalty.

SEC. 12. The director may, when informed of the conviction of any dealer of the violation of any of the provisions of this chapter, in addition to penalties imposed by the court, require the surrender of the dealer license and dealer license plates, and may thereupon suspend such license for a period of not less than thirty days or not more than one year, or he may confiscate the dealer license plates that have been issued to such dealer for the current license year.

Conviction of dealer; powers of director.

SEC. 13. The director may refuse to issue a dealer license, or may suspend or revoke a dealer license whenever he has reason to believe that such dealer has:

Non-issuance, suspension or revocation of license; grounds.

(1) Forged the signature of the registered or legal owner on a certificate of title;

Forged signature.

(2) Sold or disposed of a vehicle which he knows or has reason to know has been stolen or appropriated without the consent of the owner;

Sale of stolen vehicle.

(3) Wilfully misrepresented any material fact in the applications for a vehicle dealer's license, certificate of registration or certificate of title;

Misrepresentation.

(4) Wilfully failed to deliver to a purchaser a certificate of title to the car sold; and/or

Failure to deliver title.

(5) Suffered or permitted the cancellation of the bond or the exhaustion of the penalty thereof.

Cancellation of bond.

SEC. 14. Upon receipt of complaint or other information by the director that an applicant should not be licensed or that a dealer has violated any of the provisions of this act he may call a hearing to give the person affected an opportunity to show cause why his application for license should not be

Hearing on alleged violations.

refused or why his license should not be revoked or suspended. Notice of the hearing shall be given in writing by registered mail to the holder or applicant for such license and shall designate a time and place for the hearing before the director of licenses which shall not be less than ten days from the date of said notice. The director may require the attendance of any witnesses or documents by issue of subpoenas upon motion either of the department of licenses or the person affected, and shall make a record of the proceedings and of the testimony. Should the director decide that any person is not entitled to a dealer's license or that an existing license should be suspended or revoked, the applicant or holder may within thirty days from the date of the decision of the director, appeal to the superior court of the county of the dealer's residence for a review on the record of such decision, filing a notice of such appeal with the clerk of such superior court and at the same time filing a copy of such notice with the director. On receipt of such notice, the director shall prepare, certify and forward to the court the record of the proceedings.

Notice.

Subpoenas.

Appeal to superior court.

Record certified.

Record of sales.

Contents.

SEC. 15. A dealer shall complete and maintain a record of the purchase and sale of all motor vehicles, motorcycles or trailers, purchased or sold by him and which have been previously licensed in this or another state, which record shall consist of:

- (1) The license and title numbers of state in which last license was issued;
- (2) A description of vehicle;
- (3) The name of person from whom purchased;
- (4) The name of legal owner, if any; and
- (5) The name of purchaser.

Available for inspection.

Such record shall at all times be available for inspection by the director or duly authorized member of the state patrol.

SEC. 16. Before the execution of a contract or chattel mortgage or the consummation of the sale of any motor vehicle, the seller must furnish the buyer an itemization in writing signed by the seller separately disclosing to the buyer the finance charge, insurance costs, taxes, and other charges which are paid or to be paid by the buyer.

Seller to furnish itemized statement.

SEC. 17. Section 46.16.060, R.C.W., as derived from section 16, chapter 188, Laws of 1937, as amended by section 8, chapter 220, Laws of 1949, is amended to read as follows:

Amendment.

Except as otherwise specifically provided by law for the licensing of vehicles, there shall be paid and collected annually for each calendar year or fractional part thereof and upon each vehicle a license fee in the sum of five dollars.

License fee.

[Am. Rem. Supp. 1949, § 6312-16.]

SEC. 18. Sections 46.16.050 and 46.16.250, R.C.W., as derived from sections 30 and 31, chapter 188, Laws of 1937, and chapter 46.72, R.C.W., as derived from chapter 184, Laws of 1937, are repealed.

Repealing clause.

[R.C.W. 46.16.050 is R.R.S. § 6312-31, R.C.W. 46.16.250 is R.R.S. § 6312-30, Ch. 46.72 R.C.W. is R.R.S. §§ 6382-61 to 6382-72 incl. (motor vehicle caravanning).]

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

-14

CHAPTER 151.

[ H. B. 578. ]

PUBLIC PRINTER.

AN ACT relating to the public printer, and amending section 43.78.070, R.C.W.

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

SECTION 1. Section 43.78.070, R.C.W., as derived from section 3, chapter 97, Laws of 1933, as amended, is amended to read as follows:

Amendment.

Plant; conditions of use.

The public printer shall use the state printing plant, upon the following conditions, to wit:

Public printing; fees.

(1) He shall do the public printing, and charge therefor the fees as fixed by the director of budget but in no instance higher than provided by law. He may print the Washington reports for the publishers thereof under a contract approved in writing by the governor.

Washington reports.

State printing plant revolving fund.

(2) The gross income of the public printer shall be deposited in an account designated "state printing plant revolving fund" in depositaries approved by the state treasurer, and shall be disbursed by the public printer by check and only as follows:

Disbursements; operation expense.

First, in payment of the actual cost of labor, material, supplies, replacements, repairs, water, light, heat, telephone, rent, and all other expenses necessary in the operation of the plant: *Provided*, That no machinery shall be purchased except on written approval of the governor;

Same; insurance and bond expense

Second, in payment of the cost of reasonable insurance upon the printing plant, payable to the state and of all fidelity bonds required by law of the public printer;

Same; printer's salary.

Third, in payment to the public printer of a salary which shall be fixed by the governor, but not exceeding seven thousand five hundred dollars per annum;

Fourth, in remitting the balance to the state treasurer for the general fund, after quarterly audits which shall be conducted by the director of budget: *Provided*, That a reasonable sum to be determined by the governor, the public printer, and the director of budget shall be retained in the fund for working capital for the public printer. Copies of the audits shall be furnished to the governor and state treasurer as soon as completed.

Same; balance to general fund after audits.

Working capital.

Copies of audits.

[Am. Rem. Supp. § 10327-2.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

## CHAPTER 152.

[ H. B. 406. ]

### AID TO PAROLED AND RELEASED PRISONERS.

AN ACT relating to inmates of the state penitentiary and reformatory, parolees and persons released therefrom, and their rehabilitation; declaring an emergency, and repealing section 72.12.120 [72.08.340], R.C.W.

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

SECTION 1. Every person who has been confined in the state penitentiary or state reformatory pursuant to court order, upon his parole or release therefrom shall be supplied with suitable clothing, transportation to his place of residence if needed, and funds as necessary to be determined by the superintendent.

Aid to paroled and released prisoners.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, for the support of the state government and its existing public institutions, and shall take effect immediately.

Emergency.

Repealing clause.

SEC. 3. Section 72.12.120 [72.08.340], R.C.W., as derived from sections 1, 2, and 3, chapter 197, Laws of 1947, is repealed.

[Rep. Rem. Supp. 1947, § 10319-5.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

---

CHAPTER 153.

[ H. B. 469. ]

ENABLING INCORPORATION OF FIRST CLASS CITIES NOT HERETOFORE INCORPORATED.

AN ACT providing for the organization and incorporation of cities of the first class in areas within counties not heretofore incorporated and the adoption of a charter; prescribing the method for calling elections therefor.

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

Incorporation of areas as cities of the first class.

SECTION 1. Any portion of a county, which portion contains not less than twenty thousand inhabitants, living within an area of not more than ten square miles, and which is not incorporated as a municipal corporation, may become incorporated under the provisions of this act, and when so incorporated, shall have the powers conferred, or that may hereafter be conferred, by law upon cities of the first class.

Petition.

Signatures.

Contents.

SEC. 2. A petition shall first be presented to the board of county commissioners of such county, signed by at least one hundred qualified electors of the county, residents within the limits of such proposed corporation, which petition shall set forth and particularly describe the proposed boundaries of such corporation, and state the number of inhabitants therein as nearly as may be, and shall pray that the same may be incorporated under the pro-

visions of this act. Upon presentation of said petition, the board of county commissioners shall ascertain the number of inhabitants residing within said proposed boundaries. If, in the opinion of the board of county commissioners, the population within such proposed boundaries can be ascertained from the figures compiled from the last federal census for said county, such population figures shall be used, otherwise said board of county commissioners shall make an enumeration of all persons residing within said proposed boundaries. If the board of county commissioners shall ascertain that there are twenty thousand or more inhabitants within said proposed boundaries, they shall set a date for hearing on said petition, the same to be published for a period of at least two weeks prior to such hearing in some newspaper published in said county, together with a notice stating the time and place of the meeting at which said petition will be heard. Such hearing may be adjourned from time to time, not to exceed one month in all, and, on the final hearing, the board of county commissioners shall make such changes in the proposed boundaries as they may find to be proper, but may not enlarge the same, nor reduce the same so that the population therein would be less than twenty thousand inhabitants. The board of county commissioners shall by resolution establish and define the boundaries of such corporation, establish and find the number of inhabitants residing therein and state the name of the proposed corporation. Within ninety days after the passage of said resolution the board of county commissioners shall cause an election to be called and held within the boundaries so established, said election to be conducted in the manner required for the calling of a special election in class A and first class counties, for the purpose of determining whether such boundaries so established shall be incorporated into a city of the first

Determination of population.

Order for hearing.

Notice.

Hearing.

County commissioners.

Resolution defining boundaries, finding population, and adopting name.

Election.

Purposes.

Incorporation.

**Freeholders.** class and the election of fifteen freeholders, who shall have been residents within said boundaries for a period of at least two years preceding their election and qualified electors of the county, for the purpose of framing a charter for said city. Any qualified person may, not earlier than sixty days nor later than thirty days prior to such election, file with the county auditor of said county his declaration of candidacy in writing. The form of ballot at such election shall be "For incorporation," "Against incorporation"; and shall contain the names of the freeholders to be voted upon to frame said charter.

**Declaration of candidacy.**

**Ballot.**

**Qualifications of electors.** No person shall be entitled to vote at such election unless he shall be a qualified elector of said county and shall have resided within the limits of such proposed corporation for at least thirty days next preceding such election.

**Resolution declaring incorporation.** SEC. 3. If at such election a majority of those voting thereat vote in favor of incorporation, the board of county commissioners shall, by resolution entered upon its minutes, declare such territory duly incorporated as a city of the first class under the name of [naming it]. Thereafter said city shall have no authority to function as a municipal corporation until a charter has been adopted in accordance with the provisions of this section, except for all purposes necessary for the adoption of such charter. The fifteen freeholders receiving the highest number of votes at such election shall be certified by the county auditor as elected as freeholders to form a charter for said city. It shall be the duty of the persons so elected to convene within ten days after their election and frame a charter for said city, and within sixty days thereafter they, or a majority of their number, shall submit such charter to the board of county commissioners which shall within ninety days thereafter cause another election to be called and held in said city and to be conducted in the

**City may not function until charter adopted.**

**Duties of freeholders.**

**Election.**



manner required for the calling of a special election in class A and first class counties and in conformity with article XI, section 10 of the constitution, for the purpose of submitting said charter to the qualified electors of said city and for the election of the various elective officials to the respective offices named in said charter. The form of ballot at such election shall be "For proposed charter," "Against proposed charter," and the names of the candidates for the respective offices named in said proposed charter. At the first election of officials for said city any qualified elector of said city may become a candidate for any of the elective offices set forth in such proposed charter without nomination by filing with the proper election officials of the county a declaration in writing that he desires to be a candidate for a particular office [naming it], such declaration to be filed not earlier than sixty nor later than thirty days prior to such election. The candidates receiving the highest number of votes for the respective offices shall be declared elected to such office and the county auditor shall issue a certificate of such election. After the first election the nomination and election of officials for said city shall be as prescribed in the charter adopted by the people and the laws of the state. No person shall be entitled to vote at such election unless he shall be a qualified elector of said city and shall have resided within the limits of said city for at least thirty days preceding such election.

Vote on adoption of charter and election of officers.

Ballot.

First election of officials.

Declaration of candidacy.

Succeeding elections conducted under charter.

Qualifications of electors.

SEC. 4. If a majority of the votes cast at such election are cast in favor of ratification of such charter, the same shall become the organic law of said city, and shall supersede all special laws inconsistent therewith, when authenticated, recorded and attested as hereinafter provided:

Charter when adopted is the organic law.

I, \_\_\_\_\_, Chairman of the Board of County Commissioners for \_\_\_\_\_

Certificate of incorporation.

County, do hereby certify that, in accordance with the provisions of Chapter ..... of the Laws of 19....., of the State of Washington, the County Commissioners of said county duly caused an election to be held on the ..... day of ....., 19....., within the boundaries hereinafter described, for the purpose of determining whether or not the same should be incorporated into a city of the first class and for the purpose of electing fifteen freeholders to form a charter for such city, said boundaries being described as follows: [describe proposed boundaries]. At said election ..... votes were cast in favor of incorporation and ..... votes were cast against incorporation, and the following named persons were duly elected freeholders for the purpose of forming a charter for said city, to wit: [name freeholders elected]. That thereafter on the ..... day of ....., 19....., said board of freeholders duly returned a proposed charter for said City of ....., signed by the following named members, to wit: [name signers]. That thereafter on the ..... day of ....., 19....., at an election duly called for said purpose, the proposed charter was submitted to the qualified electors of said city, and the returns of said election were duly canvassed, and the result of said election was found to be as follows: For said proposed charter, ..... votes; Against said proposed charter, ..... votes. Whereupon, the said charter was declared duly ratified. And I further certify that the annexed charter is a full, true, and correct copy of the proposed charter so voted upon and ratified as aforesaid.

In testimony whereof, I have hereunto set my hand this ..... day of ....., 19.....  
 (County Seal)

.....  
 Chairman of the Board of County  
 Commissioners for ..... County.

Said certificate shall be made in duplicate and the board of county commissioners shall cause one copy thereof to be immediately delivered to the secretary of state and the other copy to be delivered to the mayor-elect of said city. From and after the filing of said certificate with the secretary of state, said incorporation shall be deemed complete, and the officers so elected at said election shall be entitled to enter immediately upon the duties of their respective offices upon qualifying according to the provisions of said charter, and shall hold such offices, respectively, until the next general municipal election and until their successors are elected and qualified. The mayor shall deliver the certificate so delivered to him to the clerk of such city, who shall file the same as an official record of the city. The clerk shall immediately thereafter record the charter in a book to be provided and kept for said purpose and known as the charter book of the city of ..... and when so recorded shall be attested by the clerk and the mayor of the city, under the corporate seal thereof, and thereafter any and all amendments to said charter shall in like manner be recorded and attested and, when so recorded and attested, all courts in this state shall take judicial notice of said charter and all amendments thereto.

Certificate to be in duplicate.

Incorporation complete upon filing certificate.

Qualification of officers.

City clerk to record charter.

Amendments to charter.

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 154.

[ H. B. 491. ]

SECOND AND THIRD CLASS CITIES—ADJUSTMENT OF WORKING CONDITIONS OF ELECTRICAL SYSTEM EMPLOYEES.

AN ACT relating to cities; authorizing cities of the second and third class to place in effect adjustments in wages, hours and conditions of employment, amending chapter 35.33, R.C.W., by adding a new section thereto, and declaring an emergency.

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

New section.

SECTION 1. Chapter 35.33, R.C.W., as derived from chapter 158, Laws of 1923, is amended by adding a new section thereto to read as follows:

2nd and 3rd class cities.

Notwithstanding any final yearly budget adopted, the city commission or council of any city of the second or third class owning an electrical generating and/or distributing system may, not more than once in each budget year, by ordinance adopted by the majority vote of all the members present, place in effect any adjustment or change in wages, hours and conditions of employment of its electrical generating and/or distributing system employees: *Provided*, That no change shall be made which would result in an excess of expenditures over revenues. Any increase in expenditures resulting from any such adjustment shall be paid for the remainder of the budget year exclusively from revenues of the system.

Adjustment of working conditions of electrical employees.

Limitation.

[R.C.W. 35.33 is R.R.S. §§ 9000-1 to 9000-11.]

Emergency.

SEC. 2. 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 House March 1, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 155.

[ H. B. 532. ]

PUBLICATION OF REVISED CODE OF WASHINGTON.

AN ACT providing for the publication of the revised code, making an appropriation, and declaring an emergency.

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

SECTION 1. There is created a temporary code publication committee consisting of the attorney general, the librarian of the state law library, one member of the senate appointed by the president of the senate, and one member of the house of representatives appointed by the speaker of the house of representatives.

Temporary code publication committee.

SEC. 2. The committee shall do whatever necessary to secure the earliest practicable publication of an unannotated edition of the Revised Code of Washington, including therein all statutes of the state of Washington of a general and permanent nature in force as of January 1, 1951, as repealed, amended, or added to by laws enacted by the thirty-second regular session of the legislature, and for the purpose thereof or in connection therewith the committee may:

Publication of unannotated edition of R.C.W.

Committee may:

(1) Formulate and prepare written specifications, to be followed by any printer of said code, as to number of volumes, type and quality of binding, format, quality of paper, sizes and styles of type, and quantity to be published.

Prepare written specifications.

(2) Contract in the name of and on behalf of the state, or otherwise arrange, for the printing of said code, with or without calling for bids, by the public printer or by private printer, upon the specifications formulated by the committee and upon such basis as the committee deems to be most expeditious and economical. Any such contract may be upon such terms as the committee deems to be most advan-

Contract for the printing of the code.

tageous to the state and to potential purchasers of the published code.

Fix price.

(3) Fix a fair and reasonable price per set at which the published code is to be sold to purchasers.

Arrange for sale.

(4) Arrange for the sale and distribution of the code when published.

Employment of assistants.

SEC. 3. The committee shall employ and fix the compensation of such competent attorneys and clerical assistants, and provide such other facilities as may be required for a final editing of the matter to be included in said published code and preparation of such matter for the printer.

Editing.

SEC. 4. Such editing shall include the preparation of an adequate and workable index to the contents of the code, correction of manifest clerical errors and omissions as to contents, numbering system, or number references, correction of captions, making reasonably uniform the plans of capitalization and of section subdivision indicia, and substitution of reference to specific section numbers for general references wherever deemed practical. As to laws enacted by the 1951 regular session of the legislature, such editing shall in addition include the following: Codification of such laws; preparation of necessary captions; substitution for the term "this act" of "section," "chapter," "code," or "title," or reference to specific section or chapter numbers, as the case may require; substitution of the proper calendar date for "effective date of this act," "date of passage of this act," and other phrases of similar import.

Laws enacted at 1951 regular session.

Cross reference tables, etc.

SEC. 5. The code authorized to be published hereunder shall also contain such cross-reference tables to previously published codes of laws of this state, legislative histories of the respective sections, cross-references to matter elsewhere in the code footnotes as to revision and other matters, as the committee deems necessary to make the code of practical

value to persons using it, but without annotations as to court decisions. Unannotated as to court decisions.

SEC. 6. The code, when published, shall bear the certificate of the committee, shall be an official code of the statute laws of this state, and shall be received as *prima facie* evidence of such laws in all matters and proceedings. Official code.  
Prima facie evidence.

SEC. 7. The committee shall from time to time elect a chairman and a secretary from among its members. A majority of the committee shall constitute a quorum for the transaction of business. Members of the committee shall serve without compensation, except that they shall be entitled to reimbursement for expense involved in attending meetings of the committee, such reimbursement not to exceed the sum of fifteen dollars per day. Officers.  
Quorum.  
Compensation.  
Expenses.

SEC. 8. There is appropriated one hundred thousand dollars or so much as may be necessary from the general fund for the purposes of this act. Appropriation.

SEC. 9. If, under arrangements made by the committee, sale and distribution of the code is to be handled by the state, such sale and distribution shall be administered by the librarian of the state law library. All sums accruing to the state on account of such sales, whether administered by such librarian or otherwise, shall be promptly remitted to the state treasurer, for credit to the general fund. Each member of the legislature, and the secretary and assistant secretary of the senate, and the chief clerk and assistant chief clerk of the house in attendance at the thirty-second regular session of the legislature shall be entitled to receive one set of the code, when published, without charge. Administration of sale and distribution.  
Proceeds of sale.  
Distribution to certain persons without charge.

SEC. 10. All vouchers drawn under this act shall be approved by the attorney general and the librarian of the state law library. Approval of vouchers.

Emergency.

SEC. 11. This act is necessary for the immediate preservation of the public peace, health, and safety and for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

CHAPTER 156.

[ S. H. B. 284.]

JUSTICES OF THE PEACE—JUSTICE COURT DISTRICTS.

AN ACT relating to justices of the peace and constables in certain cities; authorizing the creation of justice court districts in rural precincts, abolishing the office of single precinct justice of peace in rural precincts, relating to venue, amending sections 3.04.090 and 3.04.130, R.C.W., and repealing section 3.04.020, and repealing sections 3.12.020, 3.12.030, 3.12.040, 3.12.050, 3.12.060 and 3.12.070, R.C.W.

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

In cities; number of justices of the peace.

SECTION 1. The number of justices of the peace to be elected in cities having a population of 5,000 or more, according to the last census, shall be as follows: 5,000 to 20,000, one; 20,000 to 75,000, two; 75,000 to 125,000, three; 125,000 to 175,000, four; and one additional for each 150,000 or major fraction thereof above 175,000. The board of county commissioners may reduce the number of justices of the peace by notifying the secretary of state ninety days prior to the general election at which such reduction is sought. The secretary of state shall order the ballots to be printed to comply with the action of the board of county commissioners.

Number may be reduced.

Justices shall be attorneys.

SEC. 2. Justices of the peace in such cities shall be attorneys at law duly admitted to practice in this state.



SEC. 3. The salaries of justices of the peace in cities having a population of 5,000 but less than 20,000 shall be two thousand four hundred dollars each *per annum* and such justices of the peace may engage in private practice of law.

Salaries; city of 5,000 but less than 20,000.

SEC. 4. In cities having a population of more than 20,000, the justices of the peace shall devote their full time to the duties of the office and receive a salary of five thousand four hundred dollars *per annum*: *Provided*, That in cities of the first class the county commissioners shall have the power to raise the salaries of justices of the peace to an amount not to exceed six thousand five hundred dollars *per annum*: *Provided further*, That where justices of the peace in cities over the population of 20,000 are also acting as police judges their salaries shall be fixed by the legislative body of the city, three thousand dollars of which shall be charged against the counties and the remainder shall be paid by the municipality.

Same; cities of more than 20,000.

Same; increase.

Same; where justice acts as police judge.

SEC. 5. The salaries of the justices of the peace shall be paid monthly out of the county treasury, and from the same funds out of which other salaried county officers are paid. The county auditor, on the first Monday of each month, shall draw his warrant upon the county treasurer in favor of each of the justices for the amount of the salary due him for the preceding month: *Provided*, That the auditor shall not draw his warrant for the salary of any justice of the peace for any month until the justice first shall have filed his duplicate receipt with the auditor, properly signed by the treasurer, showing that he has made the statement and settlement for that month.

Same; how paid.

Justice to first file duplicate receipt.

SEC. 6. All justices of the peace in cities of five thousand population or more shall be elected at the general election to be held in November, 1954, and quadrennially thereafter and their terms of office

Cities of 5,000 or more; election and term of office of justices.

shall be for four years from the second Monday in January following their election.

In cities:  
vacancies  
when and  
how filled.

SEC. 7. Whenever there is a vacancy or it shall appear that any city is entitled to an increase in the number of justices of the peace or constables, the board of county commissioners of the county in which such city is located shall immediately fill such vacancy and/or appoint such additional officers and they shall hold office until their successors are elected at the next general election and duly qualified.

Justice court  
district  
committee.

SEC. 8. There is established in each county a committee which shall be known as the justice court district committee. The following persons shall be members: The presiding judge of the superior court, the members of the board of county commissioners, the prosecuting attorney, one justice of the peace to be selected by the county commissioners, and the county auditor. It shall be the duty of the committee to meet prior to January 1, 1954, and again within one year from the date of any official federal or county census, for the purpose of grouping the precincts of the county which are not presently included within city justice of the peace precincts, into one or more justice court districts: *Provided*, That each incorporated city having a population of not more than five thousand, together with the adjoining precincts, if any, lying partly within and partly without such city, may be combined by the district committee with county precincts to form a justice court district. Justice court districts may be established in each county by resolution of the board of county commissioners, in accordance with the findings and recommendations of the committee, before July 1, 1954, and again subsequent to the meetings held pursuant to a federal or county census.

Members.

Justice court  
districts;  
formation.

Board to  
furnish  
necessities  
of office.

SEC. 9. The board of county commissioners shall furnish for the use of each district justice of the peace suitable office space, books, stationery, clerical

assistance and equipment necessary for conducting the public business, the cost thereof to be paid out of the current expense fund of the county.

SEC. 10. There shall be one justice of the peace elected for each justice court district at the general election to be held in November, 1954, and quadrennially thereafter, and their terms of office shall be for four years from the second Monday in January following their election and until their successors are elected and qualified.

Justice court districts; number and term of justices.

SEC. 11. Justices of the peace of justice court districts shall be attorneys at law duly admitted to practice in this or any other state, or may be any person who, upon filing his declaration of candidacy for the office shall file also with the county auditor a certificate of the justice court district committee approving his qualifications to exercise the duties of the office. In determining whether to approve a certificate the committee shall consider the age, education, business or legal experience, and general reputation for honesty of the candidate, and other factors which the committee deems pertinent.

Qualifications for district justice.

SEC. 12. The salary of the district justice of the peace shall be two thousand four hundred dollars per year. No justice of the peace of a justice court district shall receive to his own use fees arising from any legal action in his court, but may engage in another profession, business, or other means of livelihood.

Salary.

SEC. 13. Upon the second Monday of January, 1955, each justice of the peace of a precinct which is a component part of a justice court district shall deliver to the justice of the justice court district, the docket books, records, accounts, funds, and papers pertaining to his office, or relating to any suit, matter, or controversy committed to him in his official capacity, and the justice of the justice court district may

Precinct justices to deliver records to district justice.

Effect of delivery.

thereupon proceed to hear, try, and determine such matter, suit, or controversy, or issue execution thereon, in the same manner as it would have been lawful for the justice before whom such suit or matter was commenced to have done.

Amendment.

SEC. 14. Section 3.04.090, R.C.W., as derived from section 1707, Code of 1881, is amended to read as follows:

Process any place in county.

Every justice of the peace shall keep his office in the precinct, or in the case of a justice court district, in the district, and not elsewhere, but he may issue process in any place in his county.

[Am. R.R.S. § 48.]

Amendment.

SEC. 15. Section 3.04.130, R.C.W., as derived from section 1704, Code of 1881, is amended to read as follows:

Death, resignation or removal of justice.

If any justice of the peace dies, resigns, or removes out of the precinct or justice court district for which he was elected, or his term of office is in any other manner terminated, the docket books, records, and papers appertaining to his office, or relating to any suit, matter, or controversy committed to him in his official capacity, shall be delivered to the nearest justice in the precinct, or in the case of a justice of a justice court district, to the justice of the nearest justice court district, who may thereupon proceed to hear, try, and determine such matter, suit, or controversy, or issue execution thereon, in the same manner as it would have been lawful for the justice before whom such suit or matter was commenced to have done.

Records delivered to nearest justice.

Delivered to auditor, when.

If there is no other justice of the peace in the precinct, the docket books, records, and papers shall be delivered to the county auditor, who, on demand, shall deliver them to a justice of said precinct, when there is one qualified therein, who shall exercise the same powers as though they had been originally delivered to him.

[Am. R.R.S. § 7553.]

SEC. 16. Venue in criminal actions in all justice of the peace districts shall be in the justice of the peace district court where the criminal violation occurred, or upon request of the defendant, before any justice of the peace in the county seat.

Venue in  
criminal  
actions.

SEC. 17. Sections 3.12.020, 3.12.030, 3.12.040, 3.12.050, 3.12.060 and 3.12.070, R.C.W., as derived from sections 1 and 2, chapter LXVI (66), Laws of 1897, portions of chapter LXXXV (85), Laws of 1899, sections 1, 2 and 3, chapter 105, Laws of 1905, sections 1, 2, 3 and 4, chapter 41, Laws of 1913, and sections 1 and 2, chapter 110, Laws of 1913, are repealed. Section 3.04.020, R.C.W., as derived from section 1690, Code of 1881, is repealed.

Repealing  
clause.

[R.C.W. 3.04.020 is R.R.S. § 7545, R.C.W. 3.12.020 is R.R.S. § 7563, R.C.W. 3.12.030 is R.R.S. § 7564 (part), R.C.W. 3.12.050 is R.R.S. § 7565, R.C.W. 3.12.060 is R.R.S. § 7566, R.C.W. 3.12.070 is R.R.S. § 7564 (part).]

Passed the House March 1, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 157.

[ S. H. B. 575. ]

### STATUTE LAW COMMITTEE.

AN ACT providing for a permanent statute law committee and stating their powers and duties; amending sections 1.08.040, 1.08.050, and 44.20.050, R.C.W., making an appropriation, and declaring an emergency.

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

SECTION 1. There is created a permanent statute law committee consisting of seven members as follows: A justice of the supreme court, *ex officio*, designated by the chief justice; a member of the legislative council, *ex officio*, designated by the legislative council; the librarian of the state law library, *ex*

Permanent  
statute law  
committee.

Membership.

*officio*; the chairman of the senate judiciary committee; the chairman of the house of representatives judiciary committee; a lawyer admitted to practice in this state, designated by the Washington State Bar Association or its board of governors; a member at large appointed by the governor. All such designations or appointments to the original committee shall be made as above provided prior to April 1, 1951.

Term of office.

SEC. 2. The terms of all members of the committee, other than *ex officio* members, shall be for four years each, dating from April 1st, except that of the first committee the term of the member designated by the governor shall be for two years. The term of each *ex officio* or legislative member shall expire upon expiration of his current term in the office by virtue of which he is a member of the committee.

Vacancies.

Vacancies shall be filled by designation, appointment, or *ex officio* in the same manner as for the member so vacating, and if a vacancy as to the designee of the bar association or the appointee of the governor results other than from expiration of a term, the vacancy shall be filled for the unexpired term.

Compensation.

SEC. 3. Members of the committee shall serve without compensation, but shall be reimbursed for actual expenses incurred therefor or *per diem* rates as provided by law, but in no event shall actual expenses claimed exceed *per diem* rates provided by law.

Expenses.

First meeting.

SEC. 4. The first meeting of the committee shall be called by the state law librarian to meet as soon as feasible after April 1, 1951. The committee shall from time to time elect a chairman from among its members, and hold such periodic or special meetings as it deems necessary. A majority of the entire membership, *ex officio* members excepted, shall constitute a quorum for the transaction of any business.

Chairman.

Quorum.

SEC. 5. The committee shall, as soon as practicable after April 1, 1951, employ on behalf of the state, and from time to time fix the compensation of a competent code reviser, with power to terminate any such employment at any time, subject to contract rights. The committee shall also employ on behalf of the state and fix the compensation of such additional legal and clerical assistance to the code reviser as may reasonably be required under this act. The committee shall have general supervision and control over the functions and performance of the reviser.

Committee to employ a code reviser.

Assistance.

Supervision over reviser.

SEC. 6. Code reviser shall mean any lawyer or law publisher employing competent lawyers, each deemed by the committee to be qualified to compile the statutory law of the state of Washington as enacted by the legislature into a code or compilation of laws by title, chapter and section, without substantive change or alteration of purpose or intent.

"Code reviser."

SEC. 7. Subject to such general policies as may be promulgated by the committee and to the general supervision of the committee, the reviser shall:

Duties of reviser.

(1) Codify for consolidation into the Revised Code of Washington all laws of a general and permanent nature heretofore or hereafter enacted by the legislature, and assign permanent numbers as provided by law to all new chapters and sections so added to the revised code.

Codify into R.C.W. all permanent laws.

(2) Edit and revise such laws for such consolidation, to the extent deemed necessary or desirable by the reviser and without changing the meaning of any such law, in the following respects only:

Edit and revise laws as follows:

(a) Make capitalization uniform with that followed generally in the revised code.

Uniform capitalization.

(b) Make chapter or section division and subdivision designations uniform with that followed in the revised code.

Uniform division.

Make substitutions.

(c) Substitute for the term "this act," where necessary, the term "section," "part," "code," "chapter," or "title," or reference to specific section or chapter numbers, as the case may require.

(d) Substitute for reference to a section of an "act," the proper code section number reference.

(e) Substitute for "as provided in the preceding section" and other phrases of similar import, the proper code section number references.

(f) Substitute the proper calendar date for "effective date of this act," "date of passage of this act," and other phrases of similar import.

(g) Strike out figures where merely a repetition of written words, and substitute, where deemed advisable for uniformity, written words for figures.

Rearrange misplaced material.

(h) Rearrange any misplaced statutory material, incorporate any omitted statutory material as well as correct manifest errors in spelling, and manifest clerical or typographical errors, additions, or omissions.

Correct manifest errors.

(i) Correct manifest errors in references, by chapter or section number, to other laws.

(j) Correct manifest errors or omissions in numbering or renumbering sections of the revised code.

Division of long sections, rearrangement of order.

(k) Divide long sections into two or more sections, and rearrange the order of sections to conform to such logical arrangement of subject-matter as may most generally be followed in the revised code.

Captions.

(l) Change the wording of section captions, if any, and provide captions to new chapters and sections.

Obsolete provisions.

(m) Strike provisions manifestly obsolete.

Titles and certain clauses to be omitted.

SEC. 8. The reviser shall omit from the code all titles to acts, all enacting and repealing clauses, all preambles, declarations of emergency, and all validity and construction sections unless, in a particular instance, it may be necessary to retain such a section to preserve the full intent of the law. The omission



of validity and construction sections is not intended to change the effect to be given thereto in construing legislation of which such validity and construction sections were a part. Any section so omitted, other than repealing, emergency, or validity provisions, shall be referred to or set forth as an annotation to the first section of the act.

Effect of omission.

SEC. 9. The reviser shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession, and repeal of the various sections of the revised code.

Legislative history.

SEC. 10. The reviser may prepare and maintain complete annotations of court decisions construing the statutes of this state.

Case annotations.

SEC. 11. The reviser shall from time to time make written recommendations to the code committee concerning deficiencies, conflicts, obsolete provisions, and need for reorganization of matters found by him in the statutes, and, as approved by the committee, shall prepare for submission to the legislature, legislation for the correction or removal of such deficiencies, conflicts, or obsolete provisions.

Recommendations to committee.

Preparation of proposed legislation.

SEC. 12. The reviser shall advise and assist the members of the legislature and the various agencies and departments of the state government in the preparation and revision of legislation.

Reviser to assist legislators and state departments.

SEC. 13. The reviser shall, to the extent reasonably feasible through available facilities and public sources of information, provide objective and factual information in writing to and upon request of any member of the legislature relative to any matter which is or may be the subject of or involved in, legislation.

Supply information to legislators.

SEC. 14. The committee shall formulate specifications relative to the format, size and style of type, paper stock, division into volumes, method and quality of binding, contents, indexing, and general scope

Specifications for publication of R.C.W.

Publication not complying with specifications shall not be received as evidence.

and character of footnotes and annotations, for any publication for general use of the revised code and supplements thereto. No such publication or the contents thereof, other than such temporary edition as may expressly be authorized by the legislature, shall be received as evidence of the laws of this state unless its complies with such specifications of the committee as are current at the time of publication. If a publication complies with such specifications, the committee shall furnish a certificate of such compliance, executed on behalf of the committee by its chairman, to the publisher, and the certificate shall be reproduced at the beginning of each such volume or supplement.

Certificate that publication complies with specifications.

Specifications furnished to publishers.

Upon request of any publisher in good faith interested in publishing said code, the committee shall furnish a copy of its current specifications, and shall not during the process of any *bona fide* publication of said code or supplements modify any such specification, if such modification would result in added expense or material inconvenience to the publisher, without written concurrence therein by such publisher.

Office space for reviser.

SEC. 15. The department of public institutions shall provide suitable office and storage space and facilities for the reviser and his staff in the Temple of Justice, Olympia, at a location convenient to the state law library.

Amendment.

SEC. 16. Section 1.08.040, R.C.W., as derived from section 3, chapter 149, Laws of 1941, is amended to read as follows:

Secretary of state's certificate.

Hereafter the secretary of state shall certify only the codes or compilations published with the section numbering adopted by the reviser under supervision of the statute law committee. The code or codes, when so certified by the secretary of state, and containing the certificate of the committee referred to in section 13 of this act, if required, shall be deemed

Official code.

official, and shall be *prima facie* evidence of the laws contained therein. Prima facie evidence.

[Am. Rem. Supp. 1941, § 152-38.]

SEC. 17. Section 1.08.050, R.C.W., as derived from section 4, chapter 149, Laws of 1941, and from section 5, chapter 149, Laws of 1941, as last amended by section 1, chapter 282, Laws of 1947, is amended to read as follows: Amendment.

The legislature shall amend or repeal laws by reference to code numbers. The reviser shall assign code numbers to such permanent and general laws as are hereafter enacted at any legislative session and certify them to the secretary of state. Amendments and repeals by reference to code numbers.

[R.C.W. 1.08.050 was derived from Rem. Supp. 1941, § 152-39 (1st sentence) and Rem. Supp. 1947, § 152-40 (part; from comma to end). First part of Rem. Supp. 1947, § 152-40 is incorporated in R.C.W. 1.08.020, herein repealed by Sec. 19, *infra*, this chapter.]

SEC. 18. Section 44.20.050, R.C.W., as derived from section 1, page 60, Laws of 1915, is amended to read as follows: Amendment.

When all of the acts of any session of the legislature and initiative measures enacted by the people since the next preceding session have been published in temporary form, the code reviser employed by the statute law committee shall make the proper headings, side annotations and index of such acts or laws and, after such work has been completed, the secretary of state shall have published and bound in good buckram at least twenty-five hundred copies of such acts and laws, with such headings, annotations and indexes, and such other matter as may be deemed essential, including a title page showing the session at which such acts were passed, the date of convening and adjournment of the session, and any other matter deemed proper, including a certificate of such referendum measures as may have been enacted by the people since the next preceding session. Session Laws and initiatives.

Code reviser to annotate and index.

Publication.

[R.C.W. 44.20.050 was derived from R.R.S. § 8200 except part relating to costs which appears in chapter 40.01 R.C.W.]

Repealing clause.

SEC. 19. The following sections are hereby repealed: Section 1.08.010, R.C.W., as derived from section 1, chapter 149, Laws of 1941; section 1.08.020, R.C.W., as derived from section 2, chapter 149, Laws of 1941, and from section 5, chapter 149, Laws of 1941, as last amended by section 1, chapter 282, Laws of 1947; section 1.08.030, R.C.W., as derived from section 5a, chapter 149, Laws of 1941, as added by section 2, chapter 282, Laws of 1947; section 1.08.060, R.C.W., as derived from section 6, chapter 149, Laws of 1941, as added by section 2, chapter 252, Laws of 1943.

[R.C.W. 1.08.010 is Rem. Supp. 1941, § 152-36.]

[R.C.W. 1.08.020 is Rem. Supp. 1941, § 152-37 (second comma to end) and Rem. Supp. 1947, § 152-40 (to first comma).]

[R.C.W. 1.08.030 is Rem. Supp. 1947, § 152-40a.]

[R.C.W. 1.08.060 is Rem. Supp. 1943, § 152-41.]

Appropriation.

SEC. 20. To carry out the purposes of this act there is hereby appropriated from the general fund the sum of forty thousand dollars.

Emergency.

SEC. 21. This act is necessary for the immediate preservation of the public peace, health, and safety and for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 15, 1951.

## CHAPTER 158.

[ S. B. 121. ]

## IRRIGATION DISTRICTS—PROPERTY AND FUNDS.

AN ACT relating to irrigation district property and funds; amending section 87.68.110, R.C.W.

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

SECTION 1. Section 87.68.110, R.C.W., as derived from section 1, chapter 265, Laws of 1947, is amended to read as follows: Amendment.

Each irrigation district which has or hereafter may enter into a contract with the United States providing for the operation and maintenance, by means of a board of control, of irrigation works used in common with other districts, shall include in the annual levy of assessments a sufficient amount to pay the annual estimated *pro rata* proportion of the costs chargeable to such district and also such reserve fund as may be fixed by the contract: *Provided*, That any district may appropriate moneys from other funds to pay said costs. Contracts with the United States.  
Annual levy to include amounts to cover share of costs.

When assessments are paid to the county treasurer for the board of control fund, they shall be deposited in a special fund, known as the "Board of Control Fund," and when assessments are paid to the county treasurer for the board of control reserve fund they shall be deposited in a special fund known as the "Board of Control Reserve Fund," and said funds may be disbursed only upon vouchers approved by a majority of the voting power of the members of the board of control, and the county auditor shall issue warrants for the payments of such claims which shall be payable out of the funds on which the same are drawn. "Board of Control Fund."  
"Board of Control Reserve Fund."

Any moneys in the "Board of Control Reserve Fund," when so requested by the board of control, shall be invested by the treasurer of said county and under the direction of said board of control in U. S. Investment.

bonds or bonds of the state or any bonds pronounced by the treasurer of the state as valid securities for the deposit of public funds.

[Am. Rem. Supp. 1947, § 7525-43.]

Passed the Senate February 16, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 159.

[ S. B. 122. ]

AUTHORIZING IRRIGATION DISTRICTS TO PURCHASE GROUP INSURANCE FOR EMPLOYEES.

AN ACT relating to irrigation districts; authorizing the districts to purchase life, health and accident insurance on its employees; and adding a new section to chapter 87.01, R.C.W.

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

SECTION 1. Chapter 87.01, R.C.W., as derived from chapter 57, Laws of 1943, is amended by adding a new section to read as follows:

Board may pay premiums.

The board of directors of irrigation districts shall have the power to contract for and pay the premium upon group life, health and accident insurance upon its employees and pay the premium therefor.

[Chapter 87.01 R.C.W. is R.R.S. §§ 7417-7429 as amended, and R.R.S. §§ 7431, 7459.]

Passed the Senate February 15, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 160.

[ S. B. 138. ]

REGULATION OF HIDES OF MEAT FOOD ANIMALS.

AN ACT relating to selling and transporting hides of meat food animals; amending section 16.48.150, R.C.W., and defining terms.

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

SECTION 1. Section 16.48.150, R.C.W., as derived from section 12, chapter 98, Laws of 1949, is amended to read as follows: Amendment.

Any person transporting hides of meat food animals on the public highways of the state must have, at all times, in his possession a copy of an original certificate of permit or an official brand certificate to such hides giving name and address of consignor, number, kind, color, and brands of hides and to whom consigned. Transportation of hides, certificate required.

It shall be unlawful for any person to have in his possession any hide of a meat food animal branded with a legally recorded brand or tatoo [tattoo] mark of another person, unless such person shall have a legally executed certificate of permit signed by the owner of the recorded brand or tatoo [tattoo] mark, or in lieu thereof an original brand inspection certificate, or a bill of sale properly acknowledged from the previous owner or owners of the hides carrying such brands. Possession of hides with brand of another, unlawful, when.

[Am. Rem. Supp. 1949, § 3055-17.]

SEC. 2. The term "person" used in this act shall mean and include any person, firm, partnership, exchange, association, corporation, and any member, officer or employee thereof. "Person."

Passed the Senate March 4, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 161.

[ S. B. 216. ]

INVESTMENT OF INACTIVE OR EXCESS COUNTY FUNDS.

AN ACT relating to inactive or excess county funds; authorizing investment thereof; and amending section 36.33.180, R.C.W.

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

Amendment.

SECTION 1. Section 36.33.180, R.C.W., as derived from section 2, chapter 209, Laws of 1937, is hereby amended to read as follows:

Investment of excess or inactive funds in U. S. bonds.

The county treasurer of every county shall call the attention of the county finance committee to any inactive funds or funds in excess of the current needs of the county. The committee may by order authorize him to invest such inactive or excess funds in bonds of the United States government, if prior to making the order, they have applied for and received from the state finance committee, its approval of such investment.

[Am. Rem. Supp. § 5646-11.]

Passed the Senate February 24, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 162.

[ S. B. 38. ]

RESIDENTIAL QUALIFICATIONS OF APPOINTIVE OFFICIALS AND EMPLOYEES OF CITIES AND TOWNS.

AN ACT relating to residential qualifications of appointive officials and employees of cities and towns; and amending section 35.21.200, R.C.W.

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

Amendment.

SECTION 1. Section 35.21.200, R.C.W., as derived from section 1, chapter 25, Laws of 1941, is hereby amended to read as follows:



Any city or town may by ordinance of its legislative authority determine whether there shall be any residential qualifications for any or all of its appointive officials or for preference in employment of its employees, but residence of an employee outside the limits of such city or town shall not be grounds for discharge of any regularly appointed civil service employee otherwise qualified: *Provided*, That this section shall not authorize a city or town to change any residential qualifications prescribed in any city charter for any appointive official or employee: *Provided, further*, That all employees appointed prior to the enactment of any ordinance establishing such residence qualifications as provided herein or who shall have been appointed or employed by such cities or towns having waived such residential requirements shall not be discharged by reason of such appointive officials or employees having established their residence outside the limits of such city or town: *Provided, further*, That this act shall not authorize a city or town to change the residential requirements with respect to employees of private public utilities acquired by public utility districts or by the city or town.

Cities may determine residential qualifications for appointive officials and employees.

Charter provision.

Employees appointed prior to establishment of qualifications.

Employees of certain public utilities.

[Am. Rem. Supp. 1941, § 9213-3.]

Passed the Senate February 24, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 163.

[ S. B. 106. ]

APPROPRIATION—DIRECTOR OF FISHERIES.

AN ACT relating to fisheries; and making an appropriation.

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

Appropriation.

SECTION 1. There is hereby appropriated from the general fund, to the director of fisheries, the sum of fourteen thousand eight hundred dollars to carry out the provisions of section 75.40.030, R.C.W.

[R.C.W. 75.40.030 is Rem. Supp. 1949, § 5780-703 (Pacific marine fisheries compact, Art. I through 1st para. of Art. XI) as derived from § 82, ch. 112, L. '49.]

Passed the Senate February 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 164.

[ S. B. 154. ]

APPROPRIATION—SOCIAL SECURITY, DIVISION FOR THE BLIND.

AN ACT relating to public assistance; and appropriating fifty thousand dollars from the general fund to the division for the blind in the department of social security by transferring money from the 1949 appropriation for aid to the self-supporting blind; and declaring an emergency.

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

Appropriation.

SECTION 1. There is hereby appropriated from the general fund to the state department of social security, division for the blind, for the remainder of the current biennium the sum of fifty thousand dollars or as much thereof as may be required for assistance as provided by law. It is the intent of the legislature that the funds so appropriated shall be transferred from surplus funds in the 1941-51 appro-

Legislative intent.

priation to the department of social security to carry out the provisions of chapter 166, Laws of 1949 (self-supporting aid to the blind). Purpose.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and the promotion of public welfare and shall take effect immediately. Emergency.

Passed the Senate February 15, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 165.

[ S. B. 229. ]

### OLD AGE ASSISTANCE.

AN ACT relating to public assistance; authorizing payments to recipients in certain medical institutions; amending section 74.08.030, R.C.W.; and declaring an effective date.

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

SECTION 1. Section 74.08.030, R.C.W., as derived from chapter 1, Laws of 1951, is amended to read as follows: Amendment.

An old age assistance grant shall be awarded to any person who: Eligibility for old age assistance.

- (a) Has attained the age of sixty-five, and
- (b) Has been a resident of the state of Washington for at least five years within the last ten, and
- (c) Is not an inmate of a public institution except as a patient in a medical institution and who is not a patient in an institution for tuberculosis or a mental disease or a patient in a medical institution because of diagnosis of tuberculosis or psychosis: *Provided*, That such assistance shall cover all costs of general maintenance, exclusive of medical care and health services, and

(d) Has not made a voluntary assignment or transfer of property or cash for the purpose of qualifying for an old age assistance grant, and

(e) Is in need.

[R.C.W. 74.08.030 is § 5, ch. 1, L. '51 (initiative 178).]

Effective date of act.

SEC. 2. This act shall take effect on December 8, 1952.

Passed the Senate March 2, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 166.

[ S. B. 241. ]

TAXATION—RECIPROCITY AMONG STATES.

AN ACT relating to reciprocity between this state and other states in the matter of authority, jurisdiction, and procedure for the enforcement of payment and collection of taxes lawfully imposed; prescribing authority and jurisdiction thereto.

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

Reciprocity in enforcement of tax liability.

Claims against state and subdivisions excepted.

Limitations of action.

Certificate.

SECTION 1. The courts of the state shall recognize and enforce the liability for taxes lawfully imposed by the laws of any other state which extends a like comity in respect to the liability for taxes lawfully imposed by the laws of this state and the officials of such state are hereby authorized to bring an action in all the courts of this state for the collection of such taxes: *Provided*, That the courts of this state shall not recognize claims for such taxes against this state or any of its political subdivisions: *Provided, further*, That the time limitations upon the bringing of such actions which may be imposed by the laws of such other state shall not be tolled by the absence from such state of the person from whom the taxes are sought. The certificate of the secretary of state

of such other state to the effect that such officials have the authority to collect the taxes sought to be recovered by such action shall be conclusive proof of that authority. Conclusive proof.

SEC. 2. The term "taxes" as used herein shall include: "Taxes" included.

(1) Any and all tax assessments lawfully made whether they be based upon a return or other disclosure of the taxpayer, upon information and belief of the taxing authority, or otherwise; All tax assessments.

(2) Any and all penalties lawfully imposed pursuant to a tax statute; penalties.

(3) Interest charges lawfully added to the tax liability which constitutes the subject of the action. interest.

Passed the Senate February 16, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 167.

[ S. B. 269. ]

### LIMITED ACCESS HIGHWAY FACILITIES.

AN ACT relating to limited access highway facilities; extending the application of the limited access highway act to include certain highways, roads or streets; adding new sections to chapter 47.52, R.C.W.; amending sections 47.52.010, 47.52.020, 47.52.070 and 47.52.080, R.C.W.; validating certain acts of authorities in connection with highways; and declaring an emergency.

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

SECTION 1. There is added a new section to chapter 47.52, R.C.W., to read as follows: New section.

Unrestricted access to and from public highways has resulted in congestion and peril for the traveler. It has caused undue slowing of all traffic in many areas. The investment of the public in highway facil-

Declaration of policy.

ities has been impaired and highway facilities costing vast sums of money will have to be relocated and reconstructed. It is the declared policy of this state to limit access to the highway facilities of this state in the interest of highway safety and for the preservation of the investment of the public in such facilities.

[Chapter 47.52 R.C.W. is Rem. Supp. 1947, §§ 6402-60 to 6402-70 incl.]

Amendment.

SEC. 2. Section 47.52.010, R.C.W., as derived from section 1, chapter 202, Laws of 1947, is amended to read as follows:

"Limited access facility."

For the purposes of this chapter a "limited access facility" is defined as a highway or street especially designed or designated for through traffic, and over, from, or to which owners or occupants of abutting land, or other persons, have no right or easement, or only a limited right or easement of access, light, air, or view by reason of the fact that their property abuts upon such limited access facility, or for any other reason to accomplish the purpose of a limited access facility. Such highways or streets may be

Parkways.

parkways, from which trucks, buses, and other commercial vehicles shall be excluded; or they may be

Freeways.

freeways open to use by all customary forms of street and highway traffic.

[Am. Rem. Supp. 1947, § 6402-60.]

New section.

SEC. 3. There is added a new section to chapter 47.52, R.C.W., to read as follows:

"Existing highway."

For the purposes of this act, the term "existing highway" shall include all highways, roads and streets duly established, constructed, and in use. It shall not include new highways, roads or streets, or relocated highways, roads or streets, or portions of existing highways, roads or streets which are relocated.

[See note to section 1, *supra*.]

Amendment.

SEC. 4. Section 47.52.020, R.C.W., as derived from section 2, chapter 202, Laws of 1947, is amended to read as follows:

The highway authorities of the state, counties, and incorporated cities and towns, acting alone or in cooperation with each other, or with any federal, state, or local agency, or any other state having authority to participate in the construction and maintenance of highways, may plan, designate, establish, regulate, vacate, alter, improve, construct, maintain, and provide limited access facilities for public use wherever such authority or authorities are of the opinion that traffic conditions, present or future, will justify such special facilities: *Provided*, That within incorporated cities and towns, and upon county roads within counties, such authority or authorities shall be subject to the consent of the governing body.

Highway authorities; powers.

Consent of local governing body.

[Am. Rem. Supp. 1947 § 6402-61 (Through and including first sentence of first proviso) see also note to sec. 5 *infra*.]

SEC. 5. The second and third paragraphs of section 47.52.020, R.C.W., are designated a separate section, and amended to read as follows:

Amendment.

Such highway authorities of the state, counties, and incorporated cities and towns, in addition to the specific powers granted in this chapter, shall also have, and may exercise, relative to limited access facilities, any and all additional authority, now or hereafter vested in them relative to highways or streets within their respective jurisdictions, and may regulate, restrict, or prohibit the use of such limited access facilities by the various classes of vehicles or traffic in a manner consistent with section 47.52.010.

Highway authorities; additional powers.

[R.C.W. 47.52.010 appears as sec. 2, *supra*, this chapter.]

[2nd and 3rd para. of R.C.W. 47.52.020 are derived from Rem. Supp. 1947, § 6402-61 (second sentence of first proviso to end of section).]

SEC. 6. There is added a new section to chapter 47.52, R.C.W., to read as follows:

New section.

No existing highway, road or street, or portion of an existing highway, road or street may be established as a limited access facility until the owners or reputed owners of the abutting property of the section affected, as indicated in the tax rolls of the

Establishment of existing highway, road, or street, as limited access facility.

Notice.

county be given notice of such proposal and an opportunity to be heard thereon. Such notice shall be served upon such owners or reputed owners by United States mail in writing and shall designate the existing highway, road or street or portion thereof, which it is proposed shall be designated as a limited access facility and shall set a time for hearing as to such proposal which time shall be not less than thirty days after mailing of such notice. Such notice shall indicate a suitable location in the county affected where plans for such proposal may be inspected by any party affected or their representatives. When the owners of abutting property are unknown or cannot be located, such notice may be served by publication in the county or by posting a copy thereof at some conspicuous place upon the right-of-way or proposed right-of-way of such highway, road or street where it abuts upon the property of such owners. Notice given as herein provided shall be deemed sufficient as to any owner or reputed owner or to any unknown owner or owner who cannot be located for all purposes under this chapter.

Service on  
unknown  
owners.

[See note to section 1.]

SEC. 7. There is added to chapter 47.52, R.C.W., a new section to read as follows:

Hearing.

At such hearing the members of such authority shall preside, or may designate some suitable person to preside as examiner. All testimony or statements given at such hearing shall be taken down by a stenographer under oath, as in superior courts. Any person desiring to be heard must first enter an appearance. The authority shall introduce by competent witness a summary of the proposal for the establishment of a limited access facility and any evidence that may be proper as to the public convenience and necessity for such facility. At the conclusion of such evidence, any persons entering an appearance may introduce, either in person or by counsel, evidence

Evidence  
recorded.

Appearance.

Summary of  
authority's  
proposal.



and statements or counterproposal bearing upon the reasonableness of the proposal. Any counterproposal shall receive reasonable consideration by the authority before any proposal is adopted. Such evidence must be material to the issue before the authority and shall be presented in an orderly manner. The authority shall have power to find any person guilty of contempt who shall act in a disorderly manner at any such hearing and shall report such contempt to the county prosecuting attorney who shall proceed against such person as for contempt of the superior court.

[See note to section 1.]

SEC. 8. There is added a new section to chapter 47.52, R.C.W., to read as follows:

At the conclusion of such hearing the authority shall consider the evidence taken at such hearing and shall make specific findings in the case of each abutting ownership as to whether such proposal to establish such existing highway, road or street, or portion thereof, as a limited access facility is required by the public convenience and necessity. It may order the adoption of such proposal or counterproposal in entirety or in part, or may modify or reject any proposal. Its findings of order shall be in writing and copies thereof shall be served by United States mail upon all persons entering an appearance at such hearing. Such determination shall become final within thirty days after such mailing as to all the abutting property affected unless a review is taken as hereinafter provided by any individual owner of abutting property who was a party. In case of an appeal, the order shall be final as to the property of all abutting owners not appealing.

[See note to section 1.]

SEC. 9. There is added a new section to chapter 47.52, R.C.W., to read as follows:

Review.

Any party to such hearing may petition for review in the superior court of Thurston County of any portion of such findings and order which affects property owned by him and may appeal from such superior court to the supreme court. If more than one owner desires a review, the court in its discretion may consolidate all cases in one proceeding. Such review and any appeal therefrom shall be considered and disposed of by said courts upon the record of the authority in the manner, under the conditions, and subject to the limitations, and with the effect specified in the public service commission law of this state, as amended.

Appeal.

Consolidation of cases.

Procedure for review and appeal.

[See note to section 1.]

Amendment.

SEC. 10. Section 47.52.070, R.C.W., as derived from section 6, chapter 202, Laws of 1947, is amended to read as follows:

Designation or establishment to be entered.

The designation or establishment of a limited access facility shall, by the authority making the designation or establishment, be entered upon the records or minutes of such authority in the customary manner for the keeping of such records or minutes. The state, counties and incorporated cities and towns may provide for the elimination of sections [intersections] at grade of limited access facilities with existing state or county roads, and with city or town streets, by grade separation or service road, or by closing off such roads and streets at the right-of-way boundary line of such limited access facility; and after the establishment of any such facility, no highway or street which is not part of said facility, shall intersect the same at grade. No city or town street, county road, or state highway, or any other public or private way, shall be opened into or connect with any such limited access facility without the consent and previous approval of the highway authority of the state, county, incorporated city or town having jurisdiction over such limited access facility. Such

Elimination of intersections at grade.

Connection with facility; consent of authority required for.

consent and approval shall be given only if the public interest shall be served thereby.

[Am. Rem. Supp. 1947, § 6402-65.]

SEC. 11. Section 47.52.080, R.C.W., as derived from section 7, chapter 202, Laws of 1947, is amended to read as follows:

No public highway, road or street shall be constructed as a limited access facility except upon the waiver, purchase, or condemnation of the abutting owner's right of access thereto as herein provided. In cases involving existing highways, if the abutting property is used for business at the time the notice is given as provided in section 6 hereof, the owner of such property shall be entitled to compensation for the loss of adequate ingress to or egress from such property as business property in its existing condition at the time of the notice provided in section 6 hereof as for the taking or damaging of property for public use.

[Am. Rem. Supp. 1947, § 6402-66.]

SEC. 12. Any prior determinations of an authority establishing a limited access facility subsequent to the effective date of chapter 202, Laws of 1947, in connection with new highways, roads or streets, or relocated highways, roads or streets, or portions of existing highways, roads or streets which are relocated, and all acquirements of property or access rights in connection therewith are hereby validated, ratified, approved and confirmed, notwithstanding any lack of power (other than constitutional) of such authority, and notwithstanding any defects or irregularities (other than constitutional) in such proceedings.

SEC. 13. 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 19, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 168.

[ S. B. 288. ]

### REGULATION OF MATERNITY HOMES.

AN ACT relating to licensing and regulation of maternity homes; providing for penalties; and repealing chapter 18.46, R.C.W.

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

Declaration  
of purpose.

SECTION 1. The purpose of this act is to provide for the development, establishment, and enforcement of standards for the maintenance and operation of maternity homes, which, in the light of advancing knowledge, will promote safe and adequate care and treatment of the individuals therein.

"Maternity  
Home."

SEC. 2. (1) "Maternity home" means any home, place, hospital or institution in which facilities are maintained for the care of four or more women, not related by blood or marriage to the operator, during pregnancy or during or within ten days after delivery: *Provided, however,* That this act shall not apply to any hospital approved by the American College of Surgeons, American Osteopathic Association or its successor.

Exclusion.

"Person."

(2) "Person" means any individual, firm, partnership, corporation, company, association, or joint stock association, and the legal successor thereof.

"Depart-  
ment."

(3) "Department" means the state department of health.

"Board."

(4) "Board" means the state board of health.

SEC. 3. After July 1, 1951 no person shall operate a maternity home in this state without a license under this act.

License  
required.

SEC. 4. An application for license shall be made to the department upon forms provided by it and shall contain such information as the department reasonably requires, which may include affirmative evidence of ability to comply with rules and regulations as are lawfully prescribed hereunder. Each application for license shall be accompanied by a license fee of fifteen dollars plus one dollar per bed capacity per year, but in no event shall the total exceed one hundred dollars: *Provided*, That no fee shall be required of charitable or non-profit or government-operated institutions.

Application.

Fee.

Exception.

SEC. 5. Upon receipt of an application for a license and the license fee, where required, the licensing agency shall issue a license if the applicant and the maternity home facilities meet the requirements established under this act. A license, unless suspended or revoked, shall be renewable annually. All licenses issued under the provisions of this act shall expire on the first day of July next succeeding the date of issue. Applications for renewal shall be on forms provided by the department and shall be filed in the department not less than ten days prior to its expiration. Each application for renewal shall be accompanied by a license fee of twenty-five dollars. Each license shall be issued only for the premises and persons named in the application and shall not be transferable or assignable except with the written approval of the department. Licenses shall be posted in a conspicuous place on the licensed premises.

License.

Annual  
renewal.

Expiration.

Application  
for renewal.

Renewal fee.

Assignment.

Posting.

SEC. 6. The department after notice and opportunity for hearing to the applicant or licensee is authorized to deny, suspend, or revoke a license in any case in which it finds that there has been failure

Denial,  
suspension  
or revocation  
of licenses.

or refusal to comply with the requirements established under this act.

Notice. Notice shall be effected by registered mail or by personal service setting forth the particular reasons for the proposed action and fixing a date not less than thirty days from the date of mailing or service at which time the applicant or licensee shall be given an opportunity for a prompt and fair hearing. On the basis of such hearing or upon default of the applicant or licensee, the department shall make a determination specifying its findings and conclusions. A copy of the determination shall be sent by registered mail or served personally upon the applicant or licensee. The decision revoking, suspending, or denying the license or application shall become final thirty days after it is mailed or served, unless the applicant or licensee, within such thirty day period, appeals the decision.

Hearing. The procedure governing hearings authorized by this section shall be in accordance with the rules promulgated by the board. A full and complete record shall be kept of all proceedings, and all testimony shall be reported but need not be transcribed unless the decision is appealed. A copy or copies of the transcript may be obtained by any interested party on payment of the cost of preparing such copy or copies. Witnesses may be subpoenaed by either party.

Findings and conclusions.

Decision, when final.

Appeal.

Hearing procedure.

Record of proceedings.

Transcript.

Witnesses.

Board to adopt rules and regulations.

SEC. 7. The board, after consultation with representatives of maternity home operators, state medical association, Washington osteopathic association, state nurses association, state hospital association, and any other representatives as the board may deem necessary, shall adopt, amend, and promulgate such rules and regulations with respect to all maternity homes in the promotion of safe and adequate medical and nursing care of inmates in the maternity home and the sanitary, hygienic and safe condition

of the maternity home in the interest of the health, safety and welfare of the people.

SEC. 8. Any maternity home which is in operation at the time of promulgation of any applicable rules or regulations under this act shall be given a reasonable time, under the particular circumstances, not to exceed three months from the date of such promulgation, to comply with the rules and regulations established under this act.

Existing  
maternity  
homes.

Time to  
comply with  
rules.

SEC. 9. The department shall make or cause to be made an inspection and investigation of all maternity homes, and every inspection may include an inspection of every part of the premises. The department may make an examination of all records, methods of administration, the general and special dietary and the stores and methods of supply. The board may prescribe by regulation that any licensee or applicant desiring to make specified types of alteration or addition to its facilities or to construct new facilities shall before commencing such alterations, addition, or new construction submit plans and specifications therefor to the department for preliminary inspection and approval or recommendations with respect to compliance with regulations and standards herein authorized. Necessary conferences and consultations may be provided.

Inspection  
of maternity  
homes.

Regulation  
concerning  
alterations.

Plans sub-  
mitted to  
department.

SEC. 10. All information received by the department through filed reports, inspection, or as otherwise authorized under this act shall not be disclosed publicly in any manner as to identify individuals or maternity homes except in a proceeding involving the question of licensure.

Disclosure  
of informa-  
tion received  
by depart-  
ment:

SEC. 11. Any applicant or licensee aggrieved by the decision of the department after a hearing, may, within thirty days after the mailing or serving of notice of the decision, file a notice of appeal in the superior court of the county in which the maternity

Appeal to  
superior  
court.

home is located or to be located, and serve a copy of the notice of appeal upon the department. Thereupon the department shall promptly certify and file with the court a copy of the record and decision, including the transcript of the hearings on which the decision is based.

Findings  
conclusive.

Findings of fact by the department shall be conclusive unless substantially contrary to the weight of the evidence but upon good cause shown the court may remand the case to the department to take further evidence, and the department may thereupon affirm, reverse, or modify its decision. The court may affirm, or reverse the decision of the department and either the applicant or licensee or the department may apply for further review as is provided by law. Pending final disposition of the matter the *status quo* of the applicant or licensee shall be preserved, except as the court otherwise orders in the public interest.

Remand for  
further  
evidence.

Further  
review.

Status quo  
preserved  
on appeal.

Fire protec-  
tion; state  
fire marshal  
to adopt  
standards.

SEC. 12. Fire protection with respect to all maternity homes to be licensed hereunder, shall be the responsibility of the state fire marshal, who shall adopt by reference, such recognized standards as may be applicable to nursing homes, places of refuge, and maternity homes for the protection of life against the cause and spread of fire and fire hazards. The department upon receipt of an application for a license, shall submit to the state fire marshal in writing, a request for an inspection, giving the applicant's name and the location of the premises to be licensed. Upon receipt of such a request, the state fire marshal or his deputy, shall make an inspection of the maternity home to be licensed, and if it is found that the premises do not comply with the required safety standards and fire regulations as promulgated by the state fire marshal, he shall promptly make a written report to the department as to the manner in which the premises may qualify

Inspection.

Written  
report  
where  
premises  
do not  
comply.



for a license and set forth the conditions to be remedied with respect to fire regulations. The department, applicant or licensee shall notify the state fire marshal upon completion of any requirements made by him, and the state fire marshal, or his deputy, shall make a reinspection of such premises. Whenever the maternity home to be licensed meets with the approval of the state fire marshal, he shall submit to the department, a written report approving same with respect to fire protection before a license can be issued. The state fire marshal shall make or cause to be made such inspection of such maternity homes as he deems necessary.

Reinspection.

Approval.

In cities which have in force a comprehensive building code, the regulation of which is equal to the minimum standards of the state fire marshal's code for maternity homes, the building inspector and the chief of the fire department, provided the latter is a paid chief of a paid fire department, shall make the inspection and shall approve the premises before a license can be issued.

Cities having building code.

Inspection by chief.

In cities where such building codes are in force, the state fire marshal may, upon request by the chief fire official, or the local governing body, or of a taxpayer of such city, assist in the enforcement of any such code pertaining to maternity homes.

Enforcement of code; state fire marshal may assist.

SEC. 13. Any person operating or maintaining any maternity home without a license under this act shall be guilty of a misdemeanor. Each day of a continuing violation after conviction shall be considered a separate offense.

Misdemeanor to operate without a license.

SEC. 14. Notwithstanding the existence or use of any other remedy, the department may in the manner provided by law, upon the advice of the attorney general who shall represent the department in all proceedings, maintain an action in the name of the state for an injunction or other process against any person to restrain or prevent the oper-

Upon advice of attorney general; injunction.

ation or maintenance of a maternity home not licensed under this act.

Homes conducted for or by members of religious sects which depend upon prayer for healing.

SEC. 15. Nothing in this act or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial and nursing care of residents or patients in any maternity home as defined in this act, conducted for or by members of a recognized religious sect, denomination, or organization which in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion, nor shall the existence of any of the above conditions militate against the licensing of such home or institution.

Repealing clause.

SEC. 16. Chapter 18.46, R.C.W., as derived from chapter 214, Laws of 1943, is repealed.

[Rep. Rem. Supp. 1943, §§ 6130-47 to 6130-51 incl.]

Partial invalidity.

SEC. 17. If any provision of this act or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this act which can be given effect without the invalid provision or application, and to this end the provisions of the act are declared to be severable.

Passed the Senate February 27, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 169.

[ S. B. 304. ]

ADMINISTRATION OF THE WASHINGTON RURAL  
REHABILITATION CORPORATION.

AN ACT providing for the application for return of and future administration of the assets of the Washington rural rehabilitation corporation; and declaring an emergency.

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

SECTION 1. The director of the state department of agriculture is hereby designated as the state official of the state of Washington to make application to and receive from the Secretary of Agriculture of the United States, or any other proper federal official, pursuant and subject to the provisions of Public Law 499, 81st congress, approved May 3, 1950, the trust assets, either funds or property, held by the United States as trustee in behalf of the Washington rural rehabilitation corporation.

Director to make application for, and to receive trust assets.

SEC. 2. The director of agriculture is authorized, in his discretion, to enter into agreements with the Secretary of Agriculture of the United States pursuant to section 2(f) of the aforesaid act of the congress of the United States, upon such terms and conditions and for such periods of time as may be mutually agreeable, authorizing the Secretary of Agriculture of the United States to accept, administer, expend and use in the state of Washington all or any part of such trust assets or any other funds of the state of Washington which may be appropriated for such uses for carrying out the purposes of Titles I and II of the Bankhead-Jones Farm Tenant Act, in accordance with the applicable provisions of Title IV thereof, as now or hereafter amended, and to do any and all things necessary to effectuate and carry out the purposes of said agreements.

Director may authorize secretary of agriculture to spend and use certain moneys within the state.

SEC. 3. Notwithstanding any other provisions of law, funds and the proceeds of the trust assets which

Funds not authorized to be administered by secretary of agriculture are appropriated.

are not authorized to be administered by the Secretary of Agriculture of the United States under the provisions of section 2 of this act shall be received by the director of agriculture and by him deposited with the treasurer of state. Such funds are hereby appropriated and may be expended or obligated by the director of agriculture for the purposes of section 2 of this act or for use by the director of agriculture for such of the rural rehabilitation purposes permissible under the charter of the now dissolved Washington rural rehabilitation corporation as may from time to time be agreed upon by the director of agriculture and the Secretary of Agriculture of the United States, subject to the applicable provisions of said Public Law 499.

Purposes.

Director may:

SEC. 4. The director of agriculture is authorized and empowered to:

Settle claims and obligations.

(a) Collect, compromise, adjust or cancel claims and obligations arising out of or administered under this act or under any mortgage, lease, contract or agreement entered into or administered pursuant to this act and if, in his judgment, necessary and advisable, pursue the same to final collection in any court having jurisdiction.

Acquire property upon which he has a lien.

(b) Bid for and purchase at any execution, foreclosure or other sale, or otherwise to acquire property upon which the director of agriculture has a lien by reason of judgment or execution, or which is pledged, mortgaged, conveyed or which otherwise secures any loan or other indebtedness owing to or acquired by the director of agriculture under this act, and

Accept title to and operate, lease or dispose of property.

(c) Accept title to any property title so purchased or acquired; to operate or lease such property for such period as may be deemed necessary to protect the investment therein; and to sell or otherwise dispose of such property in a manner consistent with the provisions of this act.

The authority herein contained may be delegated to the Secretary of Agriculture of the United States with respect to funds or assets authorized to be administered and used by him under agreements entered into pursuant to section 2 of this act.

Authority may be delegated to secretary of agriculture.

SEC. 5. The United States and the Secretary of Agriculture thereof, shall be held free from liability by virtue of the transfer of the assets to the director of agriculture of the state of Washington pursuant to this act.

Immunity from liability.

SEC. 6. If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole, or any section, provision, or part thereof, not adjudged invalid or unconstitutional.

Partial invalidity.

SEC. 7. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the Senate February 19, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 170.

[ S. B. 309. ]

ESTABLISHING A REGULATORY DIVISION OF THE DEPARTMENT OF AGRICULTURE.

AN ACT relating to the department of agriculture; establishing a regulatory division; prescribing its powers and duties; and amending section 43.23.010, R.C.W.

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

Amendment.

SECTION 1. Section 43.23.010, R.C.W., as derived from section 83, chapter 7, Laws of 1921, is amended to read as follows:

Department of agriculture; divisions enumerated.

The department of agriculture shall be organized into six divisions, to be known as, (1) the division of agriculture, (2) the division of horticulture, (3) the division of dairy and livestock, (4) the division of foods, feeds and drugs, (5) the division of weights and measures, and (6) a regulatory division.

Director.

The director of agriculture shall have charge and general supervision of the department.

[Am. R.R.S. § 10841.]

Assistants.

SEC. 2. The director of agriculture shall appoint such assistants, officers, inspectors and other employees as may be necessary for the administration of the affairs of this division and all such assistants, officers and inspectors so appointed shall have the authority generally vested in a peace officer.

Authority as peace officers.

Regulatory division powers.

SEC. 3. The regulatory division hereby established shall have the power to enforce all laws relating to any division under the supervision of the director of agriculture.

Passed the Senate February 24, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 171.

[ S. B. 310. ]

DEPARTMENT OF AGRICULTURE—COMMODITY  
INSPECTION AND LICENSE FEES.AN ACT relating to the department of agriculture; and amend-  
ing section 22.08.090, R.C.W.*Be it enacted by the Legislature of the State of  
Washington:*

SECTION 1. Section 22.08.090, R.C.W., as derived from section 1, chapter 157, Laws of 1935, is amended to read as follows: Amendment.

The director shall fix the fees for inspection, grading, and weighing of the commodities included in the provisions of this chapter, which fees shall not exceed eight cents a ton for sack grain and six cents a ton for bulk grain. The fees for inspection, weighing, grading of such commodities shall be a lien upon the commodity so weighed, graded, or inspected to be paid by the carrier transporting the same and treated by it as an advanced charge, except when the bill of lading contains the notation "Not for terminal weight and grade," and the commodity is not unloaded at a terminal warehouse. The director shall so adjust the fees to be collected under this chapter as to meet the expenses necessary to carry out the provisions hereof, and may prescribe a different scale of fees for different localities. The director may also prescribe a reasonable charge for service performed at places other than terminal warehouses in addition to the regular fees when necessary to avoid rendering the services at a loss to the state. All moneys collected as grain and terminal warehouse license fees, track buyer's license fees, and inspection fees under the provisions of this chapter, shall be paid into the grain and hay inspection fund which is hereby established. Such fund shall be used for administrative expenses under this chapter and for the enforcement of all the provisions thereof.

Director  
to fix  
inspection,  
grading and  
weighing  
fees.  
Maximum.  
  
Lien.  
  
Exception.  
  
Fees to be  
adjusted  
to meet  
expenses.  
  
Additional  
fees.  
Disposition  
of fees.  
  
Grain  
and hay  
inspection  
fund  
established;  
use.

Research and promotional uses.

The director may use so much of such fund not exceeding five per cent thereof as he may determine necessary for research and promotional work, including rate studies, relating to wheat and wheat products.

[Am. Rem. Supp. § 6991.]

Passed the Senate February 22, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 172.

[ S. B. 337. ]

REFORESTATION LANDS.

AN ACT relating to lands suitable for forestation and reforestation; the classification of lands as reforestation lands; and amending sections 84.28.040, 84.28.050 and 84.28.060, R.C.W.

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

Amendment.

SECTION 1. Section 84.28.040, R.C.W., as derived from section 3, chapter 40, Laws of 1931, is amended to read as follows:

Written objection to classification as reforestation lands; time for.

The tax commission shall hold said list for a period of two weeks, during which time any taxpayer, or the county assessor, of the county in which the lands are located shall be entitled to file written objections with it to the classification as reforestation lands of any particular lands on such list. If any objection is filed the commission shall fix a date for hearing thereon, and shall in writing notify the objector, the board and the owner of the lands of the date fixed for the hearing. At the hearing the commission shall hear and consider evidence offered by the board, owner, or objector as to the nature and character of such lands, and from such evidence shall determine whether the lands shall be classified as reforestation lands; and if the commission deter-

Hearing.

Commission to hear evidence.



mines that the lands are not suitable for reforestation and should not be classified as reforestation lands, it shall cause such lands to be stricken from the list. If no objections are filed to the classification of any lands on such list or if objections are filed and after hearing are overruled, the commission shall enter an order approving the list as filed; and if, following a hearing on objections to classification as to any particular lands on the list, the commission determines that the particular lands are not properly classified as reforestation lands, it shall enter an order to that effect and shall strike such lands from the list, and enter an order approving the list with such lands stricken therefrom. Upon entry of the order the commission shall, at its expense, cause a certified copy thereof, together with the approved list to be recorded in the office of the auditor of the county in which the lands are situated, and shall forward one certified copy thereof, together with the approved list, to the assessor of the county wherein the lands are situated, one copy to the board, and one copy of its order to the owner, with a list only of lands in which he has an interest; and thereupon the lands described on such list shall be classified as reforestation lands.

[Am. R.R.S. § 11219-3 (part, beginning with last sentence, p. 549, Vol. 11). Remainder of R.R.S. § 11219-3 is codified as R.C.W. 84.28.020 and 84.28.030.]

SEC. 2. Section 84.28.050, R.C.W., as derived from section 4, chapter 40, Laws of 1931, is amended to read as follows:

Whenever the board believes that any lands classified as reforestation lands are not being protected as provided by law, or are not being used primarily for forest crop production, it may petition the tax commission to remove such lands from classification as reforestation lands. The petition shall describe the lands by government legal subdivisions and shall set forth the name of the owner thereof,

Striking  
lands from  
list.

Order  
approving  
list as filed.

Order  
striking  
particular  
lands from  
list and  
approving  
remainder.

List  
recorded.

Distribution  
of copies.

Amendment.

Petition to  
remove lands  
from  
classification.

Contents.

Hearing. and the grounds and reasons for which such removal is sought. The commission shall thereupon fix a time and place for hearing on the petition and shall mail a notice thereof, together with a copy of the petition, to the owner at his address as shown by the records of the county treasurer's office. At the time and place fixed for the hearing the commission shall hold a hearing on the petition and shall receive evidence offered by the owner or the board for and against the petition. Upon the conclusion of the hearing the commission shall determine whether such lands shall be removed from the classification as reforestation lands, and shall enter an order accordingly. One certified copy of such order shall be furnished by the commission to the county assessor of the county in which the lands are situated, one to the owner and one to the board, and the commission shall, at its own expense, cause a certified copy of such order, together with a list of the lands covered thereby, to be recorded in the office of the auditor of the county in which the lands are situated.

[Am. R.R.S. § 11219-4 (part, from beginning of section to line 8, p. 551, vol. 11). Remainder of R.R.S. § 11219-4 is codified as R.C.W. 84.28.070.]

Amendment. SEC. 3. Section 84.28.060, R.C.W., as derived from section 5, chapter 40, Laws of 1931, is amended to read as follows:

Petition declaring lands more valuable for another purpose.

Hearing.

Whenever any lands previously classified as reforestation lands shall be or become more valuable for some other purpose and twenty-five taxpayers of the county in which the lands are situated file a petition with the tax commission, alleging such to be the case, the commission shall fix a date for hearing on the petition and shall in writing notify the taxpayers by mailing notice thereof directed to the taxpayers at the address shown on the petition; and shall likewise notify the board, and the owners of the lands involved, by mailing a notice of the hearing to them

directed to their respective addresses. At the hearing the petitioners, the board and the owners shall be entitled to offer evidence bearing upon the question of the value of such lands for reforestation and other purposes. The commission from the evidence shall determine whether the lands are more valuable for some other purpose than for reforestation; and if it so determines it shall enter an order to that effect and thereupon the lands shall be removed from classification as reforestation lands. Upon entry of an order by the commission, as provided for in this section, the commission shall, at its own expense, cause a certified copy thereof, together with a list of the lands covered thereby, to be recorded in the office of the auditor of the county in which the lands are situated.

Order.

Recorded  
with county  
auditor.

[Am. R.R.S. § 11219-5.]

Passed the Senate February 22, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 173.

[ S. B. 34. ]

**TOWNSHIPS—PROCEDURE FOR DISORGANIZATION.**

AN ACT relating to townships; and authorizing and providing procedure for disorganization of townships.

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

SECTION 1. Proceedings for disorganization of a township may be commenced by petition for an election therein upon the question. A petition for such election shall be filed with the county auditor. It must be signed by registered voters residing within the township sufficient in number to equal twenty per cent of the vote of the township at the last general election.

Petition  
for election  
on question  
of disorgani-  
zation.

Auditor to canvass petition.

SEC. 2. The county auditor shall canvass the petition for an election to vote upon the question of disorganization:

(1) By ascertaining the number of votes cast at the last general election by persons residing within such township; and

(2) By ascertaining by comparison whether the handwriting of each signer on the petition and on the registration card bearing his name were made by the same person.

Auditor to fix election date.

SEC. 3. If the number of valid signatures on the petition are sufficient, the county auditor shall fix a date for holding the election and give at least twenty days' notice thereof. Notices of elections shall contain a statement of the purpose for which the election is called, the time at which it will be held and the location of the voting place or voting places. Regular voting precincts may be divided or combined, or both. The notices shall be posted in ten of the most public places within the township sought to be disorganized.

Notices.

Voting precincts. Posting.

Form of ballot.

SEC. 4. Ballots for elections to be held under the provisions of this act shall have printed thereon the words "for disorganization" on one line, followed by a printed square bounded on all sides by a line one quarter of an inch long, and the words "against disorganization" on another line, followed by a similar printed square. At the top of the ballot shall appear directions to the voter advising him to place a cross in the square opposite the decision of his choice, or words to that effect.

Conducted and canvassed by whom.

SEC. 5. Elections held under the provisions of this act shall be conducted by the county auditor and canvassed by the county election board conformable as nearly as practicable to the requirements for conducting and canvassing the returns of general elections.

SEC. 6. If, in an election held under the provisions of this act, a majority of the votes cast thereat favor disorganization, the county auditor shall certify the results to the presiding judge of the superior court for the county, who shall enter an order of disorganization and shall appoint the chairman of the board of county commissioners who shall act as receiver to wind up the affairs of the disorganized township.

Vote in favor of disorganization; appointment of receiver.

SEC. 7. The chairman of the board of county commissioners shall take possession of all the property, moneys, vouchers, records and books of the former township, including those in any manner pertaining to its business, and proceed to wind up its affairs. He shall have the right to sue and be sued in all cases necessary or proper for the purpose of winding up the affairs of the former township. He is authorized to sell at public auction, after such public notice as the sheriff is required to give as to property sold on execution, all the property of the former township, except such as is necessary for his use in winding up its affairs. Any personal property may be sold for cash. Real property may be sold for all cash or for one-half cash and deferred payments, the last payment not to be later than one year from date of sale. Title shall not pass until all deferred payments have been fully paid.

Chairman to take possession of all property.

Sale of property.

Title.

SEC. 8. In the same manner and to the same extent as the proper authorities of the former township could have done had it not been disorganized, the chairman of the board of county commissioners may be authorized by the court when necessary to levy taxes on all taxable property therein, to receive the taxes when collected and to apply them together with the proceeds arising from any sales of property to the extinguishment of the obligations of the former township.

Chairman may levy and collect taxes.

Final  
account.

Money  
prorated  
to school  
districts.

Class A  
counties.

SEC. 9. Upon the payment of all lawful demands against the former township, the chairman of the board of county commissioners shall file a final account, together with all vouchers, with the clerk of the superior court and pay any funds remaining in his hands to the county treasurer to be placed to the credit of any school district or districts within whose boundaries the township is located, said money to be prorated to such school districts in proportion to their share of assessed value of the real estate located therein. Upon the approval by the court of said final account the court shall sign proper orders dissolving such township.

SEC. 10. The provisions of this act shall not apply to the class A counties.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 174.

[ S. S. B. 40. ]

REGULATING SALE AND USE OF FIREWORKS.

AN ACT regulating the sale and the offering or exposing for sale of certain fireworks; defining such fireworks and regulating the manner of using fireworks; providing penalties for the violation of the provisions of the act; repealing chapter 70.78, R.C.W.; and declaring an emergency.

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

"Fireworks."

SECTION 1. The term "fireworks" shall mean any combustible or explosive composition or any substance or combination of substances, or article exclusively prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation, and shall include blank cartridges, the type of balloons which require fire

underneath to propel the same, firecrackers, torpedoes, skyrockets, roman candles, aerial bombs, sparklers or other fireworks of like construction and any fireworks containing any explosive or flammable compound, or any other tablets other than medicinal tablets, or other device containing any explosive substance hereinafter more specifically described.

SEC. 2. The term "fireworks" shall not include toy pistols, toy canes, toy guns, or other devices in which paper caps containing .25 grains or less of explosive compound are used, providing that they are so constructed that the hand cannot come in contact with the cap when in place for the explosion.

Excluded.

SEC. 3. It shall be unlawful to manufacture, sell as a wholesaler, jobber or broker, offer for retail sale, expose for retail sale, sell at retail, or use or explode one pound rockets or larger, sidewick salutes, cherry bombs, cherry salutes, M-80's, T.N.T. bombs, toy torpedoes, or any other fireworks within the state except such as comply with the following detailed specifications: Ground explosives, which shall be made without solid silicate end plugs and be made of ordinary paper shells with fuse in end, and same shall not contain an explosive composition in excess of a total of twelve grains, nor be over two inches in length by one-half inch in width, outside diameter exclusive of fuse, skyrockets, which shall not be in excess of one and one-quarter inches in outside diameter, or in excess of ten inches in length, or designated in excess of one-half pound; ground propulsion items which shall not exceed the explosive content of a one and five-eighths inch chinese firecracker; aerial bombs which do not contain a total explosive charge in excess of thirty grains of explosive composition per tube; buzz bombs or similar articles which do not contain an explosive composition in excess of twenty grains; roman candles which do not contain balls in excess of twenty per

Unlawful to make or sell fireworks except in accordance with specifications.

Ground explosives.

Sky rockets.

Ground propulsion items.

Aerial bombs.

Buzz bombs.

Roman candles.

Other types. candle; other types of fireworks such as sparklers, cone goods, handle goods, base goods, and wheel goods, snakes, snake nests, and boa constrictors of a nonpoisonous nature; star shells, parachute shells, and bursting comets that do not contain any explosive composition in addition to their usual composition for smoke or illumination; any item of fireworks designed to stand on the ground, in the form of a cone, which shall not contain any explosive composition.

Sale or use prohibited.

SEC. 4. It shall be unlawful for any person, firm, copartnership, or corporation to offer for retail sale, expose for retail sale, sell at retail, or use or explode any fireworks within the state, except between the dates of June 25 and July 5, inclusive.

Exception.

Unlawful to sell without permit.

SEC. 5. It shall be unlawful for any person, firm, copartnership or corporation to engage in the retail sale of fireworks without first having obtained a permit from the clerk of the county in which the retail sales are to be made, or from the city clerk if such retail sale is to be carried on within a municipal corporation. The fee to be charged for the issue of any such retail sales permit shall be five dollars, which fee shall cover but one sales outlet: *Provided, however,* That no permit to sell at retail shall be issued to anyone under eighteen years of age or to anyone within a forest reserve: *And provided further,* That no fireworks shall be used or exploded in any extrahazardous fire area as defined in section 76.04.140, R.C.W. All fees collected under this act by a county clerk shall be credited to the general fund of the county in which collected. All fees collected under this act by a city clerk shall be credited to the general fund of the municipal corporation in which collected.

Fee.

Permit may not be issued when.

Extra-hazardous fire area; use prohibited.

Disposition of fees.

[R.C.W. 76.04.140 is R.R.S. § 5782-1.]

State fire marshal.

SEC. 6. The state fire marshal shall have power to adopt reasonable rules and regulations for the



granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other persons, organizations or groups of individuals: *Provided*, That the governing body of any municipality, or of any county, may require a bond or liability policy deemed adequate by the municipality, or the county, from any person, firm, copartnership or corporation in a sum not less than five hundred dollars conditioned for the payment of all damages which may be caused either to a person or persons or to property by reason of the authorized display, and arising from any acts of any person, firm, copartnership or corporation, his agents, employees or subcontractors.

Permits for public display.

Local authority may require bond or insurance.

SEC. 7. It shall be unlawful for any person, firm or corporation to carry fireworks in cars, trucks or any other means of transportation along the highways of the state for the purpose of making direct sales, either wholesale or retail, from such cars or trucks: *Provided, however*, This act does not prohibit any carrier having a license to do business in the state from making deliveries of fireworks to any person, firm or corporation authorized to handle the same.

Unlawful to transport fireworks for sale.

Licensed carriers excepted.

SEC. 8. Law enforcement officers of the state, county or municipality are empowered and directed to enforce the provisions of this act and violation thereof may be prosecuted in state courts or municipal courts when violations occur within the municipality served thereby.

Enforcement of act.

SEC. 9. Nothing in this act contained shall be construed to prohibit the use of explosives producing a visible or audible effect for the purpose of signaling, nor shall it be construed to prohibit the sale and use of firearms and fixed ammunition therefor, or the sale and use of blank cartridges in shows or theaters or for signal or ceremonial purposes in

Certain uses of explosives not prohibited.

athletics or sports, or for use by any military organization.

Effect of other laws and local ordinances.

SEC. 10. Nothing in this act nor in any permit issued hereunder shall authorize the manufacture, sale, use or discharge of fireworks in any city or county in which such manufacture, sale, use or discharge is otherwise prohibited by law or municipal ordinance; nor shall any city or county authorize the sale or use of any fireworks prohibited by the provisions of this act.

Violations.

Fine.

SEC. 11. Any person who shall use or explode any fireworks contrary to the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding fifty dollars. Any person who shall manufacture or sell at wholesale or retail or as a broker or jobber any fireworks not herein authorized shall be punished by a fine not exceeding five hundred dollars.

Repealing clause.

SEC. 12. Chapter 70.78, R.C.W., as derived from chapter 161, Laws of 1943, is hereby repealed.  
[Rep. Rem. Supp. 1943, §§ 5440-30 to 5440-37 incl.]

Emergency.

SEC. 13. This act is necessary for the public health, welfare and safety and shall take effect immediately.

Passed the Senate March 8, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 16, 1951.

---

CHAPTER 175.

[ S. B. 61. ]

TRAFFIC VIOLATIONS—CITATION.

AN ACT relating to the enforcement of traffic laws and regulations; and adding a new section to chapter 46.64, R.C.W.

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

New section.

SECTION 1. There is added a new section to chapter 46.64, R.C.W., to read as follows:

Whenever any person is arrested for any violation of the traffic laws or regulations which is punishable as a misdemeanor, the arresting officer may serve upon him a traffic citation and notice to appear in court. Such citation and notice shall conform to the requirements of section 46.64.010, and in addition, shall include spaces for the name and address of the person arrested, the license number of the vehicle involved, the operator's license number of such person, if any, the offense charged, the time and place where such person shall appear in court, and a place where the person arrested may sign. Such spaces shall be filled with the appropriate information by the arresting officer. The arrested person, in order to secure release, and when permitted by the arresting officer, must give his written promise to appear in court as required by the citation and notice by signing in the appropriate place the written citation and notice served by the arresting officer. Upon the arrested persons' failing or refusing to sign such written promise, he may be taken into custody of such arresting officer and so remain or be placed in confinement: *Provided*, That an officer shall not serve or issue any traffic citation or notice for any offense or violation except when said offense or violation is committed in his presence.

Arrest for traffic violation.

Citation and notice to appear in court.

Written promise to appear.

Effect of failure or refusal to sign.

Violation must be committed in officer's presence.

[Chapter 46.64 R.C.W. is derived from Rem. Supp. 1949, § 6360-145, R.R.S. §§ 6360-146 and 6360-147, R.R.S. § 6360-129, R.R.S. § 6312-82, and R.R.S. § 6360-150.]

[R.C.W. 46.64.010 is Rem. Supp. 1949, § 6360-145.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 176.

[ S. B. 162. ]

ESTABLISHING DISABILITY ASSISTANCE.

AN ACT relating to public assistance, and establishing a new category of federal aid assistance to be known as disability assistance; and declaring an emergency.

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

Disability assistance.

SECTION 1. There is hereby created a new category of federal aid assistance to be known as disability assistance to be administered on a uniform state-wide basis by the state department of social security. The legislature hereby expresses its intention to comply with the federal requirements under the provisions of public law 734 creating a new category of assistance in order to secure federal matching funds for such a program.

Eligibility qualifications.

SEC. 2. Disability assistance grants shall be awarded on an uniform state-wide basis as follows:

(a) To each eligible applicant or recipient for the purposes of assisting him to meet his needs provided that he is:

(1) Permanently and totally disabled as defined by the state department of social security and such definition is approved by the federal security agency for federal matching funds, and

(2) Is eighteen years of age or over, and

(3) Has been a resident of the state of Washington for one year prior to the date of application, and

(4) Is not concurrently receiving any other type of federal aid assistance, and

(5) Is in need as established by the standards of the state department of social security relating to requirements and resources governing the federal aid categories, and

(6) Is not an inmate of a public institution except as a patient in a medical institution, and

(7) Is not a patient in an institution for tuberculosis or mental disease and is not a patient in a medical institution because of the diagnosis of tuberculosis or psychosis, and

(8) Has not transferred property in order to qualify for assistance, and

(9) Is willing to submit himself to such examinations as are deemed necessary by the state department of social security to establish the extent and nature of his disability.

SEC. 3. In determining the amount of assistance to which an eligible applicant or recipient shall be entitled, the department of social security is authorized to include the needs of such applicant's or recipient's legal dependents if they are not concurrently receiving another type of public assistance.

Needs of applicant's legal dependents.

SEC. 4. There is hereby created a state-wide plan for the category of disability assistance. It shall be the duty of the state department of social security to serve as a single state agency in the administration of this act and to exercise such supervision and promulgate and enforce such rules and regulations as are necessary to assure full local compliance with the terms of the federal grants.

Created; a state-wide plan for the category of disability assistance.

SEC. 5. The department of social security is hereby designated as the responsible agency for the administration of the aid provided for in this act and it is authorized and directed to formulate in detail and administer the plan established by this act in such manner as allotments or grants from the federal government may be made available by the support of such permanently and totally disabled persons. The details of such plans shall be formulated in such manner as to meet with the approval of the federal agency created or designated to administer federal aid to states providing for aid to disabled persons.

State department of social security to formulate and administer plan.

Approval of federal agency.

Fair hearing.

SEC. 6. Any applicant for or recipient of disability assistance shall have the right to a fair hearing as provided in sections 74.08.070 and 74.08.080, R.C.W., as derived from sections 8 and 9, chapter 6, Laws of 1949.

[R.C.W. 74.08.070 is Rem. Supp. 1949, § 9998-33h, R.C.W. 74.08.080 is Rem. Supp. 1949, § 9998-33i.]

Social and related services authorized.

SEC. 7. The department is authorized to provide through employment of properly qualified personnel such social and related services as are found necessary for proper administration of this act and for most effective use of other resources for rehabilitation and restoration to health and independence. The department of social security shall refer recipients who can be benefited thereby to the appropriate public and private resources for rehabilitation through retraining, restorative services, treatment and therapy.

Rehabilitation.

Medical and dental services.

SEC. 8. Recipients of disability assistance shall be entitled to necessary medical, dental and related services as provided by section 74.08.140, R.C.W., as derived from chapter 1, Laws of 1951.

Emergency.

SEC. 9. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 177.

[ S. B. 232. ]

## EMINENT DOMAIN—STATE'S POWER.

AN ACT relating to the power of eminent domain when exercised by the state; amending sections 8.04.090 and 8.04.130, R.C.W., and amending chapter 8.04, R.C.W., by adding new sections thereto.

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

SECTION 1. Section 8.04.090, R.C.W., as derived from section 1, chapter 98, Laws of 1925, Extraordinary Session, is amended to read as follows:

In case the state shall require immediate possession and use of the property sought to be condemned, and an order of necessity shall have been granted, and no review has been taken therefrom, the attorney general shall, before an order of immediate possession and use shall be made, file with the clerk of the court wherein the action is pending, a certificate of the state's requirement of immediate possession and use of the land, which shall state the amount of money offered to the respondents and shall further state that such offer constitutes a continuing tender of such amount. The attorney general shall file a copy of the certificate with the state auditor, who forthwith shall issue and deliver to him a warrant payable to the order of the clerk of the court wherein the action is pending in a sum sufficient to pay the amount offered, which shall forthwith be paid into the registry of the court. The court without further notice to respondent shall enter an order granting to the state the immediate possession and use of the property described in the order of necessity, which order shall bind the petitioner to pay the full amount of any final judgment of compensation and damages which may thereafter be awarded for the taking and appropriation of the lands, real estate, premises, or other property described in the

Amendment.

Eminent domain by state; procedure for obtaining order of immediate possession and use.

Certificate of state's requirement.

Warrant; paid into court.

Order of immediate possession and use; effect.

petition and for the injury, if any, to the remainder of the lands, real estate, premises, or other property from which they are to be taken by reason of such taking and appropriation, after offsetting against any and all such compensation and damages the special benefits, if any, accruing to such remainder by reason of the appropriation and use by the state of the lands, real estate, premises, or other property described in the petition. The moneys paid into court may at any time after entry of the order of immediate possession, be withdrawn by respondents, by order of the court, as their interests shall appear.

Withdrawal of moneys paid into court.

[Am. R.R.S. § 894 part (first proviso, page 80, vol. 3. Remainder of R.R.S. § 894 is codified as R.C.W. 8.04.070, 8.04.080, and 8.04.100).]

SEC. 2. A new section is added to chapter 8.04, R.C.W., to read as follows:

New section.

The amount paid into court shall constitute just compensation paid for the taking of such property: *Provided*, That respondents may, in the same action, request a trial by jury or by the court for the purpose of assessing the amount of compensation to be made and the amount of damages arising from the taking. In the event that, pursuant to such hearing, the verdict of the jury, or decision of the court, shall award respondents an amount in excess of the tender, the court shall order such excess paid to respondents with interest thereon from the time of the entry of the order of immediate possession, and shall charge the costs of the action to the state. In the event that, pursuant to such trial, the verdict of the jury or decision of the court shall award respondents an amount equal to the tender, the costs of the action shall be charged to the state, and if such verdict or decision shall award an amount less than the amount of the tender, the state shall be taxed for costs and the state, if respondents have accepted the tender and withdrawn the amount paid into court, shall be

Jury trial may be requested to determine compensation.

Verdict or decision in excess of tender.

Verdict or decision equal to tender.

Verdict or decision less than tender.



entitled to a judgment for the difference; otherwise, the excess on deposit shall be returned to the state.

[Chapter 8.04 R.C.W. is derived from R.R.S. §§ 891 to 900 incl., and R.R.S. §§ 900-1 and 900-2.]

SEC. 3. A new section is added to chapter 8.04, R.C.W., to read as follows: New section.

If any respondent shall elect to demand a trial for the purpose of assessing just compensation and damages arising from the taking, he shall so move within sixty days from the date of entry of the order of immediate possession and use, and the issues shall be brought to trial within one year from the date of such order unless good and sufficient proof shall be offered and it shall appear therefrom to the court that the hearing could not have been held within said year. In the event that no such demand be timely made or having been timely made, shall not be brought to trial within the limiting period, the court, upon application of the state, shall enter a decree of appropriation for the amount paid into court under the provisions of section 8.04.090, R.C.W., as the total sum to which respondents are entitled, and such decree shall be final and non-appealable. Limiting periods for request for trial and prosecution thereof.

[See note to sec. 2.]

[R.C.W. 8.04.090 appeared as sec. 1, *supra*, this chapter.] Decree of appropriation.

SEC. 4. Section 8.04.130, R.C.W., as derived from section 3, chapter 98, Laws of 1925, Extraordinary Session, is amended to read as follows: Non-appealable.

Upon the entry of judgment upon the verdict of the jury or the decision of the court awarding damages, the state may make payment of the damages and the costs of the proceedings by depositing them with the clerk of the court, to be paid out under the direction of the court or judge thereof; and upon making such payment into court of the damages assessed and allowed for any land, real estate, premises, or other property mentioned in the petition, and of the costs, the state shall be released and discharged from any and all further liability therefor, Amendment.

Payment into court upon entry of judgment.

unless upon appeal the owner or party interested recovers a greater amount of damages; and in that case the state shall be liable only for the amount in excess of the sum paid into court and the costs of appeal.

On appeal to  
supreme  
court status  
quo pre-  
served.

In the event of an appeal to the supreme court of the state by any party to the proceedings, the moneys paid into the superior court by the state pursuant to this section shall remain in the custody of the court until the final determination of the proceedings by the supreme court.

[Am. R.R.S. § 897.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 178.

[ S. B. 244. ]

### WASHINGTON CIVIL DEFENSE ACT OF 1951.

AN ACT relating to and providing for the establishment of a state civil defense agency and other organizations for civil defense within this state; granting certain executive powers with respect thereto and for related purposes; repealing chapter 177, Laws of 1941, chapters 6 and 24, Laws of 1943, and chapter 88, Laws of 1949; making an appropriation; and declaring an emergency.

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

Short title.

SECTION 1. This act may be cited as the Washington Civil Defense Act of 1951.

Declaration  
of purpose.

SEC. 2. (1) Because of the existing and increasing possibility of the occurrence of disasters of unprecedented size and destructiveness resulting from enemy attack, sabotage or other hostile action, or from fire, flood, storm, earthquake, or other natural causes, and in order to insure that preparations of this state will be adequate to deal with such disas-

ters, and generally to provide for the common defense and to protect the public peace, health, and safety, and to preserve the lives and property of the people of the state, it is hereby found and declared to be necessary: (a) to create a state civil defense agency, and to authorize the creation of local organizations for civil defense in the political subdivisions of the state; (b) to confer upon the governor and upon the executive heads of the political subdivisions of the state the emergency powers provided herein; and (c) to provide for the rendering of mutual aid among the political subdivisions of the state and with other states and to cooperate with the federal government with respect to the carrying out of civil defense functions.

(2) It is further declared to be the purpose of this act and the policy of the state that all civil defense functions of this state and its political subdivisions be coordinated to the maximum extent with the comparable functions of the federal government including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparation and use may be made of the nation's manpower, resources, and facilities for dealing with any disaster that may occur.

SEC. 3. As used in this act: (1) "Civil defense" <sup>"Civil defense."</sup> means the preparation for and the carrying out of all emergency functions, other than functions for which military forces are primarily responsible, to minimize and repair injury and damage resulting from disasters caused by enemy attack, sabotage, or other hostile action, or by fire, flood, storm, earthquake, or other natural causes. These functions include, without limitation, fire fighting services, police services, medical and health services, rescue, engineering, air raid warning services, communications, radiological, chemical and other special weapons de-

fense, evacuation [of] or persons from stricken areas, emergency welfare services, emergency transportation, existing or properly assigned functions of plant protection, temporary restoration of public utility services, and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions.

"Local organization for civil defense."

(2) "Local organization for civil defense" means an organization created in accordance with the provisions of this act by the state or local authority to perform local civil defense functions.

"Mobile support unit."

(3) "Mobile support unit" means an organization for civil defense created in accordance with the provisions of this act by state or local authority to be dispatched by the governor to supplement local organizations for civil defense in a stricken area.

"Political subdivision."

(4) "Political subdivision" means any county, city, or town.

Civil defense agency; created.

Director.

SEC. 4. (1) There is hereby created within the executive branch of the state government a department of civil defense (hereinafter called the civil defense agency) and a director of civil defense (hereinafter called the director) who shall be the head thereof. The director shall be appointed by the governor with the advice and consent of the senate; he shall not hold any other state office; he shall hold office during the pleasure of the governor, and shall be compensated at the rate of eight thousand five hundred dollars *per annum*.

Employment of other personnel.

(2) The director may employ such technical, clerical, stenographic, and other personnel and may make such expenditures within the appropriation therefor, or from other funds made available to him for purposes of civil defense, as may be necessary to carry out the purposes of this act.

(3) The director and other personnel of the civil defense agency shall be provided with appro-

priate office space, furniture, equipment, supplies, stationery, and printing in the same manner as provided for personnel of other state agencies.

Office facilities, etc.

(4) The director, subject to the direction and control of the governor, shall be the executive head of the civil defense agency and shall be responsible to the governor for carrying out the program for civil defense of this state. He shall coordinate the activities of all organizations for civil defense within the state, and shall maintain liaison with and cooperate with civil defense agencies and organizations of other states and of the federal government, and shall have such additional authority, duties, and responsibilities authorized by this act as may be prescribed by the governor.

Director responsible to Governor.

(5) The director shall appoint a communications coordinating committee consisting of six men with the director as chairman thereof. Three of the members shall be appointed from qualified, trained and experienced telephone communications administrators or engineers actively engaged in such work within the state of Washington at the time of appointment, and three of the members shall be appointed from qualified, trained and experienced radio communication administrators or engineers actively engaged in such work within the state of Washington at the time of appointment. This committee shall be given full and complete authority over all plans for the direction and control of any communications facilities or functions to be operated or controlled under the provisions of this act by the department of civil defense, except supplemental emergency communications facilities under the direction of any local organization for civil defense.

Communications coordinating committee.  
Members.

Powers.

SEC. 5. There is hereby created a civil defense council (hereinafter called the council), to consist of not less than seven nor more than fifteen members who shall be appointed by the governor. The coun-

Civil defense council.  
Members.

Governor is chairman.

Expenses.

Disaster beyond local control; governor may assume direct operational control.

Cooperation with other governments and private agencies authorized.

Other powers of governor.

Rule making.

Copies to county auditor.

Preparation of plans for civil defense.

cil shall advise the governor and the director on all matters pertaining to civil defense. The governor shall serve as chairman of the council, and the members thereof shall serve without compensation, but may be reimbursed for their reasonable and necessary expenses incurred in the performance of their duties.

SEC. 6. (1) The governor, through the director, shall have general supervision and control of the civil defense agency, and shall be responsible for the carrying out of the provisions of this act, and in the event of disaster beyond local control, may assume direct operational control over all or any part of the civil defense functions within this state.

(2) In performing his duties under this act, the governor is authorized to cooperate with the federal government, with other states, and with private agencies in all matters pertaining to the civil defense of this state and of the nation.

(3) In performing his duties under this act and to effect its policy and purpose, the governor is further authorized and empowered:

(a) To make, amend, and rescind the necessary orders, rules, and regulations to carry out the provisions of this act within the limits of the authority conferred upon him herein, with due consideration of the plans of the federal government; copies of all of such rules, regulations and orders shall upon their issuance forthwith be transmitted to the auditors of the respective counties for filing in their offices and a separate file and a separate index shall be maintained therefor;

(b) To prepare a comprehensive plan and program for the civil defense of this state, such plan and program to be integrated into and coordinated with the civil defense plans of the federal government and of other states to the fullest extent possible, and to coordinate the preparation of plans and

programs for civil defense by the political subdivisions of this state, such plans to be integrated into and coordinated with the civil defense plan and program of this state to the fullest possible extent;

(c) In accordance with such plan and program for the civil defense of this state, to procure supplies and equipment, to institute training programs and public information programs, and to take all other preparatory steps including the partial or full mobilization of civil defense organizations in advance of actual disaster, to insure the furnishing of adequately trained and equipped forces of civil defense personnel in time of need;

Supply, training, public information, and other preparation.

(d) To make such studies and surveys of the industries, resources, and facilities in this state as may be necessary to ascertain the capabilities of the state for civil defense, and to plan for the most efficient emergency use thereof;

Studies of facilities.

(e) On behalf of this state, to enter into mutual aid arrangements with other states and territories, or provinces of the Dominion of Canada and to coordinate mutual aid plans between political subdivisions of this state;

Mutual aid arrangements and plans.

(f) To delegate any administrative authority vested in him under this act, and to provide for the sub-delegation of any such authority;

Delegation of authority.

(g) To appoint, with the advice of local authorities, metropolitan or regional area coordinators, or both, when practicable;

Appointment of coordinators.

(h) To cooperate with the president and the heads of the armed forces, the civil defense agency of the United States, and other appropriate federal officers and agencies, and with the officers and agencies of other states in matters pertaining to the civil defense of the state and nation, including the direction or control of (I) blackouts and practice blackouts, air-raid drills, mobilization of civil defense forces, and other tests and exercises; (II) warnings

Cooperation with military forces and other appropriate Federal agencies.

and signals for drills or attacks and the mechanical devices to be used in connection therewith; (III) the effective screening or extinguishing of all lights and lighting devices and appliances; (IV) shutting off water mains, gas mains, electric power connections and the suspension of all other utility services; (V) the conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, prior, and subsequent to drills or attack; (VI) public meetings or gatherings; and (VII) the evacuation and reception of the civilian population.

Mobile support units.

SEC. 7. (1) The governor, through the director is authorized to create and establish such number of mobile support units as may be necessary to reinforce civil defense organizations in stricken areas and with due consideration of the plans of the federal government and of other states. He shall appoint a commander for each such unit who shall have primary responsibility for the organization, administration and operation of such unit. Mobile support units shall be called to duty upon orders of the governor and shall perform their functions in any part of the state, or, upon the conditions specified in this section, in other states.

Commander.

Ordered to duty by governor.

Where.

Personnel.

(2) Personnel of mobile support units while on duty, whether within or without the state, shall: (a) if they are employees of the state, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment; (b) if they are employees of a political subdivision of the state, and whether serving within or without such political subdivision, have the powers, duties, rights, privileges, and immunities and receive the compensation incidental to their employment; and (c) if they are not employees of the state or a political subdivision thereof, be entitled to compensation by the state at a rate to be deter-

State employees.

Political subdivision employees.

Non-government employees.



mined by the governor based upon the scale paid by the state to state employees of the same, or similar, classification. All personnel of mobile support units shall, while on duty, be subject to the operational control of the authority in charge of civil defense activities in the area in which they are serving, and shall be reimbursed for all actual and necessary travel and subsistence expenses.

Control of personnel.

Expenses.

(3) The state shall reimburse a political subdivision for the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of employees of such political subdivision while serving as members of a mobile support unit, and for all payments for death, disability, or injury of such employees incurred in the course of such duty, and for all losses of or damage to supplies and equipment of such political subdivision resulting from the operation of such mobile support unit.

State to reimburse political subdivisions.

(4) Whenever a mobile support unit of another state shall render aid in this state pursuant to the orders of the governor of its home state and upon the request of the governor of this state the personnel thereof shall have the powers, duties, rights, privileges and immunities of civil defense employees of this state except compensation, and this state shall reimburse such other state for the compensation paid and actual and necessary travel, subsistence, and maintenance expenses of the personnel of such mobile support unit while rendering such aid, and for all payments for death, disability, or injury of such personnel incurred in the course of rendering such aid, and for all losses of or damage to supplies and equipment of such other state or a political subdivision thereof resulting from the rendering of such aid: *Provided*, That the laws of such other state contain provisions substantially similar to this section.

Unit from another state.

Powers.

Other state to be reimbursed.

Limitation.

Reciprocity. (5) No personnel of mobile support units of this state shall be ordered by the governor to operate in any other state unless the laws of such other state contain provisions substantially similar to this section.

Local organization. Plan submitted to director. Joint operation. Contribution. Arbitration. Civil defense fund. Local director.

SEC. 8. (1) Each political subdivision of this state is hereby authorized and directed to establish a local organization for civil defense in accordance with the state civil defense plan and program: *Provided*, That a political subdivision proposing such establishment shall submit its plan and program for civil defense to the state director of civil defense and secure his recommendations thereon in order that the local organization for civil defense may be coordinated with the plan and program of the state. If the director's recommendations are adverse to the plan as submitted, the matter shall be referred to the council for final action. The director of civil defense may authorize two or more political subdivisions to join in the establishment and operation of a local organization for civil defense as circumstances may warrant, in which case each political subdivision shall contribute to the cost of civil defense upon such fair and equitable basis as may be determined upon by the executive heads of the constituent subdivisions. If in any case the executive heads cannot agree upon the proper division of cost the matter shall be referred to the council for arbitration and its decision shall be final. When two or more political subdivisions join in the establishment and operation of a local organization for civil defense each shall pay its share of the cost into a special pooled fund to be administered by the treasurer of the most populous subdivision, which fund shall be known as the ..... civil defense fund. Each local organization for civil defense shall have a director who shall be appointed by the executive head of the political subdivision, and who shall have direct re-

sponsibility for the organization, administration, and operation of such local organization for civil defense, subject to the direction and control of such executive officer or officers. In the case of a jointly established and operated organization for civil defense, the director shall be appointed by the joint action of the executive heads of the constituent political subdivisions. As used in this act, the term "executive head" and "executive heads" mean, in the case of counties, the board of county commissioners and, in the case of cities and towns, the mayor. Each local organization for civil defense shall perform civil defense functions within the territorial limits of the political subdivision within which it is organized, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of this act.

Joint operation; appointment of director.

"Executive head" and "executive heads."

Local organizations; territory of operations.

(2) In carrying out the provisions of this act each political subdivision, in which any disaster as described in section 2 hereof occurs, shall have the power to enter into contracts and incur obligations necessary to combat such disaster, protecting the health and safety of persons and property, and providing emergency assistance to the victims of such disaster. Each political subdivision is authorized to exercise the powers vested under this section in the light of the exigencies of an extreme emergency situation without regard to time-consuming procedures and formalities prescribed by law (excepting mandatory constitutional requirements), including, but not limited to, budget law limitations, requirements of competitive bidding and publication of notices, pertaining to the performance of public work, entering into contracts, the incurring of obligations, the employment of temporary workers, the rental of equipment, the purchase of supplies and materials, the levying of taxes, and the appropriation and expenditures of public funds.

Political subdivisions; powers upon occurrence of disaster.

Certain legal formalities dispensed with.

Political subdivision rendering outside aid; powers, duties, etc., of employees.

SEC. 9. (1) Whenever the employees of any political subdivision are rendering outside aid pursuant to the authority contained in section 8 hereof such employees shall have the same powers, duties, rights, privileges, and immunities as if they were performing their duties in the political subdivisions in which they are normally employed.

Liability for losses.

(2) The political subdivision in which any equipment is used pursuant to this section shall be liable for any loss or damage thereto and shall pay any expense incurred in the operation and maintenance thereof. No claim for such loss, damage, or expense shall be allowed unless, within sixty days after the same is sustained or incurred, an itemized notice of such claim under oath is served by mail or otherwise upon the executive head of such political subdivision where the equipment was used. The term "employee" as used in this section shall mean, and the provisions of this section shall apply with equal effect to, volunteer auxiliary employees, and civil defense workers.

Claims.

"Employee."

Aid rendered outside this state.

(3) The foregoing rights, privileges, and obligations shall also apply in the event such aid is rendered outside the state, provided that payment or reimbursement in such case shall or may be made by the state or political subdivision receiving such aid pursuant to a reciprocal mutual-aid agreement or compact with such state or by the federal government.

Local organizations; reciprocal civil defense aid.

SEC. 10. (1) The director of each local organization for civil defense may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual aid arrangements for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted. Such arrangements shall be consistent with the state civil defense plan and program, and in time of emergency it shall be the duty of each

local organization for civil defense to render assistance in accordance with the provisions of such mutual aid arrangements.

(2) The director of each local organization for civil defense may, subject to the approval of the governor, enter into mutual aid arrangements with civil defense agencies or organizations in other states for reciprocal civil defense aid and assistance in case of disaster too great to be dealt with unassisted.

Local organizations; arrangements with other states.

SEC. 11. Neither the state nor any political subdivision thereof, nor other agencies, nor, except in cases of willful misconduct, the agents, employees, or representatives of any of them, engaged in any civil defense activities, while complying with or attempting to comply with this act or any rule or regulation promulgated pursuant to the provisions of this act, shall be liable for the death of or injury to persons, or damage to property, as a result of such activity. The provisions of this section shall not affect the right of any person to receive benefits to which he would otherwise be entitled under this act, or under the workmen's compensation law, or under any pension or retirement law, nor the right of any such person to receive any benefits or compensation under any act of congress.

Immunities.

Rights not affected.

SEC. 12. (1) Each political subdivision shall have the power to make appropriations in the manner provided by law for making appropriations for the ordinary expenses of such political subdivision for the payment of expenses of its local organization for civil defense.

Political subdivision; appropriations.

(2) Whenever the federal government or any agency or officer thereof shall offer to the state, or through the state to any political subdivision thereof, services, equipment, supplies, materials, or funds by way of gift, grant, or loan, for purposes of civil defense, the state, acting through the governor, or such political subdivision, acting with the consent

Offers of federal aid.

of the governor and through its executive head, may  
 Acceptance. accept such offer and upon such acceptance the  
 governor of the state or executive head of such political  
 subdivision may authorize any officer of the  
 state or of the political subdivision, as the case may  
 be, to receive such services, equipment, supplies,  
 materials, or funds on behalf of the state or such  
 political subdivision, and subject to the terms of the  
 offer and the rules and regulations, if any, of the  
 agency making the offer.

Offers of  
 private aid.

(3) Whenever any person, firm, or corporation  
 shall offer to the state or to any political subdivision  
 thereof, services, equipment, supplies, materials, or  
 funds by way of gift, grant, or loan, for the purposes  
 of civil defense, the state, acting through the gov-  
 ernor, or such political subdivision, acting through  
 its executive head, may accept such offer and upon  
 Acceptance. such acceptance the governor of the state or execu-  
 tive head of such political subdivision may authorize  
 any officer of the state or of the political subdivision,  
 as the case may be, to receive such services, equip-  
 ment, supplies, materials, or funds on behalf of the  
 state or such political subdivision, and subject to the  
 terms of the offer.

Acceptance.

Existing  
 facilities to  
 be utilized.

SEC. 13. In carrying out the provisions of this  
 act, the governor and the executive heads of the  
 political subdivisions of the state are directed to  
 utilize the services, equipment, supplies, and facili-  
 ties of existing departments, offices, and agencies  
 of the state and of the political subdivisions thereof  
 to the maximum extent practicable, and the officers  
 and personnel of all such departments, offices, and  
 agencies are directed to cooperate with and extend  
 such services and facilities to the governor and to  
 the civil defense organizations of the state upon  
 request.

SEC. 14. No organization for civil defense estab-  
 lished under the authority of this act shall partici-

pate in any form of political activity, nor shall it be employed directly or indirectly for political purposes.

Political activity prohibited.

SEC. 15. (1) No person shall be employed or associated in any capacity in any civil defense organization established under this act who advocates or has advocated a change by force or violence in the constitutional form of the government of the United States or in this state or the overthrow of any government in the United States by force or violence, or who has been convicted of or is under indictment or information charging any subversive act against the United States. Each person who is appointed to serve in an organization for civil defense shall, before entering upon his duties, take an oath, in writing, before a person authorized to administer oaths in this state, which oath shall be substantially as follows:

Prohibiting employment of subversives.

Oath.

“I, ....., do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of Washington, against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

“And I do further swear (or affirm) that I do not advocate, nor am I a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence; and that during such time as I am a member of the (name of civil defense organization), I will not advocate nor become a member of any political party or organization that advocates the overthrow of the government of the United States or of this state by force or violence.”

Civil service employees; status preserved.

SEC. 16. Any civil service employee of the state of Washington or of any political subdivision thereof while on leave of absence and on duty with any civil defense agency authorized under the provisions of this act shall be preserved in his civil service status as to seniority and retirement rights so long as he regularly continues to make the usual contributions incident to the retention of such beneficial rights as if he were not on leave of absence.

Repealing clause.

SEC. 17. Chapter 177, Laws of 1941, chapters 6 and 24, Laws of 1943, and chapter 88, Laws of 1949 are repealed: *Provided*, That this section shall not affect the validity of any order, rule, regulation, contract, or agreement made or promulgated under authority of the repealed acts, which orders, rules, regulations, contracts, or agreements shall remain in force until they may be repealed, amended, or superseded by orders, rules, regulations, contracts, or agreements made or promulgated under this act: *Provided further*, That this section shall not affect the tenure of any officer, employee, or person serving under authority of any repealed act and such officer, employee, or person shall continue in his position until such time as a successor is appointed or employed under the provisions of this act.

Orders, etc., promulgated under repealed acts.

Tenure of persons serving by authority of repealed acts.

Enforcement.

SEC. 18. (1) It shall be the duty of every organization for civil defense established pursuant to this act and of the officers thereof to execute and enforce such orders, rules, and regulations as may be made by the governor under authority of this act. Each such organization shall have available for inspection at its office all orders, rules, and regulations made by the governor, or under his authority.

Rules available for inspection.

Violation.

(2) Every violation of any rule, regulation or order issued under the authority of this act shall constitute a misdemeanor and shall be punishable as such: *Provided*, That whenever any person shall commit a second offense hereunder the same shall

Second offense.



constitute a gross misdemeanor and shall be punishable as such.

SEC. 19. The civil defense agency is hereby authorized to require of any political subdivision to which funds are allocated under this act for any project, use or activity that such subdivision shall provide matching funds in equal amounts with respect to such project, use or activity.

Civil defense agency may require matching of funds.

SEC. 20. Whenever the state director of civil defense finds that it will be in the interest of the civil defense of this state or of the United States, he may, with the approval of the governor, agree with the federal government, or any agency thereof carrying on activities within this state, upon a plan of civil defense applicable to a federally owned area, which plan may or may not conform to all of the other provisions of this act with the view to integrating federally owned areas into the comprehensive plan and program of the civil defense of this state. Such plan may confer upon persons carrying out such plan any or all of the rights, powers, privileges and immunities granted employees or representatives of the state and/or its political subdivisions by this act.

Plan applicable to federally owned areas.

SEC. 21. This act shall expire on July 1, 1955.

Expiration date.

SEC. 22. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Emergency.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 179.

[ H. B. 82. ]

## METROPOLITAN PARK DISTRICTS—TAXATION.

AN ACT relating to methods and means of financing metropolitan park districts, authorizing the submission of propositions in relation thereto to the qualified electors of said districts, and amending section 35.61.210, R.C.W.

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

SECTION 1. Section 35.61.210, R.C.W., as derived from section 5, chapter 264, Laws of 1943, as amended by chapter 117, Laws of 1947, is amended to read as follows:

The board of park commissioners may levy or cause to be levied a general tax on all the property located in said park district each year not to exceed three mills on the assessed valuation of the property in such park district: *Provided*, That notwithstanding the provisions of section 84.52.050, R.C.W., the board is hereby authorized to levy a general tax in excess of three mills when authorized so to do at a special election conducted in accordance with and subject to all the requirements of the constitution and laws of the state now in force or hereafter enacted governing the limitation of tax levies commonly known as the forty mill tax limitation. The board is hereby authorized to call a special election for the purpose of submitting to the qualified voters of the park district a proposition to levy a tax in excess of the three mills herein specifically authorized.

The manner of submitting any such proposition, of certifying the same, and of giving or publishing notice thereof, shall be as provided by law for the submission of propositions by cities or towns. The board shall include in its general tax levy for each year a sufficient sum to pay the interest on all outstanding bonds and may include a sufficient amount to create a sinking fund for the redemption of all

Amend-  
ment.3-mill  
tax levy.May make  
excess levy  
when au-  
thorized at  
special  
election.

Procedure.

Purposes.

outstanding bonds. The levy shall be certified to the proper county official for collection the same as other general taxes and when collected, the general tax shall be placed in a separate fund in the office of the county treasurer to be known as the "Metropolitan Park District Fund" and paid out on warrants.

Collection.

Metropolitan park district fund.

[R.C.W. 35.61.210 was derived from Rem. Supp. 1947, § 6741-5 and the first sentence of Rem. Supp. 1943, § 6741-10. Remainder of Rem. Supp. 1943, § 6741-10 is codified in R.C.W. 35.61.170.]

[R.C.W. 84.52.050 is sec. 1, ch. 11, L. '50 Ex.-Sess. (40 mill limit).]

Passed the House February 2, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 180.

[ H. B. 202. ]

REGULATING HAIRDRESSING, BEAUTY CULTURE, AND MANICURING.

AN ACT relating to and regulating the practices of hairdressing, beauty culture and manicuring, and the conduct and operation of schools for the teaching of said practices; providing for the licensing of persons to practice hairdressing and beauty culture and to conduct schools for the teaching thereof; amending sections 18.18.010, 18.18.050, 18.18.060, 18.18.070, 18.18.090, 18.18.120, 18.18.140, 18.18.190 and 18.18.210, R.C.W.

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

SECTION 1. Section 18.18.010, R.C.W., as derived from section 2, chapter 215, Laws of 1937, is amended to read as follows:

Amendment.

Unless the context clearly indicates otherwise, the words used in this chapter have the meaning given in this section:

(1) "Practice of hairdressing" or "hairdressing" means the arranging, dressing, curling, waving, permanent waving, cleansing, bleaching or coloring of the hair, or doing similar work thereon by use of

"Practice of hairdressing" or "hairdressing."

the hands or any method of mechanical application or appliances;

"Hair-dresser."

(2) "Hairdresser" means any person, firm or corporation who engages in the practice of hair-dressing;

"Practice of beauty culture" or "beauty culture."

(3) "Practice of beauty culture" or "beauty culture" means the massaging, cleansing, stimulating, manipulating, exercising or beautifying of the scalp, face, arms, bust or upper part of the body, or doing similar work thereon with the hands or with any mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptic tonics, lotions, creams, similar preparations or compounds, and manicuring the nails or removing superfluous hair;

"Beauty culturist."

(4) "Beauty culturist" means any person, firm or corporation who engages in the practice of beauty culture;

"Student."

(4a) A "student" is any person of the age of sixteen years or over who has completed two years of high school or has an equivalent education, who attends a duly licensed beauty school, and who does not receive any wage or commission;

"Operator."

(5) An "operator" is a person of the age of eighteen years or over, who has been licensed to practice hairdressing and beauty culture under the direct supervision and direction of a manager operator or owner operator;

"Manager operator."

(5a) A "manager operator" is any person having practiced as an operator under the supervision of a manager operator or an owner operator for at least one year;

"Owner."

(6) An "owner" is any person, firm, copartnership or corporation owning a hairdressing and beauty culture shop;

"Owner operator."

(6a) An "owner operator" is any person owning a hairdressing and beauty culture shop and having practiced as an operator under the supervision of a

manager operator or an owner operator for at least one year;

(7) A "shop" is any building or structure, or any part thereof, other than a school, wherein the practice of hairdressing and beauty culture is conducted; "Shop."

(8) A "school" is an institution of learning devoted exclusively to the instruction and training of students in the practice of hairdressing and beauty culture; "School."

(9) An "instructor operator" is a person who gives instruction in the practice of hairdressing and beauty culture in a school or who has the qualifications of a manager operator or an owner operator and who has passed an instructor examination: *Provided, however,* That the provisions of this subsection shall not apply to any person acting as an instructor operator at the date of the passage of this act. An instructor shall not perform beauty culture services for members of the public except for instruction purposes; "Instructor operator."  
Limitation.

(10) "Director" means the state director of licenses. "Director."

[Am. Rem. Supp. § 8278-2.]

SEC. 2. Section 18.18.050, R.C.W., as derived from section 3(a), chapter 215, Laws of 1937, is amended to read as follows: Amendment.

An operator's license shall be issued to a student who: (1) Is of the age of eighteen years or over; (2) is of good moral character and temperate habits; (3) has completed two years of high school or the equivalent thereof; (4) is a citizen of the United States or declared his intention to become a citizen; (5) has completed a course of training of not less than two thousand hours in a recognized beauty school, such training not to exceed eight hours in any one day; and (6) who has satisfactorily passed the Student operator's license; qualifications for.

hairdressing and beauty culture examination in this state.

[R.C.W. 18.18.050 was derived from Rem. Supp. § 8278-3 (part; para. (a), to proviso thereof).]

Amendment. SEC. 3. Section 18.18.060, R.C.W., as derived from section 3(d), chapter 215, Laws of 1937, is amended to read as follows:

Practice by owner; license required. An owner may be licensed without examination, but shall not engage in the practice of hairdressing and beauty culture unless licensed as a manager operator, or owner operator.

[R.C.W. 18.18.060 was derived from para. (d) of Rem. Supp. § 8278-3.]

Amendment. SEC. 4. Section 18.18.070, R.C.W., as derived from section 3(e), chapter 215, Laws of 1937, is amended to read as follows:

School license. No person shall be licensed to conduct a school unless it appears to the director: (1) that the school will maintain the course of instruction herein provided; (2) that instruction in the school at all times is in charge of and under the supervision of a manager operator; (3) that the school will at all times maintain one instructor for each ten students or fraction thereof; and (4) that at no time does a school have less than two instructors.

[R.C.W. 18.18.070 was derived from para. (e) of Rem. Supp. § 8278-3 (§ 8278-3 (f) is in R.C.W. 18.18.190, (g) and (h) are in 18.18.210 and (i) is in 18.18.170).]

Amendment. SEC. 5. Section 18.18.090, R.C.W., as derived from section 10, chapter 215, Laws of 1937, is amended to read as follows:

Application fees. Each application shall be accompanied by the following fees: Operator, two dollars; instructor operator, ten dollars; manager operator, four dollars; owner operator, eight dollars; owner, ten dollars; school, one hundred fifty dollars. Any applicant who fails to pass the examination may take the next suc-

ceeding examination without payment of an additional fee.

[R.C.W. 18.18.090 was derived from para (a) of Rem. Supp. § 8278-10 and para. (h) of Rem. Supp. § 8278-12. Para. (b) of Rem. Supp. § 8278-10 is codified in R.C.W. 18.18.140. Para. (c) of Rem. Supp. § 8278-10 is codified in R.C.W. 18.18.110.]

SEC. 6. Section 18.18.120, R.C.W., as derived from section 14, chapter 215, Laws of 1937, is amended to read as follows: Amendment.

Any person who has been licensed by proper authority of any state or territory or possession of the United States or any country may be issued a license without examination, provided the applicant's qualifications are substantially equal to the requirements of this act. Each application for a license under this section shall be accompanied by a fee of twenty-five dollars. Licensee from another state; may be licensed without examination.  
Fee.

[Am. Rem. Supp. § 8278-14.]

SEC. 7. Section 18.18.140, R.C.W., as derived from sections 10(b) and 11, chapter 215, Laws of 1937, is amended to read as follows: Amendment.

Licenses may be renewed from year to year upon the payment on or before the first day of each July following their issuance, of a renewal fee as follows: Operator, one dollar; instructor operator, four dollars; manager operator, three dollars; owner operator, five dollars; owner, five dollars; school, one hundred and fifty dollars. Renewal of licenses. Fees.

If a certificate of health is required with an application for a license, one must also be filed with a renewal application. Certificate of health.

Any person whose license has lapsed may have the same renewed upon payment of all fees which the applicant would have been required to pay to keep such license in effect, and an additional fee of two dollars: *Provided*, That any person whose license has lapsed for more than three years shall be reexamined, as in the case of any applicant for an original license. Renewal of lapsed license; fees.  
Lapse for more than three years.

[R.C.W. 18.18.140 is derived from para. (b) of Rem. Supp. § 8278-10 and from Rem. Supp. § 8278-11.]

SEC. 8. Section 18.18.190, R.C.W., as derived from section 3(f), chapter 215, Laws of 1937, is amended to read as follows:

Amendment.

Schools; required courses of instruction.

The courses of instruction in every school shall comprise at least the following:

- (1) Shampooing, soap and dry;
- (2) Care of the face and massaging, including make up and the care of eyebrows and lashes;
- (3) Care of the scalp and massaging, rinses and packs;
- (4) Hair coloring and bleaching;
- (5) Permanent waving;
- (6) Iron curling or waving;
- (7) Finger waving;
- (8) Hair fashioning;
- (9) Manicuring;
- (10) Hairdressing as it appertains to iron curling or waving, permanent waving, and finger waving;
- (11) Electricity as applied to cosmetology, and the use and application of electrical appliances;
- (12) The reading of law on beauty culture of the state of Washington.
- (13) Shop management, ownership, and business ethics.

[Am. Rem. Supp. § 8278-3(f).]

SEC. 9. Section 18.18.210, R.C.W., as derived from sections 17(b), 3(g) and 3(h), chapter 215, Laws of 1937, is amended to read as follows:

Amendment.

Required use of the word "school."

Every school shall cause the word "school" to appear conspicuously on its literature and advertising matter, and to be painted in letters at least four inches high on all doors leading to the school, which are open to the public generally.

Schools; equipment required.

Every school shall have available for every twenty-five students, subject to other requirements by the director, at least: Three shampoo bowls; three hair dryers; two facial chairs; ten curling iron heat-



ers; one sterilizer; one steamer; one croquignole wind permanent wave machine and other permanent wave equipment.

No charge shall be made for student work until the student has completed four hundred hours of instruction and practice. Charge for student work.

[R.C.W. 18.18.210 was derived from Rem. Supp. §§ 8278-17(b), 8278-3(g) and 8278-3(h).]

Passed the House February 21, 1951.

Passed the Senate March 3, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 181.

[ H. B. 431. ]

### STATE AID TO SCHOOL DISTRICTS.

AN ACT increasing the amount of state aid to school districts, amending sections 28.41.080 and 28.41.090, R.C.W.

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

SECTION 1. Section 28.41.080 of the Revised Code of Washington, derived from section 6, chapter 141, of the Laws of 1945, as last amended by section 3, of chapter 212, of the Laws of 1949, is hereby amended to read as follows: Amendment.

Each year the county superintendent of schools shall compute the amount needed by each school district of his county to provide it with the minimum revenue requirements necessary to maintain the ordinary standards of maintenance and operation for the ensuing school year of: Ordinary standards of maintenance and operation; annual computation of amount needed for.

(1) Thirty cents for each day's attendance based upon a minimum of forty-five hundred days' attendance for each educational unit maintained by the district during the preceding school year; and,

(2) Thirty per cent of the reimbursement due the district for its costs of transportation as provided by law.

Computation of revenues.

He shall also compute the amount which, irrespective of any delinquencies, five-sixths of the maximum school district levy permissible without a vote of the electors would produce upon the assessed valuation of each district adjusted to fifty per cent of the true and fair value in money of the taxable property in the district in accordance with the ratio of assessed valuation to actual valuation fixed by the state board of equalization for the county in which the district is located without regard to any limitation imposed on the tax levy of the district by virtue of any requirements respecting the payment of bonded indebtedness. To this amount he shall add the actual receipts of the school district during the preceding school year from the county high school fund and such other receipts as the superintendent of public instruction shall determine in conformity with the intent of this section, and, if this total sum is less than thirty cents for each day's attendance computed as hereinbefore set forth plus thirty per cent of the cost of transportation during the preceding school year, the county superintendent of schools shall certify to the superintendent of public instruction such computations and deficit, and the last actual tax levy for such district. The superintendent of public instruction shall place such deficit for such district as a charge against the current state school fund, and such additional amount shall be due and apportionable as an equalization payment.

Certain receipts added.

Where total is less than amount needed to maintain ordinary standards; certification to superintendent of public instruction.

Deficit; charge against current state school fund.

Equalization payment.

[R.C.W. 28.41.080 was derived from Rem. Supp. 1949, § 4940-6 part; from beginning of section to line 8, p. 290.]

Amendment.

SEC. 2. Section 28.41.090 of the Revised Code of Washington, derived from section 6, chapter 141, of the Laws of 1945, as last amended by section 3, of chapter 212, of the Laws of 1949, is hereby amended to read as follows:

State board to establish minimum standards.

The state board of education shall establish minimum standards governing the maintenance and operation of the common schools of the state and shall

also establish a schedule of minimum funds required by school districts to enable them to meet the aforesaid minimum standards: *Provided*, That no minimum standard shall include any factor depending on the location of the school or its relative location with respect to another school. Any school district in which the plan for the maintenance and operation of schools is in conformity with the aforesaid minimum standards and in which the revenues available from all sources, including the amount which five-sixths of the maximum school district levy as hereinbefore defined would produce as aforesaid, are less than the amount necessary to meet the aforesaid schedule of minimum funds, shall be granted by the superintendent of public instruction from the current state school fund a sufficient additional amount which, when added to the amount of the aforesaid revenues available from all sources, shall equal the schedule of minimum funds, and such additional amount shall be apportioned at the same time and in the same manner as other equalization funds are apportioned.

[R.C.W. 28.41.090 was derived from last part of Rem. Supp. 1949, § 4940-6; see also note to sec. 1, *supra*.]

Passed the House February 27, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 16, 1951.

-17

Schedule of minimum funds.

Limitation.

School district in conformity with minimum standards, having revenues less than amount necessary to meet schedule of minimum funds; grant of additional amount from current state school fund.

CHAPTER 182.

[ H. B. 405. ]

ASSISTING ESCAPE OF INMATES OF CUSTODIAL SCHOOLS.

AN ACT relating to inmates of custodial schools, juvenile correctional institutions, mental hospitals and institutions for psychopaths; providing for their protection, fixing the penalty for procuring or assisting in their escape, and declaring an emergency.

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

Procuring or assisting escape of inmates; gross misdemeanor.

SECTION 1. Any person who procures the escape of an inmate of a school for mental deficient, juvenile correctional institution, mental hospital or institution for psychopaths, or who advises, connives at, aids, or assists in such escape, or knowingly harbors any escapee, shall be guilty of a gross misdemeanor.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 1, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 183.

[ H. B. 207. ]

REGULATION OF THE FURNITURE AND  
BEDDING INDUSTRY.

AN ACT relating to furniture and bedding; defining terms; prescribing the duties of certain officers; creating the furniture and bedding advisory council; prescribing fees; providing penalties, and repealing sections 70.66.010 to 70.66.160, inclusive, R.C.W.

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

SECTION 1. When used in this act, the following terms, words or phrases shall have the following meanings:

“Person” includes individual, copartnership, association, firm, auctioneer, trust and corporation and the agents, employees and servants of any of them. “Person.”

“Sell” or any of its variants includes any of, or any combination of, the following: Sell, offer or expose for sale, barter, trade, deliver, give away, rent, consign, lease, possess with an intent to sell or dispose of in any other commercial manner. Merchandise found on sales floors or in places from which sales or deliveries are made, shall be assumed to be for sale. “Sell.”

“Department” refers to department of health. “Department.”

“Director” refers to the director of health or his authorized representatives. “Director.”

“Annually,” or any of its variants, means that period beginning July first of each year and ending June thirtieth of the succeeding year, or any unexpired portion of that period. “Annually.”

“Certificate” means any registration certificate issued by the department of health. “Certificate.”

“Upholstered furniture” includes any furniture, including children’s furniture, movable or stationary, which “Upholstered furniture.”

(1) is made or sold with cushions or pillows, loose or attached, or

(2) is itself stuffed or filled in whole or in part with any material, hidden or concealed by fabrics or any other covering, including cushions or pillows belonging to or forming a part thereof, together with the structural units, the filling material and its covering and its container, that can be used as a support for the body of a human being, or his limbs and feet when sitting or resting in an upright or reclining position.

“Bedding.”

“Bedding” means any quilted pad, packing pad, mattress pad, hammock pad, mattress, comforter, bunk quilt, sleeping bag, box spring, studio couch, pillow, cushion, hassock or any bag or container made of leather, cloth or any other material or any other device that is stuffed or filled in whole or in part with concealed material in addition to the structural units, all of which may be used by any human being for sleeping, resting, or reclining purposes.

“Bedding” also includes pillows which are hereby defined as a bag or a case of cloth filled or stuffed with feathers, down, kapok, cotton, hair, wool, or other sanitary filling not prohibited by the regulations of this act to be used, or that may be used, as a rest or a support for the head in reclining, resting, or sleeping.

“Filling material.”

“Filling material” means cotton, wool, kapok, feathers, down, or any other material, or any combination thereof, loose or in batting, pads, or any other prefabricated form, concealed or not concealed, to be used, or that may be used, in articles of bedding or upholstered furniture.

“Second-hand.”

“Secondhand” means any material or article of which prior use has been made, and includes used defabricated material, thread, and yarn, not otherwise classed as new by the regulations of this act.

Any article of upholstered furniture or bedding is secondhand if it contains any secondhand material in whole or in part.

Any article of upholstered furniture or bedding on sales floors in a private residence or room, which is not separated from living quarters, is secondhand furniture or bedding.

“Manufacturer” means a person who, either by himself or through employees or agents, makes any article of upholstered furniture or bedding in whole or in part, or who does the upholstery or covering of any structural unit or part thereof, using either new or secondhand material. “Manufacturer.”

A “wholesaler” is a person who sells any article of upholstered furniture or bedding or filling material to another for purpose of resale. “Wholesaler.”

A “retailer” is a person who sells any article of upholstered furniture or bedding or filling material to a consumer or user of the article purchased. “Retailer.”

“Repairer” or “renovator” means a person who repairs, makes over, recovers, restores, renovates, or renews upholstered furniture or bedding. “Repairer” or “renovator.”

“Transient repairer or renovator” means any person who travels from place to place and repairs upholstered furniture or renovates bedding with or without benefit of mobile facilities but who has no permanent shop or address. “Transient repairer” or “renovator.”

“Sterilizer” means any person certified by the department to sterilize any upholstered furniture, bedding, or filling material relating thereto. “Sterilizer.”

“Fumigator” means any person certified by the department to fumigate any article of upholstered furniture or bedding or filling material relating thereto. “Fumigator.”

“Supply dealer” means any person certified by the department to manufacture, process, or sell at wholesale any felt, padding, pads, or loose material in bags or containers, concealed or not concealed, to “Supply dealer.”

be used, or that could be used, in articles of bedding or upholstered furniture.

"Supply depot."

"Supply depot" means any warehouse or store-room used as a merchandising center or supply outlet, to supply, or for the purpose of supplying, merchandise subject to this act, either directly or indirectly at wholesale or retail, which merchandise is sold or held for the purpose of sale to any person regardless of whether the purchaser is in business or in the employ of any person.

"Auctioneer."

"Auctioneer" means any person who sells at auction to the highest bidder, either for himself or another party, at public or private sale, any article or material regulated by this act.

"Residence dealer."

"Residence dealer" means any person who sells any new or used article of upholstered furniture or bedding from his own or another person's place of abode or from any salesroom not having a recognized and ordinary store entrance.

"Slip cover."

"Slip cover" means any casing or cover without any filling material and meeting any of the following requirements:

(1) Which is for use or is to be placed on or over any manufactured article or upholstered furniture or bedding;

(2) Which covers or conceals the upholstered furniture or bedding in whole or in part;

(3) Which is closed or held in place by snaps or hooks and eyes or lacing so that it may be removed without the use of tools or instruments;

(4) Which is not permanently attached by tacking, sewing, or in any other manner.

Any person engaged exclusively in the manufacture of slip covers shall not be required to have a certificate under the provisions of this act.

"Branch."

"Branch" means any subordinate establishment situated apart from the parent house, maintaining a separate service to the trade.



“Owner’s own material” means any article or material belonging to any person for his own or his tenant’s use that is sent to any manufacturer, repairer or renovator to be repaired or renovated or used in repairing or renovating.

“Owners own material.”

SEC. 2. The director shall administer this act.

Director to administer.

SEC. 3. It shall be unlawful for any person to engage in a business regulated by this act unless he has first obtained the proper certificate as required by this act.

Unlawful to operate without certificate.

SEC. 4. Except as otherwise provided in this act, a person who advertises, solicits, or contracts to manufacture, repair, or renovate upholstered furniture or bedding and either does the work himself or employs others to do it for him, shall secure the particular certificate required by this act for the particular type of work that he solicits or advertises that he will do, regardless of whether he has a shop or factory.

Persons required to secure certificates.

SEC. 5. Every person manufacturing either upholstered furniture, or bedding, or both, shall annually obtain a furniture and bedding manufacturer’s certificate from the department bearing a registration number assigned by the department.

Furniture and bedding manufacturer’s certificate.

SEC. 6. A wholesaler of either upholstered furniture, or bedding, or both, unless he holds a furniture and bedding manufacturer’s certificate, shall annually obtain a wholesale furniture dealer’s certificate from the department.

Wholesale furniture dealer’s certificate.

SEC. 7. Every person repairing upholstered furniture or renovating bedding, unless he holds a furniture and bedding manufacturer’s certificate, shall annually obtain a repairer’s and renovator’s certificate from the department bearing a registration number assigned by the department.

Repairer’s and renovator’s certificate.

SEC. 8. Every person selling any upholstered furniture or bedding at retail, including upholstered

antique furniture, regardless of its condition, unless he holds a furniture and bedding manufacturer's certificate, a wholesale furniture and bedding manufacturer's certificate, a wholesale furniture and bedding dealer's certificate, or a repairer's and renovator's certificate, shall annually obtain a retail furniture and bedding dealer's certificate from the department. This does not apply to upholstered furniture or bedding sold by a peace officer when so ordered by a court: *Provided*, That the provisions of this section and of section 7 shall not apply to any person repairing and/or selling the furnishings of his own household.

Retail furniture and bedding dealer's certificate.

Exception: selling furnishings of own household.

SEC. 9. Every person manufacturing, processing, or selling at wholesale any felt or batting or any pads or loose material in bags or containers for use in bedding or upholstered furniture, unless he holds a furniture and bedding manufacturer's certificate, shall annually procure a supply dealer's certificate from the department bearing a registration number assigned by the department. Each and every branch is likewise subject to the provisions of this act.

Supply dealer's certificate.

SEC. 10. Every person in any class shall secure a separate certificate for each branch. But one whose manufacturing plant is located in another state or foreign country and who is certified to manufacture upholstered furniture or bedding for sale in Washington, may have one wholesale outlet covered by the certificate issued to the factory.

Certificate for each branch.

Foreign manufacturer.

SEC. 11. Every person doing business at the same address under more than one firm name is subject to the registration provisions for each firm name.

More than one firm name.

SEC. 12. The department may reciprocate with other states regarding the mutual recognition and acceptance of labels in interstate commerce, the recognition of manufacturer-shipper identification numer-

Reciprocity with other states.

als, and in such other manner as may be consistent with the best interests of the state of Washington.

SEC. 13. The department shall prescribe the procedure relative to assignment or reassignment of registration numbers. Registration number procedure.

SEC. 14. This act shall not apply to upholstered furniture or bedding manufactured, repaired, or renovated which is for sale outside the borders of this state, except that if such articles when manufactured, repaired, or renovated, contain in whole or in part, secondhand materials, such articles shall first be sterilized, fumigated, or otherwise treated as required by this act. Upholstered furniture or bedding for sale out of state.

SEC. 15. Secondhand upholstered furniture or bedding, or secondhand filling materials to be used, or that may be used, in upholstered furniture or bedding, received from outside of this state shall comply with all of the provisions of this act before being accepted, sold or delivered, either directly or indirectly by any person. Secondhand items from out of state.

SEC. 16. Every person importing or selling either at wholesale or retail, directly or indirectly, any unlabeled foreign-made upholstered furniture or bedding, shall fully comply with all the requirements of this act, including the registration and labeling provisions before any such upholstered furniture or bedding can be offered or exposed for sale. Unlabeled foreign made items.

SEC. 17. A person shall not, at wholesale or retail or otherwise, directly or indirectly make, repair, renovate, or sell any upholstered furniture or bedding for use in any household or place of abode which can be used by human beings, if it is made of new or secondhand material which is concealed by fabric or any other covering, unless such article is plainly and indelibly stamped or labeled with a tag or other marking as provided in this act and approved by the department. The presence of any article or material Certain acts prohibited unless article labeled.

Presumption. regulated by this act on sales floors or premises from which sales or deliveries are made shall be presumptive evidence of intent to sell or use.

Secondhand items must be fumigated, sterilized, or otherwise treated before sale. SEC. 18. A person shall not, directly or indirectly, sell in this state, at wholesale or retail or otherwise, any secondhand or previously used article or upholstered furniture or bedding or any secondhand or previously used filling material to be used, or that could be used in the manufacture, repair, or renovation thereof, unless such article or material has, subsequent to its last use, been sterilized, fumigated, or otherwise treated by a process approved by the department and labeled in accordance with the provisions of this act.

Labels, specifications and contents; statement whether filler is "new," etc. SEC. 19. Labels to be attached to articles of upholstered furniture and bedding regulated by this act shall not be less than six square inches in size and shall show or state that the filling material is "new," "secondhand," or "owner's own," as the case may be.

Same; description of filling material. SEC. 20. Filling materials shall be described by true name and grade. When more than one kind or grade is used in a mixture the component parts shall be described in order of their predominance. Feather and down contents shall be shown by percentage. The manner of describing the various filling materials, including the language required by law, together with such other descriptive information as may be required, and the type size, placement and the color of ink thereof, shall be prescribed by the department. In addition to the prescribed language appearing on the label, the label shall show or state the registration number of the manufacturer as assigned by the department.

Same; other descriptions authorized. SEC. 21. If desired, the label may also describe the frame, cover, and style of the article to which it is attached. When such descriptive statements are made they must, in fact, be true statements. Before

display, sale, or delivery of any articles of upholstered furniture or bedding, all labels required by this act shall be securely attached to the article at the factory or shop. Such labels shall be fixed in such position that they may be conveniently examined.

SEC. 22. The finished size of bed pillows shall be stated on the label. Quilt and comforter labels shall show the "cut" size on the label and a reasonable tolerance from the "cut" size measurement shall be established by regulation. Labels appearing upon decorative pillows, boudoir and fancy cushions, need not show the finished size. Slip-seat chairs and benches or upholstered stools and similar articles of upholstered furniture, having a wood or metal bottom, may be clearly and indelibly stamped at the factory in lieu of the label. The stamp to be used shall not be smaller than the minimum size approved by the department. When a stamp is approved in lieu of a label, such stamp shall show or state such information as would be required on the label which it replaces.

Labels; bed pillows, quilts and comforters.

Same; decorative pillows.

Stamp in lieu of label.

SEC. 23. Before being sold, offered, or exposed for sale, cotton, wool, kapok, feathers, down, or any other material or any combination thereof, loose, in batting, pad, or any other prefabricated form, concealed or not concealed, to be used, or that could be used, in articles of bedding or upholstered furniture, shall be labeled with a tag or other device setting forth its true content in accordance with this act.

Materials usable as bedding or upholstered furniture filler shall be labeled to show true content.

SEC. 24. All feathers and down, excepting raw stocks sold in bulk or package, shall be labeled with a tag or other marking upon each and every parcel setting forth the true contents according to the requirements of this act.

Feathers and down; label required.

SEC. 25. Any person who renovates or repairs upholstered furniture or bedding for such owner's or customer's own use or use by his tenants, shall at-

"Owner's own material" label.

tach, when completed, the "owner's own material" label approved by the department.

Same; how affixed.

SEC. 26. The "owner's own material" label shall be securely attached to the article at the factory or shop and it shall be fixed in such position that it may be conveniently examined.

Fabric of labels.

SEC. 27. The material from which furniture and bedding labels are made shall be a fabric of good quality approved by the department.

Stickers must not cover statements.

SEC. 28. No mark, tag or sticker, or any other device shall be placed upon labels required hereby by any person in such a way as to cover the statements required by law.

Use of misleading terms prohibited.

SEC. 29. It shall be unlawful to use on any label any misleading term or designation or term or designation likely to mislead.

Unlawful for person other than purchaser for his own use to remove or deface label.

SEC. 30. Every person except the purchaser for his own use, who attempts to or does remove, deface, alter, or causes to be removed, defaced or altered, the label or any mark or statement placed upon any upholstered furniture, bedding, or material under the provisions of this act, is guilty of a violation of this act.

Filthy articles.

SEC. 31. Filthy articles of upholstered furniture or filthy articles of bedding cannot be sold, offered for sale, or exposed for sale.

Sterilizers, fumigators, etc., must secure certificate.

SEC. 32. No person shall engage in the business of sterilizing, fumigating, or otherwise treating articles or materials subject to the regulations of this act without first obtaining the proper registration certificate.

Articles from certain jails, hospitals, etc., must be sterilized.

SEC. 33. Every article of upholstered furniture or bedding from any private or public hospital, jail, or any other institution, or which has been used by any person suffering from an infectious or contagious

disease, shall be sterilized before it is repaired or renovated.

SEC. 34. New, sterilized, fumigated, or otherwise treated articles of upholstered furniture or bedding or materials shall at all times be kept separate from secondhand articles or materials not sterilized, fumigated, or otherwise treated.

Treated articles to be kept separate from untreated articles.

SEC. 35. Every person who uses the required furniture and bedding label coming under the provisions of this act or who uses any other type of tag or device to falsely advertise or misrepresent any merchandise to which the bedding or furniture label is required to be attached is guilty of a violation of this act.

False advertising unlawful.

SEC. 36. Whenever the words "bat," "batting," or "felt" are used in any statement required by this act, the material designated shall be in layers as processed by garnetting or carding machines and the statement on the label shall indicate whether the bat is a "staple cotton bat" or a "cotton linters bat," or such other true statement as may be in order.

Use of words "bat," "batting," or "felt."

SEC. 37. Any and all filling material to be used in the manufacture of upholstered furniture or bedding shall be free from foreign matter, dirt or trash.

Filling material free from foreign matter.

SEC. 38. The state board of health shall by regulation, establish grades, specifications, and tolerances on the kinds and qualities of materials which are used or intended to be used or that may be used in the manufacture of upholstered furniture or bedding, provided such grades, specifications and tolerances are not in conflict with accepted national standards relating thereto, and may approve or adopt standard designations and rules for the proper labeling of articles filled with those materials, provided such rules are not in conflict with any of the provisions of this act, and may adopt such other rules and regula-

Board of health to establish grades, specifications and tolerances.

tions as may be necessary for carrying out the provisions of this act.

Identifica-  
tion of ar-  
ticles to be  
repaired or  
renovated.

SEC. 39. Every person, upon receiving upholstered furniture or bedding for repair or renovation, shall securely affix immediately a tag of identification showing the owner's or dealer's name and address and the date upon which it was received. The tag shall remain affixed until actual repair or renovation is begun. Secondhand springs, structural parts and filling materials shall likewise be identified.

Premises  
and equip-  
ment to be  
clean.

SEC. 40. The premises, delivery equipment, machinery, appliances and devices of all persons under this act shall at all times be kept free of refuse, dirt, contamination, insects or vermin.

Registration  
fee table.

SEC. 41. The annual registration fee for such certificates granted under this act shall be in accordance with the following table and shall be due and payable on or before July 1st of each year:

Furniture and bedding manufacturer's certificate	\$35
Wholesale furniture and bedding dealer's certificate	.....\$35
Supply dealer's certificate	.....\$35
Supply depot	.....\$35
Furniture repairer's and renovator's certificate	..\$25
Sterilizer's or fumigator's certificate	.....\$25
Retail furniture and bedding dealer's certificate	..\$10
Auctioneer's certificate	.....\$10

Fees may  
be reduced.

The schedule of fees prescribed in this act constitutes a maximum, and the director, with the approval of the advisory council, may make a proportionate reduction in the schedule for any year upon the basis of the department's needs for the proper enforcement of this act.

Fees, when  
payable.

SEC. 42. All registration fees shall be paid in full up to the following July 1st. Prorated license fees



shall be on a quarterly basis beginning as of July 1st, October 1st, January 1st, April 1st.

SEC. 43. Any person not licensed during the last preceding fiscal year may obtain a certificate on the prorated basis by payment of the registration certificate fee beginning the quarter in which he engages in business.

Certificate on prorated basis.

SEC. 44. Renewal registration fees are payable on or before July 1st. When such fees are not paid in full before September 1st they shall become delinquent and there shall be added to the requisite fee a penalty of twenty per cent. If such fee and delinquent penalty are not paid on or before October 1st the licensee shall be subject to such further penalties as provided elsewhere in this act.

Renewal registration fees.

Penalty for delinquency.

SEC. 45. All monies received under this act shall be paid over to the state treasurer at the close of each month. Expenses for carrying out the provisions of this act shall be obtained from these monies. The department shall maintain separate records showing receipt and expenditure of such monies.

Disposition of monies received under act.

Records.

SEC. 46. The director shall have access to any premises or to any records held by any person containing any information pertaining to any materials or articles affected by and subject to the provisions of this act. They may inspect materials and structural parts intended to be used in the manufacture of upholstered furniture or bedding, may open such articles or parts thereof for the purpose of inspecting concealed filling material and may take either the entire article or samples of filling material in such quantities as may be necessary for laboratory analysis.

Director; right of access and inspection.

SEC. 47. When the director determines that any secondhand or damaged article of upholstered furniture or bedding for sale, or any materials intended to be used in the manufacture of any article or arti-

Director; powers as to articles detrimental to public health.

cles of upholstered furniture or bedding are detrimental to public health, he may condemn, withhold from sale, seize, or destroy any such article or articles.

Condemned articles; specifications of tags.

SEC. 48. The tag to be affixed to any article of condemned upholstered furniture or bedding or any material by a representative shall be a colored tag and shall contain such information as may be required by the department.

Failure to produce item on demand.

SEC. 49. The failure of any person to produce upon demand of the director any article or material that has been condemned or ordered held on an inspection notice is a violation of this act.

Violation of act.

SEC. 50. Every person who violates any of the provisions of this act is guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars or by imprisonment in the county jail for not less than thirty days nor more than six months or by both such fine and imprisonment.

Penalty.

Separate violations.

SEC. 51. The unit for a separate and distinct offense in violation of this act is each and every article of improperly labeled, or not labeled, upholstered furniture or bedding made, repaired, re-covered, renovated, sterilized, fumigated, or otherwise treated, sold, exposed or offered for sale, delivered, consigned, rented or possessed with intent to sell contrary to the provisions of this act.

Furniture and bedding advisory council.

SEC. 52. There is hereby created a furniture and bedding advisory council to the department which shall consist of the director as secretary and seven members to be appointed by the governor. The seven appointive members shall be persons who, because of their vocations, employment or affiliations, are qualified to represent the various branches of the affected industries. Members shall be appointed for a seven-year term, except that in the initial instance

Members.

Terms.

following the effective date of this act, one member shall serve for one year, one member for two years, one member for three years, one member for four years, one member for five years, one member for six years and one member for seven years, as the governor may designate. Vacancies of unexpired terms shall be filled by appointment by the governor.

Vacancies of unexpired terms.

SEC. 53. Appointments to the advisory council, except to fill vacancies, shall be as of July 1st and apportioned as follows: One representing the upholstered furniture manufacturing industry; one representing the bedding manufacturing industry; one representing the retail furniture industry; one representing the sterilizing and fumigation industry; and three having no commercial interest, affiliation or relationship in or to the industry, to represent the public. The governor shall fill such vacancies as may occur in the membership of the council and a member so appointed shall serve during the unexpired term for which his predecessor was appointed. The furniture and bedding advisory council shall choose one of its members to act as chairman and shall meet once each year at a time and place to be designated by the chairman: *Provided, however,* The chairman may, at the written request of two members of the council, or, at his own option, call a special meeting of the council to discuss such matters as may, in his opinion, require interim discussion and advice.

Apportionment of appointments.

Vacancies filled by governor.

Chairman.

Special meetings.

SEC. 54. The governor may remove any member of the council for misconduct or when he is no longer connected with that segment of industry in whose behalf he was appointed. All advisory council members shall serve without pay. The advisory council shall have full power to:

Removal from council.

Compensation.

(1) Consider all matters submitted to it by the director;

Powers.

(2) Recommend such rules and regulations as may in their opinion be necessary in carrying out the provisions of this act;

(3) Make recommendations to the state merit system and the director relative to the qualifications and duties of the representatives provided for in this act;

(4) Advise regarding enforcement policy and other such matters as may be pertinent to the purpose and intent of this act.

Partial in-  
validity.

SEC. 55. If any provision of this act or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or the application of this act which can be given effect without the invalid provision or application, and to this end the provisions of the act are declared to be severable.

SEC. 56. Sections 70.66.010 to 70.66.160, inclusive, R.C.W., as derived from chapter 125, Laws of 1931, are repealed.

[Rep. R.R.S. §§ 6294-1 to 6294-17 incl.]

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 16, 1951.

## CHAPTER 184.

[ S. H. B. 297. ]

SOCIAL SECURITY COVERAGE FOR STATE  
OFFICIALS AND EMPLOYEES.

AN ACT providing for the coverage of certain officers and employees of the state and local governments under the old-age and survivors insurance provisions of title II of the federal social security act, as amended; fixing the powers and duties of certain state officers; making an appropriation; and declaring an emergency.

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

SECTION 1. In order to extend to employees of the state and its political subdivisions and to the dependents and survivors of such employees, the basic protection accorded to others by the old-age and survivors insurance system embodied in the social security act, it is hereby declared to be the policy of the legislature, subject to the limitations of this act, that such steps be taken as to provide such protection to employees of the state and its political subdivisions on as broad a basis as is permitted under the social security act. Nothing in this act shall be construed to in any way affect any existing pension or retirement system or plan for any group of state employees or the employees of any political subdivision thereof, nor to allow or authorize the governor or the governing body of any political subdivision, either separately or acting together, to terminate or alter any existing pension or retirement plan or to put under the federal social security act any persons now members or protected by any state or local pension or retirement plan or system.

Declaration  
of policy.

Construc-  
tion; existing  
systems and  
members  
thereof not  
affected.

SEC. 2. For the purposes of this act—(a) The term “wages” means all remuneration for employment as defined herein, including the cash value of all remuneration paid in any medium other than cash, except that such term shall not include that

“Wages.”

part of such remuneration which, even if it were for "employment" within the meaning of the federal insurance contributions act, would not constitute "wages" within the meaning of that act;

"Employment."

(b) The term "employment" means any service performed by an employee in the employ of the state, or any political subdivision thereof, for such employer, except (1) service which in the absence of an agreement entered into under this act would constitute "employment" as defined in the social security act; or (2) service which under the social security act may not be included in an agreement between the state and the federal security administrator entered into under this act.

"Employee."

(c) The term "employee" includes all officers and employees of the state or its political subdivisions except elected officials and officials compensated on a fee basis.

"Federal security administrator."

(d) The term "federal security administrator" includes any individual to whom the federal security administrator has delegated any of his functions under the social security act with respect to coverage under such act of employees of states and their political subdivisions;

"Political subdivision."

(e) The term "political subdivision" includes an instrumentality of the state, of one or more of its political subdivisions, or of the state and one or more of its political subdivisions. Such term also includes a proprietary enterprise acquired, purchased or originated by the state or any of its political subdivisions subsequent to December, 1950. Such a subdivision may elect to accept federal OASI coverage under this act and if so, is exempted from the application of the state employees retirement act, chapter 274, Laws of 1947.

Governor authorized to enter into agreements.

SEC. 3. (a) The governor is hereby authorized to enter on behalf of the state into an agreement with the federal security administrator, consistent

with the terms and provisions of this act, for the purpose of extending the benefits of the federal old-age and survivors insurance system to employees of the state or any political subdivision thereof with respect to services specified in such agreement which constitute "employment" as defined in section 2 of this act. Such agreement may contain such provisions relating to coverage, benefits, contributions, effective date, modification and termination of the agreement, administration, and other appropriate provisions as the governor and federal security administrator shall agree upon, but, except as may be otherwise required by or under the social security act as to the services to be covered, such agreement shall provide in effect that—

Purpose of agreement.

Contents.

Mandatory provisions.

(1) Benefits will be provided for employees whose services are covered by the agreement (and their dependents and survivors) on the same basis as though such services constituted employment within the meaning of title II of the social security act;

Basis of benefits.

(2) The state will pay to the secretary of the treasury, at such time or times as may be prescribed under the social security act, contributions with respect to wages (as defined in section 2 of this act), equal to the sum of the taxes which would be imposed by sections 1400 and 1410 of the federal insurance contributions act if the services covered by the agreement constituted employment within the meaning of that act;

Contributions by state.

(3) Such agreement shall be effective with respect to services in employment covered by the agreement performed after a date specified therein but in no event may it be effective with respect to any such services performed prior to the first day of the calendar year in which such agreement is entered into or in which the modification of the agree-

Agreement effective as to services performed when.

ment making it applicable to such services, is entered into;

Services to be covered; state employees.

(4) All services which constitute employment as defined in section 2 and are performed in the employ of the state by employees of the state, shall be covered by the agreement; and

Same; employees of political subdivisions.

(5) All services which (A) constitute employment as defined in section 2, (B) are performed in the employ of a political subdivision of the state, and (C) are covered by a plan which is in conformity with the terms of the agreement and has been approved by the governor under section 5, shall be covered by the agreement.

Joint instrumentality authorized to participate.

(b) Any instrumentality jointly created by this state and any other state or states is hereby authorized, upon the granting of like authority by such other state or states, (1) to enter into an agreement with the federal security administrator whereby the benefits of the federal old-age and survivors insurance system shall be extended to employees of such instrumentality, (2) to require its employees to pay (and for that purpose to deduct from their wages) contributions equal to the amounts which they would be required to pay under section 4(a) if they were covered by an agreement made pursuant to subsection (a) of this section, and (3) to make payments to the secretary of the treasury in accordance with such agreement, including payments from its own funds, and otherwise to comply with such agreements. Such agreement shall, to the extent practicable, be consistent with the terms and provisions of subsection (a) and other provisions of this act.

Employees to make contributions.

SEC. 4. (a) Every employee of the state whose services are covered by an agreement entered into under section 3 shall be required to pay for the period of such coverage, into the contribution fund established by section 6, contributions, with respect to wages (as defined in section 2 of this act), equal



to the amount of tax which would be imposed by section 1400 of the federal insurance contributions act if such services constituted employment within the meaning of that act. Such liability shall arise in consideration of the employee's retention in the service of the state, or his entry upon such service, after the enactment of this act.

Amount.

Basis of liability for contributions.

(b) The contribution imposed by this section shall be collected by deducting the amount of the contribution from wages as and when paid, but failure to make such deduction shall not relieve the employee from liability for such contribution.

Collection.

(c) If more or less than the correct amount of the contribution imposed by this section is paid or deducted with respect to any remuneration, proper adjustments, or refund if adjustment is impracticable, shall be made, without interest, in such manner and at such times as the state agency shall prescribe.

Contribution; adjustments and refunds.

SEC. 5. (a) Each political subdivision of the state is hereby authorized to submit for approval by the governor a plan for extending the benefits of title II of the social security act, in conformity with applicable provisions of such act, to employees of such political subdivision. Each such plan and any amendment thereof shall be approved by the governor if he finds that such plan, or such plan as amended, is in conformity with such requirements as are provided in regulations of the governor, except that no such plan shall be approved unless—

Plan for employees of political subdivisions.

Approval by governor.

Conditions.

(1) It is in conformity with the requirements of the social security act and with the agreement entered into under section 3;

Conformity with act and agreement.

(2) It provides that all services which constitute employment as defined in section 2 and are performed in the employ of the political subdivision by employees thereof, shall be covered by the plan;

All services which constitute employment must be covered.

Specification as to source of funds.

(3) It specifies the source or sources from which the funds necessary to make the payments required by paragraph (1) of subsection (c) and by subsection (d) are expected to be derived and contains reasonable assurance that such sources will be adequate for such purposes;

Provides methods for efficient administration.

(4) It provides for such methods of administration of the plan by the political subdivision as are found by the governor to be necessary for the proper and efficient administration of the plan;

Provides for reports.

(5) It provides that the political subdivision will make such reports, in such form and containing such information, as the governor may from time to time require and comply with such provisions as the governor or the federal security administrator may from time to time find necessary to assure the correctness and verification of such reports; and

Authorizes termination by governor.

(6) It authorizes the governor to terminate the plan in its entirety, in his discretion, if he finds that there has been a failure to comply substantially with any provision contained in such plan, such termination to take effect at the expiration of such notice and on such conditions as may be provided by regulations of the governor and may be consistent with the provisions of the social security act.

Refusal to approve, or termination of plan; notice and hearing required.

(b) The governor shall not finally refuse to approve a plan submitted by a political subdivision under subsection (a), and shall not terminate an approved plan, without reasonable notice and opportunity for hearing to the political subdivision affected thereby.

Contributions by political subdivisions.

(c) (1) Each political subdivision as to which a plan has been approved under this section shall pay into the contribution fund, with respect to wages (as defined in section 2 of this act), at such time or times as the governor may by regulation prescribe, contributions in the amounts and at the rates specified in the applicable agreement entered into by the governor under section 3.

(2) Each political subdivision required to make payments under paragraph (1) of this subsection is authorized, in consideration of the employee's retention in, or entry upon, employment after enactment of this act, to impose upon each of its employees, as to services which are covered by an approved plan, a contribution with respect to his wages (as defined in section 2 of this act), not exceeding the amount of tax which is imposed by section 1400 of the federal insurance contributions act, and to deduct the amount of such contribution from his wages as and when paid. Contributions so collected shall be paid into the OASI contribution fund in partial discharge of the liability of such political subdivision or instrumentality under paragraph (1) of this subsection. Failure to deduct such contribution shall not relieve the employee or employer of liability therefor.

Employee's contribution.

Amount.

Payments to OASI contribution fund.

Failure to deduct contribution.

(d) Delinquent payments due under paragraph (1) of subsection (c) may, with interest at the rate of six *per centum per annum*, be recovered by action in a court of competent jurisdiction against the political subdivision liable therefor or may, at the request of the governor, be deducted from any other moneys payable to such subdivision by any department or agency of the state.

Delinquent payments.

SEC. 6. (a) There is hereby established a special fund to be known as the OASI contribution fund. Such fund shall consist of and there shall be deposited in such fund: (1) all contributions, interest, and penalties collected under sections 4 and 5; (2) all moneys appropriated thereto under this act; (3) any property or securities and earnings thereof acquired through the use of moneys belonging to the fund; (4) interest earned upon any moneys in the fund, and (5) all sums recovered upon the bond of the custodian or otherwise for losses sustained by the fund and all other moneys received for the fund

OASI contribution fund.

Governor to administer fund.

from any other source. All moneys in the fund shall be mingled and undivided. Subject to the provisions of this act, the governor is vested with full power, authority and jurisdiction over the fund, including all moneys and property or securities belonging thereto, and may perform any and all acts whether or not specifically designated, which are necessary to the administration thereof and are consistent with the provisions of this act.

Fund to be separate from other moneys.

(b) The OASI contribution fund shall be established and held separate and apart from any other funds or moneys of the state and shall be used and administered exclusively for the purpose of this act. Withdrawals from such fund shall be made for, and solely for (A) payment of amounts required to be paid to the secretary of the treasury pursuant to an agreement entered into under section 3; (B) payment of refunds provided for in section 4(c) of this act; and (C) refunds of overpayments, not otherwise adjustable, made by a political subdivision or instrumentality.

Withdrawals.

Payments to secretary of treasury.

(c) From the OASI contribution fund the custodian of the fund shall pay to the secretary of the treasury such amounts and at such time or times as may be directed by the governor in accordance with any agreement entered into under section 3 and the social security act.

State treasurer ex-officio treasurer of fund.

(d) The treasurer of the state shall be *ex-officio* treasurer and custodian of the OASI contribution fund and shall administer such fund in accordance with the provisions of this act and the directions of the governor and shall pay all warrants drawn upon it in accordance with the provisions of this section and with the regulations as the governor may prescribe pursuant thereto.

Political subdivisions; advisory vote.

SEC. 7. The governing body of any political subdivision having any coverage group, as the term is defined in title II of the social security act, not

covered by a state or municipal retirement system may submit for an advisory vote to the members of such coverage group the question of whether they prefer coverage by federal old-age and survivors insurance or coverage by a state or municipal retirement system.

SEC. 8. There is hereby appropriated for the biennium ending March 31, 1953, the sum of one million dollars or so much thereof as may be necessary, from the OASI contribution fund, to be expended for the purposes of section 6 of this act.

Appropriation.

SEC. 9. All costs allocable to the administration of this chapter shall be charged to and paid to the general fund by the participating divisions and instrumentalities of the state *pro rata* according to their respective contributions.

Cost of administration.

SEC. 10. The governor shall make and publish such rules and regulations, not inconsistent with the provisions of this act, as he finds necessary or appropriate to the efficient administration of the functions with which he is charged under this act.

Governor to make rules and regulations.

SEC. 11. Any authority conferred upon the governor by this act may be exercised by an official or state agency designated by him.

Governor may delegate authority.

SEC. 12. This act is necessary for the support of the state government and shall take effect immediately.

Emergency.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 16, 1951.

CHAPTER 185.

[ H. B. 409. ]

INHERITANCE AND GIFT TAXES—POWER OF APPOINTMENT.

AN ACT relating to taxation; providing for taxes on inheritances and gifts wherein a power of appointment is granted.

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

SECTION 1. As used in this act:

- "Grantor." "Grantor" means any person who creates a power of appointment.
- "Donee." "Donee" means any person given the power to exercise the appointment.
- "Property." "Property" means any property subject to the power of appointment which is within the jurisdiction of this state.
- "Trustee." "Trustee" means any person, including a donee, who holds the property or the title thereto in trust or otherwise.
- "Ultimate beneficiary." "Ultimate beneficiary" means any person who becomes entitled to the property through exercise of the power, or by reason of non-exercise of the power, or by reason of renouncement of the power by the donee, or by reason of renouncement or waiver by the person appointed to receive the property.
- "Greatest possible tax." "Greatest possible tax" means a tentative tax computed on an assumed devolution of the property to an ultimate beneficiary within the limitations of the power who would be taxable at the highest rates provided by the inheritance tax laws of this state.
- "Final tax." "Final tax" means the tax determined under the inheritance tax laws of this state when the power is exercised or terminated.
- "Commission." "Commission" means the tax commission of this state.

SEC. 2. The granting of a power of appointment, in conjunction with a disposition of property which is affected before or after the effective date of this act, by will, or by deed, grant, sale, contract or gift made in contemplation of the death of the grantor, or by deed, grant, sale, contract or gift made or intended to take effect in possession or enjoyment at or after the death of the grantor, to any person in trust or otherwise, or by a transfer in trust or otherwise, under which the grantor has retained for his life or for any period not ascertainable without reference to his death, or for any period which does not in fact end before his death, the possession or enjoyment of any part of the property, or the right to all or any part of the income from the property, or the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom, is a transfer subject to the inheritance tax laws of this state from the grantor to the ultimate beneficiary thereof.

Grant of power of appointment constitutes transfer subject to inheritance tax from grantor to ultimate beneficiary, when.

SEC. 3. The tax is due as of the date of death of the grantor, and shall be a lien upon the property until paid in full. It shall be the duty of the trustee to pay the tax or provide the security therefor as hereinafter provided, but no provision of this act shall be construed as imposing a personal liability on such trustee. The tax shall be assessed on the value of the property as of the date of death of the grantor regardless of any subsequent increase or decrease in value, and may be paid from the property at the discretion of the trustee. Any refund granted as hereinafter provided shall inure to the benefit of the ultimate beneficiary.

Tax; when due; lien.

Trustee; duty to pay.

Same; liability.

Value assessed.

May be paid from the property.

Refund.

SEC. 4. Upon the exercise or termination of the power, prior to furnishing the bond or other security for the tax as hereinafter provided, it shall be the duty of the donee to immediately notify the commission thereof, together with the name and address of

Upon exercise or termination of power, donee to notify commission.

Liability of donee. the ultimate beneficiary and his relationship to the grantor. If the donee fails to so notify the commission, which failure results in loss of tax, he shall be liable for such tax.

Surety company bond to be filed if greatest possible tax not timely paid. SEC. 5. Unless the greatest possible tax is paid in full within thirty days after receipt of the property by the trustee or within thirty days after the death of the grantor, whichever occurs last, a surety company bond shall be executed in favor of the state of Washington by the trustee and filed with the commission, which bond shall be binding on his successors or representatives, in an amount equal to the greatest possible tax, conditioned that upon the exercise or termination of the power the commission will be notified and the final tax paid in full: *Provided,*

Payment of tentative tax; bond for difference. That the trustee may elect to pay a tentative tax based on the probabilities of devolution of the property, and file a bond only for the difference between the tentative tax paid and the greatest possible tax. The commission, in its discretion, may accept other

Other security. adequate security in lieu of any bond or payment of tentative tax. If at any time the commission has cause to believe that the bond or security furnished is inadequate to insure payment of the final tax, it

Further security. may require such further security from the remaining property as it deems necessary. If the trustee fails or refuses to pay such tax, or furnish a bond or adequate security, the greatest possible tax shall immediately become due and payable, and may be enforced against the property by the commission

Enforcement by foreclosure. through foreclosure proceedings. Any bond executed by the trustee as above provided shall not be released or exonerated without written consent of the commission.

Release of bond; consent required for. SEC. 6. In the event any tentative tax paid as provided heretofore is determined to be in excess of the final tax, a refund for the excess shall be granted by the commission, without interest.

Tentative tax paid; refund.



SEC. 7. The trustee shall have thirty days after receipt of the property or thirty days after the date of death of the grantor, whichever occurs last, within which to pay any tentative tax provided in this act, and if not so paid, interest shall be charged on such tax at the rate of one per cent per month from the date of receipt of the property until paid. Interest shall not be charged on the final tax if paid within three months of the exercise or termination of the power, but if not so paid, interest shall be charged at the rate of six per cent *per annum* from the date the power was exercised or terminated.

Time when tentative tax due.

Interest.

SEC. 8. In the event the donee exercises the power by granting a power of appointment to another donee to all or any part of the property, such property shall be taxed as if the second donee is the ultimate beneficiary thereof, as above provided, and the second donee is then considered as the owner of the property for the purposes of this act.

Grant of power to another donee; effect.

SEC. 9. Powers of appointment granted prior to the effective date of this act are not subject to the provisions hereof, but the exercise or termination of such powers are taxable as provided by section 2, chapter 134, Laws of 1931.

Powers granted prior to effective date of act.

SEC. 10. As used in this act:

“Donor” means any person who creates a power of appointment.

“Donor.”

“Donee” means any person given the power to exercise the appointment.

“Donee.”

“Property” means any property subject to the power of appointment which is within the jurisdiction of this state.

“Property.”

“Trustee” means any person, including a donee, who holds the property or the title thereto in trust or otherwise.

“Trustee.”

“Ultimate beneficiary” means any person who becomes entitled to the property through exercise of the power, or by reason of non-exercise of the power,

“Ultimate beneficiary.”

or by reason of renouncement of the power by the donee, or by reason of renouncement or waiver by the person appointed to receive the property.

"Greatest possible tax."

"Greatest possible tax" means a tentative tax computed on an assumed devolution of the property to an ultimate beneficiary within the limitations of the power, who would be taxable at the highest rates provided by the gift tax laws of this state.

"Final tax."

"Final tax" means the tax determined under the gift tax laws of this state when the power is exercised or terminated.

"Due date."

"Due date" means the fifteenth day of March following the close of the calendar year in which any gift is made.

"Commission."

"Commission" means the tax commission of this state.

Gift of power in conjunction with inter vivos transfer; subject to gift tax laws.

SEC. 11. The gift of a power of appointment, in conjunction with a disposition of property which is effected before or after the effective date of this act, by inter vivos transfer, direct, or in trust or otherwise, is subject to the gift tax laws of this state from the donor to the ultimate beneficiary thereof.

Tax; when due; lien.

SEC. 12. The tax is due as of the date of the gift, and shall be a lien upon the property until paid in full. It shall be the duty of the trustee to pay the tax or provide the security therefor as hereinafter provided, but no provision of this act shall be construed as imposing a personal liability on such trustee. The tax shall be assessed on the value of the property as of the date of the gift regardless of any subsequent increase or decrease in value, and may be paid from the property at the discretion of the trustee. Any refund granted as hereinafter provided shall inure to the benefit of the ultimate beneficiary.

Trustee; duty to pay.

Same; liability.

Value assessed.

May be paid from the property.

Refund.

Upon exercise or termination of power, donee to notify commission.

SEC. 13. Upon the exercise or termination of the power, prior to furnishing the bond or other security for the tax as hereinafter provided, it shall be the duty of the donee to immediately notify the commis-

sion thereof, together with the name and address of the ultimate beneficiary and his relationship to the donor. If the donee fails to so notify the commission, which failure results in loss of tax, he shall be liable for such tax.

Liability of donee.

SEC. 14. Unless the greatest possible tax is paid in full on or before the due date, a surety company bond shall be executed in favor of the state of Washington by the trustee and filed with the commission, which bond shall be binding on his successors or representatives in an amount equal to the greatest possible tax, conditioned that upon the exercise or termination of the power the commission will be notified and the final tax paid in full: *Provided*, That the trustee may elect to pay a tentative tax based on the probabilities of devolution of the property, and file a bond only for the difference between the tentative tax paid and the greatest possible tax. The commission, in its discretion, may accept other adequate security in lieu of any bond or payment of tax. If at any time the commission has cause to believe that the bond or security furnished is inadequate to insure payment of the final tax, it may require such further security from the remaining property as it deems necessary. If the trustee fails or refuses to pay such tax, or furnish a bond or adequate security, the greatest possible tax shall immediately become due and payable, and may be enforced against the property by the commission through foreclosure proceedings. Any bond executed by the trustee as above provided shall not be released or exonerated without written consent of the commission.

Surety company bond to be filed if greatest possible tax not timely paid.

Payment of tentative tax; bond for difference.

Other security.

Further security.

Enforcement by foreclosure.

Release of bond; consent required for.

SEC. 15. In the event any tentative tax paid as provided heretofore is determined to be in excess of the final tax, a refund for the excess shall be granted by the commission, without interest.

Tentative tax paid; refund.

SEC. 16. The trustee shall have until the due date to pay any tentative tax provided in this act,

Time tentative tax due.

Interest.

and if not so paid, interest shall be charged on such tax at the rate of one per cent per month from the first of January next preceding the due date until paid. Interest shall not be charged on the final tax if paid within three months of the exercise or termination of the power, but if not so paid, interest shall be charged at the rate of six per cent *per annum* from the date the power was exercised or terminated.

Grant of power to another donee; effect.

SEC. 17. In the event the donee exercises the power by granting a power of appointment to another donee to all or any part of the property, such property shall be taxed as if the second donee is the ultimate beneficiary thereof, as above provided, and the second donee is then considered as the owner of the property for the purposes of this act.

Passed the House February 26, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 16, 1951.

---

## CHAPTER 186.

[ S. B. 307. ]

### ENABLING CITY OF EVERETT TO CONVEY PART OF LEGION PARK TO EVERETT SCHOOL DISTRICT NO. 2.

AN ACT authorizing Everett, a municipal corporation, to convey to Everett School District No. 2, a municipal corporation of Snohomish County, Washington, a portion of Legion Park, located in Everett, Snohomish County, Washington, or adjacent thereto, without calling for bids; and declaring an emergency.

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

District may receive property.

SECTION 1. Everett School District No. 2, a municipal corporation, is empowered to receive as a gift or purchase from Everett, a municipal corporation, a portion of that property known as Legion Park, described as follows:

Beginning at the  $\frac{1}{4}$  corner on the west line of Sec. 8, T 29N, R 5 EWM, thence easterly along the center line of said Sec. 8, 179.1 Ft. to a point of intersection with the easterly marginal line of Alverson Blvd. thence N. 0 deg. 08' E along the easterly marginal line of Alverson Blvd. 425.00 Ft. to the point of tangency of a curve to the right; thence northerly along the arc of a curve to the right having a radius of 543.69 Ft. and consuming a central angle of 86 deg. 34' for 116.21 Ft. M/L to the true point of beginning; thence S. 87 deg. 47' 08" E. 860.98 Ft. M/L; thence N. 7 deg. 56' 08" west to a point on the southeasterly marginal line of Alverson Blvd.; thence westerly and southerly along the southeasterly marginal line of Alverson Blvd. to the true point of beginning, less portion lying within the Great Northern Railway Co.'s R/W; and to appropriate sums of money and pay the same to Everett, a municipal corporation. And the said Everett, a municipal corporation, is hereby authorized to deed and convey said property, above described, to Everett School District No. 2, for the purpose of erecting a junior college thereon, without consideration, other than the benefits to be derived from having said junior college erected on said property, and/or such consideration as the city commissioners of Everett may decide upon, and may be agreed to by the directors of Everett School District No. 2, Snohomish County, Washington, and such gift and/or sale and conveyance may be made without advertising same for sale and putting same up for bids: *Provided*, That the question of authorizing the sale of such lands shall have been submitted to a vote of the electors of Everett, in the manner provided by law for submission of other questions to a vote of the electors of Everett, giving a legal description of the lands to be sold and the price and terms upon which it is proposed to sell said lands, and shall have been

Legal description.

District may pay.

City may convey.

Consideration.

Bids not required.

Election on question of sale.

Majority  
vote.

so authorized by a majority vote of the electors of Everett voting on the question.

Ratification  
of certain  
acts.

SEC. 2. All acts of any such municipality in the exercise or attempted exercise of any powers herein conferred are hereby ratified and confirmed. The provisions of this act shall be cumulative and nothing herein contained shall abridge or limit the powers of the city, school district or county under existing law.

Emergency.

SEC. 3. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Passed the Senate February 23, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 187.

[ S. B. 39. ]

COUNTY EMPLOYEES VACATIONS AND SICK LEAVE.

AN ACT relating to vacations and sick leave for county employees who are employed on an hourly or *per diem* basis and declaring an emergency.

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

SECTION 1. Each employee of any county in this state who is employed on an hourly or *per diem* basis, who shall have worked fifteen hundred hours or more in any one year may in the discretion of the board of county commissioners be given the same vacations and sick leaves as are provided for the employees of the county employed on a monthly basis.

County employees on hourly or *per diem* basis; sick leaves and vacations.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the Senate February 20, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 188.

[ S. B. 65. ]

DESTRUCTION OF HIGHWAY OR ROAD SIGNS.

AN ACT relating to willful vandalism as to highway or road signs or devices; providing penalties; and amending section 47.36.150, R.C.W.

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

Amendment. SECTION 1. Section 47.36.150, R.C.W., as derived from section 64, chapter 53, Laws of 1937, is amended to read as follows:

Destruction of highway signs unlawful.

A person who willfully defaces, mutilates, damages, removes, alters, or in any manner injures or destroys any sign, signal, signboard, directional or informational sign, or other traffic device erected or maintained by the director upon a public highway, or under his direction, or by a person under permit, or by a county, city or town, shall be guilty of a misdemeanor punishable by a fine of not less than twenty-five or more than one hundred dollars, or by imprisonment for not less than ten or more than thirty days. The minimum sentence provided shall not be suspended.

Penalty.

[Am. R.R.S. § 6400-64.]

Passed the Senate January 26, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 17, 1951.



## CHAPTER 189.

[ S. B. 120. ]

IRRIGATION DISTRICTS—COMPENSATION OF  
OFFICERS AND EMPLOYEES.

AN ACT relating to irrigation districts; providing for increase of compensation of board of directors; amending section 87.08.100, R.C.W.

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

SECTION 1. Section 87.08.100, R.C.W., as derived from section 14, chapter 180, Laws of 1919, is amended to read as follows: Amendment.

The directors shall each receive not to exceed ten dollars per day in attending meetings and while performing other services for the district, to be fixed by resolution and entered in the minutes of their proceedings, and in addition thereto their necessary expenses in connection therewith. A director using his own automobile shall be entitled to compensation therefor not in excess of eight cents per mile for the actual and necessary number of miles traveled, based on a resolution fixing the rate per mile allowed for each make or type of car so used. The board shall fix the compensation of the secretary and all other employees. The board shall, upon the petition of at least fifty or a majority of the electors, submit to the electors at any general district election, a schedule of salaries and fees to be paid hereunder. The petition shall be presented to the board twenty days before a general election, and the result thereof shall be determined and declared as other elections.

Compensation of directors.

Expenses.

Compensation of secretary and other employees.

Schedule of salaries submitted to electorate.

[Am. R.R.S. § 7456.]

Passed the Senate February 15, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 190.

[ S. B. 278. ]

## INSURANCE ANNUITIES.

AN ACT relating to insurance annuities; and amending section 48.23.360, R.C.W.

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

Amendment.

SECTION 1. Section 48.23.360, R.C.W., as derived from section .23.36, chapter 79, Laws of 1947 is amended to read as follows:

Nonforfeiture benefits.

(1) Nonforfeiture Benefits: Any paid-up nonforfeiture benefit available under any annuity or pure endowment contract pursuant to section 48.23.200, in the event of default in a consideration due on any contract anniversary shall be such that its present value as of such anniversary shall be not less than the excess, if any, of the present value, on such anniversary, of the future guaranteed benefits (excluding any total disability benefits attached to such contracts) which would have been provided for by the contract including any existing paid-up additions, if there had been no default, over the sum of (a) the then present value of the net consideration defined in paragraph two of this section corresponding to considerations which would have fallen due on and after such anniversary, and (b) the amount of any indebtedness to the company on the contract, including interest due or accrued. In determining the benefits referred to in this section and in calculating the net consideration referred to in such paragraph two, in the case of annuity contracts under which an election may be made to have annuity payments commence at optional dates, the annuity payments shall be deemed to commence at the latest date permitted by the contract for the commencement of such payments and the considerations shall be deemed to be payable until such date, which,

however, shall not be later than the contract anniversary nearest the annuitant's seventieth birthday.

(2) Net Considerations: The net considerations for any annuity or pure endowment contract referred to in paragraph one of this section shall be calculated on an annual basis, shall be such that the present value thereof at date of issue of the annuity shall equal the then present value of the future benefits thereunder (excluding any total disability benefits attached to such contracts) and shall be not less than the following percentages of the respective considerations specified in the contracts for the respective contract years:

Net considerations.

First year .....fifty per cent  
Second and subsequent years.....ninety per cent

*Provided, however,* that in the case of participating annuity contracts the percentages hereinbefore specified may be decreased by five.

(3) Basis of Calculation: All net considerations and present values referred to in this section shall be calculated on the basis of the 1937 standard annuity mortality table (or such table with reasonable adjustment of the age of the life or lives on which the contract is based) and the rate of interest not exceeding three per cent *per annum* specified in the contract for calculating cash surrender values, if any, and paid-up nonforfeiture benefits.

Basis of calculation.

(4) Calculations on Default: Any cash surrender value and any paid-up nonforfeiture benefit, available under any such contract in the event of default in the payment of any consideration due at any time other than on the contract anniversary, shall be calculated with allowance for the lapse of time and the payment of fractional considerations beyond the last preceding contract anniversary. All values herein referred to may be calculated upon the assumption that any death benefit is payable at the end of the contract year of death.

Calculations on default.

Deferment  
of payment.

(5) Deferment of Payment: If an insurer provides for the payment of a cash surrender value, it shall reserve the right to defer the payment of such value for a period of six months after demand therefor with surrender of the contract.

Lump sum  
in lieu.

(6) Lump Sum in Lieu: Notwithstanding the requirements of this section, any deferred annuity contract may provide that if the annuity allowed under any paid-up nonforfeiture benefit would be less than one hundred twenty dollars annually, the insurer may at its option grant a cash surrender value in lieu of such paid-up nonforfeiture benefit of such amount as may be required by paragraph three of this section.

Operative  
date.

(7) Operative Date: If no election is made by an insurer for an operative date prior to July first, nineteen hundred forty-eight, such date shall be the operative date for this section.

[Am. Rem. Supp. 1947, § 45.23.36.]

[R.C.W. 48.23.200 is Rem. Supp. 1947, § 45.23.20.]

Passed the Senate February 22, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 191.

[ S. B. 140. ]

### CONDITIONAL SALE OR LEASE OF RAILROAD EQUIPMENT.

AN ACT relating to certain contracts for the conditional sale or lease of railroad equipment and rolling stock; amending section 81.36.140, R.C.W.

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

Amendment.

SECTION 1. Section 81.36.140, R.C.W., as derived from section 1, chapter 169, Laws of 1949, is amended to read as follows:

In any contract of, or for the sale of railroad equipment or rolling stock, it shall be lawful to agree that the title to the property sold, or contracted to be sold, although deliverable immediately, or at any future time, shall not vest in the purchaser until the purchase price shall be fully paid, or that the seller shall retain a lien thereon for the unpaid purchase money; if any such contract of or for the sale of railroad equipment or rolling stock, or any such contract of or for the leasing of such property, provides that the vendor, or lessor, as the case may be, in event of default by the purchaser or lessee may, in addition to and concurrently with the exercise of any and all other remedies provided in such contract, also have the right to sell such rolling stock or equipment at private or public sale and to recover from the purchaser or lessee any deficit remaining after application of the amount realized from such sale and from the exercise of such other remedies, the inclusion of such provision shall not operate to vest title in the purchaser or lessee or constitute such contract a chattel mortgage; and in any contract of, or for the leasing of such property, it shall be lawful to stipulate for a conditional sale thereof at the termination of the lease, and that the rentals received may, as paid, be applied and treated as purchase money, and that the title to the property shall not vest in the lessee or vendee until the purchase price is paid in full, notwithstanding delivery to and possession by the lessee or vendee; and the assignment of the vendor's or lessor's interest in any such contract shall give the assignee the right to all the vendor's or lessor's interest under such contract, and said assignee shall have such interest in the property covered thereby as the assignor had: *Provided*, That no such contract or assignment shall be valid as against any subsequent judgment creditor,

Contracts of sale of railroad equipment, certain provisions authorized.

Provision permitting sale on default by purchaser or lessee; effect of.

Contract for lease, certain provisions authorized.

Assignment of vendor's or lessor's interest; effect of.

Not valid as against certain persons unless recorded.

or any subsequent *bona fide* purchaser, for value and without notice, unless,—

(1) It is evidenced by an instrument duly acknowledged before some person authorized to take acknowledgments of deeds;

(2) It is filed for record in the office of the county auditor of the county in which, at the time of the execution thereof, is situated the principal office of the vendee or lessee within this state;

Markings on engines or cars.

(3) Each locomotive engine or car so sold, or contracted to be sold, or leased, as aforesaid, shall have the name of the vendor or lessor plainly marked on each side thereof, followed by the word "owner" or "lessor," as the case may be.

[Am. Rem. Supp. 1949, § 10540.]

Passed the Senate February 9, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 192.

[ S. B. 143. ]

### COUNTY ROAD IMPROVEMENT DISTRICTS.

AN ACT authorizing the formation of county road improvement districts in Class A counties and counties of the first class, for the purpose of the improvement of existing county roads other than primary county roads; providing certain requirements and conditions for the formation of said districts; authorizing the levying, collection and payment of special assessments against lands specially benefited by such improvements; providing for the issuance and sale or disposal of county road improvement district warrants and bonds; authorizing the counties to establish guarantee funds for said bonds; and prescribing the powers and duties of the board of county commissioners with respect to all thereof.

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

Class A and first class counties.

SECTION 1. Class A counties and counties of the first class shall have the power to create county road

improvement districts for the improvement of existing county roads and for the construction or improvement of necessary drainage facilities therefor, bridges, culverts, sidewalks, curbs and gutters, and said counties shall have the power to levy and collect special assessments against the real property specially benefited thereby for the purpose of paying the whole or any part of the cost of such construction or improvement: *Provided, however,* That the powers granted herein shall not apply to roads which are designated primary or arterial county roads by the respective boards of commissioners of said counties: *And provided further,* That no road improvement district shall be created under this act unless the property within the proposed district shall be so developed by the construction of permanent urban improvements that the average number of dwelling units or units of business occupancy per one thousand feet of property fronting upon the portion of road to be improved shall be at least six: *And provided further,* That no road improvement district shall exceed one mile square.

Road improvement districts.

Special assessments.

Powers not applicable to primary or arterial county roads.

Property improvement limitation.

Area limitation.

SEC. 2. County road improvement districts may be initiated either by resolution of the board of county commissioners or by petition signed by the owners according to the records of the office of the county auditor of property to an aggregate amount of the majority of the lineal frontage upon the contemplated improvement and of the area within the limits of the county road improvement district to be created therefor.

Districts initiated by petition or resolution.

SEC. 3. In case the board of county commissioners shall desire to initiate the formation of a county road improvement district by resolution, it shall first pass a resolution declaring its intention to order such improvement, setting forth the nature and territorial extent of such proposed improvement, designating the number of the proposed road improvement dis-

Where board initiates formation.

Resolution of intention; contents.

tract and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, stating the average number of dwelling units or units of business occupancy per one thousand feet of property fronting upon the portion of road to be improved, notifying the owners of property therein to appear at a meeting of the board at the time specified in such resolution, and directing the county road engineer to submit to the board at or prior to the date fixed for such hearing a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby and the estimated amount of the cost and expense of such improvement to be borne by each lot, tract or parcel of land or other property, and also designating thereon all property which is being purchased under contract from the county. The resolution of intention shall be published in at least two consecutive issues of a newspaper of general circulation in such county, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of county commissioners.

Publication  
of resolution  
of intention.

Notice of  
adoption of  
resolution  
of intention.

Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract or parcel of land or other property within the proposed improvement district by mailing said notice to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon at least fifteen days before the date fixed for the public hearing. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by as-

Contents  
of notice.



sessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date and place of the hearing before the board of county commissioners, and shall contain the directions hereinafter provided for voting upon the formation of the proposed improvement district.

The clerk of the board shall prepare and mail, together with the notice above referred to, a ballot for each owner or reputed owner of any lot, tract or parcel of land within the proposed improvement district. This ballot shall contain the following proposition:

Ballot to be mailed with notice.

Form of Ballot.

“Shall ..... County Road Improvement District No. .... be formed?

YES ..... ( )  
No ..... ( )”

and, in addition, shall contain appropriate spaces for the signatures of the property owners, and a description of their property, and shall have printed thereon the direction that all ballots must be signed to be valid and must be returned to the clerk of the board of county commissioners not later than five o'clock P. M. of a day which shall be one week after the date of the public hearing.

The notice of adoption of the resolution of intention shall also contain the above directions, and, in addition thereto, shall state the rules by which the election shall be governed.

Notice to state rules of election.

SEC. 4. The election provided herein for cases where the improvement is initiated by resolution shall be governed by the following rules: (1) All ballots must be signed by the owner or reputed owner of property within the proposed district according to the records of the county auditor; (2) each ballot must be returned to the clerk of the board not later than one week after the public hearing; (3) each property owner shall have one vote for each full

Election rules where improvement initiated by resolution.

dollar of estimated assessment against his property as determined by the preliminary estimates and assessment roll; (4) the valid ballots shall be tabulated and a majority of the votes cast shall determine whether the formation of the district shall be approved or rejected.

Petition;  
contents.

SEC. 5. In case any such road improvement shall be initiated by petition, such petition shall set forth the nature and territorial extent of such proposed improvement, and the fact that the signers thereof are the owners, according to the records of the county auditor of property to an aggregate amount of a majority of the lineal frontage upon the improvement to be made and of the area within the limits of the assessment district to be created therefor.

Upon determining sufficiency of petition and sufficiency of development, board to adopt resolution; contents.

Upon the filing of such petition the board shall determine whether the same shall be sufficient and whether the property within the proposed district shall be sufficiently developed and if the board shall find the district to be sufficiently developed and the petition to be sufficient, it shall proceed to adopt a resolution setting forth the nature and territorial extent of the improvement petitioned for, designating the number of the proposed improvement district and describing the boundaries thereof, stating the estimated cost and expense of the improvement and the proportionate amount thereof which will be borne by the property within the proposed district, notifying the owners of property therein to appear at a meeting of the board at the time specified in such resolution, and directing the county road engineer to submit to the board at or prior to the date fixed for such hearing a diagram or print showing thereon the lots, tracts and parcels of land and other property which will be specially benefited thereby and the estimated amount of the cost and expense of such improvement to be borne by each

lot, tract or parcel of land or other property, and also designating thereon all property which is being purchased under contract from the county. The resolution of intention shall be published in at least two consecutive issues of a newspaper of general circulation in such county, the date of the first publication to be at least fifteen days prior to the date fixed by such resolution for hearing before the board of county commissioners.

Publication  
of resolution  
of intention.

Notice of the adoption of the resolution of intention shall be given each owner or reputed owner of any lot, tract or parcel of land or other property within the proposed improvement district by mailing said notice to the owner or reputed owner of the property as shown on the tax rolls of the county treasurer at the address shown thereon at least fifteen days before the date fixed for the public hearing. The notice shall refer to the resolution of intention and designate the proposed improvement district by number. Said notice shall also set forth the nature of the proposed improvement, the total estimated cost, the proportion of total cost to be borne by assessments, the estimated amount of the cost and expense of such improvement to be borne by the particular lot, tract or parcel, the date and place of the hearing before the board of county commissioners, and the fact that property owners may withdraw their names from the petition or add their names thereto at any time prior to five o'clock P. M. of the day before the hearing.

Notice of  
adoption of  
resolution  
of intention.

Contents  
of notice.

SEC. 6. Whether the improvement is initiated by petition or resolution the board shall conduct a public hearing at the time and place designated in the notice to property owners. At this hearing, the board may make such changes in the boundaries of the district or such modifications in the plans for the proposed improvement as shall be deemed necessary: *Provided*, That the board may neither so alter the

Public  
hearing;  
board may  
change  
boundaries  
or modify  
plans.

Limitation.

improvement as to increase the estimated cost by an amount greater than ten per cent above that stated in the notice, nor increase the proportionate share of the cost to be borne by assessments from the proportion stated in the notice, nor change the boundaries of the district to include property not previously included therein without first passing a new resolution of intention and giving a new notice to property owners, in the manner and form and within the time herein provided for the original notice.

Hearing; inquiry as to feasibility and benefit.

At said hearing, the board shall ascertain whether the plan of improvement or construction is feasible and whether the benefits to be derived therefrom by the property within the proposed district, together with the amount of any county road fund participation, exceed the costs and expense of the formation of the proposed district and the contemplated construction or improvement and shall make a written finding thereon. In case the proceedings have been initiated by petition, the board shall find whether the petition including all additions thereto or withdrawals therefrom made prior to five o'clock P. M. of the day before the hearing is sufficient. If said petition shall be found insufficient the board shall by resolution declare the proceedings terminated. In case the proceedings have been initiated by resolution if the board shall find the improvement to be feasible, it shall continue the hearing until a day not more than fifteen days after the date for returning ballots for the purpose of determining the results of said balloting.

Petition; finding of sufficiency.

Same; termination of proceedings where insufficient.

Initiation by resolution; continuation of hearing to count ballots.

Resolution creating district.

After the hearing the board may proceed to adopt a resolution creating the district and ordering the improvement. Such resolution shall establish such district as the "..... County Road Improvement District No. ...." Such resolution shall describe the nature and territorial extent of the improvement to be made and the boundaries

of the improvement district, shall declare the estimated cost and the proportion thereof to be borne by assessments, and shall contain a finding as to the result of the balloting by property owners in case the improvement shall have been initiated by resolution.

Upon the adoption of the resolution establishing the district, the board shall have jurisdiction to proceed with the improvement. The board's findings on the sufficiency of petitions or on the results of the balloting shall be conclusive upon all persons.

Jurisdiction to proceed.

Board's findings conclusive.

SEC. 7. The diagram or print herein directed to be submitted to the board shall be in the nature of a preliminary determination upon the method, and estimated amounts, of assessments to be levied upon the property specially benefited by such improvement and shall in no case be construed as being binding or conclusive as to the amount of any assessments which may be ultimately levied.

Diagram and estimated assessments not binding or conclusive.

SEC. 8. Every resolution ordering any improvement mentioned in this act, payment for which shall be in whole or in part by special assessments shall establish a road improvement district which shall embrace as near as may be all the property specially benefited by such improvement and the provisions of chapters 35.43 and 35.44, R.C.W., governing the method of assessment for local improvement districts in cities and towns shall apply to county road improvement districts created under this act: *Provided*, That no assessment shall be levied which shall be greater than the special benefits derived from the improvement as determined by the board of commissioners.

District to embrace all property specially benefited.

Chs. 35.43 and 35.44 R.C.W. to apply.

Assessments not to exceed special benefits.

[Ch. 35.43 R.C.W. is derived from R.R.S. §§ 9351-4, 9352, 9357, 9359, 9360, 9361, 9363, 9365, 9366, 9367, 9368, 9369, 9411, 9412, 9417, 9419, 9420, 9421, 9422, 9424, 9425-1, 9425-2, 9425-3, 9425-4 and amendments thereto.]

[Ch. 35.44 R.C.W. is derived from R.R.S. §§ 9340, 9341, 9343, 9343-1, 9343-2, 9344, 9345, 9362, 9365, 9373, 9373-1, 9374, 9375, 9390, 9395, 9396, 9397, 9398, 9408, 9409 and amendments thereto.]

Assessment roll; resolution ordering hearing upon and notice.

SEC. 9. Whenever the assessment roll for any county road improvement district shall have been prepared such roll shall be filed with the clerk of the board. The board shall thereupon by resolution set the date for hearing upon such roll before the board and direct the clerk to give notice of such hearing and the time and place thereof.

Contents of notice.

Such notice shall specify such time and place of hearing on such roll and shall notify all persons who may desire to object thereto to make such objection in writing and to file the same with such clerk at or prior to the date fixed for such hearing; and that at the time and place fixed and at such other times as the hearing may be continued to, the board will sit as a board of equalization for the purpose of considering such roll and at such hearing will consider such objections made thereto, or any part thereof, and will correct, revise, raise, lower, change or modify such roll or any part thereof, or set aside such roll in order that such assessment be made *de novo* as to such body shall appear just and equitable and then proceed to confirm the same by resolution.

Notice mailed to owners.

Notice of the time and place of hearing under such assessment roll shall be given to the owner or reputed owner of the property whose name appears thereon, by mailing a notice thereof at least fifteen days before the date fixed for the hearing to such owner or reputed owner at the address of such owner as shown on the tax rolls of the county treasurer; and in addition thereto such notice shall be published at least two times in a newspaper of general circulation in the county if the newspaper is published weekly, but shall be published at least five times in such newspaper if said newspaper is published daily. At least fifteen days must elapse between the date of last publication thereof and the date fixed for such hearing.

Publication.

The board, at the time fixed for hearing objections to the confirmation of said roll, or at such time or times as said hearing may be adjourned to, shall have power to correct, revise, raise, lower, change or modify such roll or any part thereof, and to set aside such roll in order that such assessment be made *de novo* as to the board shall appear equitable and just, and then shall confirm the same by resolution. All objections shall be in writing and filed with the board and shall state clearly the grounds objected to, and objections not made within the time and in the manner herein described shall be conclusively presumed to have been waived.

Hearing; board may correct, etc., or set aside roll.

Objections.

Whenever any such roll shall be amended so as to raise any assessments appearing thereon, or to include property subject to assessment which has been omitted from the assessment roll for any reason a new hearing, and a new notice of hearing upon such roll, as amended, shall be given as in the case of an original hearing and at the conclusion of such hearing the board may confirm the same or any portion thereof by resolution and certify the same to the treasurer for collection. Whenever any property shall have been entered originally on such roll, and the assessment upon such property shall not be raised, no objections thereto shall be considered by the board or by any court on appeal, unless such objections be made in writing at or prior to the date fixed for the original hearing upon such roll.

Where roll amended.

New notice of hearing.

Objections.

SEC. 10. The decision of the board upon any objections made within the time and in the manner herein prescribed may be reviewed by the superior court upon an appeal taken thereto in the manner provided for taking appeals from objections in local improvement districts of cities and towns.

Appeal to superior courts; manner.

The board shall have the same powers of reassessment and shall proceed to make such reassessments in the same manner and subject to the same

Reassessment; powers of board; procedure.

limitations as are provided by law for the making of reassessments in local improvement districts of cities and towns.

Roll confirmed.

Proceedings conclusive to persons not objecting and appealing.

SEC. 11. Whenever any assessment roll for construction or improvements shall have been confirmed by the board, as provided in this act, the regularity, validity and correctness of the proceedings relating to such construction or improvement and to the assessment therefor, including the action of the board on such assessment roll and the confirmation thereof, shall be conclusive in all things upon all parties and cannot in any manner be contested or questioned in any proceeding whatsoever by any person not filing written objection to such roll in the manner and within the time provided in this act, and not appealing from the action of the board in confirming such assessment roll in the manner and within the time provided in this act. No proceedings of any kind shall be commenced or prosecuted for the purpose of defeating or contesting any such assessment or for the sale of any property to pay such assessment or any certificate of delinquency issued therefor or the foreclosure of any lien issued therefor, but this section shall not be construed as prohibiting the bringing of injunction proceedings to prevent the sale of any real estate upon the grounds that the property about to be sold does not appear upon the assessment roll, or that the assessment has been paid.

Injunction.

When charge becomes a lien.

SEC. 12. The charge on the respective lots, tracts, parcels of land and other property for the purpose of special assessment to pay the cost and expense in whole or in part of any construction or improvement authorized in this act, when assessed, and the assessment roll confirmed by the board shall be a lien upon the property assessed from the time said assessment rolls shall be placed in the hands of the county treasurer for collection. Said liens shall be paramount

Paramount.



and superior to any other lien or encumbrance whatsoever, theretofore or thereafter created, except a lien for general taxes.

SEC. 13. The county treasurer is hereby designated as the treasurer of all county road improvement districts created hereunder, and shall collect all road improvement district assessments, and the duties and responsibilities herein imposed upon him shall be among the duties and responsibilities of his office for which his bond is given as county treasurer.

County treasurer as district treasurer.

Bond.

SEC. 14. The board shall prescribe by resolution within what time such assessment or installments thereof shall be paid, and shall provide for the payment and collection of interest at a rate not to exceed six per cent *per annum* on that portion of any assessment which remains unpaid over thirty days after such date. Assessments or installments thereof which are delinquent, shall bear, in addition to such interest, such penalty not less than five per cent as shall be prescribed by resolution. Interest and penalty shall be included in and shall be a part of the assessment lien. All liens acquired by the county hereunder shall be foreclosed by the appropriate county officers in the same manner and subject to the same rights of redemption provided by law for the foreclosure of liens held by cities or towns against property in local improvement districts.

Resolution declaring due date of assessments, interest, and penalty.

Interest and penalty part of lien.

Lien foreclosure and redemption; manner.

SEC. 15. Whenever before the sale of any property the amount of any assessment thereon, with interest, penalty, costs and charges accrued thereon, shall be paid to the treasurer, he shall thereon mark the same paid with the date of payment thereof on the assessment roll.

Assessments when paid shall be so marked.

SEC. 16. All moneys collected by the treasurer upon any assessments under this act shall be kept as a separate fund to be known as "..... County Road Improvement District No. ....

Assessments placed in separate fund.

Use of fund.

Fund." Such funds shall be used for no other purpose than the payment of costs and expense of construction and improvement in such district and the payment of interest or principal of warrants and bonds drawn or issued upon or against said fund for said purposes. Whenever after payment of the costs and expenses of the improvement there shall be available in the local improvement district fund a sum, over and above the amount necessary to meet the interest payments next accruing on outstanding bonds, sufficient to retire one or more outstanding bonds the treasurer shall forthwith call such bond or bonds for redemption.

Surplus used to retire bonds.

Property bid in by county.

SEC. 17. Whenever any property shall be bid in by any county or be stricken off to any county under and by virtue of any proceeding for enforcement of the assessment provided in this act said property shall be held in trust by said county for the fund of the improvement district for the creation of which fund said assessment was levied and for the collection of which assessment said property was sold: *Provided*, Such county may at any time after the procuring of a deed pay in to such fund the amount of the delinquent assessment for which said property was sold and all accrued interest and interest to the time of the next call for bonds or warrants issued against such assessment fund at the rate provided thereon, and thereupon shall take and hold said property discharged of such trust: *Provided further*, That property deeded to any county and which shall become a part of the trust being exercised by the said county for the benefit of any local improvement district fund of the said county, shall be exempt from taxation for general, state, county and municipal purposes during the period that it is so held.

Held in trust.

Property discharged of trust upon payment by county.

Property deeded to county, and part of trust, is tax exempt.

Conveyance by county.

SEC. 18. Any county may at any time after a deed is issued to it under and by virtue of any proceeding mentioned in this act, lease or sell or convey

any such property at public or private sale for such price and on such terms as may be determined by resolution of the board, and all proceeds resulting from such sale shall ratably belong to and be paid into the fund of the county road improvement district or districts concerned after first reimbursing any fund or funds having advanced any money on account of said property.

Disposition of proceeds.

SEC. 19. The board may provide for the payment of the whole or any portion of the cost and expense of any duly authorized road improvement by bonds and/or warrants of the improvement district which bonds shall be issued and sold as herein provided, but no bonds shall be issued in excess of the cost and expense of the project nor shall they be issued prior to twenty days after the thirty days allowed for the payment of assessments without penalty or interest.

Bonds and/or warrants authorized.

Limitation.

SEC. 20. Such bonds shall be numbered from one upwards consecutively, shall be in such denominations as may be provided by the board of county commissioners in the resolution authorizing their issuance, shall mature on or before a date not to exceed twenty-two years from and after their date, shall bear interest not to exceed six per cent *per annum* payable annually or semi-annually as may be provided by the board, shall be signed by the chairman of the board and attested by the county auditor, shall have the seal of the county affixed thereto, shall be payable at the office of the county treasurer or elsewhere as may be designated by the board, shall have attached thereto interest coupons for each interest payment which said coupons shall be signed by the chairman of the board and attested by the auditor or in lieu thereof may bear the printed or engraved facsimile signatures of said officials.

Numbering of bonds.

Maturity.

Interest.

Signatures.

Payable; where.

Coupons.

Reference to improve-ment and to resolution.

Such bonds shall refer to the improvement for which they are issued and to the resolution creating the road improvement district therefor.

Bonds; issuance and sale.

SEC. 21. The bonds issued under the provisions of this act may be issued to the contractor or sold by the board as authorized by the resolution directing their issuance at not less than their par value and accrued interest to the date of delivery. No bonds shall be sold except at public sale upon competitive bids and a notice calling for bids shall be published once a week for two consecutive weeks in the official newspaper of the county. Such notice shall specify a place and designate a day and hour subsequent to the date of last publication thereof when sealed bids will be received and publicly opened for the purchase of said bonds. The proceeds of all sales of bonds shall be deposited in the county road improvement district fund and applied to the cost and expense of the district.

Disposition of proceeds.

County road improve-ment guar-anty fund.

SEC. 22. Any Class A county and county of the first class may establish a fund for the purpose of guaranteeing to the extent of such fund and in the manner hereinafter provided, the payment of its road improvement district bonds and warrants issued to pay for any road improvement ordered under this act. If the board of county commissioners shall determine to establish such fund it shall be designated "..... County Road Improvement Guaranty Fund" and from moneys available for road purposes such county shall deposit annually in said guaranty fund such sums as may be necessary to establish and maintain a balance therein equal to at least five per cent of the outstanding obligations guaranteed thereby and to make necessary provision in its annual budget therefor. The moneys held in the guaranty fund may be invested in obligations of the government of the United States or of this state.

Annual deposit by county.

Certain in-vestments authorized.

SEC. 23. Whenever there shall be paid out of a guaranty fund any sum on account of principal or interest of a road improvement district bond or warrant, the county, as trustee for the fund, shall be subrogated to all the rights of the holder of the bond or interest coupon or warrant so paid, and the proceeds thereof, or of the assessment underlying the same, shall become part of the guaranty fund. There shall also be paid into each guaranty fund the interest received from bank deposits or government securities of the fund, as well as any surplus remaining in any local improvement fund guaranteed hereunder after the payment of all outstanding bonds or warrants payable primarily out of such road improvement fund. Warrants drawing interest at a rate not to exceed six per cent shall be issued, as other warrants are issued by the county, against a guaranty fund to meet any liability accruing against it, and at the time of making its annual budget and tax levy the county shall provide from funds available for road purposes for the deposit in the guaranty fund of a sum sufficient with other resources of such fund to pay warrants so issued during the preceding fiscal year. As among the several issues of bonds or warrants guaranteed by the fund no preference shall exist, but defaulted interest coupons, bonds and warrants shall be purchased out of the fund in the order of their presentation.

Payment from guaranty fund; subrogation.

Interest shall be paid into fund.

Disbursement by interest bearing warrants.

County budget to provide for payment.

No preference among various issues of bonds or warrants.

Every county establishing a guaranty fund for road improvement district bonds or warrants shall prescribe by resolution appropriate rules and regulations for the maintenance and operation of the guaranty fund not inconsistent herewith. So much of the money of a guaranty fund as is necessary may be used to purchase underlying bonds or warrants guaranteed by the fund, or to purchase certificates of delinquency for general taxes on property subject to local improvement assessments, or to purchase

County to adopt rules for operation of fund.

Purchase of bonds and warrants.

Purchase of certificates of delinquency, etc., to protect fund.

General tax delinquencies; fund subrogated to county's rights.

County may foreclose and buy property for benefit of fund.

Costs.

Sale by county; proceeds to fund.

Liability of county.

Remedy of bond or warrant holder or owner.

Statute to appear on bonds.

such property at tax foreclosures, for the purpose of protecting the guaranty fund. Said fund shall be subrogated to the rights of the county, and the county, acting on behalf of said fund, may foreclose the lien of general tax certificates of delinquency and purchase the property at the foreclosure sale for the account of said fund. Whenever the governing authority of any county shall so cause a lien of general tax certificates of delinquency to be foreclosed and the property to be so purchased at a foreclosure sale, the court costs and costs of publication and expenses for clerical work and/or other expense incidental thereto, shall be chargeable to and payable from the guaranty fund. After so acquiring title to real property, a county may lease or sell and convey the same at public or private sale for such price and on such terms as may be determined by resolution of the board of commissioners or other legislative body, and all proceeds resulting from such sales shall belong to and be paid into the guaranty fund.

SEC. 24. Neither the holder nor the owner of any bond or warrant issued under the provisions of this act shall have any claim therefor against the county by which the same is issued, except for payment from the special assessments made for the improvement for which said bond or warrant was issued and except as against the improvement guaranty fund of such county, and the county shall not be liable to any holder or owner of such bond or warrant for any loss to the guaranty fund occurring in the lawful operation thereof by the county. The remedy of the holder or owner of a bond, or warrant in case of non-payment, shall be confined to the enforcement of any assessments made in such road improvement district and to the guaranty fund. In case the bonds are guaranteed in accordance herewith a copy of the foregoing part of this section shall be plainly

written, printed or engraved on each bond issued and gauranteed hereunder.

SEC. 25. If the board fails to cause any bonds to be paid when due or to promptly collect any assessments when due, the owner of any of the bonds may proceed in his own name to collect the assessments and foreclose the lien thereof in any court of competent jurisdiction and shall recover in addition to the amount of the bonds outstanding in his name, interest thereon at five per cent *per annum*, together with the costs of suit, including a reasonable attorney's fee to be fixed by the court. Any number of owners of bonds for any single project may join as plaintiffs and any number of the owners of property upon which the assessments are liens may be joined as defendants in the same suit.

Foreclosure  
or assess-  
ment lien  
by bond  
owner.

SEC. 26. In all cases where the board shall issue bonds to pay the cost and expense of any county road improvement district and shall provide that the whole or any part of the cost and expense shall be assessed against the lots, tracts, parcels of land, and other property therein, the resolution levying such assessment shall provide that the sum charged thereby against each lot, tract, or parcel of land or any portion of said sum may be paid during the thirty day period provided for in the following section and that thereafter the sum remaining unpaid may be paid in equal annual installments, the number of which installments shall be less by two than the number of years which the bonds issued to pay for the improvement may run. Interest upon all unpaid installments shall be charged at a rate fixed by said resolution. Each year such installments together with interest due thereon shall be collected in the manner provided in the resolution for the collection of the assessments.

Resolution;  
assessments,  
when  
payable.

Installments.

Interest.

Collection.

SEC. 27. The owner of any lot, tract, or parcel of land, or other property charged with any such

Redemption  
by payment  
in full  
within 30  
days after  
notice.

Notice of  
assessment;  
publication.

Redemption  
after 30-day  
period;  
interest.

Payments  
made to  
county  
treasurer;  
disposition.

Limitation  
of actions.

assessments may redeem the same from all or any portion of the liability for the cost and expense of such improvement by paying the entire assessment or any portion thereof charged against such lot, tract, or parcel of land without interest within thirty days after notice to him of such assessment, which notice shall be given as follows: The county treasurer shall, as soon as the assessment roll has been placed in his hands for collection, publish a notice for two consecutive daily or weekly issues in the official newspaper of the county in which the district is located, which notice shall state that the assessment roll is in his hands for collection and that any assessment thereon or any portion of such assessment may be paid at any time within thirty days from the date of the first publication of said notice without penalty interest or costs.

SEC. 28. The owners of any lot, tract, or parcel of land may save the same from all liability for the unpaid amount of the assessment, at any time after the thirty day period herein provided for their payment without interest, by paying the entire amount or all installments on said assessment together with all interest due to the date of maturity of any installment next falling due. All such payments shall be made to the county treasurer whose duty it shall be to collect all assessments under this act and all sums so paid or collected shall be applied solely to the payment of the cost and expense of the district and payment of principal and/or interest of any bonds issued.

SEC. 29. An action to collect any special assessment or installment thereof for road improvements, or to enforce the lien of any such assessment or installment, whether such action be brought by the county or by the holder of any certificate of delinquency, or by any other person having the right to bring such action, shall be commenced within ten



years after such assessment shall have become delinquent or within ten years after the last installment of any such assessment shall have become delinquent, when said special assessment is payable in installments.

Actions to set aside or cancel any deed hereafter issued upon the sale of property for road improvement assessments, or for the recovery of property sold for delinquent road improvement assessments must be brought within three years from and after date of the issuance of such deed.

SEC. 30. Whenever any district is organized hereunder, there shall be included in the cost and expense thereof: (1) The cost of all of the construction or improvement authorized in the district, including that portion of the construction or improvement within the limits of any street or road intersection, space or spaces; (2) the estimated costs and expenses of all engineering and surveying necessary to be done by the county engineer or under his direction or by such other engineer as may be employed by the county commissioners; (3) the cost of all advertising, mailing, and publishing of all notices; (4) the cost of legal services and any other expenses incurred by the county for the district or in the formation thereof, or by the district in connection with such construction or improvement and in the financing thereof, including the issuance of any bonds.

Items to be included in cost of district.  
Construction expense.

Engineering expense.

Advertising expense.

Legal expenses.

SEC. 31. All land, premises or property necessary for right-of-way or other purposes in the construction or improvement of any county road, including bridges, sidewalks, curbs and gutters and the drainage facilities therefor, under this act may be acquired by the county acting through its board of county commissioners, either by gift, purchase or by condemnation. In the event of any exercise of the power of eminent domain, the procedure shall

Means of acquiring property.

Eminent domain procedure.

Title to all property taken in name of county.

Eminent domain; payment of judgment with county road funds.

Reimbursement of county road fund.

Board to direct all work.

Contracts and work to conform to county road work laws.

Construction standards applicable.

County road improvement fund; warrants for cost and expenses of project.

Interest.

Redemption.

Warrants a prior lien.

be the same as is provided by law for the securing of right-of-way for county roads. The title to all property acquired for any construction or improvement under this act shall be taken in the name of the county. The county commissioners in any eminent domain action brought to secure any property for construction or improvement under this act may pay any final judgment entered in such action with county road funds and take possession of the particular property condemned. In the event of any such payment the county commissioners may require that the county road fund be reimbursed out of the particular county road improvement fund of the district for which the property was acquired.

SEC. 32. All construction or improvement performed under this act shall be under the direction of the board of county commissioners, acting by and through the county road engineer, or such other engineer as the board of county commissioners shall designate. Contracts let and/or work performed upon all construction or improvement hereunder shall be in accordance with the laws pertaining to work upon county roads. The construction and improvement standards of the respective counties for engineering and performance of work, shall apply to all construction or improvement under this act.

SEC. 33. The board may provide by resolution for the issuance of warrants in payment of the costs and expenses of any project, payable out of the county road improvement fund. The warrants shall bear interest at the rate of not to exceed six per cent *per annum* and shall be redeemed either in cash or by bonds for the same project authorized by the resolution.

All warrants issued against any such improvement fund shall be claims and liens against said fund prior and superior to any right, lien or claim of any surety upon the bond given to the county by or for

the contractor to secure the performance of his contract or to secure the payment of persons who have performed work thereon, furnished materials therefor, or furnished provisions and supplies for the carrying on of the work.

The county treasurer may accept warrants against any county road improvement fund upon such conditions as the board may prescribe in payment of: (1) assessments levied to supply that fund in due order of priority; (2) judgments rendered against property owners who have become delinquent in the payment of assessments to that fund; and (3) certificates of purchase in cases where property of delinquents has been sold under execution or at tax sale for failure to pay assessments levied to supply that fund.

County road improvement fund warrants; acceptance.

SEC. 34. Except as they may establish continuing guaranty fund requirements, the board of county commissioners shall be the sole judges as to the extent of county road fund participation in any project under this act and the decisions of the board shall be final; the said board may receive grants from or contract with any other county, municipal corporation, public agency or the state or federal government in order to effect any construction or improvement hereunder.

County road fund participation; conclusive determination by board.

Receipt of grants.

SEC. 35. After the completion of any construction or improvement under this act, all maintenance thereof shall be performed by the county at the expense of the county road fund.

Maintenance at county expense.

SEC. 36. Lands owned by the state, county, school district or any municipal corporation may be assessed and charged for road improvements authorized under this act in the same manner and subject to the same conditions as provided by law for assessments against such property for local improvements in cities and towns.

State, county and municipal corporation lands may be assessed.

Notices and ballots affecting public lands; powers of public officers.

All notices and ballots provided for herein affecting state lands shall be sent to the state land commissioner and said commissioner is hereby authorized to sign petitions or ballots on behalf of the state. In the case of counties or municipal or quasi municipal bodies notices and ballots shall be sent to the legislative authority of said counties or municipality and petitions or ballots shall be signed by the officer duly empowered to act by said legislative authority.

Rules governing sufficiency of petitions, ballots, and objections.

SEC. 37. Wherever herein petitions, ballots or objections are required to be signed by the owners of property, the following rules shall govern the sufficiency thereof: (1) the signature of the record owner as determined by the records of the county auditor shall be sufficient without the signature of his or her spouse; (2) in the case of mortgaged property, the signature of the mortgagor shall be sufficient; (3) in the case of property purchased on contract the signature of the contract purchaser as shown by the records of the county auditor shall be deemed sufficient; (4) any officer of a corporation owning land in the district duly authorized to execute deeds or encumbrances on behalf of the corporation may sign on behalf of such corporation: *Provided*, That there shall be attached to the ballot or petition a certified excerpt from the by-laws showing such authority; (5) if any property in the district stands in the name of a deceased person or any person for whom a guardian has been appointed, the signature of the executor, administrator or guardian as the case may be shall be equivalent to the signatures of the owner of the property.

Passed the Senate February 20, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 193.

[ S. S. B. 158.]

RECANVASS OF VOTES ON VOTING MACHINES.

AN ACT providing for recanvass of votes on voting machines; and amending sections 29.62.050, 29.62.060, and 29.62.070, R.C.W.

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

SECTION 1. Section 29.62.050, R.C.W., as derived from section 1, chapter 7, Laws of 1917, is hereby amended to read as follows: Amendment.

Whenever the board authorized to canvass the returns finds, in its discretion, that there is an apparent discrepancy or an inconsistency in the election returns such board may order that recanvass of the voting machines be made of all, or of any number less than all, of the precincts of the county, and said recanvass may, in the discretion of said board, be made as to all, or as to any number less than all, of the candidates or measures voted upon. In conducting such recanvass said board, or any duly authorized representative or employee of the board, may open the counter compartment of any voting machine without unlocking the machine against voting and recheck the vote cast thereon. If in the course of such recanvass the board determines that there is an error in the return of any precinct said board shall summon the inspector and judges of the precinct and the inspector and judges shall correct such error by making notation thereof in the poll book and shall initial such notation: *Provided*, That in the event that the election officials do not appear, or fail or refuse to make the correction as indicated, the canvassing board shall correct such error in the poll book and initial such correction.

Apparent discrepancy or inconsistency in returns; canvassing board may order re-canvass.

Counter compartment may be opened.

Precinct officers to be summoned.

Correction; how made.

[R.C.W. 29.62.050 was derived from the proviso of R.R.S. § 5315.]

[The portion of R.R.S. § 5315 preceding the proviso is codified in R.C.W. 29.33.230 and R.C.W. 29.65.030.]

SEC. 2. Section 29.62.060, R.C.W., as derived from  
Amendment. section 1, chapter 7, Laws of 1917, is hereby amended  
to read as follows:

Notice of  
re-canvass;  
who to  
attend.

Before recanvassing the votes cast on a voting machine, the canvassing board or officer shall give notice in writing to the custodian and to each political party that nominated candidates for the election, of the time and place where the canvass is to be made, and may invite representatives of organizations or other persons involved or interested in any candidate or measure voted upon to be present at the time any such recanvass or recount be made. Each political party may send two representatives to be present at the recanvass. After the recanvass shall have been made the voting machines shall be immediately reclosed and the counter compartments relocked.

Machines;  
reclosed  
after re-  
canvass.

[R.C.W. 29.62.060 was derived from R.R.S. § 5315 part (last sentence p. 580, vol. 6).]

SEC. 3. Section 29.62.070, R.C.W., as derived from  
Amendment. section 1, chapter 7, Laws of 1917, is hereby amended  
to read as follows:

Voting and  
counting  
mechanism  
of machine;  
unlocking,  
examination  
and testing  
of.

If upon such recanvass, it should be found that the original canvass of the returns has been correctly made from the machine, and that the discrepancy still remains unaccounted for, the canvassing board, with the assistance of the custodian shall in the presence of such said inspector and judges of election and the authorized representatives of the several political parties or organizations who are attendant, make a record of the number or other designating mark on the seal, and the number on the protective counter and unlock the voting and counting mechanism of said machine and proceed to thoroughly examine and test the machine to determine and reveal the true cause or causes, if any, of the discrepancy in the returns from said machine. Before being tested the counter shall be set at "000," after which each counter shall be operated at least one

hundred times. After the completion of said examination and test, the custodian shall then and there prepare a statement in writing giving in detail the result thereof and said statement shall be witnessed by the persons present and shall be filed with the county auditor or other election officer.

Statement  
of results of  
examination.

[R.C.W. 29.62.070 was derived from the portion of R.R.S. § 5315 found on p. 581, vol. 6 of R.R.S.]

Passed the Senate February 22, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 194.

[ S. B. 160. ]

### INSURANCE OF PROPERTY.

AN ACT relating to insurance of property; and amending section 48.27.020, R.C.W.

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

SECTION 1. Section 48.27.020, R.C.W., as derived from section .27.02, chapter 79, Laws of 1947, is amended to read as follows:

Amendment.

By any contract of insurance of property or of any insurable interest therein, the insurer may in connection with a special provision or endorsement made a part of the policy insure the cost of repair or replacement of such property, if damaged or destroyed by a hazard insured against, and without deduction of depreciation, subject to such reasonable rules and regulations as may be made by the commissioner.

Cost of  
repair or  
replacement  
of property  
may be  
insured.

[Am. Rem. Supp. 1947, § 45.27.02.]

Passed the Senate February 17, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 195.

[ S. B. 28. ]

PLATTING, SUBDIVISION AND DEDICATION OF LAND.

AN ACT relating to platting, subdivision, and dedication of land; and amending sections 58.16.020, 58.16.060, and 58.16.090, R.C.W.

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

Amendment. SECTION 1. Section 58.16.020, R.C.W., as derived from section 2, chapter 186, Laws of 1937, is hereby amended to read as follows:

Each plat, subdivision, or dedication, before any of its lots or tracts may be sold or offered for sale, shall be submitted for approval to the legislative or planning authority having jurisdiction thereof, and no sale or offer for sale shall be made until it has the written approval of such authority shown thereon or attached thereto and until it is filed for record with the auditor and a copy thereof shall be immediately furnished to the assessor of the county in which the land is located.

Planning authority must approve plat, etc., before lots may be offered or sold.

Filing for record.

[Am. Rem. Supp. § 9304-2.]

Amendment. SEC. 2. Section 58.16.060, R.C.W., as derived from section 7, chapter 186, Laws of 1937, is hereby amended to read as follows:

The city, town, or county authority shall inquire into the public use and interest proposed to be served by the establishment of the plat, subdivision, or dedication. It shall see that appropriate provision is made in the plat or subdivision for streets and other public ways, parks, and playgrounds, and shall consider all other facts deemed by it relevant and designed to indicate whether or not the public interest will be served by the platting, subdividing, or dedication. If it finds that the plat, subdivision, or dedication makes appropriate provision for streets and other public ways, parks, and playgrounds, and that the public use and interest will be served by

Inquiry as to public use and interest.



the platting, subdividing, or dedication, then it shall execute its written approval which shall be suitably inscribed on the plat, subdivision, or dedication. Upon compliance with the provisions of sections 58.08.030 and 58.08.040 the plat, subdivision, or dedication shall be eligible for filing with the auditor of the county in which the land is located, and thenceforth it shall be known as an authorized plat, subdivision, or dedication of the land. The original shall be filed with the county auditor and two copies with the county assessor, one of which shall be forwarded by the assessor to the state tax commission.

Authority to inscribe approval on plat.

Eligibility for filing.

Authorized plat.

Filing.

[Am. Rem. Supp. § 9304-7.]

[R.C.W. 58.08.030 is R.R.S. § 9290; R.C.W. 58.08.040 is R.R.S. § 9291.]

SEC. 3. Section 58.16.090, R.C.W., as derived from section 10, chapter 186, Laws of 1937, is hereby amended to read as follows:

Amendment.

The county auditor shall refuse to accept for filing any plat, subdivision, or dedication until approval thereof has been given by the appropriate city, town, or county authority. Should a plat, subdivision, or dedication be filed without approval, the prosecuting attorney of the county in which the plat is filed shall apply for a writ of mandate to the superior court in the name of and on behalf of the city, town, or county authority required to approve, requiring the auditor and assessor to remove from their files or records the plat, subdivision, or dedication. The costs of the action shall be taxed against the auditor.

Auditor shall not accept unapproved plat.

Unapproved plat filed; prosecutor to seek writ of mandate to remove from record.

Costs.

[Am. Rem. Supp. § 9304-10.]

Passed the Senate January 31, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 196.

[ S. B. 32. ]

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

AN ACT relating to the support of abandoned wives and children; and adopting the uniform reciprocal enforcement of support act.

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

Declaration of purpose. SECTION 1. The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

SEC. 2. As used in this act unless the context requires otherwise:

"State." (1) "State" includes any state, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

"Initiating state." (2) "Initiating state" means any state in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

"Responding state." (3) "Responding state" means any state in which any proceeding pursuant to the proceeding in the initiating state is or may be commenced.

"Court." (4) "Court" means the superior court of this state and when the context requires, means the court of any other state as defined in a substantially similar reciprocal law.

"Law." (5) "Law" includes both common and statute law.

"Duty of support." (6) "Duty of support" includes any duty of support imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, separate maintenance or otherwise.

"Obligor." (7) "Obligor" means any person owing a duty of support.

(8) "Obligee" means any person to whom a duty of support is owed. "Obligee."

SEC. 3. The remedies herein provided are in addition to and not in substitution for any other remedies. Remedies are additional.

SEC. 4. The duty of support imposed by the laws of this state or by the laws of the state where the obligee was present when the failure to support commenced as provided in section 7 and the remedies provided for enforcement thereof, including any penalty imposed thereby, bind the obligor regardless of the presence or residence of the obligee. Obligor bound regardless of presence or residence of obligee.

SEC. 5. The governor of this state (1) may demand from the governor of any other state the surrender of any person found in such other state who is charged in this state with the crime of failing to provide for the support of any person in this state and (2) may surrender on demand by the governor of any other state any person found in this state who is charged in such other state with the crime of failing to provide for the support of a person in such other state. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding state at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other state. Governor may demand surrender, or surrender persons charged.

SEC. 6. Any obligor contemplated by section 5, who submits to the jurisdiction of the court of such other state and complies with the court's order of support, shall be relieved of extradition for deser- Provisions for extradition apply although person sought was not in demanding state when crime committed, nor fled therefrom.

Submission to jurisdiction of court of other state; effect.

tion or non-support entered in the courts of this state during the period of such compliance.

Duties of support enforceable; election by obligee.

SEC. 7. Duties of support enforceable under this law are those imposed or imposable under the laws of any state where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee.

State or subdivision furnishing support may invoke act.

SEC. 8. Whenever the state or a political subdivision thereof has furnished support to an obligee it shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purposes of securing reimbursement of expenditures so made.

Duty enforceable irrespective of relationship. Jurisdiction.

SEC. 9. All duties of support are enforceable by action irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the superior court. In all instances where the obligee is not represented by private counsel it shall be the duty of the prosecuting attorney of the proper county of this state to appear in this state on behalf of and represent the obligee in every proceeding pursuant to this act and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Prosecuting attorney; duty to appear.

Petition.

SEC. 10. The petition shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information.

Court of this state acting as initiating state; transmittal to court of responding state.

SEC. 11. If the court of this state acting as an initiating state finds that the petition sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding state may obtain jurisdiction of the defendant or his property, he shall so certify and shall

cause certified copies of the petition, the certificate and an authenticated copy of this act to be transmitted to the court of the responding state.

SEC. 12. When the court of this state, acting as a responding state, receives from the court of an initiating state the aforesaid copies, it shall (1) docket the cause, (2) notify the prosecuting attorney, (3) set a time and place for a hearing, and (4) take such action as is necessary in accordance with the laws of this state to obtain jurisdiction. The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the rights so to take testimony shall be exercised and the obligor shall have a full and fair opportunity to answer the allegations of the obligee.

Court's duties as court of responding state.

Both courts may order testimony taken.

Obligor; opportunity to answer.

SEC. 13. If the court of the responding state finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

Order to furnish support; defendant's property.

SEC. 14. The court of this state when acting as a responding state shall cause to be transmitted to the court of the initiating state a copy of all orders of support or orders for reimbursement therefor.

Responding state to send copies of orders to initiating state.

SEC. 15. In addition to the foregoing powers, the court of this state when acting as the responding state has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular:

Court of responding state; additional powers.

(a) To require the defendant to furnish recognition in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant;

Require recognition.

Require periodic payments and personal reports.

(b) To require the defendant to make payments at specified intervals to the clerk of the court or the obligee and to report personally to such clerk at such times as may be deemed necessary;

Punishment as for contempt.

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

Duties when acting as court of responding state.

SEC. 16. The court of this state when acting as a responding state shall have the following duties which may be carried out through the clerk of the court:

Forward payments.

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating state, and

Furnish statement of payments.

(b) Upon request to furnish to the court of the initiating state a certified statement of all payments made by the defendant.

Duty when acting as court of initiating state.

SEC. 17. The court of this state when acting as an initiating state shall have the duty which may be carried out through the clerk of the court to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding state.

Communication between spouses; privilege inapplicable.

SEC. 18. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act. Husband and wife are competent witnesses to testify to any relevant matter, including marriage and parentage.

Passed the Senate February 16, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 197.

[ S. B. 102. ]

RELATING TO WINDING UP OF PARTNERSHIP  
AFFAIRS UPON DISSOLUTION.

AN ACT relating to the winding up of the affairs of a partnership upon dissolution thereof by reason of the death of one of its members; authorizing the superior court to direct the sale of the interest of the deceased partner to the surviving partner or partners and to direct the personal representative of the deceased partner to agree to a continuance of the partnership business by the surviving partner or partners; amending sections 11.64.030 and 11.64.040, R.C.W.; and repealing sections 11.64.010, 11.64.020 and 11.64.050, R.C.W.

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

SECTION 1. Within thirty days after the death of a partner the surviving partner or partners shall file a verified inventory of the assets of the partnership in the superior court in which letters testamentary or of administration are issued on the estate of the decedent or, if no letters are issued, in the superior court of the county of which the decedent was a resident at the time of his death. The inventory shall state the value of the assets as shown by the books of the partnership and a list of the liabilities of the partnership. If letters testamentary or of administration have been issued on the estate of the decedent, the surviving partner or partners shall cause the assets of the partnership to be appraised in like manner as the individual property of a deceased person, which appraisal shall include the value of the assets of the partnership and a list of the liabilities. The appraisers appointed by the court to appraise the separate property of the deceased partner shall appraise the partnership property, and the surviving partner or partners shall file the inventory and appraisal with the court in which the estate of the deceased partner is being administered.

Death of partner; duties of surviving partners.

File inventory.

Where letters issued; appraisal of partnership property.

Inventory and appraisal to be filed.

Surviving partners may continue in possession of partnership estate.

SEC. 2. The surviving partner or partners may continue in possession of the partnership estate, pay its debts, and settle its business, and shall account to the executor or the administrator of the decedent and shall pay over such balances as may, from time to time, be payable to him. Upon the verified petition of the executor or administrator, or on its own motion, the superior court, whenever it appears necessary, may order the surviving partner or partners to account to said court.

Account.

Waste.

SEC. 3. If the surviving partner or partners commit waste, or if it appears to the superior court that it is for the best interest of the estate of the decedent, such court may order the surviving partner or partners to give security for the faithful settlement of the partnership affairs and the payment to the executor or administrator of any amount due the estate.

Security for faithful settlement.

Refusal to file inventory.

SEC. 4. If the surviving partner or partners fail or refuse to file the inventory, list of liabilities or appraisal, or if it appears proper to order the surviving partner or partners to account to the superior court or to file a bond, said court shall order a citation to issue requiring the surviving partner or partners to appear and show cause why they have not filed an inventory, list of liabilities or appraisal or why they should not account to the court or file a bond. The citation shall be served not less than ten days before the return day designated therein. If the surviving partner or partners neglect or refuse to file an inventory, list of liabilities or appraisal, or fail to account to the court or to file a bond, after they have been directed to do so, they may be punished for a contempt or the court may commit them to jail until they comply with the order of the court. Where the surviving partner or partners fail to file a bond after being ordered to do so by the court, the court may also appoint a receiver of the partnership estate with like powers and duties of receivers in

Citation to show cause.

Service.

Contempt.

Failure to file bond; receiver.



equity, and order the costs and expenses of the proceedings to be paid out of the partnership estate or out of the estate of the decedent, or by the surviving partner or partners personally, or partly by each of the parties.

Cost of proceedings.

SEC. 5. Section 11.64.030, R.C.W., as derived from section 89, chapter 156, Laws of 1917, is hereby amended to read as follows:

Amendment.

The surviving partner or the surviving partners jointly, shall have the right at any time to petition the court to purchase the interests of a deceased partner in the partnership. Upon such petition being presented the court shall, in such manner as it sees fit, learn and by order fix the value of the interest of the deceased over and above all partnership debts and obligations, and the terms and conditions upon which the surviving partner or partners may purchase, and thereafter the surviving partner or partners shall have the preference right for such length of time as the court may fix, to purchase the interest of the deceased partner at the price and upon the terms and conditions fixed by the court. If any such surviving partner be also the executor or administrator of the estate of the deceased partner, such fact shall not affect his right to purchase, or to join with the other surviving partners to purchase such interest in the manner hereinbefore provided.

Petition to purchase deceased's interest.

Court to fix value, terms, and conditions.

Survivors' preference.

Survivor as executor.

The court shall make such orders in connection with such sale as it deems proper or necessary to protect the estate of the deceased against any liability for partnership debts or obligations.

Orders regarding sale.

[Am. R.R.S. § 1459.]

SEC. 6. Section 11.64.040, R.C.W., as derived from section 90, chapter 156, Laws of 1917, is hereby amended to read as follows:

Amendment.

The court may, in instances where it is deemed advisable, authorize and direct the executor or administrator of the estate of a deceased partner to

Agreement to continue business.

enter into an agreement with the surviving partner or partners under which the surviving partner or partners may continue to operate any going business of the former partnership until the further order of the court. The court may, in its discretion, revoke such authority and direction and thereby terminate such agreement at any time by further order, entered upon the application of the executor or administrator or the surviving partner or partners or any interested person or on its own motion.

Termination of agreement.

[Am. R.R.S. § 1460.]

Repealing clause.

SEC. 7. Sections 11.64.010, 11.64.020 and 11.64.050, R.C.W., as derived from sections 88 and 91, chapter 156, Laws of 1917, are hereby repealed.

[R.C.W. 11.64.010 and 11.64.020 are derived from R.R.S. § 1458, R.C.W. 11.64.050 from R.R.S. § 1461, Rep. R.R.S. §§ 1458 and 1461.]

Passed the Senate March 2, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 198.

[ S. B. 148. ]

INDUSTRIAL INSURANCE—PREMIUMS OF EMPLOYERS OF THE BUILDING INDUSTRY.

AN ACT relating to industrial insurance; providing that the premiums of employers operating coal mines may be computed on the merit rating system; and amending section 51.16.050, R.C.W.

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

Amendment.

SECTION 1. Section 51.16.050, R.C.W., as derived from section 1, chapter 247, Laws of 1947, is amended to read as follows:

Building industry employers; premiums.

The premiums of employers of the building industry, which shall include all field activities in connection with the erection, alteration, repairing, or

demolishing of any building or buildings or parts thereof or appurtenance thereto, adapted to residential, business, governmental, educational, or manufacturing uses, shall be computed on a base rate only and no merit rating credits or penalties shall be given or imposed on such employers.

Computed  
on base  
rate only.

[R.C.W. 51.16.050 is derived from the last para. of Rem. Supp. 1947, § 7676e.]

Passed the Senate February 15, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 199.

[ S. B. 109. ]

### FORMATION OF BRIDGE, TUNNEL OR FERRY DISTRICTS.

AN ACT relating to toll bridge, tunnel or ferry facilities or projects therefor; authorizing the formation of districts in aid of such facilities or projects of the Washington toll bridge authority and the levy of assessments for such purpose and the use of funds derived therefor; declaring the duties of certain officers; and declaring an emergency.

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

SECTION 1. This act is designed to provide a means whereby cities, counties and towns, or portions thereof, acting singly or jointly with each other, may form bridge, tunnel, or ferry districts for the purpose of:

Declaration  
of purpose.

(1) Adding existing or projected facilities by guaranteeing the payment of bonds issued to finance such facilities and thereby enabling the sale of such bonds at lower rates of interest (which would be reflected in lower tolls); or

(2) Expediting the retirement of obligations of an existing toll facility in order to bring about the early removal of toll charges.

SEC. 2. As used in this act:

"Municipality."

"Municipality" shall mean any city, county or town, or portion thereof;

"District."

"District" shall mean a toll facility aid district established under the provisions of this act and shall be either a "bond guarantee district" or a "bond retirement district";

"Toll authority."

"Toll Authority" shall mean the Washington toll bridge authority;

"Governing body."

"Governing body" shall mean the chief legislative authority of any municipality;

"District authority."

"District authority" shall mean the governing authority of a district.

District purposes; guaranteeing bonds, expediting bond retirement.

SEC. 3. Any municipality or any municipalities, acting jointly may create a district:

(1) For the purpose of guaranteeing the bonds or securities of any project constructed, or to be constructed by the toll authority; or

(2) For the purpose of expediting the retirement of any bonds heretofore issued in connection with any facility of the toll authority, in the manner set forth in this act.

Election to form district.

SEC. 4. At any general election, or at any special election which may be called for that purpose, the governing body of any municipality or the governing bodies of any municipalities acting jointly may, or on petition of three hundred qualified electors within a district proposed by the petition to be formed, shall submit to the voters within the proposed district the proposition whether such a district shall be formed.

Election; submission of question of general tax levy.

SEC. 5. The governing body or bodies shall likewise at the same election submit to the voters the question whether a general tax levy of not to exceed three mills upon the assessed valuation of the taxable property in the district shall be levied for district purposes. It may also state the limit of duration of any levy of such tax.

SEC. 6. Prior to such election the governing body or bodies shall by ordinance declare the intention to submit to the voters within the proposed district the proposition of creating a district and the levy of assessments therefor for a stated period of years. The ordinance shall be published once a week for three weeks in a daily newspaper generally circulated in the proposed district, the last publication to be at least ten days before the election. The proposition shall appear upon the ballot in substantially the following language:

Election; ordinance declaring intention to hold.

Publication.

Ballot form.

FOR the formation of a bond guarantee (retirement) district in aid of ..... facility (project) and the levy of.....mill (s) assessment therefor .....

AGAINST the formation of a bond (retirement) guarantee district for ..... facility (project) .....

SEC. 7. Elections for the formation of toll facility aid districts shall be held in accordance with the general election laws of the state. Special precincts may be established for the purpose of holding such elections.

General election laws control.

Special precincts.

SEC. 8. If a majority of those voting shall vote in favor of the formation of the district and such levy, the district shall then be a municipal corporation for the purposes of this act voted upon. If the propositions shall fail to carry, the governing body or bodies of municipalities participating, shall by resolution declare the proceedings for the formation of the district to be void.

Favorable vote; district becomes municipal corporation.

Unfavorable vote; proceedings void.

SEC. 9. The governing body or bodies may appropriate by emergency appropriation from any funds available any sums necessary to pay the preliminary, organizational or election expenses of a new district.

Preliminary expense; emergency appropriation.

SEC. 10. Upon such favorable vote, the governing body of the municipality, or in the case mu-

Governing  
body to  
constitute  
authority.

District  
officials.

Resolution  
declaring  
district  
authorized.

municipalities have acted jointly, then the governing bodies of all such municipalities participating, acting as one body, shall constitute the district authority, and the auditing, treasury, taxing, and assessing officials of the component municipality comprising in area the largest part of the district shall, for the purpose of this act, be deemed to be district treasury, taxing and assessing officials. The first act of the district authority shall be to declare the district organized. A copy of the resolution so declaring shall be filed with the district taxing and assessing officials.

Toll author-  
ity; new  
construction  
contingent  
upon forma-  
tion of  
district.

Guaranteed  
bonds; levy  
as obligation  
of district to  
bond holders.

SEC. 11. The toll authority may, in its discretion, make the construction of any new bridge, tunnel or ferry contingent upon the formation of a guaranteed bond district hereunder, and levy of assessments thereby. If any facility is constructed with the proceeds of bonds or securities issued pursuant to and guaranteed by such approval, such levy of assessments shall, for the purposes of the guarantee, and for so long as may be necessary, be an obligation of the district to the bond or security holders of the toll authority as long as any such bonds or securities remain an obligation of the toll authority, and no district shall impair such contractual obligation.

Appeal to  
superior  
court.

SEC. 12. Any person having a substantial interest in and feeling aggrieved by any action of the governing body or bodies, or the district authority, made in the proceedings for the organization of a district, may appeal within five days after such action was taken, to a superior court within the district or proposed district, in the same manner as appeals from the orders of the boards of county commissioners are made and the court shall dispose of such appeal as provided by law for such cases.

Formation  
complete if  
no appeal  
taken.

SEC. 13. If no appeal is taken as provided in section 12, the resolution of the district authority shall be final and the formation of the district com-

plete and its legal existence shall not thereafter be questioned by any person by reason of any defect in the proceedings had for the organization thereof.

SEC. 14. If any assessment levy authorized under this act should for any reason prove unnecessary, the toll authority shall so notify the district authority, which shall thereafter not levy such assessment. Nothing in this section shall forbid the reinstatement of such levy at any time, if in the discretion of the toll authority the reinstatement is necessary to continue any guarantee given pursuant to this act and to fulfill the obligation of the district, and the toll authority shall so notify the district authority.

Where levy unnecessary.

Reinstatement of levy.

SEC. 15. Nothing contained in section 84.52.050, R.C.W., shall prevent the formation of a district and the levy of assessments under the provisions of this act. If any such district is formed in aid of an existing toll facility or to expedite the retirement of the bonds or securities of an existing facility, the levy authorized may be for one year only and the district authority may in its discretion, submit to the voters of the district at the next general election, the proposition of continuing the levy.

R.C.W. 84.52.050; effect.

District in aid of existing facility; levy for only one year.

[R.C.W. 84.52.050 is derived from sec. 1, ch. 11, L. '50 Ex. Sess. (40 mill limit).]

SEC. 16. The district treasurer shall receive and disburse all district revenues, collect all assessments authorized and levied hereunder, and credit all district revenues to the proper fund.

District treasurer; duties.

SEC. 17. There is created in the office of the district treasurer the following funds: "District expense fund" and "aid fund." All sums collected by the treasurer for the district shall be placed in either of these two funds. Such amounts as are necessary and reasonable for the business operations of the district shall be allocated to the "expense fund"; all other sums shall be placed in the "aid fund."

"District expense fund."

"Aid fund."

**Budget.** SEC. 18. After the equalization of assessments for tax purposes in any year, the district authority shall prepare a budget of the requirements of each such district fund and certify and deliver it by the first Tuesday in September of each year to the district taxing and assessing officials to levy and collect in the manner provided by the general tax laws of this state.

**Levies to be made as part of general taxes.** SEC. 19. The levies authorized by this act shall be made against property in the district in accordance with the equalized valuations thereof for general tax purposes and as a part of the general taxes.

**Aid fund; use of proceeds.** SEC. 20. The proceeds of the aid fund of any district shall be available and used in the case of a district formed to guarantee bonds and their interest, issued in aid of a projected facility, to pay any securities or the interest thereon, as and if necessary, or in the case of a district formed to aid an existing facility, in aid of the continued financial operations of the facility. If the levy was made to bring about the early removal of tolls by the retirement of existing bonds or securities of the toll authority issued for such facility, then such fund shall be used for such purpose.

**Payment to toll authority; manner.** SEC. 21. The district authority shall issue vouchers in favor of the toll authority and upon receipt of such vouchers the district auditing officer shall issue warrants therefor and the district treasurer shall pay out money in the aid fund to the toll authority to carry out the purposes of this act. The toll authority shall forthwith apply any sums so received to carry out such purposes.

**Dissolution of district.** SEC. 22. When the purposes of this act have been accomplished, the district authority shall proceed to wind up the affairs of the district and by resolution bring about the dissolution thereof. If any unexpended funds remain in the funds of any district,



such funds shall revert to and be paid by the treasurer into the general expense fund of the municipality or component municipalities.

Unexpended funds.

SEC. 23. The provisions of this act and all proceedings taken hereunder shall be liberally construed in order to carry out the purposes of this act. The adjudication of invalidity of any section, clause, or partial section of this act shall not impair or otherwise affect the validity of this act as a whole, or any part thereof.

Act construed liberally.

Partial invalidity.

SEC. 24. 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.

Emergency.

Passed the Senate February 17, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 200.

[ S. B. 125. ]

### IRRIGATION AND RECLAMATION DISTRICTS.

AN ACT relating to irrigation and reclamation districts; amending sections 89.12.050, 89.12.070, 89.12.100, and 89.12.130, R.C.W.

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

SECTION 1. Section 89.12.050, R.C.W., as derived from section 5, chapter 275, Laws of 1943, is amended to read as follows:

Amendment.

A district may enter into repayment and other contracts with the United States under the terms of the federal reclamation laws in matters relating to federal reclamation projects, and may with respect to lands within its boundaries include in the contract, among others, an agreement that:

Federal reclamation projects; districts may contract with United States, terms.

Limitations on delivery of water by United States project works.

(1) The district will not deliver water by means of the project works provided by the United States to or for lands not conforming in area and boundaries to the established farm units nor to or for more than one unit held by one landowner, except that as to lands held by one having equitable or legal title on May 27, 1937 (or the date on which the project or division becomes authorized in the case of projects other than the Columbia Basin project) or the heir or devisee of such owner delivery may be made to or for a total irrigable area not exceeding one hundred and sixty acres or a nominal quarter section. These limitations shall not apply to lands owned by the United States or any agency thereof. In case of excess land acquired by foreclosure or other process of law, by conveyance in satisfaction of mortgages, by inheritance, or by devise, water therefor may be furnished temporarily for a period not exceeding five years from the date of acquisition; delivery of water, thereafter ceasing until the transfer thereof to a landowner qualified to secure water therefor.

Do not apply to federal lands.

Excess land acquired by foreclosure, etc., water supplied on temporary basis.

Landowners to execute recordable contracts; when.

(2) As a condition to receiving water by means of the project works, each landowner in the district shall be required to execute, within six months from the date of the execution of the repayment contract, a recordable contract covering all his lands within the district, agreeing as to such lands for himself, his heirs, successors, and assigns to any or all of the provisions set forth below in this subsection: *Provided*, That any landowner, having failed to execute the contract within this period, may be permitted to do so within one year after the date of judicial confirmation of the validity of the repayment contract, but only in accordance with such rules and regulations as may be prescribed by the secretary concerning this privilege.

Notwithstanding the time limitations of the preceding paragraph but subject to such rules and regulations as may be prescribed therefor by the secretary, the privilege of executing recordable contracts is hereby extended as follows: (i) To any landowner as to a tract of land to which he, or his ancestors or devisors if he holds as an heir or devisee, held legal or equitable title on October 28, 1947;

Contracts which may be executed notwithstanding above time limitations.

Land which owner held Oct. 28, 1947.

(ii) To any landowner as to a tract of land as to which he has held legal or equitable title for not less than ten years (including the period of holding by his ancestors or devisors where title is held as an heir or devisee), or as to which he furnishes proof in writing satisfactory to the secretary as to the terms of the transaction and consideration paid by him (or by his ancestors or devisors where title is held as an heir or devisee) for the tract and as to which there is a finding by the secretary that the transaction was *bona fide* and for a consideration not in excess of the full fair market value of the tract, valued as of the date of that transaction without reference to or increment by reason of the project. Any such recordable contract may be executed only on or before December 31, 1951, or on or before a date to be fixed by the secretary as to each irrigation block in which the lands are situated, such date to be approximately two years before the commencement of the development period for that block.

Land held not less than ten years.

Land acquired by transaction approved by secretary.

Time to execute contract.

Each such recordable contract may provide any or all of the following:

Contract provisions.

(A) That the landowner will conform his lands by purchase, sale, or exchange at the appraised value to the area and boundaries of the pertinent established farm unit or units and will dispose of excess land then or thereafter owned by him at its appraised value; that the secretary is thereby given an irrevocable power of attorney to sell in behalf of

Lands to conform to unit.

Secretary: power of attorney to sell excess.

United States option to buy excess.

Cash sale only.

Sale of land during certain period restricted to appraised value.

Affidavit describing consideration; to be filed.

Excessive consideration or failure to file affidavit.

Cancellation of right to receive water.

the landowner any such excess land at the appraised value; and that the United States is thereby given, without further consideration, an option to buy any excess land at the appraised value: *Provided*, That sales under such power or option, unless otherwise provided in writing by the owner, shall be only for cash and only such that surrender of possession by the owner of any area of excess lands then operated as a single unit for dry farming or grazing may be effected substantially at one time;

(B) That from the date of execution thereof and to a date five years from the time water becomes available for the lands covered thereby, no conveyance of or contract to convey a freehold estate in such lands, whether excess or non-excess lands, shall be made for a consideration exceeding its appraised value, and in connection with any conveyance of, or contract to convey, such an estate within such period the grantor or vendor or the grantee or vendees or any lien holder thereof shall, within thirty days from the date of the conveyance or contract, file in the office of the auditor in the county in which the land is located an affidavit describing the conveyance or contract and the consideration therefor;

(C) That in the event that within such period such a conveyance of, or contract to convey, is made without filing within the thirty days the required affidavit, or is made for a consideration in excess of the appraised value, the secretary, at any time within two years of the day on which there is filed for recording in the county records the contract or deed involved, whichever is filed earliest in the event both the contract and deed are filed in a given transaction, may cancel the right of the estate to receive water by means of the project works, by a written notice of cancellation: *Provided*, That the power to cancel as to any given parcel of land may be waived

by the secretary at any time within the two year period by a written notice of waiver: *Provided further*, That after any such cancellation a water right for the estate involved by means of the project works may be acquired only on terms and conditions satisfactory to the secretary; and

Waiver of cancellation.

Water right after cancellation.

(D) That should any freehold estate in land covered thereby be conveyed or contracted to be conveyed within the period defined in (B) of this subsection, the transaction, and any mortgage or other lien covering any deferred consideration thereunder, shall be subject to all the provisions of subsection (B) of section 89.12.070.

Conveyance of estate within limiting period; subject to R.C.W., 89.12.070, subsec. (B).

(3) All lands within the district not covered by recordable contracts or otherwise not eligible to receive water by means of the project works shall be subject to assessment in the same manner and to the same extent as like lands eligible to receive water, subject to such provisions as the secretary may prescribe for postponement in payment of all or part of the assessment but not beyond the expiration of the period during which the price limit under subsection 2 applies.

Lands not covered or eligible; subject to assessment.

(4) Without compliance with other provisions of state law for the exclusion of lands, lands may be withdrawn from the district by filing a written notice of withdrawal with the district board on or before the date fixed by the board between a date ten days after the official notice of the election on the repayment contract and the date of such election. The date limiting the time of such filing shall be announced in the notice of the proposed election, and lands for which the notice is filed shall be deemed excluded from the district for all purposes as of the time of the filing.

Withdrawal of lands from district.

[Am. Rem. Supp. 1943, § 7525-24.]  
[R.C.W. 89.12.070 is sec. 2, *infra*, this chapter.]

Amendment. SEC. 2. Section 89.12.070, R.C.W., as derived from section 7, chapter 275, Laws of 1943, is amended to read as follows:

Affidavit; fraudulent misrepresentation as to true consideration. (a) Fraudulent misrepresentation as to the true consideration involved in the conveyance of, or contract to convey, a freehold estate in land covered by a recordable contract or which is sought to be covered by a recordable contract, in the affidavit required or which may be required in connection therewith shall be punishable by a fine not exceeding five hundred dollars or by imprisonment not exceeding six months, or by both.

Penalty. Contract or conveyance during limiting period; excess consideration invalid. (b) Should a freehold estate in lands subject to the recordable contract be conveyed or contracted to be conveyed, after the execution of such recordable contract and within five years from the time water becomes available for such lands at a consideration in excess of the appraised value of the estate, the transaction, and any mortgage or other lien covering any deferred consideration thereunder shall be invalid as to that part of the consideration in excess of the appraised value of the estate involved. If the transaction involves deferred payments, the invalid portion of the consideration shall be deducted first from the deferred payments in the inverse order of their due dates.

Deferred payments. Vendee or grantee may recover excess. The vendee or grantee in any such transaction at any time within two years from the date of such conveyance or contract and on filing a correct affidavit may recover from the vendor or grantor, or the successors or assigns thereof, an amount equal to the payments made in excess of the appraised value.

Court costs. In connection with any judgment or decree hereunder in favor of a vendee or grantee, the vendee or grantee may recover court costs and reasonable attorney's fees.

[Am. Rem. Supp. 1943, § 7525-26.]

SEC. 3. Section 89.12.100, R.C.W., as derived from section 10, chapter 275, Laws of 1943, is amended to read as follows: Amendment.

If state lands within a district have been segregated into farm units and the appraised value thereof established, the state shall recognize and accept the appraisal as determining the market value of such lands, and shall offer the state lands for sale for cash on the following terms and conditions: Inclusion of state lands.  
Terms and conditions of sale.

(1) Sales shall be made only at the appraised value; (2) only one farm unit shall be sold to any person; (3) applicants for the purchase of a farm unit shall be selected, as nearly as practicable, in accordance with the provisions of subsection (C) of section 4 of the act of congress of December 5, 1924 (43 Stat. 702); and (4) each applicant shall be required to execute a recordable contract within six months from the date the state's conveyance or contract to convey is made, whichever is the earlier, if such a contract is required as a condition to the delivery of water under the terms of the district's repayment contract with the United States; except as the carrying out of any such terms or conditions as to particular state lands may be precluded by provisions of the state Constitution.

The state shall cooperate with the secretary in carrying out the purposes of this chapter and in connection therewith, may execute recordable contracts covering any state lands and such other agreements as are necessary in connection with the administration of this act. State; administration of act.  
Same; may execute recordable contracts.

[Am. Rem. Supp. 1943, § 7525-29.]

SEC. 4. Section 89.12.130, R.C.W., as derived from section 15, chapter 275, Laws of 1943, is amended to read as follows: Amendment.

The foregoing provisions are an adoption and enactment of, and consent to, each and all the provisions of the Columbia Basin project act (Act of Consent to Columbia Basin project act.

March 10, 1943, chapter 14, 57 Stat. 14), as amended by the acts of September 26 and September 27, 1950, public laws 840 and 851, respectively, 81st congress, second session, in so far as they come within the scope of the federal act, as amended, or within the scope of state jurisdiction or authority, or may be applicable to state lands.

[Am. Rem. Supp. 1943, § 7525-34.]

Passed the Senate February 22, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 201.

[ S. B. 117. ]

IRRIGATION DISTRICT ELECTIONS.

AN ACT relating to irrigation district elections.

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

Elections, irrigation district laws control.

SECTION 1. All elections of irrigation districts, general or special, for any district purpose and in any county of the state shall be called, noticed, and conducted in accordance with the laws of the state, specifically relating to irrigation districts.

Previous elections validated.

SEC. 2. All irrigation district elections heretofore called, noticed and conducted for any district purpose in accordance with the laws of the state, specifically relating to irrigation districts irrespective of any contrary general elections laws; and any irrigation district election heretofore called, noticed and conducted in accordance with said irrigation district laws is hereby approved and confirmed.

Passed the Senate February 20, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.



## CHAPTER 202.

[ S. B. 119. ]

## STATE ASSOCIATION OF IRRIGATION DISTRICTS.

AN ACT relating to the state association of irrigation districts;  
amending section 87.76.040, R. C. W.

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

SECTION 1. Section 87.76.040, R.C.W., as derived from section 1, chapter 41, Laws of 1949, is amended to read as follows: Amendment.

To avoid duplication of effort the state association of irrigation districts may, in the discretion of its officers, affiliate and cooperate with other reclamation organizations and agencies engaged in the furthering of reclamation of lands in the state and make financial contributions to them for such purpose. Authorizing cooperation with and contribution to other organizations.

[Am. Rem. Supp. 1949, § 7505-13.]

Passed the Senate February 15, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 203.

[ S. B. 159. ]

PLATS, SUBDIVISIONS, AND DEDICATIONS OF LAND  
OUTSIDE CITIES AND TOWNS.

AN ACT relating to plats, subdivisions and dedications of land;  
and amending section 58.16.040, R.C.W.

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

SECTION 1. Section 58.16.040, R.C.W., as derived from section 4, chapter 186, Laws of 1937, is amended to read as follows: Amendment.

Proposed plats, subdivisions, and dedications of land outside of cities and towns shall be submitted Plats, etc., outside cities.

Approval of  
board or  
planning  
commission.

Land part  
of city sub-  
urban area;  
notice of  
application.

Lands ad-  
jacent to  
state high-  
ways; plat  
submitted  
to director.

for approval to the board of county commissioners of the county within which the land is situated. If the county has a planning commission, the commission may take appropriate action thereon on behalf of the county in lieu of the county commissioners: *Provided*, That when land proposed to be platted, subdivided, or dedicated is adjacent to or a part of the suburban area of a city or town, before action thereon is taken by the county commissioners or county planning commission, notice of the pendency of the application shall be given to the legislative body or planning commission of the city or town to the end that it may be heard and the interests of the city or town protected, before a decision is made thereon: *Provided*, That proposed land plats located adjacent to the right of way of state highways, which are submitted for approval to the board of county commissioners, be presented to the director of highways for his review and consideration and for him to recommend to the board of county commissioners such matters which he deems necessary for inclusion before such proposed plat is approved by the board of county commissioners.

[Am. Rem. Supp. § 9304-4.]

Passed the Senate February 22, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 204.

[ S. B. 280. ]

## STATE TUBERCULOSIS EQUALIZATION FUND.

AN ACT relating to tuberculosis hospitalization; amending section 70.32.020, R.C.W.; and repealing sections 70.30.110, 70.30.140, 70.34.110 and 70.34.120, R.C.W.

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

SECTION 1. Section 70.32.020, R.C.W., as derived from section 2, chapter 162, Laws of 1943, as amended by section 2, chapter 66, Laws of 1945, is amended to read as follows: Amendment.

To provide necessary funds for adequate care of tuberculosis patients in counties having a large incidence of tuberculosis, there is hereby created a state tuberculosis equalization fund which shall be apportioned and expended under the direction of the state director of health to provide state aid in counties in which the sum equal to six-tenths mill is not sufficient to provide adequate tuberculosis hospitalization. State tuberculosis equalization fund.

Payments from the equalization fund shall be made by warrant of the state auditor to individual counties upon vouchers of the state department of health. Payments from fund.

Upon receipt of such warrant the amount thereof shall be paid into the county tuberculosis hospitalization fund and disbursed in the same manner as county funds are disbursed therefrom. Deposit of payments in county tuberculosis hospitalization fund.

Payments to counties from the equalization fund shall be made on the following basis: Basis of payments to counties.

Payments shall commence at such time as the county has expended all budgeted county moneys in the county tuberculosis hospitalization fund excepting a sum estimated to be required for two months' operation of the tuberculosis hospitalization program within the county, which withheld sum shall be expended for tuberculosis hospitalization during the final two months of the fiscal year: *Provided*, That said withheld sum may be drawn upon and replenished from

state aid moneys as received, so long as an amount equivalent to the amount so withheld is available for the last month of the fiscal year and interest-bearing warrants are not required to be issued against the county tuberculosis hospitalization fund during the year.

[Am. Rem. Supp. 1945, § 6113-2.]

Repealing clause.

SEC. 2. Section 70.30.110, R.C.W., as derived from section 10, chapter 172, Laws of 1913, as amended by section 1, chapter 35, Laws of 1919; section 70.30.140, R.C.W., as derived from section 11, chapter 172, Laws of 1913, as amended by section 2, chapter 80, Laws of 1915, and sections 70.34.110 and 70.34.120, R.C.W., as derived from sections 11 and 12, chapter 86, Laws of 1935, are repealed.

[R.C.W. 70.30.110 is R.R.S. § 6123; R.C.W. 70.30.140 is R.R.S. § 6124; R.C.W. 70.34.110 is Rem. Supp. § 6130-11; and R.C.W. 70.34.120 is Rem. Supp. § 6130-12.]

Passed the Senate March 1, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 205.

[ S. B. 243. ]

IRRIGATION DISTRICTS—SEGREGATION OF ASSESSMENTS.

AN ACT providing for the segregation of irrigation district assessments after levy thereof, after notice, hearing and resolution of the board of directors; and authorizing alteration of assessment roll.

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

SECTION 1. Whenever in the discretion of the board of directors of any irrigation district of the state as determined by resolution, after an assessment roll has been filed with the county treasurer of the appropriate county in accordance with the laws of the state pertaining thereto, the irrigation

district assessments against any tract or parcel of land may be segregated to apply against, and the lien may be divided among, the various parcels of said tract as the same may be hereafter divided, all in accordance herewith.

Assessments may be segregated and lien divided among the various parcels of a tract.

SEC. 2. When the irrigation district directors shall deem it advisable to make such segregation of assessments they shall by resolution fix the time and place for the hearing of the question concerning the segregation of assessments, which hearing may be at the next regular meeting of the directors of said irrigation district at its principal office.

Hearing.

SEC. 3. Not less than ten days prior to the time and date fixed for said hearing the directors of said irrigation district shall cause notice of the time and place of said hearing to be given by registered mail to every person, firm or corporation having any interest in said property as shown by the county assessor's records or by the record of the irrigation district within which said property is located and to the address shown by said records, authorizing and directing that they appear and be heard at said time and place.

Notice.

SEC. 4. In the event said hearing shall result in a determination that in the discretion of the directors of said irrigation district it is advisable that said assessments be segregated and apportioned among the various parcels of said tracts against which the original total assessment was levied, then an order shall be entered on the records of the directors of said irrigation district determining said segregation, and a certified copy thereof shall be filed with the county treasurer of the county in which said assessment roll is filed.

Order of segregation.

Copy to be filed.

SEC. 5. Upon the filing of the certified copy of said order the county treasurer shall alter and amend the original assessment roll in accordance

Treasurer to amend roll; effect.

with said order and thereafter the assessments will be a lien only as shown by said order of segregation and the amended assessment roll as the same shall affect the property upon which said segregation was ordered.

Passed the Senate February 27, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 206.

[ S. B. 271. ]

DISABLED VETERANS—MOTOR VEHICLE LICENSES.

AN ACT relating to the issuance of motor vehicle licenses to disabled veterans.

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

SECTION 1. Section 73.04.110, R.C.W., as derived from section 1, chapter 178, Laws of 1949, is amended to read as follows: any veteran who is a veteran of any war of the United States, or of any military campaign for which a campaign ribbon shall have been awarded, who shall submit to the director of licenses satisfactory proof that he has lost the use of one or both of his lower extremities as the result of his military service in such war or military campaign, shall be entitled to have issued to him by the director of licenses an annual motor vehicle license for one automobile without the payment of any license fee or excise tax thereon.

[Am. Rem. Supp. 1949, § 6360-50-1.]

Passed the Senate February 19, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

Veterans;  
loss of lower  
extremity  
as result of  
military  
service;  
free motor  
vehicle  
license.

CHAPTER 207.

[ S. B. 349. ]

PUBLIC UTILITY DISTRICTS.

AN ACT relating to public utility districts; and amending sections 54.04.060, 54.04.070, 54.04.080 and 54.12.080, R.C.W., and adding a new section thereto.

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

SECTION 1. Section 54.04.060, R.C.W., as derived from section 5, chapter 245, Laws of 1941, is amended to read as follows: Amendment.

The supervisor of elections or other proper officer of the county shall give notice of all elections held under this title, for the time and in the manner and form provided for city, town, school district, and port district elections. When the supervisor or other officer deems an emergency exists, and is requested so to do by a resolution of the district commission, he may call a special election at any time in the district, and he may combine or divide precincts for the purpose of holding special elections, and special elections shall be conducted and notice thereof given in the manner provided by law. Public utility district elections; notices.  
Emergency.  
Special election.

The supervisor or other officer shall provide polling places, appoint the election officers, provide their compensation, provide ballot boxes, and ballots or voting machines, poll books and tally sheets, and deliver them to the election officers at the polling places, publish and post notices of the elections in the manner provided by law, and apportion to the district its share of the expense of the election. Other duties of supervisor.

The manner of conducting and voting at the elections, opening and closing of polls, keeping of poll lists, canvassing the votes, declaring the result, and certifying the returns, shall be the same as for the election of state and county officers, except as otherwise provided herein. Elections; how conducted.

Certification of offices to be filled and propositions to be submitted.

The district commission shall certify to the supervisor a list of offices to be filled at a district election and the commission, if it desires to submit to the voters of the district a proposition, shall require the secretary of the commission to certify it at the time and in the manner and form provided for certifying propositions by the governing board of cities, towns, and port districts.

[Am. Rem. Supp. 1941, § 11609.]

Amendment.

SEC. 2. Section 54.04.070, R.C.W., as derived from section 8, chapter 1, Laws of 1931, is amended to read as follows:

Work and materials; when contract necessary.

All materials purchased and work ordered by a district commission, the estimated cost of which is in excess of five thousand dollars, shall be by contract, except that a district commission may have its own personnel perform work utilizing material of a worth not exceeding fifteen thousand dollars in value without a contract. Before awarding such a contract, the commission shall publish a notice at least thirty days before the letting of the contract, inviting sealed proposals for the work; plans and specifications of which shall at the time of the publication be on file at the office of the district subject to public inspection. The commission may at the same time and as part of the same notice, invite tenders for the work or materials upon plans and specifications to be submitted by the bidders.

Exception.

Notice to bidders.

Plans and specifications.

Bidders' own plans.

Purchase of equipment or materials held by governmental agency.

Whenever equipment or materials required by a district are held by a governmental agency and are available for sale but such agency is unwilling to submit a proposal, the commission may ascertain the price of such items and file a statement of such price supported by the sworn affidavit of one member of the commission and may consider such price as a bid without a deposit or bond: *Provided*, That where an emergency arises endangering the public safety, the commission may purchase materials or

Emergency situation.



order work performed in any amount necessary without calling for bids after having taken precautions to secure the lowest price practicable under the circumstances.

[R.C.W. 54.04.070 was derived from R.R.S. § 11612 part (first two sentences of 2nd para. of § 11612.) 2nd para. of R.C.W. 54.04.070 is new.]

[See also note to sec. 3, *infra*.]

SEC. 3. Section 54.04.080, R.C.W., as derived from section 8, chapter 1, Laws of 1931, is amended to read as follows: Amendment.

The notice shall state generally the work to be done, and shall call for proposals for doing it, to be sealed and filed with the commission on or before the time named therein. Each bid shall be accompanied by a certified or cashier's check, payable to the order of the commission, for a sum not less than five per cent of the amount of the bid, or accompanied by a bid bond in an amount not less than five per cent of the bid with a corporate surety licensed to do business in the state, conditioned that the bidder will pay the district as liquidated damages the amount specified in the bond unless he enters into a contract in accordance with his bid and furnishes the performance bond herein mentioned within ten days from the date on which he is notified that he is the successful bidder. At the time and place named, the bids shall be publicly opened and read, and the commission shall canvass the bids, and may let the contract to the lowest responsible bidder upon the plans and specifications on file, or to the best bidder submitting his own plans and specifications: *Provided*, That no contract shall be let in excess of the estimated cost of the materials or work. The commission may reject all bids and readvertise, and in such case all checks shall be returned to the bidders. If the contract is let, all checks shall be returned to the bidders, except that of the successful bidder, which shall be retained until a contract

Notice to bidders; contents.

Check or bid bond to accompany bid.

Opening of bids.

Letting contract.

Limitation.

Bids may be rejected.

Return of checks.

Bond of successful bidder.

is entered into and a bond to perform the work furnished, with sureties satisfactory to the commission, in an amount to be fixed by the commission, not less than twenty-five per cent of the contract price, in accordance with the bid. If the bidder fails to enter into the contract and furnish the bond within ten days from the date at which he is notified that he is the successful bidder, his check and the amount thereof shall be forfeited to the district.

Forfeiture of check.

[R.C.W. 54.04.080 was derived from R.R.S. § 11612 part (3rd sentence of 2nd para. of § 11612 to end of said para. incl.)]

[With the exception of portions of R.R.S. § 11612, which appear in sections 2 and 4 of this chapter, the remainder of R.R.S. § 11612 is codified elsewhere in R.C.W.]

Amendment.

SEC. 4. Section 54.12.080, R.C.W., as derived from section 6, chapter 245, Laws of 1941, is amended to read as follows:

Commissioners' compensation.

District commissioners shall serve without compensation, except that a district may provide by resolution for the payment of compensation to each of its commissioners at a rate not exceeding ten dollars for each day or major part thereof devoted to the business of the district, and days upon which he attends meetings of the commission of his own district or meetings attended by one or more commissioners of two or more districts called to consider business common to them. Each commissioner shall

Expenses.

be reimbursed for reasonable expenses actually incurred in connection with such business and meetings, including his subsistence and lodging while away from his place of residence and mileage for the use of a personal automobile: *Provided*, That he shall be allowed mileage at a rate not exceeding the maximum rate now or hereafter provided by law for county officers.

Mileage.

[R.C.W. 54.12.080 was derived from 1st sentence of R.R.S. § 11612 and all of Rem. Supp. 1941, § 11616-5.]

New section.

SEC. 5. There is hereby added a new section to section 54.03.08 [chapter 54.08], R.C.W., to read as follows:

Whenever a proposition for the formation of a public utility district is to be submitted to voters in any county, the board of county commissioners may by resolution call a special election, and at the request of petitioners for the formation of such district contained in the petition shall do so and shall provide for holding the same at the earliest practicable time. If the boundaries of the proposed district embrace an area less than the entire county, such election shall be confined to the area so included. The notice of such election shall state the boundaries of the proposed district and the object of such election; in other respects, such election shall be held and called in the same manner as provided by law for the holding and calling of general elections: *Provided*, That notice thereof shall be given for not less than ten days nor more than thirty days prior to such special election. In submitting the said proposition to the voters for their approval or rejection, such proposition shall be expressed on the ballots in substantially the following terms:

Formation of district.  
 Special election.  
 District less than county wide.  
 Notice.  
 How conducted.  
 Ballot form.

- Public Utility District No. ....Yes
- Public Utility District No. ....No

The term "general election" as used herein means biennial general elections at which state and county officers are elected.

"General election."

[Sec. 5 is apparently intended as an addition to chapter 54.08 R.C.W. "formation."]

- Passed the Senate March 1, 1951.
- Passed the House March 5, 1951.
- Approved by the Governor March 17, 1951.

CHAPTER 208.

[ S. B. 355. ]

ELECTIONS—CANCELLED REGISTRATIONS.

AN ACT relating to elections; and adding a new section to chapter 29.10, R.C.W.

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

New section.

SECTION 1. There is hereby added to chapter 29.10, R.C.W., a new section to read as follows:

Statement as to cancellation of registrations.

On or before August first of the odd numbered year, each county auditor, city or town clerk, shall execute a sworn statement and file same with the secretary of state within ten days after date of execution. Said statement shall be furnished by the office of secretary of state and shall be in substantially the following form:

Form.

STATE OF WASHINGTON, }  
 COUNTY OF..... } ss.

I, \_\_\_\_\_, do solemnly swear that I have caused to be examined the permanent voting record of each registered voter under my jurisdiction and have cancelled those registrations of said voters who have failed to cast a ballot at any election held during the four year period immediately prior to the first day of April of this year as provided by law.

Further, the number of said cancellations totaled ..... A notice has been mailed to each elector concerned and the office of the secretary has been notified of said cancellations as reported on Permanent Registration Form No. 8.

..... (Signature) (Title)

Subscribed and sworn to.

[R.C.W. 29.10 is Rem. Supp. §§ 5114-14 to 5114-21 and amendments thereto.]

Passed the Senate March 1, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 209.

[ S. B. 15. ]

LOCAL UTILITY DISTRICTS IN PUBLIC  
UTILITY DISTRICTS.

AN ACT relating to local utility assessment districts in public utility districts; and amending sections 54.16.120 and 54.16.130 of the Revised Code of Washington.

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

SECTION 1. Section 54.16.120 of the Revised Code of Washington, derived from section 6, chapter 1, of the Laws of 1931, is hereby amended to read as follows: Amendment.

A district may, by resolution, establish and define the boundaries of local assessment districts to be known as local utility district No. \_\_\_\_\_, for distribution, under the general supervision and control of the commission, of water for domestic use, irrigation, and electric energy, and for providing street lighting, or any of them, and in like manner provide for the purchasing, or otherwise acquiring, or constructing and equipping of distribution systems for such purposes, and for extensions and betterments thereof, and may levy and collect in accordance with the special benefits conferred thereon, special assessments and reassessments on property specially benefited thereby, for paying the cost and expense thereof, or any portions thereof, as herein provided, and issue local improvement bonds or warrants or both to be repaid wholly or in part by collection of local improvement assessments. Local utility districts: creation. purposes.

Acquisition of facilities.

Assessments based on special benefits.

Local improvement bonds or warrants.

[R.C.W. 54.16.120 was derived from Rem. Supp. 1945, § 11610, part (1st para. of subsection (1)).]

SEC. 2. Section 54.16.130 of the Revised Code of Washington, derived from section 6, chapter 1, of the Laws of 1931, is hereby amended to read as follows: Amendment.

The commission shall by resolution establish

Powers of  
commission.

the method of procedure in all matters relating to local utility districts. A public utility district may determine by resolution what work shall be done or improvements made at the expense, in whole or in part, of the property specially benefited thereby; and adopt and provide the manner, machinery and proceedings in any way relating to the making and collecting of assessments therefor in pursuance thereof. Except as herein otherwise provided or as may hereafter be set forth by resolution, all matters and proceedings relating to the local utility district, the levying and collection of assessments, the issuance and redemption of local improvement warrants and bonds, and the enforcement of local assessment liens hereunder, shall be governed, as nearly as may be, by the laws relating to local improvements for cities of the first class:

*Provided*, That no protest against a local utility district improvement shall be received after twelve o'clock noon of the day set for hearing. The commission may determine to finance the project by bonds or warrants secured by assessments against the property within the local utility district: Or it may finance the project by revenue bonds, in which case no bonds or warrants shall be issued by the local utility district, but assessments shall be levied upon the taxable property therein on the basis of special benefits up to, but not exceeding the total cost of the improvement and in such cases the entire principal and interest of such assessments shall be paid into a revenue bond fund of the district, to be used for the sole purpose of the payment of revenue bonds.

Laws ap-  
plicable.

Protests.

Projects;  
how  
financed.Revenue  
bond fund.

[R.C.W. 54.16.130 was derived from Rem. Supp. 1945, § 11610, part (2nd para. of subsection (1)).]

[Remainder of Rem. Supp. 1945, § 11610 is codified elsewhere in R.C.W.]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 210.

[ S. B. 84. ]

## COURT REPORTERS—COMPENSATION.

AN ACT relating to court reporters; fixing their compensation; providing methods whereby judicial districts having a population under twenty thousand may obtain court reporters; and amending sections 2.32.210, 2.32.220, and 2.32.230, R.C.W.

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

SECTION 1. Section 2.32.210, R.C.W., as derived from section 1, chapter 24, Laws of 1945, is amended to read as follows: Amendment.

Each official reporter shall be paid compensation as follows: Compensation.

In judicial districts comprised of Class A counties, forty-eight hundred dollars *per annum*; in judicial districts comprised of first class counties, forty-six hundred dollars *per annum*; in judicial districts having a total population of seventy thousand and under one hundred twenty-five thousand, forty-two hundred dollars *per annum*; in judicial districts having a total population of forty thousand and under seventy thousand, four thousand dollars *per annum*; in judicial districts having a total population of twenty-five thousand and under forty thousand, three thousand seven hundred and fifty dollars *per annum*; which compensation shall be paid out of the current expense fund of the county where court is held. Schedule.  
County current expense fund.

In judicial districts comprising more than one county the judge or judges thereof shall, on the first day of January of each year, or as soon thereafter as may be convenient, apportion the amount of the salary to be paid to the reporter by each county according and in proportion to the number of criminal and civil actions entered and commenced in superior court of the constituent counties in the preceding Judicial districts comprising more than one county.  
Apportionment of salary.

year. In addition to the salary above provided, in judicial districts comprising more than one county, the reporter shall receive his actual and necessary expense of transportation and living expenses when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto, said expenses to be paid by the county to which he travels. If one trip includes two or more counties, the expenses may be apportioned between the counties visited in proportion to the amount of time spent in each county on the trip. If an official reporter uses his own automobile for the purpose of such transportation, he shall be paid therefor at the same rate per mile as county officials are paid for use of their private automobiles. The sworn statement of the official reporter, when certified to as correct by the judge presiding, shall be a sufficient voucher upon which the county auditor shall draw his warrant upon the treasurer of the county in favor of the official reporter.

Expenses.

Apportionment of expenses.

Mileage.

Sworn statement as voucher.

Salary, how paid.

The salaries of official court reporters shall be paid upon sworn statements, when certified as correct by the judge presiding, as state and county officers are paid.

[Am. Rem. Supp. 1945, § 42-3.]

Amendment.

SEC. 2. Section 2.32.220, R.C.W., as derived from section 2, chapter 24, Laws of 1945, is amended to read as follows:

Districts of less than 25,000 population.

If the judge of the superior court in any judicial district having a total population of less than twenty-five thousand finds that the work in such district requires the services of an official court reporter he may appoint a person qualified under section 2.32.180, and the salary of such reporter shall be not less than three thousand dollars *per annum*.

[Am. Rem. Supp. 1945, § 42-3a.]

[R.C.W. 2.32.180 is derived from Rem. Supp. 1945, § 42-1, part (from beginning thereof to and including the word "governor" on line 17, p. 66 of Rem. Supp. 1945).]



SEC. 3. Section 2.32.230, R.C.W., as derived from section 3, chapter 24, Laws of 1945, is amended to read as follows: Amendment.

An official court reporter may be appointed to serve two or more judicial districts, each of which has a total population under twenty-five thousand, if the judges thereof so agree, and the salary of such official reporter shall be determined by the total population of all the judicial districts so served in accordance with the schedule of salaries in section 2.32.210, and shall be apportioned between the several counties of the districts as therein provided. Such reporter, if appointed, must be qualified to serve, under section 2.32.180.

Two or more judicial districts, each having population under 25,000.

[Am. Rem. Supp. 1945, § 42-3b.]

[R.C.W. 2.32.210 appears as sec. 1, *supra*.]

[R.C.W. 2.32.180; see note to sec. 2, *supra*.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 211.

[ S. B. 93. ]

### SECOND, THIRD, AND FOURTH CLASS CITIES AND TOWNS—CALLS FOR BIDS.

AN ACT relating to cities and towns; providing for construction of public improvements and works, purchase of supplies, material, equipment and services and for contracts for printing of notices and newspaper publications in second, third and fourth class cities and towns; and repealing sections 35.24.270, 35.24.280, 35.27.360, 35.23.350, and 35.23.360, R.C.W.

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

SECTION 1. Any city or town of the second, third or fourth class may construct any public work or improvement by contract or day labor without calling for bids therefor whenever the cost of such work or

Public improvements; bids required, when.

improvement, including cost of materials, supplies and equipment will not exceed the sum of two thousand dollars. Whenever the cost of such public work or improvement, including materials, supplies and equipment, will exceed two thousand dollars, the same shall be done by contract after a call for bids which shall be awarded to the lowest responsible bidder. Notice of the call for bids shall be given by posting notice thereof in a public place in the city or town and by publication in the official newspaper once each week for two consecutive weeks before the date fixed for opening the bids. If there is no official newspaper the notice shall be published in a newspaper published or of general circulation in the city or town. The city council or commission of the city or town shall have power by resolution to reject any or all bids and to make further calls for bids in the same manner as the original call, or if in its judgment the improvement or work, including the purchase of supplies, material and equipment, can be done by the city at less cost than the lowest bid submitted it may do so without making a further call for bids or awarding any contract therefor. If no bid is received on the first call the city council or commission may re-advertise and make a second call, or may enter into a contract without any further call or may purchase the supplies, material or equipment and perform such work or improvement by day labor.

Notice of call for bids.

Rejection.

When work may be done by city.

No bid received.

Purchase of other supplies, etc., in excess of \$500.

Any purchase of supplies, material, equipment or services, except for public work or improvement, where the cost thereof exceeds five hundred dollars shall be made upon call for bids in the same method and under the same conditions as required herein on a call for bids for public work or improvement.

Manner of calling bids.

Bids shall be called annually and at a time and in the manner prescribed by ordinance for the publication in a newspaper published or of general circula-

tion in the city or town of all notices or newspaper publications required by law. The contract shall be awarded to the lowest responsible bidder.

Award to lowest responsible bidder.

SEC. 2. Sections 35.24.270 and 35.24.280, R.C.W., being section 31, chapter 184, Laws of 1915, and section 35.27.360, R.C.W., being section 166, chapter VII, Laws of 1889-1890, and sections 35.23.350 and 35.23.360, R.C.W., being section 52, chapter 241, Laws of 1907, are hereby repealed.

Repealing clause.

[R.C.W. 35.24.270 was derived from the last two sentences of R.R.S. § 9145.]

[R.C.W. 35.24.280 was derived from beginning through the proviso of R.R.S. § 9145.]

[R.C.W. 35.27.360 is Rem. Supp. 1947, § 9185.]

[R.C.W. 35.23.350 was derived from the last two sentences of R.R.S. § 9055.]

[R.C.W. 35.23.360 was derived from all of R.R.S. § 9055 except the last two sentences thereof.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 212.

[ S. B. 242. ]

### IRRIGATION DISTRICTS—ASSESSMENTS.

AN ACT relating to irrigation districts, and to the levy and collection of assessments; amending section 87.01.060, R.C.W.

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

SECTION 1. Section 87.01.060, R.C.W., as derived from section 4, chapter 138, Laws of 1923, is amended to read as follows:

Amendment.

Whenever public lands of the state are situated in or taken into an irrigation district they shall be treated the same as other lands, except as hereinafter provided. The commissioner of public lands shall be served with a copy of the petition proposing to include such lands, together with a map of the district

State lands within irrigation districts.

Petition of inclusion.

Commissioner of public lands; consent or objection to inclusion.

and notice of the time and place of hearing thereon, at least thirty days before the hearing, and if he determines that such lands will be benefited by being included in the district he shall give his consent thereto in writing. If he determines that they will not be benefited he shall file with the board a statement of his objections thereto.

Inclusion within existing district; procedure.

Any public lands of the state which are situated within the boundaries of an irrigation district, but which were not included in the district at the time of its organization, may be included after a hearing as herein provided.

Request for inclusion.

Whenever the commissioner or any interested person desires to have state public lands included in an existing district, he shall file a request to that effect in writing with the district board, which shall thereupon fix a time and place for hearing the request and post notice thereof in three public conspicuous places in the district, one of which shall be at the place of hearing, at least twenty days before the hearing, and send by registered mail a copy of the notice to the commissioner. The notice shall describe the lands to be included and direct all persons objecting to such inclusion to appear at the time and place stated and present their objections. At the hearing the district board shall consider all objections and may adjourn to a later date, and by resolution determine the matter, and its determination shall be final: *Provided*, That no such lands shall be included in a district without the written consent of the commissioner of public lands.

Hearing.

Notice.

Contents of notice.

Objections.

Consent of commissioner necessary.

Included public lands subject to assessments.

Any public lands of the state situated in any irrigation district shall be subject to the provisions of the laws of this state relating to the collection of irrigation district assessments to the same extent and in the same manner in which lands of like character held under private ownership are subject thereto and the state land commissioner, the department of

conservation and development or other state department having jurisdiction over the public lands subjected to such irrigation district assessments are hereby authorized to make payment of such irrigation district assessments at the time they become due.

Payment of assessments.

When state lands are included in a district they shall receive their proportionate share of water the same as other lands, upon payment by the state of such sums at such times as may be agreed upon between the commissioner and the district. In determining such sums, they shall consider the age of the district and the condition of its irrigation system, and place the lands on an equality with other lands in the district as to benefits, giving credit for any sums paid as water rent by any occupant thereof prior thereto, and the lands shall be subject to all taxes and assessments thereafter imposed: *Provided*, That no special assessments for purposes other than the payment of principal and interest on bonds or maintenance shall be levied against the lands while under state ownership without the written consent of the commissioner.

Receipt of water upon payment of agreed sums.

Credit.

Limitation on special assessments.

No state lands in a district shall be sold for delinquencies, but in case of delinquency the amount of the assessment shall be certified by the treasurer of the county in which the lands are situated to the commissioner who shall certify the same to the state auditor, who shall, unless the assessments have been paid in the meantime, certify to the next session of the legislature the amount of the assessments and the legislature shall provide for their payment with interest, by appropriation out of the general fund, and the amount so paid shall be added to the appraised value of the lands against which the delinquent assessments were certified and shall be collected the same as assessments on state lands for diking and drainage improvements. The certificate

Delinquencies; land may not be sold for.

Same; how paid.

of the county treasurer shall contain a legal description of the lands and the amount of the assessments against each tract, separately stated.

[Am. R.R.S. § 7419.]

Passed the Senate February 26, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 213.

[ S. B. 287. ]

WEED EXTERMINATION AREAS—RULES AND METHODS.  
AN ACT relating to noxious weeds; and amending section 17.08.070, R.C.W.

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

Amendment.

SECTION 1. Section 17.08.070, R.C.W., as derived from section 3, chapter 194, Laws of 1937, is amended to read as follows:

Methods and rules may be modified.

Methods and rules to be followed in extermination areas may be changed or modified by the authority setting up the areas whenever in their judgment a change is justified, practical, and in the interest of the public welfare. Upon the determination of methods, rules and regulations to be followed in any area, the boards and the director shall publish such methods, rules, and regulations weekly for three consecutive weeks in a newspaper published in the county in which the area is located and of general circulation in the county.

Publication.

[R.C.W. 17.08.070 was derived from the 3rd para. of R.R.S. § 2778-14.]

Passed the Senate March 1, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 214.

[ S. B. 437. ]

WORKMEN'S COMPENSATION—PREMIUMS—  
PRIOR LIEN.

AN ACT relating to priority against third party interests; notice of lien; and amending section 51.16.170, R.C.W.

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

SECTION 1. Section 51.16.170, R.C.W., as derived from section 4, chapter 132, Laws of 1929, is amended to read as follows: Amendment.

Separate and apart from and in addition to the foregoing provisions in this chapter, the claims of the state for payments and penalties due under this title shall be a lien prior to all other liens, except taxes, not only against the interests of any employer, but against the interests of all others, in real estate, plant, works, equipment, and buildings improved, operated, or constructed by any employer, and also upon any products or articles manufactured by such employer. Priority of state's claims.

The lien created by this section shall attach from the date of the commencement of the labor upon such property for which such premiums are due. In order to avail itself of the lien hereby created, the department shall, within four months after the employer has made report of his payroll and has defaulted in the payment of his premiums thereupon, file with the county auditor of the county within which such property is then situated, a statement in writing describing in general terms the property upon which a lien is claimed and stating the amount of the lien claimed by the department. If any employer fails or refuses to make report of his payroll, the lien hereby created shall continue in full force and effect, although the amount thereof is undetermined and the four months' time within which the department shall file its claim of lien shall not begin Time lien attaches.

Statement of lien; time for filing.

Same; where employer fails to make payroll report.

Foreclosure  
of lien.

to run until the actual receipt by the department of such payroll report. From and after the filing of such claim of lien, the department shall be entitled to commence suit to cause such lien to be foreclosed in the manner provided by law for the foreclosure of other liens on real or personal property, and in such suit the certificate of the department stating the date of the actual receipt by the department of such payroll report shall be *prima facie* evidence of such fact.

[R.C.W. 51.16.170 was derived from subsection (c) of R.R.S. § 7682.]

Passed the Senate March 1, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 215.

[ S. B. 183. ]

UNEMPLOYMENT COMPENSATION.

AN ACT relating to unemployment compensation; amending sections 50.04.070, 50.12.080, 50.12.110, 50.20.140, 50.20.150, 50.20.160, 50.20.180, 50.20.190, 50.24.160, 50.32.020, 50.20.010, 50.20.050, 50.20.060, 50.20.080, 50.20.130, 50.28.010 and 50.28.050, R.C.W.

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

Amendment.

SECTION 1. Section 50.04.070, R.C.W., as derived from section 8, chapter 35, Laws of 1945, is amended to read as follows:

"Contributions."

"Contributions" means the money payments, including the application of experience rating credits, to the state unemployment compensation fund.

[Am. Rem. Supp. 1945, § 9998-147.]

Amendment.

SEC. 2. Section 50.12.080, R.C.W., as derived from section 47, chapter 35, Laws of 1945, is amended to read as follows:



If any employing unit fails to make or file any report or return required by this title, or any regulation made pursuant hereto, the commissioner may, upon the basis of such knowledge as may be available to him, arbitrarily make a report on behalf of such employing unit and the report so made shall be deemed to be *prima facie* correct. In any action or proceedings brought for the recovery of contributions and interest due upon the payroll of an employer, the certificate of the department that an audit has been made of the payroll of such employer pursuant to the direction of the department, or a certificate that a return has been filed by or for an employer or estimated by reason of lack of a return, shall be *prima facie* evidence of the amount of such payroll for the period stated in the certificate.

Reports and returns; commissioner may file where employing unit fails.

Proceeding for recovery of contributions; certificate as *prima facie* evidence.

[Am. Rem. Supp. 1945, § 9998-185.]

SEC. 3. Section 50.12.110, R.C.W., as derived from section 50, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

Information obtained from employing unit records under the provisions of this title or obtained from any individual pursuant to the administration of this title shall be confidential and shall not be published or be open to public inspection (other than to public employees in the performance of their public duties and then only at the discretion of and in accordance with regulations prescribed by the commissioner) in any manner revealing an individual's or employing unit's identity, but any interested party at a hearing before the appeal tribunal or the commissioner shall be supplied with information from such records to the extent necessary for the proper presentation of the case in question: *Provided, however,* Records, with any necessary authentication thereof, required in the prosecution of any criminal action brought by another state, the United States or a foreign government for misrepresentation to ob-

Disclosure of information obtained pursuant to administration.

Records required for criminal prosecutions.

tain benefits under the law of this state shall be made available to the agency administering the employment security law of any such state, the United States or a foreign government for the purpose of such prosecution.

[Am. Rem. Supp. 1945, § 9998-188.]

Amendment. SEC. 4. Section 50.20.140, R.C.W., as derived from section 82, chapter 35, Laws of 1945, is amended to read as follows:

Applications and claims. Commissioner may prescribe regulations.

Application for initial determination; who may file.

Regulations; posting and distribution of.

An application for initial determination, a claim for waiting period, or a claim for benefits shall be filed in accordance with such regulations as the commissioner may prescribe. An application for an initial determination may be made by any individual whether unemployed or not. Each employer shall post and maintain printed statements of such regulations in places readily accessible to individuals in his employment and shall make available to each such individual at the time he becomes unemployed, a printed statement of such regulations and such notices, instructions and other material as the commissioner may by regulation prescribe. Such printed material shall be supplied by the commissioner to each employer without cost to him.

"Application for initial determination."  
"Claim for waiting period."

"Claim for benefits."

The term "application for initial determination" shall mean a request in writing for an initial determination. The term "claim for waiting period" shall mean a certification, after the close of a given week, that the requirements stated herein for eligibility for waiting period have been met. The term "claim for benefits" shall mean a certification, after the close of a given week, that the requirements stated herein for eligibility for receipt of benefits have been met.

Applications taken.

A representative designated by the commissioner shall take the application for initial determination and for the claim for waiting period credit or for benefits. When an application for initial determina-

tion has been made, the employment security department shall promptly make an initial determination which shall be a statement of the applicant's base year wages, his weekly benefit amount, his maximum amount of benefits potentially payable and his benefit year. Such determination shall fix the general conditions under which waiting period credit shall be granted and under which benefits shall be paid during any period of unemployment occurring within the benefit year fixed by such determination.

Initial determination; contents.

[Am. Rem. Supp. 1945, § 9998-220.]

SEC. 5. Section 50.20.150, R.C.W., as derived from section 83, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

The applicant for initial determination, his most recent employing unit as stated by the applicant, and any other interested party which the commissioner by regulation prescribes, shall, if not previously notified within the same continuous period of unemployment, be given notice promptly in writing that an application for initial determination has been filed and such notice shall contain the reasons given by the applicant for his last separation from work. If, during the benefit year, the applicant becomes unemployed after having accepted subsequent work, and files a claim for waiting period credit or benefits, a similar notice shall be given promptly to his then most recent employing unit as stated by him, or to any other interested party which the commissioner by regulation prescribes.

Notice of application for initial determination.

[Am. Rem. Supp. 1945, § 9998-221.]

SEC. 6. Section 50.20.160, R.C.W., as derived from section 84, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

Within one year from the date of delivery or mailing of an initial determination or a determination of denial of benefits and within thirty days from the date of the allowance of benefits, the commis-

Redetermination.

sioner may reconsider and redetermine such determination whenever he finds that there has been an error in identity, computation, or statement of amount of wages earned, or an error or omission with respect to the facts, or in order to comply with a final court decision applicable to an initial determination or determination of denial or allowance of benefits.

Notice.

Written notice of any such redetermination shall be promptly given by mail or delivered to such interested parties as were notified of the initial determination or determination of denial or allowance of benefits and any new interested party or parties who, pursuant to such regulation as the commissioner may prescribe, would be an interested party.

[Am. Rem. Supp. 1945, § 9998-222.]

Amendment.

SEC. 7. Section 50.20.180, R.C.W., as derived from section 86, chapter 35, Laws of 1945, is amended to read as follows:

Denial of credit or benefits.

If waiting period credit or the payment of benefits shall be denied to any claimant for any week or weeks, the claimant and such other interested party as the commissioner by regulation prescribes shall

Notice.

be promptly issued written notice of the denial and the reasons therefor. In any case where the department is notified in accordance with such regulation as the commissioner prescribes or has reason to believe that the claimant's right to waiting period credit or benefits is in issue because of his separation from work for any reason other than lack of work, the department shall promptly issue a determination of allowance or denial of waiting period credit or benefits and the reasons therefor to the claimant, his most recent employing unit as stated by the claimant, and such other interested party as the commissioner by regulation prescribes.

Determination of allowance or denial of credits or benefits.

Notice.

Notice that waiting period credit or benefits are allowed or denied shall suffice for the particular weeks stated in the notice

or until the condition upon which the allowance or denial was based has been changed.

[Am. Rem. Supp. 1945, § 9998-224.]

SEC. 8. Section 50.20.190, R.C.W., as derived from section 18, chapter 215, Laws of 1947, is amended to read as follows: Amendment.

Any individual who has received any sum as benefits from the unemployment compensation fund, when not entitled thereto, shall be liable to the fund for the sum improperly paid to him. Liability for benefits improperly received.

As soon as the commissioner has knowledge of payment of benefits to an individual under the circumstances mentioned in this section, he shall promptly prepare and deliver or mail to the individual at his last known address, a notice of determination of liability declaring that the individual has been determined liable to refund the amount of benefits paid under the circumstances mentioned in this section. Such amount, if not previously collected, shall be deducted from any future benefits payable to the individual. Notice of determination of liability.  
  
Deduction from future benefits.

Appeal from any determination of liability herein provided may be had in the same manner and to the same extent as provided for appeals relating to determinations in respect to claims for benefits: *Provided*, That an appeal from any determination covering overpayment only, shall be deemed to be an appeal from the determination which was the basis for establishing the overpayment unless the merits involved in the issue set forth in such determination have already been heard and passed upon by the appeal tribunal. If no such appeal is taken to the appeal tribunal by the individual within ten days of the delivery of the notice of determination of liability, or within ten days of the mailing of the notice of determination, whichever is the earlier, said determination of liability shall be deemed conclusive and final, and the court shall, upon application of the Appeal.  
  
  
Determination conclusive if appeal not timely taken.

**Judgment.** commissioner, enter a judgment in the amount provided by the notice of determination, which judgment shall have and be given the same effect as if entered pursuant to civil action. On request of any agency which administers an employment security law of another state, the United States or a foreign government and which has found in accordance with the provisions of such law that a claimant is liable to repay benefits received under such law by reason of having knowingly made a false statement or misrepresentation of a material fact with respect to a claim taken in this state as an agent for such agency, the commissioner may collect the amount of such benefits from such claimant to be refunded to such agency. In any case in which under this section a claimant is liable to repay any amount to the agency of another state, the United States or a foreign government, such amounts may be collected without interest by civil action in the name of the commissioner acting as agent for such agency if the other state, the United States or the foreign government extends such collection rights to the employment security department of the state of Washington, and provided that the court costs be paid by the governmental agency benefiting from such collection.

[Am. Rem. Supp. 1947, § 9998-225.]

**Amendment.** SEC. 9. Section 50.24.160, R.C.W., as derived from section 104, chapter 35, Laws of 1945, is amended to read as follows:

**Election of coverage.** Any employing unit for which services that do not constitute employment as defined in this title are performed, may file with the commissioner a written election that all such services performed by any distinct class or group of individuals or by all individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this title for not less than two calendar years. Upon the

written approval of such election by the commissioner, such services shall be deemed to constitute employment subject to this title from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if the employing unit files with the commissioner prior to the fifteenth day of January of such year a written application for termination of coverage. The commissioner on his own motion may effectuate the same termination of coverage as of January first of any calendar year subsequent to such two calendar years by notifying such employing unit in writing of such termination prior to the fifteenth day of January of such year.

Termination.

[Am. Rem. Supp. 1945, § 9998-242.]

[This section (R.C.W. 50.24.160) was also amended by sec. 8, ch. 265, Laws of 1951.]

SEC. 10. Section 50.32.020, R.C.W., as derived from section 118, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

The applicant or claimant, his most recent employing unit or any interested party which the commissioner by regulation prescribes, may file an appeal from any determination or redetermination with the appeal tribunal within ten days after the date of notification or mailing, whichever is earlier, of such determination or redetermination to his last known address: *Provided*, That in the event an appeal with respect to any determination is pending as of the date when a redetermination thereof is issued, such appeal, unless withdrawn, shall be treated as an appeal from such redetermination. Any appeal from a determination of denial of benefits which is effective for an indefinite period shall be deemed to be an appeal as to all weeks subsequent to the effective date of the denial for which benefits have already been denied. If no appeal is taken from any determination, or redetermination, within the time allowed by the provisions of this section for appeal

Appeal from any determination or redetermination.

Effect of redetermination while appeal pending.

Determination or redetermination conclusive if appeal not timely taken.

therefrom, said determination, or redetermination, as the case may be, shall be conclusively deemed to be correct except as hereinbefore provided in respect to reconsideration by the commissioner of any determination.

[Am. Rem. Supp. 1945, § 9998-256.]

**Amendment.** SEC. 11. Section 50.20.010, R.C.W., as derived from section 9, chapter 214, Laws of 1949, is amended to read as follows:

**Conditions to credit or benefits.** An unemployed individual shall be eligible to receive waiting period credit or benefits with respect to any week only if the commissioner finds that:

**Registration for work.** (a) He has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that the compliance with such requirements would be oppressive, or would be inconsistent with the purposes of this title;

**Application filed.** (b) He has filed an application for an initial determination and made a claim for waiting period credit or for benefits in accordance with the provisions of this title;

**Able and available for work.** (c) He is able to work, and is available for work in any trade, occupation, profession or business for which he is reasonably fitted. To be available for work an individual must be ready, able, and willing, immediately to accept any suitable work which may be offered to him and must be actively seeking work;

**Unemployed for one week.** (d) He has been unemployed for a waiting period of one week; and

**Base year wages.** (e) He has within the base year been paid wages of not less than the minimum amount now or hereafter fixed by law as the minimum amount to be



earned in order to allow the individual to receive unemployment benefits.

[Am. Rem. Supp. 1949, § 9998-206.]

[This section (R.C.W. 50.20.010) was also amended by sec. 9, ch. 265, Laws of 1951.]

SEC. 12. Section 50.20.050, R.C.W., as derived from section 12, chapter 214, Laws of 1949, is amended to read as follows: Amendment.

An individual shall be disqualified for benefits for the calendar week in which he has left work voluntarily without good cause and for the five calendar weeks which immediately follow such week. Disqualification for leaving work.

[Am. Rem. Supp. 1949, § 9998-211.]

SEC. 13. Section 50.20.060, R.C.W., as derived from section 13, chapter 214, Laws of 1949, is amended to read as follows: Amendment.

An individual shall be disqualified for benefits for the calendar week in which he has been discharged or suspended for misconduct connected with his work and for the five calendar weeks which immediately follow such week. Disqualification for discharge for misconduct.

[Am. Rem. Supp. 1949, § 9998-212.]

SEC. 14. Section 50.20.080, R.C.W., as derived from section 15, chapter 214, Laws of 1949, is amended to read as follows: Amendment.

An individual is disqualified for benefits, if the commissioner finds that he has failed without good cause, either to apply for available, suitable work when so directed by the employment office or the commissioner, or to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the commissioner. Such disqualification shall continue for the calendar week in which such failure occurred and for the five calendar weeks which immediately follow such week. Disqualification for failure to apply for work.

[Am. Rem. Supp. 1949, § 9998-214.]

SEC. 15. Section 50.20.130, R.C.W., as derived from section 17, chapter 214, Laws of 1949, is amended to read as follows: Amendment.

If an eligible individual is available for work for

Available for work less than full week.

less than a full week, he shall be paid his weekly benefit amount reduced by one-seventh of such amount for each day that he is unavailable for work: *Provided*, That if he is unavailable for work for three days or more of a week, he shall be considered unavailable for the entire week.

Amount of weekly benefits.

Each eligible individual who is unemployed in any week shall be paid with respect to such week a benefit in an amount equal to his weekly benefit amount less that part of the remuneration (if any) payable to him with respect to such week which is in excess of eight dollars. Such benefit, if not a multiple of one dollar, shall be computed to the next higher multiple of one dollar.

[Am. Rem. Supp. 1949, § 9998-219.]

Amendment.

SEC. 16. Section 50.28.010, R.C.W., as derived from section 2, chapter 235, Laws of 1949, is amended to read as follows:

As used in this chapter:

"Computation date."

"Computation date" means January first of any year;

"Cut-off date."

"Cut-off date" means March thirty-first next following the computation date;

"Effective date."

"Effective date" means June thirtieth next following the computation date;

"Credit year."

"Credit year" means the four consecutive calendar quarters immediately following the effective date;

"Payroll."

"Payroll" means all wages paid by an employer to individuals in his employment;

"Acquire."

"Acquire" means the right to occupy or use the operating assets formerly in the possession of a predecessor employer whether that acquisition be by purchase, lease, gift, or by any legal process;

"Contributions."

Experience rating credits applied in payment of contributions shall be deemed to be "contributions."

[R.C.W. 50.28.010 was derived from Rem. Supp. § 9998-246a (part; 1st five definitions). Remainder of § 9998-246a is codified as R.C.W. 50.28.020 and 50.28.030.]

SEC. 17. Section 50.28.050, R.C.W., as derived

from section 4, chapter 235, Laws of 1949, is amended to read as follows: Amendment.

Within three years from the effective date the commissioner may reconsider the credit allowed any employer whenever he finds that there has been an error in the computation evident from the payroll data or other facts submitted by the employer prior to the cut-off date. When an increase is due, he shall issue to such employer a supplementary credit notice reflecting the increase in the employer's credit; however, when a credit notice has been issued to an employer whose credit is reduced, such notice shall be deemed cancelled and a revised notice issued. If the credit shown by the incorrect notice has already been applied in payment of contributions in excess of the correct credit, the employer shall thereupon become liable for payment into the fund in an amount equal to the excess of the credit taken by him over the credit to which he is entitled and such amount shall be deemed and collected as contributions payable under this title. Redetermination of credit allowed employer.  
  
Notice.

(1) Corrections or modifications of an employer's payroll shall not be taken into account for the purpose of an increase of his credit unless such corrections or modifications were established on or before the cut-off date. Correction or modification of employer's payroll.

(2) Corrections or modifications of an employer's payroll may be taken into account within three years after the cut-off date, for the purpose of a reduction of his credit.

Increases or reductions of an employer's credit shall not affect the credits established or to be established for any other employer, and shall further not affect any other computation made under this title. Other employers and other computations not affected.

[R.C.W. 50.28.050 was derived from Rem. Supp. § 9998-246c, subsections (a), (b), and (c). Subsection (d) of § 9998-246c is codified as R.C.W. 50.28.060.]

Passed the Senate February 23, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 216.

[ S. B. 303. ]

SOIL CONSERVATION.

AN ACT relating to soil conservation; and amending sections 89.08.170, 89.08.180, 89.08.030 and 89.08.040, R.C.W.

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

Amendment. SECTION 1. Section 89.08.170, R.C.W., as derived from section 5, chapter 187, Laws of 1939, is amended to read as follows:

Name of proposed district; submission to secretary of state. If the secretary of state finds that the name of the proposed district is such as will not be confused with that of any other district, he shall enter the application and statement in his records. If he finds the name may be confusing, he shall certify that fact to the committee, which shall submit a new name free from such objections, and he shall enter the application and statement as modified, in his records. Thereupon the district shall be considered organized into a body corporate.

Certificate of organization. Admissible as evidence. The secretary of state shall then issue to the supervisors a certificate of organization of the district under the seal of the state, and shall record the certificate in his office. Proof of the issuance of the certificate shall be evidence of the establishment of the district, and a certified copy of the certificate shall be admissible as evidence and shall be proof of the filing and contents thereof. The name of a soil conservation district may be changed upon recommendation by the supervisors of a district and approval by the state soil conservation committee and the secretary of state. The new name shall be recorded by the secretary of state following the same general procedure as for the previous name.

Change of name. [R.C.W. 89.08.170 was derived from the 3rd para. of subsection (f) of Rem. Supp. § 10726-5. Remainder of § 10726-5 is codified in adjoining sections of R.C.W.]

SEC. 2. Section 89.08.180, R.C.W., as derived from section 5, chapter 187, Laws of 1939, is amended to read as follows: Amendment.

Territory may be added to an existing district upon filing a like petition with the committee by owners of the lands to be included. The same proceedings shall be followed as on the petition for the creation of the district: *Provided*, The committee may upon the petition of two-thirds of the owners of land in a part of any one or more soil conservation districts change the boundaries of said district or districts. In case of an election all owners of land in the area proposed to be annexed, shall be eligible to vote thereat. Annexation of territory; petition.

[R.C.W. 89.08.180 was derived from Rem. Supp. § 10726-5 (f).]

SEC. 3. Section 89.08.030, R.C.W., as derived from section 2 [1], chapter 106, Laws of 1949, is amended to read as follows: Change of boundaries.

There is hereby created as an agency of the state, the state soil conservation committee. Election.

The committee shall consist of the director of the Washington state extension service, the director of the Washington state agricultural experimental station at Pullman, the state director of agriculture, the Washington state director of conservation and development, the commissioner of public lands and four farmer members including the president and secretary of the Washington state association of soil conservation district supervisors, the remaining two farmer members, who shall be actively engaged in farming, to be appointed by the governor. Of such two farmer members first appointed one shall be appointed for two years and one shall be appointed for four years. At the expiration of the term upon which each of these original appointments is made, each successor farmer member shall be appointed for a term of four years. An *ex officio* member of the committee shall hold office so long as he retains State soil conservation committee.

Members.

Term of office.

the office by virtue of which he is a member of the committee.

[R.C.W. 89.08.030 was derived from sub-section (a) of Rem. Supp. § 10726-4.]

Amendment. SEC. 4. Section 89.08.040, R.C.W., as derived from section 2 [1], chapter 106, Laws of 1949, is amended to read as follows:

Chairman. The committee shall designate its chairman from time to time. Members shall receive no compensation, but shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties.

Compensation. Duties. The committee shall keep a record of all its official actions, proceedings, resolutions, regulations, and orders, provide for an annual audit of its accounts, adopt a seal, which shall be judicially noticed, adopt and promulgate rules, hold public hearings, and do all things necessary to carry out its functions. The state department of conservation and development is empowered to pay the necessary travel expenses of the farmer members of the state soil conservation committee, and the salaries, wages and other expenses of such administrative officers or other employees as may be required under the provisions of this act.

[R.C.W. 89.08.040 was derived from sub-section (c) of Rem. Supp. § 10726-4. Other portions of § 10726-4 are codified in adjoining sections of R.C.W.]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 217.

[ H. B. 493. ]

CITIES AND TOWNS ACQUIRING PRIVATELY-OWNED ELECTRIC OPERATING PROPERTIES.

AN ACT relating to cities and towns; authorizing cities and towns which acquire privately-owned electric operating properties to make payments to taxing districts wherein such property is located.

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

SECTION 1. On and after January 1, 1951, whenever a city or town shall acquire electric generation, transmission and/or distribution properties which at the time of acquisition were in private ownership, the legislative body thereof may each year order payments made to all taxing districts within which any part of the acquired properties are located, in amounts not greater than the taxes, exclusive of excess levies voted by the people and/or levies made for the payment of bonded indebtedness pursuant to the provisions of the forty-mill tax law, imposed on such properties in the last tax year in which said properties were in private ownership.

Cities or towns; acquisition of private electrical facilities.

Payments to taxing districts.

SEC. 2. In the event any portion of such property shall be situated in any school district which, at the time of acquisition, has an outstanding bonded indebtedness, the city or town may in addition to the payments authorized in section 1 hereof, make annual payments to such school district which shall be applied to the retirement of the principal and interest of such bonds. Such payments shall be computed in the proportion which the assessed valuation of utility property so acquired shall bear to the total assessed valuation of the district at the time of the acquisition.

Payments to school districts to retire bonds.

Basis.

SEC. 3. Annual payments shall be ordered by an ordinance or ordinances of the legislative body. The

Annual payments; how made.

County  
assessor  
notified.Amount  
entered on  
tax roll.

ordinance shall further order a designated officer to notify in writing the county assessor of each county in which any portion of such property is located, of the city's intention to make such payments. The county assessor shall thereupon enter upon the tax rolls of the county the amount to which any taxing district of the county is entitled under the provisions of this act; and upon delivery of the tax rolls to the county treasurer as provided by law, the amount of the tax as hereinbefore authorized and determined shall become due and payable by the city or town the same as real property taxes.

Passed the House February 26, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 218.

[ H. B. 400. ]

### RELATING TO INVESTMENTS BY GUARDIANS.

AN ACT relating to investments by guardians; adding a new section to chapter 30.24, R.C.W., and repealing section 11.92.140, R.C.W.

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

SECTION 1. A new section is added to chapter 30.24, R.C.W., as derived from chapter 100, Laws of 1947, to read as follows:

New  
section.Guardian is  
fiduciary.Guardian-  
ship funds  
are trust  
funds.

In addition to other fiduciaries, a guardian of any estate is a fiduciary within the meaning of this chapter; and in addition to other trusts, a guardianship of any estate is a trust within the meaning of this chapter; and in addition to other trust funds, guardianship funds are trust funds within the meaning of this chapter.

[Chapter 30.24 R.C.W. was derived from Rem. Supp. 1947, § 3255-10a—3255-10e; Rem. Supp. 1947, § 3255-11; Rem. Supp. 1947, § 3255-13; Rem. Supp. 1947, § 3255-16; Rem. Supp. 1947, § 3255-17.]



SEC. 2. Section 11.92.140, R.C.W., as derived from section 3, chapter 206, Laws of 1941, is repealed.

[Rep. Rem. Supp. 1943, § 1583-1.]

Passed the House February 21, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 219.

[ S. H. B. 514. ]

### USE OF HIGHWAYS BY NON-RESIDENT TAXICAB OPERATORS.

AN ACT relating to passenger transportation by motor vehicle, and amending chapter 81.72, R.C.W., by adding new sections thereto.

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

SECTION 1. There is added a new section to chapter 81.72, R.C.W., as derived from chapter 253, Laws of 1947, to read as follows:

New section.

No operator of a taxicab licensed or possessing a permit in another state to transport passengers for hire, and principally engaged as a for hire operator in another state, shall cause the operation of a taxicab upon any highway of this state without first obtaining a permit from the director of licenses upon an application accompanied with a fee of twenty dollars for each taxicab. The issuance of a permit shall be further conditioned upon compliance with chapter 81.72.

Out-of-state taxicabs; permit required.

Fee.

[Chapter 81.72 R.C.W. was derived from Rem. Supp. 1947, §§ 6386-1 to 6386-11 incl.]

SEC. 2. There is added a new section to chapter 81.72, R.C.W., as derived from chapter 253, Laws of 1947, to read as follows:

All law enforcement officers shall refuse every taxicab entry into this state which does not have a

Non-licensed cabs; enforcement officers to refuse entry.

certificate from the director of licenses on the vehicle.

[See note to sec. 1.]

New section.

SEC. 3. There is added a new section to chapter 81.72, R.C.W., as derived from chapter 253, Laws of 1947, to read as follows:

Reciprocity with other states.

This act shall be inoperative to operators of taxicabs residing and licensed in any state which allows Washington operators of taxicabs to use such state's highways free from such regulations.

[See note to sec. 1.]

Partial invalidity.

SEC. 4. The provisions of this act are to be severable, and if any section, subdivision or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this act.

Passed the House February 28, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 220.

[ H. B. 529. ]

TAX JUDGMENT SALES.

AN ACT relating to tax judgment sales, and amending section 84.64.100, R.C.W.

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

SECTION 1. Section 84.64.100, R.C.W., as derived from section 120, chapter 130, Laws of the Extraordinary Session of 1925, as last amended by section 47, chapter 206, Laws of 1939, is amended to read as follows:

Amendment.

Treasurer to sell after judgment.

The county treasurer shall immediately after receiving the order and judgment of the court proceed to sell the property as provided in this chapter

to the highest and best bidder for cash. All sales shall be made on Friday between the hours of 9 o'clock in the morning and 4 o'clock in the afternoon, and shall continue from day to day (Saturdays and Sundays excepted) during the same hours until all lots or tracts are sold, after first giving notice of the time and place where such sale is to take place for ten days successively by posting notice thereof in three public places in the county, one of which shall be in the office of said treasurer. The notice shall be substantially in the following form:

Sale,  
time of.

Notice.

TAX JUDGMENT SALE.

Public notice is hereby given that pursuant to real property tax judgment of the Superior Court of the county of \_\_\_\_\_, in the state of Washington, and an order of sale duly issued by said court, entered the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, in proceedings for foreclosure of tax liens upon real property, as per provisions of law, I shall on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ o'clock A. M., at the front door of the court house in the city of \_\_\_\_\_, and county of \_\_\_\_\_, sell the following described lands or lots, to the highest and best bidder for cash, to satisfy the full amount of taxes, interest, and costs adjudged to be due thereon as follows, to-wit: (Description of property.)

In witness whereof, I have hereunto affixed my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Treasurer of \_\_\_\_\_ County.

No county officer or employee shall directly or indirectly be a purchaser of the property at such sale.

County  
officers, em-  
ployees, may  
not pur-  
chase.

The treasurer may include in one notice any number of separate tracts or lots.

Sale as a single unit, when.

If any buildings or improvements are upon an area encompassing more than one tract or lot, the same must be advertised and sold as a single unit.

Amount of bid in excess of taxes refunded to owner.

If the highest amount bid for any such separate unit tract or lot is in excess of the entire amount of the taxes and interest due upon the whole property included in the certificate of delinquency, the excess shall be refunded, on application therefor, to the record owner of the property. In the event no claim for the said excess is received by the county treasurer within three years after the date of the sale he shall at the expiration of the three year period deposit such excess in the current expense fund of the county.

Failure to make claim for excess.

[R.C.W. 84.64.100 was derived from Rem. Supp. § 11281 part (commencing with line 29 p. 253 of pocket part of Vol. 11, to and including the second proviso on page 254).]

Passed the House March 2, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 221.

[ H. B. 50. ]

BOUNDARIES OF FORTY-FIRST AND FORTY-SECOND LEGISLATIVE DISTRICTS.

AN ACT relating to legislative districts and fixing the boundaries of the forty-first and forty-second senatorial and representative districts.

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

Boundaries of 41st district.

SECTION 1. The forty-first senatorial district and the forty-first representative district shall comprise all of the territory of Whatcom County outside of the city of Bellingham as the corporate boundaries of that city existed on January 1, 1951.

Boundaries of 42nd district.

SEC. 2. The forty-second senatorial district and the forty-second representative district shall com-

prise all of the territory of the city of Bellingham, Whatcom County, within the corporate boundaries of that city as those boundaries existed on January 1, 1951.

Passed the House February 7, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 222.

[ H. B. 364. ]

### REAL ESTATE BROKERS AND SALESMEN.

AN ACT relating to real estate brokers and real estate salesmen; amending sections 18.85.010, 18.85.030, 18.85.040, 18.85.050, 18.85.070, 18.85.080, 18.85.090, 18.85.100, 18.85.110, 18.85.120, 18.85.130, 18.85.140, 18.85.150, 18.85.170, 18.85.180, 18.85.230, 18.85.290, 18.85.300, 18.85.310, and 18.85.340, R.C.W., repealing sections 18.85.160, 18.85.250, 18.85.260, 18.85.270, and 18.85.280, R.C.W., and adding new sections to chapter 18.23 R.C.W.

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

SECTION 1. Section 18.85.010, R.C.W., as derived from section 2, chapter 252, Laws of 1941, as amended, is amended to read as follows: Amendment.

In this chapter words and phrases have the following meanings unless otherwise apparent from the context:

(1) "Real estate broker," or "broker," means a natural or artificial person, acting independently, who for commissions or other compensation, engages in the purchase, sale, exchange, rental, or negotiation therefor, of real estate, or interests therein, and for business opportunities or interest therein, belonging to others, or holds himself out to the public as being so engaged;

"Real estate broker" or "broker."

"Real estate salesman" or "salesman."

(2) "Real estate salesman" or "salesman" means any natural person who represents a real estate broker in any of his activities;

"Associate real estate broker."

(3) An "associate real estate broker" is a person who has qualified as a "real estate broker" who works with a designated broker and whose license states that he is associated with a designated broker;

"Person."

(4) The word "person" as used in this act, shall be construed to mean and include a corporation or co-partnership, except where otherwise restricted;

"Business opportunity."

(5) "Business opportunity" shall mean and include business, business opportunity and good will of an existing business or any one or combination thereof.

[Am. Rem. Supp. 1943, § 8340-25.]

Amendment.

SEC. 2. Section 18.85.030, R.C.W., as derived from section 1, chapter 111, Laws of 1945, is amended to read as follows:

Director may employ inspectors and other help.

The director shall appoint at least two inspectors to assist him. No person shall be appointed as an inspector who has not been actively engaged in the real estate business in this state either as a broker or salesman.

The director may employ and discharge such clerks and employees as may be necessary, and fix the compensation of inspectors, clerks and employees.

[R.C.W. 18.85.030 was derived from Rem. Supp. 1945, § 8340-28 part (first four sentences).]

Amendment.

SEC. 3. Section 18.85.040, R.C.W., as derived from section 4, chapter 252, Laws of 1941, is amended to read as follows:

Director to enforce act and provide for examinations.

The director shall enforce all laws, rules, and regulations relating to the licensing of real estate brokers, associate real estate brokers, and salesmen. He shall fix the times and places for holding examinations of applicants for licenses and prescribe the method of conducting them.

[Am. Rem. Supp. 1941, § 8340-27.]

SEC. 4. Section 18.85.050, R.C.W., as derived from section 1, chapter 111, Laws of 1945, is amended to read as follows: Amendment.

Neither the director nor his inspectors, clerks or employees, shall be interested in any real estate business in any capacity: *Provided*, That if any real estate broker, associate real estate broker, or salesman is employed by the director as an inspector, clerk, or employee, the license of such broker, associate real estate broker, or salesman shall not be revoked, suspended, or cancelled by reason thereof. Director and employees; interest in real estate business prohibited.

[R.C.W. 18.85.050 was derived from Rem. Supp. 1945, § 8340-28, part (5th sentence, to second proviso).]

SEC. 5. Section 18.85.070, R.C.W., as derived from section 13, chapter 252, Laws of 1941, as amended, is amended to read as follows: Amendment.

From time to time the governor, upon the request of the director, shall appoint a commission of three members to conduct examinations of applicants for licenses under this chapter. Each member shall be a citizen of the United States, but no person shall be appointed whose vocation for at least five years prior to his appointment has not been that of a real estate broker. The period during which a licensed broker kept his license in force, though employed by the director as an inspector, clerk or other employee shall be included in computing the five year period qualification necessary for appointment on an examination commission. Examination commission.

Membership.

[Am. Rem. Supp. 1945, § 8340-36.]

SEC. 6. Section 18.85.080, R.C.W., as derived from section 14, chapter 252, Laws of 1941, is amended to read as follows: Amendment.

The members of a commission shall receive as compensation not to exceed twenty-five dollars for each day actually spent on official business, and they shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties. Compensation of members.

Expenses.

[Am. Rem. Supp. 1941, § 8340-37.]

Amendment. SEC. 7. Section 18.85.090, R.C.W., as derived from section 15, chapter 252, Laws of 1941, is amended to read as follows:

Examination commission; powers and duties. The commission shall prepare the examination questions to be submitted to applicants, and shall make and file with the director a list, signed by all the members of the committee conducting the examination, of all applicants who successfully passed the examination and of those who failed, together with all examination questions and the written answers thereto.

Re-examination. Any applicant who fails to pass the examination may apply again: *Provided*, That no applicant shall be permitted to take the examination for a real estate broker's license without first satisfying the director that he has had a minimum of one year of experience as a real estate salesman in this state or in another state having comparable requirements or is, in the opinion of the director, otherwise and similarly qualified, or is otherwise qualified by reason of practical experience in a business allied with or related to real estate.

[R.C.W. 18.85.090 was derived from Rem. Supp. 1941, § 8340-38, part (excepting the proviso).]

Amendment. SEC. 8. Section 18.85.100, R.C.W., as derived from section 6, chapter 252, Laws of 1941, is amended to read as follows:

License required. It shall be unlawful for any person to act as a real estate broker, associate real estate broker, or real estate salesman without first obtaining a license therefor, and otherwise complying with the provisions of this chapter.

Action for collection of compensation. No suit or action shall be brought for the collection of compensation as a real estate broker, associate real estate broker, or real estate salesman, without alleging and proving that the plaintiff was a duly licensed real estate broker, associate real estate bro-



ker, or real estate salesman at the time the alleged cause of action arose.

[R.C.W. 18.85.100 was derived from Rem. Supp. 1941, §§ 8340-29 and 8340-48.]

SEC. 9. Section 18.85.110, R.C.W., as derived from section 3, chapter 252, Laws of 1941, is amended to read as follows: Amendment.

This chapter shall not apply to (1) any person who purchases property and/or a business opportunity for his own account, or who, as the owner of property, and/or a business opportunity, in any wise disposes of the same; nor, (2) any duly authorized attorney in fact, or an attorney at law in the performance of his duties; nor, (3) any receiver, trustee in bankruptcy, executor, administrator, guardian, or any person acting under the order of any court, or selling under a deed of trust; nor, (4) any escrow agent. Exclusions from operation of chapter.

[Am. Rem. Supp. 1941, § 8340-26.]

SEC. 10. Section 18.85.120, R.C.W., as derived from section 1, chapter 203, Laws of 1947, is amended to read as follows: Amendment.

Any person desiring to be a real estate broker, associate real estate broker, or real estate salesman must successfully pass an examination as provided in this act, and shall make application to the director for a license, and upon a form to be prescribed and furnished by the director, giving his full name and business address. With this application the applicant shall: License; application for.

(1) Pay an examination fee of fifteen dollars if a salesman's license is applied for and of twenty-five dollars if a broker's license is applied for, such fees to accompany the application. Examination fees.

(2) Deliver to the director a bond to the state of Washington in a form approved by the director, in the sum of five thousand dollars for a real estate broker or associate real estate broker, or in the sum of one thousand dollars for a real estate salesman, Surety bonds.

executed by a surety company authorized to do business in this state, and to be approved by the director, guaranteeing the faithful accounting of all funds entrusted to the applicant.

Corporation  
applicant.

(3) If the applicant is a corporation, furnish a list of its officers and directors and their addresses, and if the applicant is a copartnership, a list of the members thereof and their addresses.

Non-resident  
applicant;  
irrevocable  
consent  
to suit.

(4) If the applicant is a non-resident of this state, give an irrevocable consent that suits and actions may be commenced against him in any county of this state in which the plaintiff resides, and that service of any process or pleadings may be made by delivery thereof to the director. Such service shall be held in all courts as valid and binding upon the applicant. The irrevocable consent shall be in a form prescribed by the director, acknowledged before a notary public and, if the applicant is a corporation, shall be accompanied by a certified copy of the resolution of the board of directors authorizing the execution of the same. Any process or pleading so served upon the director shall be in duplicate copies, one of which shall be filed in the office of the director, and the other immediately forwarded by registered mail to the office address of the applicant given in his application, and service shall be deemed to have been made upon the applicant on the third day following the deposit in the mail of such copy.

Other  
proof.

(5) Furnish such other proof as the director may require concerning the honesty, truthfulness, and good reputation of any applicant for a license, or of the officers of a corporation making the application.

[R.C.W. 18.85.120 was derived from Rem. Supp. 1947, § 8340-34, part (except subsection (a) and the provisos of the second para. of subsection (e)); and from Rem. Supp. 1947, § 8340-39 which was inserted as subsection (1) of 18.85.120 in lieu of subsection (a) of § 8340-34.) Subdivision (a) of § 8340-34 has been codified as R.C.W. 18.85.140. The provisos of second para. of subsection (e) appear respectively in R.C.W. 18.85.140 and 18.85.150.]

SEC. 11. Section 18.85.130, R.C.W., as derived from section 2, chapter 252, Laws of 1941, as amended, is amended to read as follows: Amendment.

The director shall provide each original applicant for a license with a manual containing a sample list of questions and answers pertaining to real estate law and the operation of the business and shall ascertain by written examination, that each applicant, and in case of a corporation, or copartnership, that each officer, agent, or member thereof whom it proposes to act as a licensee, has: Sample of questions and answers furnished.

(1) Appropriate knowledge of the English language, including reading, writing, spelling, and arithmetic; Subjects:

(2) An understanding of the principles of real estate conveyancing, the general purposes and legal effect of deeds, mortgages, land contracts of sale, exchanges, rental and option agreements, and leases; knowledge of English language,

(3) An understanding of the principles of land economics and appraisals; principles of real estate,

(4) An understanding of the obligations between principal and agent; land economics,

(5) An understanding of the principles of real estate practice and the canons of business ethics pertaining thereto; and agency,

(6) An understanding of the provisions of this chapter. business ethics,

The examination for real estate brokers shall be more exacting than that for real estate salesman. understanding of act.

[R.C.W. 18.85.130 was derived from Rem. Supp. 1947, § 8340-35, part (except the provisos which are codified in adjoining sections of R.C.W.).] Brokers' examination more exacting.

SEC. 12. Section 18.85.140, R.C.W., as derived from section 12, chapter 252, Laws of 1941, is amended to read as follows: Amendment.

Before receiving his license, every real estate broker, associate real estate broker, or real estate salesman must pay a license fee of five dollars to the state treasurer. Every license issued under the provisions of this chapter expires on the thirty-first License fee.

Renewal fee. day of December of the year of its issue. On or before the first day of January thereafter an annual renewal license fee of five dollars must be paid.

Delinquency. If the application for a renewal license is not received by the director on or before January first, the renewal license fee shall be ten dollars. Acceptance by the director of an application for renewal after January first shall not be a waiver of the delinquency.

[R.C.W. 18.85.140 was derived from subsection (a) of Rem. Supp. 1947, § 8340-34 and the first proviso of that section and the first proviso in Rem. Supp. 1947, § 8340-35.]

Amendment. SEC. 13. Section 18.85.150, R.C.W., as derived from section 2, chapter 203, Laws of 1947, is amended to read as follows:

Temporary salesman's license. The director may issue a temporary salesman's license pending examination, to any applicant who, in his opinion is qualified, except for the examination provided for in this chapter. Such temporary license shall be valid only until the results of the next examination for licensees are available which in no event shall be longer than six months: *Provided*, That should an applicant fail to pass his first examination, the director may in his discretion extend the temporary salesman's license until such time as the results of the applicant's second examination shall become available, which shall in no event be longer than six months. A temporary broker's license may be issued to the legally accredited representative of a deceased broker which shall be valid only until the results by the next examination become available and shall not be renewable.

Temporary broker's license.

[R.C.W. 18.85.150 was derived from Rem. Supp. 1947, § 8340-34, last proviso and last sentence of Rem. Supp. 1947, § 8340-35.]

Amendment. SEC. 14. Section 18.85.170, R.C.W., as derived from section 2, chapter 111, Laws of 1945, is amended to read as follows:

Licensee to act under his own name. No license issued under the provisions of this chapter shall authorize any person other than the

person to whom it is issued to do any act by virtue thereof nor to operate in any other manner than under his own name except: Exceptions.

(1) When a license is issued to a corporation it shall entitle one officer thereof, to be named by the corporation in its application, who shall qualify the same as any other agent, to act as a real estate broker on behalf of said corporation, without the payment of additional fees; Corporation.

(2) When a license is issued to a copartnership it shall entitle one member thereof to be named in the application, who shall qualify to act as a real estate broker on behalf of the copartnership, without the payment of additional license fees; Partnership.

(3) A licensed broker, associate broker, or salesman may operate and/or advertise under a name other than the one under which the license is issued by obtaining the written consent of the director to do so. Where consent given by director.

[Am. Rem. Supp. 1945, § 8340-33.]

SEC. 15. Section 18.85.180, R.C.W., as derived from section 1, chapter 252, Laws of 1941, is amended to read as follows: Amendment.

Every licensed real estate broker must have and maintain an office in this state accessible to the public which shall serve as his office for the transaction of business. Any office so established must comply with the zoning requirements of city or county ordinances and the broker's license must be prominently displayed therein. Broker's offices.

[R.C.W. 18.85.180 was derived from Rem. Supp. 1947, § 8340-41, first sentence and first proviso.]

SEC. 16. Section 18.85.230, R.C.W., as derived from section 3, chapter 203, Laws of 1947, is amended to read as follows: Amendment.

The director may, upon his own motion, and shall upon verified complaint in writing by any person, investigate the actions of any person engaged in the business or acting in the capacity of a Director may make investigations.

real estate broker, associate real estate broker, or real estate salesman, regardless of whether the transaction was for his own account or in his capacity as broker, and may temporarily suspend or permanently revoke or deny the license of any holder who is guilty of:

Suspension,  
revocation  
of license,  
when:

license  
wrongfully  
issued,

(1) Obtaining a license by means of fraud, misrepresentation, concealment, or through the mistake or inadvertence of the director;

violation  
of act,

(2) Violating any of the provisions of this chapter or any lawful rules or regulations made by the director pursuant thereto;

criminal  
conduct,

(3) A crime against the laws of this or any other state or government, involving moral turpitude or dishonest dealings;

false state-  
ments,

(4) Making, printing, publishing, distributing, or causing, authorizing, or knowingly permitting the making, printing, publication or distribution of false statements, descriptions or promises of such character as to reasonably induce any person to act thereon to his damage or injury, if the statements, descriptions or promises purport to be made or to be performed by either the licensee or his principal and the licensee then knew or, by the exercise of reasonable care and inquiry, could have known, of the falsity of the statements, descriptions or promises;

fraudulent  
conduct,

(5) Knowingly committing, or being a party to, any material fraud, misrepresentation, concealment, conspiracy, collusion, trick, scheme or device whereby any other person lawfully relying upon the word, representation or conduct of the licensee acts to his injury or damage;

employing  
unlicensed  
salesman,

(6) Accepting the services of, or continuing in a representative capacity, any salesman who has not been granted a license, or after his license has been revoked or during a suspension thereof;

(7) Conversion of any money, contract, deed, note, mortgage, or abstract or other evidence of title, to his own use or to the use of his principal or of any other person, when delivered to him in trust or on condition, in violation of the trust, or before the happening of the condition; and failure to return any money or contract, deed, note, mortgage, abstract or other evidence of title within thirty days after the owner thereof is entitled thereto, and makes demand therefor, shall be *prima facie* evidence of such conversion;

(8) Failing, upon demand, to disclose any information within his knowledge to, or to produce any document, book or record in his possession for inspection of the director or his authorized representatives acting by authority of law;

(9) Continuing to sell any real estate, or operating according to a plan of selling, whereby the interests of the public are endangered, after the director has, by order in writing, stated objections thereto;

(10) Committing any act of fraudulent or dishonest dealing;

(11) Advertising in any manner without affixing the broker's name as licensed, and in the case of a salesman or associate broker, without affixing the name of the broker as licensed for whom or under whom the salesman or associate broker operates, to the advertisement;

(12) Accepting other than cash or its equivalent as earnest money unless that fact is communicated to the owner prior to his acceptance of the offer to purchase, and such fact is shown in the earnest money receipt;

(13) Charging or accepting compensation from more than one party in any one transaction without first making full disclosure of all the facts to all the parties interested in the transaction;

undisclosed commissions, etc.,

(14) Accepting, taking or charging any undisclosed commission, rebate or direct profit on expenditures made for the principal;

charging for appraisal on a predetermined value,

(15) Accepting employment or compensation for appraisal of real property contingent upon reporting a predetermined value;

issuing appraisal report, when,

(16) Issuing an appraisal report on any real property in which the broker or salesman has an interest unless his interest is clearly stated in the appraisal report;

misrepresentation of membership,

(17) Misrepresentation of his membership in any state or national real estate association;

violations.

(18) Any violation of sections 18.85.310 or 18.85.320.

[Am. Rem. Supp. 1947, § 8340-42.]

[R.C.W. 18.85.310 appears *infra* as sec. 19 of this chapter.]

[18.85.320 is Rem. Supp. 1947, § 8340-49.]

Amendment.

SEC. 17. Section 18.85.290, R.C.W., as derived from section 20, chapter 252, Laws of 1941, as amended, is amended to read as follows:

Appeal based on record.

The superior court to which the appeal is taken shall summarily hear and determine the question involved upon the appeal, and such determination shall be based solely on the transcript of the record. Should the court find that the director has exceeded his authority or that his findings are not supported by a fair preponderance of the evidence, the order of the director shall be reversed or modified.

Stay terminated, when.

If said appellant shall fail to perfect his appeal or fail to pay the expense of preparing the transcript as provided herein, said stay of proceedings shall automatically terminate.

Appeal to supreme court.

An appeal may be taken by an appellant whose license has been revoked or suspended by the director, from the final order of the superior court. The proceedings on appeal to the supreme court shall be limited to a review of the proceedings by the director and the superior court in the same manner and subject to the same procedure and require-



ments as provided for in the case of an appeal in a civil action from a judgment of the superior court of this state.

[R.C.W. 18.85.290 was derived from the last two complete sentences of Rem. Supp. 1945, § 8340-43. Last para. of 18.85.290 is new.]

SEC. 18. Section 18.85.300, R.C.W., as derived from section 3, chapter 118, Laws of 1943, is amended to read as follows: Amendment.

Every bond given under the provisions of this chapter, after approval by the director, shall be filed in his office. Any person who may be damaged by the wrongful conversion of trust funds by any real estate broker, associate real estate broker, or real estate salesman, shall, in addition to other legal remedies, have a right of action on such bond for all damages not exceeding five thousand dollars against a broker or one thousand dollars against a salesman. The aggregate liability of the surety upon the bond of any real estate broker, associate real estate broker, or real estate salesman for all claims which may arise thereunder shall not exceed the sum specified therein. Bonds filed with director.

[Am. Rem. Supp. 1943, § 8340-40.]

SEC. 19. Section 18.85.310, R.C.W., as derived from section 18, chapter 203, Laws of 1947, is amended to read as follows: Amendment.

Every licensed real estate broker shall keep adequate records of all real estate transactions handled by or through him. The records shall include, but are not limited to, a copy of the earnest money receipt, and an itemization of the broker's receipts and disbursements with each transaction. These records and all other records hereinafter specified shall be open to inspection by the director or his authorized representatives. Brokers; records required to be kept.

Every real estate broker shall also deliver or cause to be delivered to all parties signing the same, at the time of signing, conformed copies of all ear- Inspection.  
Copies of earnest money receipts, etc., to parties.

nest money receipts, listing agreements and all other like or similar instruments signed by the parties, including the closing statement.

Broker to keep separate real estate fund accounts.

Every real estate broker shall also keep separate real estate fund accounts in a recognized Washington state depository authorized to receive funds in which shall be kept separate and apart and physically segregated from licensee broker's own funds, all funds or monies of clients which are being held by such licensee broker pending the closing of a real estate sale or transaction, or which have been collected for said client and are being held for disbursement for or to said client.

Violations grounds for revocation of license.

Any violation by a real estate broker of any of the provisions of this section, or section 18.85.230, shall be grounds for revocation of the licenses issued to the broker.

[First and last para. of R.C.W. 18.85.310 were derived from 2nd para. of Rem. Supp. 1947, § 8340-41. Second and 3rd para. of 18.85.310 are new.]

[R.C.W. 18.85.230 appears as sec. 16, *supra*, this chapter.]

Amendment.

SEC. 20. Section 18.85.340, R.C.W., as derived from section 23, chapter 252, Laws of 1941, is amended to read as follows:

Violation of act a gross misdemeanor.

Any person acting as a real estate broker, associate real estate broker, or real estate salesman, without a license, or violating any of the provisions of this chapter, shall be guilty of a gross misdemeanor.

[Am. Rem. Supp 1941, § 8340-46.]

New section.

SEC. 21. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as last amended by chapter 203, Laws of 1947, to read as follows:

Non-resident broker's license.

A nonresident broker may apply for and be issued a nonresident broker's license upon compliance with all of the provisions of this act. He shall not be required to maintain a definite place of business within this state, but shall retain in this state all

funds arising from transactions within this state, until such funds are distributed to the proper parties involved, and he shall be subject to the requirements of this act relating to the handling and depositing of closing funds.

Any privileges accorded herein to a nonresident shall apply only to a licensed real estate broker of one year's experience or more and only so long as the broker shall (1) maintain an active place of business within the state of his domicile, and (2) maintain his license in good standing in the state of his domicile: *Provided*, That such nonresident is domiciled in a state which extends similar recognition and courtesies to licensed real estate brokers of this state. When any broker moves into this state from a state having similar reciprocal laws and desires a license, and if such broker has maintained a license in his home state in good standing prior to his moving into this state, he shall, in the discretion of the director, be required to take the state examination for a license.

Conditions  
for non-  
resident's  
license.

Reciprocity.

[R.C.W. 18.85 is Rem. Supp. 1941, §§ 8340-24 to 8340-50 as amended.]

SEC. 22. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as amended, to read as follows:

New section.

The regulatory provisions of this act shall apply to all nonresident brokers acting within this state.

Regulatory  
provisions  
of this act  
apply to  
nonresident  
brokers.

[See note to sec. 21.]

SEC. 23. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as amended, to read as follows:

New section.

The proceedings for revocation or suspension of a license or refusal to renew a license or accept an application for renewal shall be had on motion of the director or after a statement in writing verified by some person or persons familiar with the facts upon which the proposed revocation, suspension or refusal is based has been filed with the director. Upon

Revocation,  
etc., of  
licenses;  
procedure.

receipt of such statement or accusation, the director shall make a preliminary investigation of the facts charged to determine whether the statement or accusation is sufficient. If the director shall determine the statement or accusation is sufficient to require formal action, the director shall thereupon set the matter for hearing at a specified time and place. A copy of such order setting time and place and a copy of the verified statement shall be served upon the licensee involved not less than twenty days before the day appointed in the order for said hearing. The department of licenses, the licensee accused, and the person making the accusation may be represented by counsel at such a hearing. The director or his authorized representative shall hear and receive pertinent evidence and testimony.

[See note to sec. 21.]

SEC. 24. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as amended, to read as follows:

If the licensed person accused does not appear at the time and place appointed for the hearing in person or by counsel, the hearing officer may proceed and determine the facts of the accusation in his absence. The proceedings may be conducted at places within the state convenient to all persons concerned as determined by the director, and may be adjourned from day to day or for longer periods. The hearing officer shall cause a transcript of all such proceedings to be kept by a reporter and shall upon request after completion thereof, furnish a copy of such transcript to the licensed person accused in such proceedings at the expense of the licensee. The hearing officer shall certify the transcript of proceedings to be true and correct. If the director finds that the statement or accusation is not proved by a fair preponderance of evidence, the director shall notify the licensee and

the person making the accusation and shall dismiss the case.

[See note to sec. 21.]

SEC. 25. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as amended, to read as follows: New section.

If the director shall decide, after such hearing, that the evidence supports the accusation by a preponderance of evidence, he may revoke the license in question or withhold renewal of any such license or suspend any such license. In such event he shall enter an order to that effect and shall file the same in his office and immediately mail a copy thereof to the affected party at the address of record with the department. Such order shall not be operative for a period of ten days from the date thereof. If the licensee or applicant shall feel aggrieved by the decision of the director revoking or withholding the license, he may appeal to the superior court in the county in which he has his principal place of business by giving notice of such appeal to the director, and giving a cash bond to the state of Washington, which bond shall be filed with the clerk of the court of said county, in the sum of five hundred dollars to be approved by the judge of said court, conditioned to pay all costs that may be awarded against such appellant in the event of an adverse decision, such bond and notice to be filed within ten days from the date of the director's decision. Order of revocation or withholding of renewal.

When operative.

Appeal to superior court.

[See note to sec. 21.]

SEC. 26. There is added a new section to chapter 18.85, R.C.W., as derived from chapter 252, Laws of 1941, as amended, to read as follows: New section.

The filing of such notice and bond shall supersede the order of the director until the final determination of such appeal. The director shall prepare at appellant's expense and shall certify a transcript of the whole record to the director's office of all matters in- Filing of bond supersedes order.

Transcript.

Cost and  
filing  
transcript  
charged to  
appellant.

volved in the appeal, which shall be thereupon delivered by the director to the court in which the appeal is pending. The appellant shall be notified of the filing of the transcript and the cost thereof and shall within fifteen days thereafter pay the cost of said transcript. If the cost is not paid in full within fifteen days the appeal shall be dismissed.

[See note to sec. 21.]

Partial  
invalidity.

SEC. 27. The provisions of this act are to be severable and if any section, subdivision, or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of the act.

Repealing  
clause.

SEC. 28. Sections 18.85.160, 18.85.250, 18.85.260, 18.85.270 and 18.85.280, R.C.W., as derived from chapter 252, Laws of 1941, as amended, are repealed.

[R.C.W. 18.85.160 is Rem. Supp. 1947, § 8340-35, first and second provisos; 18.85.250 is Rem. Supp. 1945, § 8340-43, first two sentences; 18.85.260 is Rem. Supp. 1945, § 8340-43, third and fourth sentences; 18.85.270 is Rem. Supp. 1945, § 8340-43, fifth and sixth sentences; 18.85.280 is Rem. Supp. 1945, § 8340-43, seventh and ninth sentences.]

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

## CHAPTER 223.

[ H. B. 436. ]

## COMMITMENT AND RELEASE OF SEXUAL PSYCHOPATHIC PERSONS AND PSYCHOPATHIC DELINQUENTS.

AN ACT relating to the commitment, detention, confinement and release of sexual psychopathic persons and psychopathic delinquents; adding a new chapter to Title 71, R.C.W., and repealing sections 71.12.210 to 71.12.450, both inclusive, R.C.W., and sections 70.86.010 to 70.86.100, both inclusive, R.C.W.

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

SECTION 1. This act shall constitute a new chapter under title 71, R.C.W. New chapter.

SEC. 2. As used in this chapter, the following terms shall have the following meanings: "Psycho-pathic personality."

"Psychopathic personality" means the existence in any person of such hereditary, congenital or acquired condition affecting the emotional or volitional rather than the intellectual field and manifested by anomalies of such character as to render satisfactory social adjustment by such person difficult or impossible.

"Sexual psychopath" means any person who is affected in a form of psychoneurosis or in a form of psychopathic personality, which form predisposes such person to the commission of sexual offenses in a degree constituting him a menace to the health or safety of others, and who is not mentally ill or mentally deficient. "Sexual psychopath."

"Sex offense" means one or more of the following: "Sex offense."  
Abduction, incest, rape, assault with intent to commit rape, indecent assault, contributing to the delinquency of a minor involving sexual misconduct, sodomy, indecent exposure, indecent liberties with children, carnal knowledge of children, soliciting or enticing a child for immoral purposes, vagrancy involving immoral or sexual misconduct, or an attempt to commit any of the said offenses.

"Psycho-pathic delinquent."

"Psychopathic delinquent" means any minor who is psychopathic, and who is a habitual delinquent, if his delinquency is such as to constitute him a menace to the health, person, or property of himself or others, and the minor is not a proper subject for commitment to a state correctional school, to a state school for the mentally deficient as a mentally deficient person, or to a state hospital as a mentally ill person.

"Minor."

"Minor" means any person under twenty-one years of age.

"Department."

"Department" means department of public institutions.

"Court."

"Court" means the superior court of the state of Washington.

"Superintendent."

"Superintendent" means the superintendent of a state institution designated for the custody, care and treatment of sexual psychopaths or psychopathic delinquents.

Persons charged with a sex offense; petition alleging person to be a sexual psychopath.

SEC. 3. Where any person is charged in the superior court in this state with a sex offense and it appears that such person is a sexual psychopath, the prosecuting attorney may file a petition in the criminal proceeding, alleging that the defendant is a sexual psychopath and stating sufficient facts to support such allegation. Such petition must be filed and served on the defendant or his attorney at least ten days prior to hearing on the criminal charge.

Hearings.

SEC. 4. The court may proceed to hear the criminal charge. If the defendant is convicted or has previously plead guilty to such charge, sentence shall be pronounced, and the court shall then proceed to hear and determine the allegation of sexual psychopathy. Acquittal on the criminal charge shall not operate to suspend the hearing on the allegation of sexual psychopathy.

Preliminary hearing.

SEC. 5. At a preliminary hearing upon the charge of sexual psychopathy, the court may require the



testimony of two duly licensed physicians who have examined the defendant. If the court finds that there are reasonable grounds to believe the defendant is a sexual psychopath, the court shall order said defendant confined at the nearest state hospital for observation as to the existence of sexual psychopathy. Such observation shall be for a period of not to exceed ninety days. The defendant shall be detained in the county jail or other county facilities pending execution of such observation order by the department of public institutions.

Order of confinement for observation.

SEC. 6. Upon completion of said observation period the superintendent of the state hospital shall return the defendant to the court, together with a written report of his findings as to whether or not the defendant is a sexual psychopath and the facts upon which his opinion is based.

Defendant returned after observation with report.

SEC. 7. After the superintendent's report has been filed, the court shall determine whether or not the defendant is a sexual psychopath. If said defendant is found to be a sexual psychopath, the court shall commit him to such facility as may be designated by the department of public institutions for the care and treatment of sexual psychopaths. If the defendant is found not to be a sexual psychopath, the court shall order the sentence to be executed, or may proceed to hear the criminal charge, or may discharge the defendant as the case may merit.

Determination by the court.

SEC. 8. A sexual psychopath committed pursuant to section 7 shall be retained by the superintendent of the institution involved until in his opinion he is safe to be at large, whereupon:

Person committed until safe, whereupon:

(1) If the sexual psychopath had been convicted of, or had plead guilty to the criminal charge, and the maximum sentence for such crime has not expired, the superintendent shall certify his opinion to the board of prison terms and paroles.

Maximum sentence unexpired, superintendent's opinion certified to board.

Where maximum sentence expired, person to be paroled.

(2) If the maximum sentence for the criminal charge has expired, the superintendent shall parole such sexual psychopath under terms and conditions as he may deem advisable.

Person returned to committing court, when.

(3) If the maximum sentence for the criminal charge has not expired and the sexual psychopath has not plead guilty to or been convicted of such charge, the superintendent shall return the sexual psychopath to the committing court, which court may thereupon proceed to hear and determine the criminal charge.

Where person certified as safe; board to set sentence.

SEC. 9. Where pursuant to section 8 (1) the superintendent certifies his opinion that the sexual psychopath is safe to be at large to the board of prison terms and paroles, such board shall proceed to determine the minimum sentence as in other criminal cases, and shall order the defendant transferred to the proper penal institution or released on parole, as the case may merit.

Same; board or court to be furnished copies of medical record.

SEC. 10. Where under section 8 the superintendent certifies his opinion that the sexual psychopath is safe to be at large, he shall provide the board of prison terms and paroles, or the committing court, with a copy of the hospital medical record concerning the sexual psychopath so certified.

State hospitals.

SEC. 11. The department may designate one or more state hospitals for the care and treatment of sexual psychopaths.

After five years on parole person may be discharged.

SEC. 12. Where a sexual psychopath has been paroled by the superintendent for a period of five years, the superintendent shall review his hospital record and when the superintendent is satisfied that the sexual psychopath remains safe to be at large, said sexual psychopath shall be discharged.

Credit for time in hospital.

SEC. 13. Time served by a sexual psychopath in a state hospital shall count as part of his sentence

whether such sentence is pronounced before or after adjudication of his sexual psychopathy.

SEC. 14. A jury may be demanded to determine the question of sexual psychopathy upon hearing after return of the superintendent's report. Such demand must be in writing and filed with the court within ten days after filing of the petition alleging the defendant to be a sexual psychopath.

Sexual psychopathy; demand for jury.

SEC. 15. Nothing in this act shall be construed as to affect the procedure for the ordinary conduct of criminal trials as otherwise set up by law. Nothing in this act shall be construed to prevent the defendant, his attorney or the court of its own motion, from producing evidence and witnesses at the hearing on the probable existence of sexual psychopathy or at the hearing after the return of the superintendent's report. Nothing in this act shall be construed as affecting the laws relating to the criminally insane or the insane criminal, nor shall this act be construed as preventing the defendant from raising the defense of insanity as in other criminal cases.

Rights and matters not affected by act.

SEC. 16. A petition alleging that a person is a psychopathic delinquent and requesting that such person be brought before the court for hearing may be filed in the superior court of the county wherein such person is found. Such petition shall be made under oath and shall state the facts upon which the allegation is based. Such petition may be filed by any of the following persons:

Psychopathic delinquent; petition.

(1) The parent, guardian, or other person charged with the support of the alleged psychopathic delinquent.

Persons who may file:

Parent or guardian,

(2) Any county prosecuting attorney.

Prosecuting attorneys,

(3) Any duly appointed representative of the school district in which the alleged psychopathic delinquent resides.

school district representatives,

welfare officials.

(4) Any official of a public or private welfare agency.

superintendent.

(5) Any superintendent of a state institution.

persons directed by court.

(6) Any person when so directed by the juvenile court or the criminal department of the superior court.

Person under juvenile court jurisdiction.

Where the person alleged to be a psychopathic delinquent is under the jurisdiction of the juvenile court, such petition shall be filed only under the order of such juvenile court.

Time for preliminary hearing fixed.

SEC. 17. Upon filing of such petition the court shall fix a time and place for preliminary hearing, which shall give opportunity for the service of notice and the production and examination of witnesses. For the purpose of conducting hearings under this chapter, the court may be convened at any time and place within the county wherein the court resides and such hearing may be closed to the general public unless the guardian, attorney or guardian *ad litem* representing the alleged psychopathic delinquent demands an open hearing as in other civil actions.

Hearing may be closed.

Warrant of apprehension.

SEC. 18. The court at its discretion may issue a warrant of apprehension ordering the alleged psychopathic delinquent to be apprehended and detained pending preliminary hearing, which warrant shall be executed by the sheriff or other person designated by the court. Alleged psychopathic delinquents may be detained in county juvenile detention facilities or in the custody of some suitable person or agency at the discretion of the court.

Detention facilities.

Preliminary hearing.

SEC. 19. Upon preliminary hearing the court shall inquire into the mental condition, delinquency record, character, and personality of the alleged psychopathic delinquent, and for this purpose shall require the testimony of two duly licensed physicians who shall have examined the alleged psychopathic

Testimony of physicians required.

delinquent. Such physicians shall file a written report of their examination and shall testify as to whether or not the minor is a psychopathic delinquent, and the facts upon which such findings are based. The court, petitioner, or guardian, or guardian *ad litem* representing the alleged psychopathic delinquent may produce such witnesses as they may desire and subpoenas may issue for such purposes.

Other  
witnesses.

SEC. 20. If the court finds that there are reasonable grounds to believe that the minor filed against is a psychopathic delinquent, it shall order such person to be detained at the nearest state hospital for the purpose of observation and examination by the superintendent thereof. Such observation shall be for a period not to exceed ninety days. Upon completion of such observation and examination the superintendent of such state hospital shall so notify the committing court, which shall cause the return of the alleged psychopathic delinquent and the superintendent shall file as promptly as possible his written report setting forth the facts upon which he bases his conclusion that the minor is or is not a psychopathic delinquent.

Psychopathic  
delinquency;  
minor  
detained for  
observation.

Return and  
report.

SEC. 21. The court shall thereupon set a date for hearing on the petition, at which hearing the guardian, petitioner, attorney, or the court of its own motion, may produce additional witnesses and evidence and may require the attendance of the superintendent as a witness. Notice of such hearing shall be given pursuant to the provisions of section 17. If the court finds that the minor is a psychopathic delinquent, the court shall order such person committed to such institution as may be designated by the department of public institutions for the custody, care and treatment of psychopathic delinquents, until released by the superintendent thereof, which order shall be executed by the sheriff or other person designated by the court.

Hearing on  
petition.

Notice.

Commitment  
where minor  
found to be a  
psychopathic  
delinquent.

Psychopathic delinquency; jury trial.

SEC. 22. The alleged psychopathic delinquent shall have the right to trial by jury, but demand for such trial must be filed by the guardian or attorney representing the minor on or before the date of preliminary hearing. Where such demand is filed, the court shall set a date for trial and the jury shall determine the question of psychopathic delinquency but such jury trial shall be had only after return of the superintendent's report following the preliminary period of observation. If the jury finds the minor to be a psychopathic delinquent, the court shall order such minor committed as provided for in section 21. Such minor may be detained pending jury trial as provided for in section 18.

Jury to determine issue.

Psychopathic delinquents; parole.

SEC. 23. Any persons committed under the provisions of this act may be paroled by the superintendent of the institution wherein such person is confined whenever the superintendent is of the opinion that such person has improved to an extent that he is no longer a menace to the health, lives or property of himself or others. Such opinion shall be certified to the committing court and unless within thirty days the court orders the return of such person, the superintendent may parole him upon such conditions as the superintendent may deem advisable. After five years the superintendent shall review the record of such psychopathic delinquent, and if in his opinion such psychopathic delinquent remains safe to be at large, he shall discharge him.

Discharge, when.

Minor charged with a crime; petition of psychopathic delinquency.

SEC. 24. If a minor is brought before the juvenile court or is charged with a crime in a superior court and it appears to such court at any time prior to the execution of sentence that such minor is a psychopathic delinquent, the superior court or juvenile court may suspend proceedings, and, if a superior court, may direct the prosecuting attorney to file a petition under the provisions of this chapter, or if a juvenile court, may direct the juvenile court proba-

tion officer to file a petition under the provisions of this chapter. If the minor is found to be a psychopathic delinquent under this chapter, the court ordering such petition to be filed shall dismiss other pending proceedings. If the minor is found not to be a psychopathic delinquent, he shall be returned to the superior court or juvenile court ordering filing of such petition for further proceedings.

Finding of psychopathic delinquency.

Finding of no psychopathic delinquency.

SEC. 25. The director of the department of public institutions may designate any existing state institutions or portion thereof for the care and treatment of psychopathic delinquents: *Provided, however,* That such institution shall provide psychiatric care and treatment. Psychopathic delinquents committed under this chapter shall be subject to all laws pertaining to the administration of the institution in which confined.

Director may designate institution to care for minor.

SEC. 26. Hearings held under the provisions of this act relative to psychopathic delinquents shall be handled as probate matters.

Hearings as probate matter.

SEC. 27. At the time any person is committed as a sexual psychopath or psychopathic delinquent the court shall determine the financial ability of said person, or his parents if he is a minor, or other relatives to pay the cost of care, meals and lodging during his period of hospitalization. Such cost shall be determined by the department of public institutions. Findings of fact shall be made relative to the ability to pay such cost and a judgment entered against the person or persons found to be financially responsible and directing the payment of said cost, or such part thereof as the court may direct. The person committed, or his parents or relatives, may apply for modification of said judgment, or the order last entered by the court, if a proper showing of equitable grounds is made therefor.

Relative responsibility for cost of hospitalization; judgment.

Repealing  
clause.

SEC. 28. Sections 71.12.210 to 71.12.450, R.C.W., as derived from sections 26 to 50, both inclusive, chapter 198, Laws of 1949, and sections 70.86.010 to 70.86.100, both inclusive, R.C.W., as derived from chapter 273, Laws of 1947, are repealed.

[R.C.W. 71.12.210 to 71.12.450 is Rem. Supp. 1949, §§ 6953-26 to 6953-51 incl.; R.C.W. 70.86.010 to 70.86.100 is Rem. Supp. 1947, §§ 2252-10 to 2252-15 incl.]

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

---

CHAPTER 224.

[ H. B. 490. ]

PLATTING SUBDIVISION AND DEDICATION OF LAND.

AN ACT relating to the platting, subdivision and dedication of land, and amending section 58.16.100, R.C.W.

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

Amendment.

SECTION 1. Section 58.16.100, R.C.W., as derived from section 11, chapter 186, Laws of 1937, is amended to read as follows:

Penalty for  
sale of land  
by use of  
plat before  
plat  
approved.

The owner or agent of the owner of land located in a plat or subdivision, who transfers or sells, or agrees to sell or option any land by reference to or exhibition of or by any other use of a plat or map of a subdivision, before it has been approved and filed shall forfeit and pay a penalty of one hundred dollars for each lot or parcel so transferred, or sold or agreed or optioned to be sold. The description of the lot by metes and bounds in the instrument of transfer, agreeing or optioning, shall not exempt the transaction from the penalty, or from the remedies herein provided. The city, town, or county authority may enjoin the transfer, sale agreement, or option by action in the superior court, or may recover the

Sale may be  
enjoined.



penalty in a civil action: *Provided*, That such owner or his agent may without penalty file any contract of sale and/or deed transferring land when the contract was entered into prior to the year 1945, and the county auditor may accept the same for filing without penalty if such contract and/or deed are first submitted to the prosecuting attorney of the county concerned and such prosecutor finds that any non-compliance with the provisions of chapter 58.16, R.C.W., was due to error or inadvertence and that such filing will not disturb the existing pattern of platting, subdivision or dedication as to the whole area of land concerned.

Contracts entered into prior to 1945.

[Am. Rem. Supp. § 9304-11.]

[R.C.W. 58.16 is Rem. Supp. §§ 9304-1 to 9304-11 incl.]

SEC. 2. It is the responsibility of the state to provide a means for the identification and preservation of survey points for the description of common land boundaries in the interest of the people of the state. There is an immediate necessity for the adoption of a system of permanent reference as to boundary monuments. There is now no recognized agency for the establishment of survey points for the definition of land boundaries and a need for such an agency to coordinate and publish dependable surveys now in existence where the record has been obscured.

State's responsibility for preserving survey points.

SEC. 3. The engineering department of the department of public lands is hereby designated as the official agency for surveys and maps. The commissioner of public lands shall appoint an advisory board of five members, the majority of whom shall be registered professional engineers or land surveyors, who shall serve at the pleasure of the commissioner. Members of the board shall serve without salary but are to receive actual expenses not to exceed fifteen dollars *per diem* while actively engaged in the discharge of their duties.

Official agency for surveys and maps designated.

Advisory board.  
Members.

Expenses.

Powers and duties of agency.

SEC. 4. The commissioner of public lands and his engineering department and the advisory board are authorized to cooperate and advise with various departments and subdivisions of the state, counties, municipalities and registered engineers or land surveyors of the state for the following purposes:

(1) The recovery of section corners or other land boundary marks;

(2) The monumentation of accepted section corners, and other boundary and reference marks; said monumentation shall be adequately connected to adjusted United States coast and geodetic survey triangulation stations and the coordinates of the monuments computed to conform with the Washington coordinate system in accordance with the provisions of chapter 58.20, R.C.W., as derived from chapter 168, Laws of 1945;

(3) For facilitation and encouragement of the use of the Washington state coordinate system; and

(4) For promotion of the use of the level net as established by the United States coast and geodetic survey.

[R.C.W. 58.20 is Rem. Supp. 1945, §§ 10726-a to 10726-i incl.]

Qualifications of employees.

SEC. 5. All employees who are in responsible charge of work under the provisions of this act, shall be licensed professional engineers or land surveyors.

Other agency powers.

SEC. 6. The agency is further authorized to:

Establish standards.

(1) Set up standards of accuracy and methods of procedure;

Publish maps and maintain indexes.

(2) Compile and publish maps and records from surveys performed under the provisions of this act, and to maintain suitable indexes of surveys to prevent duplication of effort and to cooperate with all agencies of local, state, and federal government to this end;

Maintain records of surveys.

(3) Compile and maintain records of all surveys performed under the provisions of this act, and as-

semble and maintain records of all reliable survey monuments and bench marks within the state;

(4) Supervise the sale of maps and such publications as may come into the possession of the division of surveys and maps. Revenue derived from the sale thereof shall revert to the general fund; and

Supervise  
sale of maps.

(5) Submit, as part of the biennial report of the commissioner of public lands, a report of the accomplishments of the agency.

Reports.

SEC. 7. If any provision of this act shall be declared invalid, such invalidity shall not affect any other portion of this act which can be given effect without the invalid provision, and to this end the provisions of this act are declared to be severable.

Partial  
invalidity.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 225.

[ H. B. 533. ]

### INDUSTRIAL INSURANCE—BOARD OF APPEALS.

AN ACT relating to industrial insurance and the board of industrial insurance appeals; defining the board's functions and duties, providing for appeals and reviews in certain cases, regulating attorney's fees in such reviews and appeals, amending sections 51.52.010 to 51.52.150, inclusive, R.C.W., and adding new sections to chapter 51.52, R.C.W.

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

SECTION 1. Section 51.52.010, R.C.W., as derived from section 2, chapter 219, Laws of 1949, is amended to read as follows:

Amendment.

There shall be a "board of industrial insurance appeals," hereinafter called the "board," consisting of three members appointed by the governor as hereinafter provided. One shall be a representative

"Board"

members.

Public's representative as chairman.

of the public and a lawyer, appointed from a mutually agreed to list of not less than three active members of the Washington state bar association, submitted to the governor by the two organizations defined below, and such member shall be the chairman of said board. The second member shall be a representative of the majority of workmen engaged in extra-hazardous employment and selected from a list of not less than three names submitted to the governor by an organization, state-wide in scope, which through its affiliates embraces a cross section and a majority of the organized labor of the state.

Workmen's representative.

Employer's representative.

The third member shall be a representative of employers engaged in extra-hazardous industry, and appointed from a list of at least three names submitted to the governor by a recognized state-wide organization of employers, representing a majority of employers who are substantial contributors to the industrial insurance and accident fund. The

Terms of office.

initial terms of office of the members of the board shall be for six, four, and two years respectively. Thereafter all terms shall be for a period of six years. Each member of the board shall be eligible for reappointment and shall hold office until his successor is appointed and qualified. In the event of a

Vacancies.

vacancy the governor is authorized to appoint a successor to fill the unexpired term of his predecessor. All appointments to the board shall be made in conformity with the foregoing plan. Members shall devote their entire time to the duties of the board and shall receive for their services a salary which shall be in addition to reasonable travel allowance as follows: The chairman shall receive the same salary as that provided for superior court judges in class A counties; the two remaining members shall each receive the same salary less the sum of five hundred dollars *per annum*. Headquarters for the

Compensation.

board shall be located in Olympia. The board shall adopt a seal which shall be judicially recognized.

[R.C.W. 51.52.010 was derived from Rem. Supp. 1949, § 10837-1.]

SEC. 2. Section 51.52.020, R.C.W., as derived from section 3, chapter 219, Laws of 1949, is amended to read as follows:

The board may make rules and regulations concerning its functions and procedure, which shall have the force and effect of law until altered, repealed, or set aside by the board: *Provided*, That the board may not delegate to any other person its duties of interpreting the testimony and making the final decision and order on appeal cases. All rules and regulations adopted by the board shall be printed and copies thereof shall be readily available to the public.

[R.C.W. 51.52.020 was derived from Rem. Supp. 1949, § 10837-2; part (first two sentences).]

SEC. 3. Section 51.52.030, R.C.W., as derived from section 3, chapter 219, Laws of 1949, is amended to read as follows:

The board may incur such expenses as are reasonably necessary to carry out its duties hereunder, which expenses shall be paid, one-half from the accident fund and one-half from the medical aid fund upon vouchers approved by the board.

[R.C.W. 51.52.030 was derived from Rem. Supp. 1949, § 10837-2; part (last two sentences).]

SEC. 4. Section 51.52.040, R.C.W., as derived from section 4, chapter 219, Laws of 1949, is amended to read as follows:

Any member of the board may be removed for inefficiency, malfeasance or misfeasance in office, upon specific written charges filed by the governor, who shall transmit the original of such written charges to the chief justice of the supreme court and a copy thereof to the member accused. The chief justice shall thereupon designate a special

tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time, place and procedure for the hearing, and the hearing shall be public. The decision of such tribunal shall be final and not subject to review.

[R.C.W. 51.52.040 was derived from Rem. Supp. 1949, § 10837-3.]

Amendment. SEC. 5. Section 51.52.050, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Whenever the department of labor and industries, hereinafter called the "department," has made any order, decision, or award, it shall promptly serve the workman, beneficiary, employer, or other person affected thereby, with a copy thereof by mail, which shall be addressed to such person at his last known address as shown by the records of the department. The copy, in case the same is a final order, decision, or award, shall bear on the same side of the same page on which is found the amount of the award, a statement, set in black faced type of at least ten point body or size, that such final order, decision, or award must be appealed to the board of industrial insurance appeals, Olympia, within sixty days, or the same shall become final.

Whenever the department has taken any action or made any decision relating to any phase of the administration of this title the workman, beneficiary, employer, or other person aggrieved thereby may appeal to the board and any such person aggrieved by the decision and order of the board may thereafter appeal to the superior court, as prescribed in this chapter.

[R.C.W. 51.52.050, first paragraph was derived from Rem. Supp. 1949, § 7697; part (first two sentences).]

Amendment. SEC. 6. Section 51.52.060, R.C.W., as derived from section 1, chapter 219, Laws of 1949, and section 6,

chapter 219, Laws of 1949, is amended to read as follows:

Any workman, beneficiary, employer, or other person aggrieved by any order, decision, or award of the department must, before he appeals to the courts, file with the board and the director of labor and industries, by mail or personally, within sixty days from the day on which such copy of such order, decision, or award was communicated to such person, a notice of appeal to the board: *Provided*, That failure to file notice of appeal with both the board and the department shall not be ground for denying the appeal if the notice of appeal is filed with either the board or the department: *Provided further*, That, if within the time limited for filing a notice of appeal to the board from an order, decision, or award of the department, the department shall direct the submission of further evidence or the investigation of any further fact, the time for filing such notice of appeal shall not commence to run until such person shall have been advised in writing of the final decision of the department in the matter: *Provided further*, That the department, either before receiving a notice of appeal, or within thirty days thereafter, may modify, reverse or change any order, decision, or award, and the person appealing to the board may thereupon withdraw his appeal.

Notice of appeal to the board; when and how filed.

Where department makes further inquiry.

Department may alter decision, when; effect.

[R.C.W. 51.52.060 was derived from Rem. Supp. 1949, § 7697; part (third sentence and first proviso) and from Rem. Supp. 1949, § 7679; part (proviso appearing in second paragraph of subsection h).]

SEC. 7. Section 51.52.070, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Amendment.

The notice on appeal to the board shall set forth in full detail the grounds upon which the person appealing considers such order, decision, or award is unjust or unlawful, and shall include every issue to be considered by the board, and it must contain

Notice of appeal; contents.

Objection or irregularities deemed waived, when.

Department to transmit record.

a detailed statement of facts upon which such workman, beneficiary, employer, or other person relies in support thereof. The workman, beneficiary, employer, or other person shall be deemed to have waived all objections or irregularities concerning the matter on which such appeal is taken other than those specifically set forth in such notice of appeal or appearing in the records of the department. The department shall promptly transmit its original record in such matter to the board.

[R.C.W. 51.52.070 was derived from Rem. Supp. 1949, § 7697; part (4th, 5th and 6th sentences to the proviso in the sixth sentence).]

Amendment.

SEC. 8. Section 51.52.080, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Appeal; confirmation of award or allowance of relief asked without hearing, when.

If the board finds that the department properly and lawfully decided all matters raised by such appeal it may, without further hearing, deny the same and confirm the department's decision or award, or if the department's record sustains the contention of the person appealing to the board, it may, without further hearing, allow the relief asked in such appeal; otherwise, it shall grant the appeal and order a hearing to decide the issues raised.

[R.C.W. 51.52.080 was derived from Rem. Supp. 1949, § 7697; part (sentence following first proviso).]

Amendment.

SEC. 9. Section 51.52.090, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Appeal deemed denied, when.

If the appeal is not granted within thirty days after the notice is filed with the board, the appeal shall be deemed to have been denied: *Provided*, That the board may extend the time within which it may act upon such appeal, not exceeding thirty days.

[R.C.W. 51.52.090 was derived from Rem. Supp. 1949, § 7697; part (second paragraph).]

New section.

SEC. 10. A new section is added to chapter 51.52, R.C.W., to read as follows:



The board, upon request of the workman, beneficiary, or employer, or upon its own motion, may direct all parties interested in an appeal, together with their attorneys, if any, to appear before it, a member of the board, or an authorized representative thereof, for a conference for the purpose of determining the feasibility of settlement, the simplification of issues of law and fact, the necessity of amendments to the notice of appeal or other pleadings, the possibility of obtaining admissions of fact and of documents which will avoid unnecessary proof, the limitation of the number of expert witnesses, and such other matters as may aid in the disposition of the appeal. Such conference may be held prior to the hearing, or it may be held during the hearing, at the discretion of the member or representative of the board conducting the same, in which case the hearing will be recessed for such conference. Following the conference, if held before hearing, the board shall make an order which recites the actions taken at the conference, and the agreements made by the parties as to any of the matters considered, and which limits the issues at hearings to those not disposed of by said admissions or agreements of the parties. If the conference is held during the hearing, the board, or the member or representative thereof conducting the same, shall state on the record the results of such conference. The order or the statement on the record, as the case may be, shall control the subsequent course of the proceedings, unless modified at a subsequent hearing to prevent manifest injustice. If agreement concerning final disposition of the appeal is reached by the parties present at the conference, or by the employer and workman or beneficiary, the board may enter a final decision and order in accordance therewith, providing the board finds such agreement is in conformity with the law and the facts.

Conference of all parties interested in an appeal.

Purposes.

Conference held, when.

Pre-hearing conference; order reciting results.

Conference during trial; results stated on the record.

Order or record controls subsequent proceedings.

Conference may be basis for final disposition of appeal.

SEC. 11. Section 51.52.100, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Hearings; where held. Hearings shall be held in the county of the residence of the workman or beneficiary, or in the county where the injury occurred, at a place designated by the board. Such hearing shall be *de novo* and summary, but no witness' testimony shall be received unless he shall first have been sworn to testify the truth, the whole truth and nothing but the truth in the matter being heard, or unless his testimony shall have been taken by deposition according to the statutes relating to superior courts of this state. The department shall be entitled to appear in all proceedings before the board and introduce testimony in support of its order. The board shall cause all oral testimony to be stenographically reported and thereafter transcribed, and when transcribed, the same, with all depositions, shall be filed in, and remain a part of, the record on the appeal. Such hearings on appeal to the board may be conducted by one or more of its members, or a duly authorized representative, and depositions may be taken by a person duly commissioned for the purpose by the board.

Oaths, subpoenas, depositions; powers and duties of members, representatives and persons commissioned. Members of the board, its duly authorized representatives, and all persons duly commissioned by it for the purpose of taking depositions, shall have power to administer oaths; to preserve and enforce order during such hearings; to issue subpoenas for, and to compel the attendance and testimony of, witnesses, or the production of books, papers, documents, and other evidence, or the taking of depositions before any designated individual competent to administer oaths, and it shall be their duty so to do; to examine witnesses; and to do all things conformable to law which may be necessary to enable them, or any of them, effectively to discharge the duties of his office.

If any person in proceedings before the board disobeys or resists any lawful order or process, or misbehaves during a hearing or so near the place thereof as to obstruct the same, or neglects to produce, after having been ordered so to do, any pertinent book, paper, or document, or refuses to appear after having been subpoenaed, or upon appearing refuses to take oath as a witness, or after having the oath refuses to be examined according to law, the board or any member or duly authorized representative thereof shall certify the facts to the superior court having jurisdiction in the place in which said board or member or duly authorized representative thereof is sitting; the court shall thereupon, in a summary manner, hear the evidence as to the acts complained of, and, if the evidence so warrants, punish such person in the same manner and to the same extent as for a contempt committed before the court, or commit such person upon the same conditions as if the doing of the forbidden act had occurred with reference to the proceedings, or in the presence, of the court.

Certain acts punishable as for contempt; procedure.

[R.C.W. 51.52.100 was derived from Rem. Supp. 1949, § 7697; part (sentence commencing on 7th line from bottom of p. 611 to end of paragraph, and all of 3rd and 4th paragraphs).]

SEC. 12. A new section is added to chapter 51.52, R.C.W., to read as follows: New section.

At the time and place fixed for hearing each party shall present all his evidence with respect to the issues raised in the notice of appeal, and if any party fails so to do, the board may determine the issues upon such evidence as may be presented to it at said hearing: *Provided*, That for good cause shown in the record to prevent hardship, the board may grant continuances upon application of any party, but such continuances, when granted, shall be to a time and place certain within the county where the initial hearing was held unless it shall appear that a continuance elsewhere is required in justice to inter-

Hearing; determination of issues upon evidence presented.

Continuances.

Continuance on board's motion for purpose of securing additional evidence.

ested parties: *And provided further*, That the board may continue hearings on its own motion to secure in an impartial manner such evidence, in addition to that presented by the parties, as the board, in its opinion, deems necessary to decide the appeal fairly and equitably, but such additional evidence shall be received subject to any objection as to its admissibility, and, if admitted in evidence all parties shall be given full opportunity for cross-examination and to present rebuttal evidence.

Right of cross-examination and rebuttal preserved.

New section.

SEC. 13. A new section is added to chapter 51.52, R.C.W., to read as follows:

Appeal; all members to consider record; majority decision.

On appeal to the board the record before it shall be considered by all of the members of the board, and the decision and order of the majority of the members shall be the decision and order of the board. Every final decision and order rendered by the board shall be in writing and shall contain findings and conclusions as to each contested issue of fact and law, as well as the board's order based thereon. In cases involving injured workmen the findings and conclusions shall contain a concise statement of the board's jurisdiction, the nature of the workman's injury, the pathological condition, if any, resulting therefrom, the physiological disability, if any, resulting from such pathological condition, and any other material facts pertinent to the case, as well as the relief, including the statutory percentage of disability, if any, to which the workman or beneficiary is entitled. A copy of the decision and order, including the findings and conclusions, shall be mailed to each party to the appeal and to his attorney of record.

Final decisions and orders; contents.

Copies to be mailed to each party.

Amendment.

SEC. 14. Section 51.52.110, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows:

Appeal to superior court from final order of the board; procedure.

Within thirty days after the final decision and order of the board upon such appeal has been communicated to such workman, beneficiary, employer

or other person, or within thirty days after the appeal is deemed denied as herein provided, such workman, beneficiary, employer or other person aggrieved by the decision and order of the board may appeal to the superior court. In cases involving injured workmen such appeal shall be to the superior court of the county of residence of the workman or beneficiary, or to the superior court of the county wherein the injury occurred. In all other cases the appeal shall be to the superior court of Thurston County. Such appeal shall be perfected by filing with the clerk of the court a notice of appeal and by serving a copy thereof by mail, or personally, on the director of labor and industries and on the board. The department shall, within twenty days after receipt of such notice of appeal, serve and file its notice of appearance and such appeal shall thereupon be deemed at issue. The board shall serve upon the appealing party, the director of labor and industries and any other party appearing at the board's proceeding, and file with the clerk of the court before trial, a certified copy of the board's official record which shall include the notice of appeal and other pleadings, testimony and exhibits, and the board's decision and order, which shall, become the record in such case. No bond shall be required on appeals to the superior court or on appeals to the supreme court, except that an appeal by the employer from a decision and order of the board under 51.48.070, R.C.W., shall be ineffectual unless, within five days following the service of notice thereof, a bond, with surety satisfactory to the court, shall be filed, conditioned to perform the judgment of the court. Except in the case last named an appeal shall not be a stay.

Appeal bond.

[R.C.W. 51.52.110 was derived from Rem. Supp. 1949, § 7697; part (5th, 6th, 7th and 8th paragraphs).]

[R.C.W. 51.48.070 was derived from R.R.S. § 7683.]

SEC. 15. A new section is added to chapter 51.52, R.C.W., to read as follows:

New section.

Appeal  
to superior  
court; scope  
of review.

Upon appeals to the superior court only such issues of law or fact may be raised as were properly included in the notice of appeal to the board, or in the complete record of the proceedings before the board. The hearing in the superior court shall be *de novo*, but the court shall not receive evidence or testimony other than, or in addition to, that offered before the board or included in the record filed by the board in the superior court as provided in 51.52.110, R.C.W.: *Provided*, That in cases of alleged irregularities in procedure before the board, not shown in said record, testimony thereon may be taken in the superior court. The proceedings in every such appeal shall be informal and summary, but full opportunity to be heard shall be had before judgment is pronounced. In all court proceedings under or pursuant to this title the findings and decision of the board shall be *prima facie* correct and the burden of proof shall be upon the party attacking the same. If the court shall determine that the board has acted within its power and has correctly construed the law and found the facts, the decision of the board shall be confirmed; otherwise, it shall be reversed or modified. In case of a modification or reversal the superior court shall refer the same to the department with an order directing it to proceed in accordance with the findings of the court: *Provided*, That any award shall be in accordance with the schedule of compensation set forth in this title. In appeals to the superior court hereunder, either party shall be entitled to a trial by jury upon demand, and the jury's verdict shall have the same force and effect as in actions at law. Where the court submits a case to the jury, the court shall by instruction advise the jury of the exact findings of the board on each material issue before the court.

Findings and  
decision of  
board,  
*prima facie*  
correct.

Judgment.

Jury trial.

[R.C.W. 51.52.110, also amended by this act, appears as sec. 14, *supra*.]

SEC. 16. Section 51.52.130, R.C.W., as derived from section 3, chapter 246, Laws of 1947, is renumbered section 51.52.120, R.C.W., and amended to read as follows:

Amendment.

It shall be unlawful for an attorney engaged in the representation of any workman or beneficiary to charge for services in the department any fee in excess of a reasonable fee, of not less than ten per cent nor more than thirty-five per cent of the increase in the award secured by the attorney's services. Such reasonable fee shall be fixed by the director of labor and industries for services performed by an attorney for such workman or beneficiary, prior to the notice of appeal to the board. If, on appeal to the board, the order, decision or award of the department is reversed or modified and additional relief is granted to a workman or beneficiary, or in cases where a party other than the workman or beneficiary is the appealing party and the workman's or beneficiary's right to relief is sustained by the board, the board shall fix a reasonable fee for the services of his attorney in proceedings before the board if written application therefor is made by the attorney. In fixing the amount of such attorney's fee, the board shall take into consideration the fee allowed, if any, by the director of labor and industries, for services before the department, and the board may review the fee fixed by said director. Any attorney's fee set by the department or the board may be reviewed by the superior court upon application of such attorney.

Attorney's fees for services in the department.

Fees on appeal to board.

Review of fee.

[R.C.W. 51.52.130 was derived from Rem. Supp. 1947, § 7679-3.]

SEC. 17. Section 51.52.120, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is renumbered 51.52.130, R.C.W., and amended to read as follows:

Amendment.

If, on appeal to the court from the decision and order of the board, said decision and order is re-

Attorney's fees for services on appeal to superior court.

Where fee below was inadequate.

Fund chargeable.

versed or modified and additional relief is granted to a workman or beneficiary, or in cases where a party other than the workman or beneficiary is the appealing party and the workman's or beneficiary's right to relief is sustained by the court, a reasonable fee for the services of the workman's or beneficiary's attorney shall be fixed by the court. In fixing the fee the court shall take into consideration the fee or fees, if any, fixed by the director of labor and industries and the board for such attorney's services before the department and the board. If the court finds that the fee fixed by the director of labor and industries or by the board is inadequate for services performed before the department or board, or if the director of labor and industries or the board has fixed no fee for such services, then the court shall fix a fee for the attorney's services before the department, or the board, as the case may be, in addition to the fee fixed for the services in the court. If the decision and order of the board is reversed or modified and if the accident fund is affected by the litigation then the attorney's fee fixed by the court for services before the court only, and the fees of medical and other witnesses and the costs shall be payable out of the administrative fund of the department.

[R.C.W. 51.52.120 was derived from Rem. Supp. 1949, § 7697; part (first sentence of last paragraph).]

New section.

SEC. 18. A new section is added to chapter 51.52, R.C.W., to read as follows:

Unlawful to accept fees except as fixed.

It shall be unlawful for any attorney representing a workman before the department or the board or the court to charge or receive either directly or indirectly any fee, unless the same has been previously fixed as provided in 51.52.120 or 51.52.130, R.C.W., or to charge or receive either directly or indirectly any fee or fees greater in amount than the fee or fees so fixed.

[R.C.W. 51.52.120, also amended by this act, appears above as section 17. R.C.W. 51.52.130, also amended by this act, appears above as section 16.]



SEC. 19. Section 51.52.140, R.C.W., as derived from section 6, chapter 219, Laws of 1949, is amended to read as follows: Amendment.

Except as otherwise provided in this chapter, the practice in civil cases shall apply, to appeals prescribed in this chapter. Appeal shall lie from the judgment of the superior court as in other civil cases. The attorney general shall be the legal advisor of the department and the board. Practice in civil cases applies.  
Attorney general.

[R.C.W. 51.52.140 was derived from Rem. Supp. 1949, § 7697; part (last four sentences of last paragraph).]

SEC. 20. Section 51.52.150, R.C.W., as derived from section 1, chapter 116, Laws of 1931, is amended to read as follows: Amendment.

All expenses and costs incurred by the department for board and court appeals, including fees for medical and other witnesses, court reporter costs and attorney's fees, and all costs taxed against the department, shall be paid one-half out of the medical aid fund and one-half out of the accident fund. Appeal costs and expenses of department; funds chargeable.

[R.C.W. 51.52.150 was derived from R.R.S. § 7697-1.]

SEC. 21. A new section is added to chapter 51.52, R.C.W., to read as follows: New section.

If any section or provision of this act shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the act as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional. Partial invalidity.

Passed the House March 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 17, 1951.

CHAPTER 226.

[ H. B. 190. ]

RELATING TO THE ADMINISTRATION OF TRUSTS.

AN ACT relating to trusts; to certain "spendthrift" trusts, to accounting by trustees, and repealing chapter 11.84, R.C.W.

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

Execution, etc., on income of trusts for payment of certain obligations; construction of R.C.W., 6.32.250.

SECTION 1. Nothing in section 6.32.250, R.C.W., as derived from section 25, chapter CXXXIII (133), Laws of 1893, shall forbid execution upon the income of any trust created by a person other than the judgment debtor for debt arising through the furnishing of the necessities of life to the beneficiary of such trust; or as to such income forbid the enforcement of any order of the superior court requiring the payment of support for the children under the age of eighteen of any beneficiary; or forbid the enforcement of any order of the superior court subjecting the vested remainder of any such trust upon its expiration to execution for the debts of the remainderman.

[R.C.W. 6.32.250 is R.R.S. § 637.]

Trustees to furnish to beneficiaries annual statement of receipts and disbursements.

SEC. 2. The trustee or trustees appointed by any will, deed or agreement heretofore or hereafter executed shall mail or deliver at least annually to each adult income trust beneficiary a written itemized statement of all current receipts and disbursements made by the trustee of the funds of the trust both principal and income, and upon the request of any such beneficiary shall furnish him an itemized statement of all property then held by such trustee, and may also file any such statement in the superior court of the county in which the trustee or one of the trustees resides.

Trustees may file intermediate account.

SEC. 3. In addition thereto any such trustee or trustees whenever it or they so desire, may file in the superior court of the county in which the trustees

or one of the trustees resides an intermediate account under oath showing:	Contents:
(1) The period covered by the account;	Period covered.
(2) The total principal with which the trustee is chargeable according to the last preceding account or the inventory if there is no preceding account;	Total principal.
(3) An itemized statement of all principal funds received and disbursed during such period;	Receipts and disbursements of principal.
(4) An itemized statement of all income received and disbursed during such period, unless waived;	Receipts and disbursements of income.
(5) The balance of such principal and income remaining at the close of such period and how invested;	Balance.
(6) The names and addresses of all living beneficiaries, including contingent beneficiaries, of the trust, and a statement as to any such beneficiary known to be under legal disability;	Names of beneficiaries.
(7) A description of any possible unborn or unascertained beneficiary and his interest in the trust fund.	Unborn beneficiaries.
In addition thereto, after the time for termination of the trust shall have arrived, the trustee or trustees may file a final account in similar manner.	Final account.
SEC. 4. Upon the petition of any settlor or of any beneficiary of such a trust after due notice thereof to the trustee the superior court in the county where the trustee or one of the trustees resides may direct the trustee or trustees thereof to file in said court such an account at any time subsequent to one year from the day on which such a report was last filed, or if none, then after one year from the inception of the trust.	Court on petition may direct trustees to file account.
SEC. 5. When any such account shall have been filed the clerk of the court where filed shall fix a return day therefor, and issue a notice as provided for herein. If each of the beneficiaries and the guardians and guardians <i>ad litem</i> , if any, appointed pursuant	Account filed; return day fixed by clerk.

Notice;  
publication  
and service.

to section 6 hereof, is personally served with a copy of the notice, whether within or outside the state of Washington, at least twenty-five days prior to the return day, then no publication of the notice shall be required; otherwise the trustees shall cause notice as provided for herein to be given by publishing the same at least once a week for three successive weeks preceding the return day, the first publication to be at least twenty-five days preceding the return day, such publication to be in a newspaper of general circulation in the county, or if none then in an adjoining county. And in any event at least twenty-five days prior to the return day a copy of the notice shall be either served upon each beneficiary not represented by guardian or guardian *ad litem* or mailed to each such beneficiary not so served at such beneficiary's address last known to the trustee; and shall be either served upon each guardian and guardian *ad litem* appointed pursuant to section 6 hereof, or mailed to each such guardian and guardian *ad litem* not so served at such guardian or guardian *ad litem's* address last known to the trustee. Proof of service of the notice may be made by affidavit as provided for service of summons in civil actions, or by written admission of service signed by the person served. The notice shall state the time and place for the return day, the name or names of the trustee or trustees who have filed the account, that the account has been filed, that the court is asked to settle such account, and that any objections or exceptions thereto must be filed with the clerk of said court on or before such return day.

Proof of  
service.

Contents of  
notice.

Objections.

Guardians  
appointed  
for infant,  
incompetent,  
etc.,  
beneficiaries.

SEC. 6. Upon or before the return day any beneficiary of the trust may file his written objections or exceptions to the account filed or to any action of the trustee or trustees set forth therein. The court shall appoint either the legal guardian of a beneficiary, or a guardian *ad litem* to represent the in-

terests of any such beneficiary who is an infant or of unsound mind or otherwise legally incompetent, or who is yet unborn or unascertained, and such beneficiary shall be bound by any action taken by such representative. Every unborn or unascertainable beneficiary shall be concluded by any action taken by the court for or against any living beneficiary of the same class or whose interests are similar to the interests of such unborn or unascertainable beneficiary.

Beneficiary bound by representative's action.

Unborn or unascertainable beneficiaries concluded by action.

SEC. 7. At the same time or at some later date fixed by the court if so requested by one or more of the parties, the court without the intervention of a jury and after hearing all the evidence submitted shall determine the correctness of the account and the validity and propriety of all actions of the trustee or trustees set forth therein including the purchase, retention and disposition of any of the property and funds of the trust, and shall render its decree either approving or disapproving the same or any part thereof, and surcharging the trustee or trustees for all losses, if any, caused by negligent or wilful breaches of trust.

Determination of correctness of account and validity of trustee's acts.

Decree.

SEC. 8. The decree so rendered shall be deemed final, conclusive and binding upon all the parties interested including all incompetent, unborn and unascertained beneficiaries of the trust subject only to the right of appeal hereinafter stated.

Decree final save for appeal.

SEC. 9. The decree so rendered shall be a final order from which any party in interest may appeal as in civil actions to the supreme court of the state of Washington.

Decree is an appealable order.

SEC. 10. This act shall not apply to resulting trusts, constructive trusts, business trusts where certificates of beneficial interest are issued to the beneficiaries, investment trusts, voting trusts, insurance trusts prior to the death of the insured,

Act not applicable to certain trusts, when.

trusts in the nature of mortgages or pledges, trusts created by judgment or decree of a federal court or of the superior court when not sitting in probate, liquidation trusts or trusts for the sole purpose of paying dividends, interests or interest coupons, salaries, wages or pensions; nor shall this act apply to executors, administrators or guardians.

Not applicable to executors, administrators or guardians.

Waivers; additional duties.

SEC. 11. The settlor of any trust governed by this act may waive any or all of the provisions of section 2 of this act requiring periodical statements to beneficiaries, or may add additional duties, in the instrument creating the trust; and any adult beneficiary entitled to an accounting under either section 2 or section 3 of this act may waive such an accounting by a separate instrument delivered to the trustee.

Uniform trustees' accounting act; declaration of similar import.

SEC. 12. This act is declared to be of similar import to the uniform trustees' accounting act. A provision in any will, deed or agreement heretofore or hereafter executed which provides in substance:

(1) That the requirements or provisions of the uniform trustees' accounting act, whether by name or other reference thereto are waived, or that the trustee shall not be required to comply therewith; or

(2) That the requirements or provisions of any other act of like or similar import are waived, or that the trustee shall not be required to comply therewith; shall constitute a waiver by the settlor pursuant to section 11 of this act.

Partial invalidity.

SEC. 13. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared severable.

SEC. 14. Chapter 11.84, R.C.W., as derived from chapter 229, Laws of 1941, as amended, is repealed. Repealing clause.

[Chapter 11.84, R.C.W., was derived from Rem. Supp. 1941, §§ 11548-1 to 11548-26 incl., § 11548-28; Rem. Supp. 1943, § 11548-27.]

Passed the House March 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 227.

[ H. B. 99. ]

### REGULATION OF SECURITIES ISSUED BY PUBLIC SERVICE COMPANIES.

AN ACT relating to public service companies; providing for the supervision, regulation, restriction and control of the issuance of securities thereby; prescribing fees; amending section 80.08.070, R.C.W., and chapter 81.08, R.C.W., by adding a new section thereto, and declaring an emergency.

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

SECTION 1. Section 80.08.070, R.C.W., as derived from section 6, chapter 151, Laws of 1933, as last amended by section 21, chapter 30, Laws of 1937, is amended to read as follows: Amendment.

Each public service company making application to the commission for authority to issue stock and stock certificates or other evidence of interest or ownership, or bonds, notes or other evidence of indebtedness, shall pay to the commission the following fees: For each order authorizing an issue of bonds, notes or other evidence of indebtedness, one dollar for each one thousand dollars of the principal amount of the authorized issue or fraction thereof up to one million dollars and fifty cents for each one thousand dollars over one million dollars and up to ten million dollars, and ten cents for each one thousand dollars over ten million dollars, with a mini- Application to issue stock.  
Fees.

Fees where issue is used to retire issue on which fee was theretofore paid.

Where property partly in and partly out of state.

Where commission modifies amount of issue.

mum fee in any case of ten dollars; for each order authorizing an issue of stock, stock certificates, or other evidence of interest or ownership, one dollar for each one thousand dollars of the par or stated value of the authorized issue or fraction thereof up to one million dollars, and fifty cents for each one thousand dollars over one million dollars and up to ten million dollars, and ten cents for each one thousand dollars over ten million dollars, with a minimum fee in any case of ten dollars: *Provided*, That only twenty-five per cent of the specified fees need be paid on any issue or on such portion thereof as may be used to guarantee, take over, refund, or discharge any stock issue or stock certificates, bonds, notes, or other evidence of interest, ownership, or indebtedness on which a fee has theretofore been paid: *Provided further*, That if the property of the public utility subject to the provisions of title 80, R.C.W., proposing to issue such securities shall be located in part in the state of Washington and in part in some other state or states, the fees payable to the public service commission of Washington under this section shall be computed only on such amount of such securities as shall bear the same proportion to the total amount so authorized, as the book value of such property located within the state of Washington shall bear to the total book value of the property of such public utility proposing to issue such securities; for the purpose of computing such fees the book value of the property shall be determined as of the close of business of the last quarter preceding the application: *And provided further*, That if the commission modifies the amount of the issues requested and the applicant elects not to avail itself of the authorization, no fee need be paid. All fees collected under this section shall be paid at least one each



month to the state treasurer and deposited in the public service revolving fund.

Public  
service  
revolving  
fund.

[R.C.W. 80.08.070 was derived from Rem. Supp. § 10439-6 (second paragraph).]

[Title 80 R.C.W. regulates public service companies other than transportation companies. Transportation companies are covered in title 81.]

[R.C.W. 81.08.070 dealing with transportation companies and likewise derived from Rem. Supp. § 10439-6, was not amended by this section.]

SEC. 2. There is added a new section to chapter 81.08, R.C.W., as derived from chapter 151, Laws of 1933, to read as follows:

New section.

The term "evidence of indebtedness," as used in this act, shall not include conditional sales contracts or purchase money chattel mortgages.

"Evidence  
of indebted-  
ness."

[Chapter 81.08 R.C.W. was derived from Rem. Supp. § 10439-1-10439-14.]

SEC. 3. 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.

Emergency.

Passed the House March 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 17, 1951.

---

## CHAPTER 228.

[ S. B. 130. ]

### DEFICIENCY APPROPRIATION.

AN ACT making a deficiency appropriation for transfers and distribution to cities and towns as required under chapter 82.44, R.C.W.; and declaring an emergency.

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

SECTION 1. By reason of a deficiency existing in the appropriation made by the thirty-first regular session of the legislature, and to carry out the provisions of chapter 82.44, R.C.W., relating to transfers and distribution of motor vehicle excise taxes to

Distribution  
of motor  
vehicle  
excise taxes  
to cities and  
towns.

Deficiency appropriation.

cities and towns, there is hereby appropriated to the state treasurer, out of moneys in the motor vehicle excise fund the sum of two million three hundred eight thousand eight hundred twenty-six dollars and thirty-seven cents for the biennium ending March 31, 1951.

Emergency.

SEC. 2. This act is necessary for the support of the state government, and shall take effect immediately.

[Chapter 82.44 R.C.W. was derived from Rem. Supp. 1943, §§ 6312-115 to 6312-128a incl. as amended.]

Passed the Senate February 6, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 19, 1951.

---

CHAPTER 229.

[ S. B. 277. ]

INSURANCE—UNIFORM DISABILITY POLICY PROVISIONS LAW.

AN ACT relating to insurance and the form and provisions of disability insurance policies; enacting the uniform disability policy provisions law; and repealing certain sections of chapter 48.20, R.C.W.

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

New section.

SECTION 1. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

Exclusions from act.

Nothing in this act shall apply to or affect (1) any policy of workmen's compensation insurance or any policy of liability insurance with or without supplementary expense coverage therein; or (2) any policy or contract of reinsurance; or (3) any blanket or group policy of insurance; or (4) life insurance, endowment or annuity contracts, or contracts supplemental thereto which contain only such provisions relating to accident and sickness insurance as (a) provide additional benefits in case of death or dis-

membership or loss of sight by accident, or as (b) operate to safeguard such contracts against lapse, or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled, as defined by the contract or supplemental contract.

[Chapter 48.20 R.C.W. was derived from Rem. Supp. 1947, §§ 45.20.01 to 45.20.38 incl.]

SEC. 2. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows: New section.

No disability policy shall be delivered or issued for delivery to any person in this state unless it otherwise complies with this code, and complies with the following: Requirements for disability policies.

(1) It shall purport to insure only one person, except as to family expense insurance written pursuant to section 48.20.340. Insures but one person.

(2) The style, arrangement and over-all appearance of the policy shall give no undue prominence to any portion of the text, and every printed portion of the text of the policy and of any endorsements or attached papers shall be plainly printed in light-faced type of a style in general use, the size of which shall be uniform and not less than ten-point with a lower-case unspaced alphabet length not less than one hundred and twenty-point (the "text" shall include all printed matter except the name and address of the insurer, name or title of the policy, the brief description if any, and caption and subcaptions). Arrangement, printing, and style.

(3) The exceptions and reductions of indemnity shall be set forth in the policy and, other than those contained in sections 5 to 28, inclusive, of this act, shall be printed, at the insurer's option, either included with the benefit provision to which they apply, or under an appropriate caption such as "EXCEPTIONS," or "EXCEPTIONS AND REDUCTIONS," except that if an exception or reduction specifically applies only to a particular benefit of the policy, a statement Exceptions and reductions.

of such exception or reduction shall be included with the benefit provision to which it applies.

(4) Each such form, including riders and endorsements, shall be identified by a form number in the lower left-hand corner of the first page thereof.

Form number.

(5) It shall contain no provision purporting to make any portion of the insurer's charter, rules, constitution, or by-laws a part of the policy unless such portion is set forth in full in the policy, except in the case of the incorporation of, or reference to, a statement of rates or classification of risks, or short-rate table filed with the commissioner.

Provisions incorporating insurer's charter, etc., prohibited, exception.

[See note to sec. 1.]

[R.C.W. 48.20.340 is Rem. Supp. 1945, § 45.20.34.]

SEC. 3. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

New section.

If any policy is issued by a domestic insurer for delivery to a person residing in another state, and if the insurance commissioner or corresponding public official of such other state has advised the commissioner that any such policy is not subject to approval or disapproval by such official, the commissioner may by ruling require that such policy meet the applicable standards set forth in this chapter and in chapter 48.18, R.C.W.

Policies for persons out of state; when subject to provisions of this chapter.

[See note to sec. 1.]

[Chapter 48.18 R.C.W. was derived from Rem. Supp. 1947, §§ 45.18.01 to 45.18.52 incl.]

SEC. 4. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

New section.

Except as provided in section 48.18.130, R.C.W., each such policy delivered or issued for delivery to any person in this state shall contain the provisions as specified in sections 5 to 16, inclusive, of this act, in the words in which the same appear; except, that the insurer may, at its option, substitute for one or more of such provisions corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary. Each such

Policies to contain provisions set forth below in secs. 5 to 16, or approved equivalent.

provision shall be preceded by the applicable caption shown or, at the insurer's option, by such appropriate individual or group caption or subcaption as the commissioner may approve.

Captions  
to precede  
provision.

[See note to sec. 1.]

[R.C.W. 48.18.130 is Rem. Supp. 1947, § 45.18.13.]

SEC. 5. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

New section.

There shall be a provision as follows:

*Entire contracts; changes:* This policy, including the endorsements and the attached papers, if any, constitutes the entire contract of insurance. No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto. No agent has authority to change this policy or to waive any of its provisions.

Entire  
contracts;  
changes.

[See note to sec. 1.]

SEC. 6. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

New section.

There shall be a provision as follows:

*Time limit on certain defenses:* (a) After three years from the date of issue of this policy no misstatements except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such three year period.

Time limit  
on certain  
defenses.

(The foregoing policy provision shall not be so construed as to affect any legal requirement for avoidance of a policy or denial of a claim during such initial three year period, nor to limit the application of sections 18, 19, 20, 21, and 22, of this act in the event of misstatement with respect to age or occupation or other insurance.)

Construction.

(A policy which the insured has the right to continue in force subject to its terms by the timely pay-

Provision in lieu of foregoing, under the caption "Incontestable."

ment of premium (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "INCONTESTABLE":

"After this policy has been in force for a period of three years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements contained in the application."

(b) No claim for loss incurred or disability (as defined in the policy) commencing after three years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy.

[See note to sec. 1.]

New section.

SEC. 7. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There shall be a provision as follows:

Grace periods.

*Grace periods:* A grace period of.....(insert a number not less than "7" for weekly premium policies, "10" for monthly premium policies, and "31" for all other policies) days will be granted for the payment of each premium falling due after the first premium, during which grace period the policy shall continue in force.

Optional mention of cancellation provision.

(A policy which contains a cancellation provision may add, at the end of the above provision: "subject to the right of the insurer to cancel in accordance with the cancellation provision hereof.")

A policy in which the insurer reserves the right to refuse any renewal shall have, at the beginning of the above provision: "Unless not less than five days prior to the premium due date the insurer has deliv-

ered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted.”)

[See note to sec. 1.]

SEC. 8. There is hereby added to chapter 48.20, New section.  
R.C.W. a new section to read as follows:

There shall be a provision as follows:

*Reinstatement:* If any renewal premium be not Reinstatement.  
paid within the time granted the insured for payment, a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium, without requiring in connection therewith an application for reinstatement, shall reinstate the policy: *Provided, however,* That if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered, the policy will be reinstated upon approval of such application by the insurer or, lacking such approval, upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application. The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten days after such date. In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium, subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement. Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid, but not to any period more than sixty days prior to the date of reinstatement.

Last sentence may be omitted, when.

(The last sentence of the above provision may be omitted from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue).

[See note to sec. 1.]

New section.

SEC. 9. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There shall be a provision as follows:

Notice of claim.

*Notice of claim:* Written notice of claim must be given to the insurer within twenty days after the occurrence or commencement of any loss covered by the policy, or as soon thereafter as is reasonably possible. Notice given by or on behalf of the insured or the beneficiary to the insurer at..... (insert the location of such office as the insurer may designate for the purpose), or to any authorized agent of the insurer, with information sufficient to identify the insured, shall be deemed notice to the insurer.

Optional insertion.

(In a policy providing a loss-of-time benefit which may be payable for at least two years, an insurer may at its option insert the following between the first and second sentences of the above provision:

“Subject to the qualifications set forth below, if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two years, he shall at least once in every six months after having given notice of claim, give to the insurer notice of continuance of said disability, except in the event of legal incapacity. The period of six months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability in whole or in part by the insurer shall be excluded in applying this provision. Delay in the giving of such notice shall not impair the insured’s right to any indemnity



which would otherwise have accrued during the period of six months preceding the date on which such notice is actually given.”)

[See note to sec. 1.]

SEC. 10. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows: New section.

There shall be a provision as follows:

*Claim forms:* The insurer, upon receipt of a notice of claim, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not furnished within fifteen days after the giving of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting, within the time fixed in the policy for filing proofs of loss written proof covering the occurrence, the character and the extent of the loss for which claim is made. Claim forms.

[See note to sec. 1.]

SEC. 11. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows: New section.

There shall be a provision as follows:

*Proofs of loss:* Written proof of loss must be furnished to the insurer at its said office in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate nor reduce any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the absence of legal capacity, later than one year from the time proof is otherwise required. Proofs of loss.

[See note to sec. 1.]

New section. SEC. 12. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There shall be a provision as follows:

Time of payment of claims.

*Time of payment of claims:* Indemnities payable under this policy for any loss other than loss for which this policy provides any periodic payment will be paid immediately upon receipt of due written proof of such loss. Subject to due written proof of loss, all accrued indemnities for loss for which this policy provides periodic payment will be paid ..... (insert period for payment which must not be less frequently than monthly) and any balance remaining unpaid upon the termination of liability will be paid immediately upon receipt of due written proof.

[See note to sec. 1.]

New section. SEC. 13. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

(1) There shall be a provision as follows:

Payment of claims.

*Payment of claims:* Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment. If no such designation or provision is then effective, such indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death may, at the option of the insurer, be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured.

(2) The following provisions, or either of them, may be included with the foregoing provision at the option of the insurer:

“If any indemnity of this policy shall be payable to the estate of the insured, or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release, the insurer may pay such indemnity, up to an amount not exceeding \$.....”

(insert an amount which shall not exceed \$1000), to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment."

"Subject to any written direction of the insured in the application or otherwise all or a portion of any indemnities provided by this policy on account of hospital, nursing, medical, or surgical services may, at the insurer's option and unless the insured requests otherwise in writing not later than the time of filing proofs of such loss, be paid directly to the hospital or person rendering such services; but it is not required that the service be rendered by a particular hospital or person."

[See note to sec. 1.]

SEC. 14. There is hereby added to chapter 48.20, New section.  
R.C.W. a new section to read as follows:

There shall be a provision as follows:

*Physical examinations and autopsy:* The insurer at its own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder and to make an autopsy in case of death where it is not forbidden by law. Physical examinations and autopsy.

[See note to sec. 1.]

SEC. 15. There is hereby added to chapter 48.20, New section.  
R.C.W. a new section to read as follows:

There shall be a provision as follows:

*Legal actions:* No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after written proof of loss has been furnished in accordance with the requirements of this policy. No such action shall be brought after Legal actions.

the expiration of three years after the time written proof of loss is required to be furnished.

[See note to sec. 1.]

New section. SEC. 16. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There shall be a provision as follows:

Change of beneficiary.

*Change of beneficiary:* Unless the insured makes an irrevocable designation of beneficiary, the right to change of beneficiary is reserved to the insured and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy or to any change of beneficiary or beneficiaries, or to any other changes in this policy.

Optional omission.

(The first clause of this provision, relating to the irrevocable designation of beneficiary, may be omitted at the insurer's option).

[See note to sec. 1.]

New section. SEC. 17. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

Certain provisions, if included, shall be set forth as in secs. 18 to 28 or approved equivalent.

Except as provided in section 48.18.130, no such policy delivered or issued for delivery to any person in this state shall contain provisions respecting the matters set forth in sections 18 to 28, inclusive of this act unless such provisions are in the words in which the same appear in the applicable section; except, that the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption or, at the insurer's option, by such appropriate individual or group caption or subcaption as the commissioner may approve.

Captions to precede provision.

[See note to sec. 1.]

[R.C.W. 48.18.130 is Rem. Supp. 1947, § 45.18.13.]

SEC. 18. There is hereby added to chapter 48.20, New section.  
R.C.W. a new section to read as follows:

There may be a provision as follows:

*Change of occupation:* If the insured be injured Change of occupation.  
or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified, the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy, the insurer, upon receipt of proof of such change of occupation, will reduce the premium rate accordingly, and will return the excess *pro rata* unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof, whichever is the more recent. In applying this provision, the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable or prior to date of proof of change in occupation with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued; but if such filing was not required, then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation.

[See note to sec. 1.]

SEC. 19. There is hereby added to chapter 48.20, New section.  
R.C.W. a new section to read as follows:

There may be a provision as follows:

Misstatement of age.

*Misstatement of age:* If the age of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age.

[See note to sec. 1.]

New section.

SEC. 20. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

Other insurance in this insurer.

*Other insurance in this insurer:* If an accident or sickness or accident and sickness policy or policies previously issued by the insurer to the insured be in force concurrently herewith, making the aggregate indemnity for ..... (insert type of coverage or coverages) in excess of \$..... (insert maximum limit of indemnity or indemnities) the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured or to his estate.

Or, in lieu thereof:

Insurance effective at any one time on the insured under a like policy or policies in this insurer is limited to the one such policy elected by the insured, his beneficiary or his estate, as the case may be, and the insurer will return all premiums paid for all other such policies.

[See note to sec. 1.]

New section.

SEC. 21. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

(1) There may be a provision as follows:

Insurance with other insurers.

*Insurance with other insurers:* If there be other valid coverage, not with this insurer, providing benefits for the same loss on a provision of service basis or on an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability under any expense incurred coverage of this policy shall be for such proportion of the loss as the amount which would otherwise have been payable

hereunder plus the total of the like amounts under all such other valid coverages for the same loss of which this insurer had notice bears to the total like amounts under all valid coverages for such loss, and for the return of such portion of the premiums paid as shall exceed the *pro rata* portion for the amount so determined. For the purpose of applying this provision when other coverage is on a provision of service basis, the "like amount" of such other coverage shall be taken as the amount which the services rendered would have cost in the absence of such coverage.

(2) If the foregoing policy provision is included in a policy which also contains the policy provision set out in section 22 of this act there shall be added to the caption of the foregoing provision the phrase "..... EXPENSE INCURRED BENEFITS." The insurer may, at its option, include in this provision a definition of "other valid coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and by hospital or medical service organizations, and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance, automobile medical payments insurance, or coverage provided by hospital or medical service organizations or by union welfare plans or employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or

Where foregoing used with provision set out in sec. 22; addition to caption of phrase ".....Expense Incurred Benefits."

Inclusion of definition of "other valid coverage."

otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage."

[See note to sec. 1.]

New section. SEC. 22. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

(1) There may be a provision as follows:

Insurance with other insurers.

*Insurance with other insurers:* If there be other valid coverage, not with this insurer, providing benefits for the same loss on other than an expense incurred basis and of which this insurer has not been given written notice prior to the occurrence or commencement of loss, the only liability for such benefits under this policy shall be for such proportion of the indemnities otherwise provided hereunder for such loss as the like indemnities of which the insurer had notice (including the indemnities under this policy) bear to the total amount of all like indemnities for such loss, and for the return of such portion of the premium paid as shall exceed the *pro rata* portion for the indemnities thus determined.

Where foregoing provision used with provision set out in sec. 21; addition to caption of phrase ".....Other Benefits."

Inclusion of definition of "other valid coverage."

(2) If the foregoing policy provision is included in a policy which also contains the policy provision set out in section 21 of this act there shall be added to the caption of the foregoing provision the phrase ".....OTHER BENEFITS." The insurer may, at its option, include in this provision a definition of "other valid coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, and to any other coverage the inclusion of which may be approved by the commissioner. In the absence of such definition such term shall not include group insurance, or benefits



provided by union welfare plans or by employer or employee benefit organizations. For the purpose of applying the foregoing policy provision with respect to any insured, any amount of benefit provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute) whether provided by a governmental agency or otherwise shall in all cases be deemed to be "other valid coverage" of which the insurer has had notice. In applying the foregoing policy provision no third party liability coverage shall be included as "other valid coverage."

[See note to sec. 1.]

SEC. 23. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows: New section.

(1) There may be a provision as follows:

*Relation of earnings to insurance:* If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured, whether payable on a weekly or monthly basis, shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two years immediately preceding a disability for which claim is made, whichever is the greater, the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two years as shall exceed the *pro rata* amount of the premiums for the benefits actually paid hereunder; but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of two hundred dollars or the sum of the monthly benefits specified in such

Relation of  
earnings to  
insurance.

coverages, whichever is the lesser, nor shall it operate to reduce benefits other than those payable for loss of time.

Foregoing provision available, when.

(2) The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age 50 or, (2) in the case of a policy issued after age 44, for at least five years from its date of issue. The insurer may, at its option, include in this provision a definition of "valid loss of time coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulation by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, or to any other coverage the inclusion of which may be approved by the commissioner or any combination of such coverages. In the absence of such definition such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workmen's compensation or employer's liability statute), or benefits provided by union welfare plans or by employer or employee benefit organizations.

Optional inclusion of definition of "valid loss of time coverage."

[See note to sec. 1.]

New section.

SEC. 24. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

Unpaid premium.

*Unpaid premium:* Upon the payment of a claim under this policy, any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

[See note to sec. 1.]

New section.

SEC. 25. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

*Cancellation:* The insurer may cancel this policy at any time by written notice delivered to the insured, or mailed to his last address as shown by the records of the insurer, stating when, not less than five days thereafter, such cancellation shall be effective; and after the policy has been continued beyond its original term the insured may cancel this policy at any time by written notice delivered or mailed to the insurer, effective upon receipt or on such later date as may be specified in such notice. In the event of cancellation, the insurer will return promptly the unearned portion of any premium paid. If the insured cancels, the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. If the insurer cancels, the earned premium shall be computed *pro rata*. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation.

[See note to sec. 1.]

SEC. 26. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

*Conformity with state statutes:* Any provision of this policy which, on its effective date, is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes.

[See note to sec. 1.]

SEC. 27. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

*Illegal occupation:* The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation.

[See note to sec. 1.]

New section.

SEC. 28. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

There may be a provision as follows:

Intoxicants and narcotics.

*Intoxicants and narcotics:* The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic unless administered on the advice of a physician.

[See note to sec. 1.]

New section.

SEC. 29. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

Provisions to appear in policy in consecutive order; other order optional.

The provisions which are the subject of sections 5 to 28, inclusive, of this act, or any corresponding provisions which are used in lieu thereof in accordance with such sections, shall be printed in the consecutive order of the provisions in such sections or, at the insurer's option, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, provided the resulting policy shall not be in whole or in part unintelligible, uncertain, ambiguous, abstruse, or likely to mislead a person to whom the policy is offered, delivered or issued.

[See note to sec. 1.]

New section.

SEC. 30. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

"Insured"; how construed.

The word "insured," as used in this act, shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured or from being entitled under such a policy to any indemnities, benefits and rights provided therein.

[See note to sec. 1.]

New section.

SEC. 31. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

Policy of a foreign insurer.

(1) Any policy of a foreign or alien insurer, when delivered or issued for delivery to any person in this state, may contain any provision which is

not less favorable to the insured or to the beneficiary than the provisions of this act and which is prescribed or required by the laws of the state under which the insurer is organized.

(2) Any policy of a domestic insurer may, when issued for delivery in any other state or country, contain any provision permitted or required by the laws of such other state or country.

[See note to sec. 1.]

SEC. 32. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

If any such policy contains a provision establishing, as an age limit or otherwise, a date after which the coverage provided by the policy will not be effective, and if such date falls within a period for which premium is accepted by the insurer or if the insurer accepts a premium after such date, the coverage provided by the policy will continue in force subject to any right of cancellation until the end of the period for which premium has been accepted. In the event the age of the insured has been misstated and if, according to the correct age of the insured, the coverage provided by the policy would not have become effective, or would have ceased prior to the acceptance of such premium or premiums, then the liability of the insurer shall be limited to the refund, upon request, of all premiums paid for the period not covered by the policy.

[See note to sec. 1.]

SEC. 33. There is hereby added to chapter 48.20, R.C.W. a new section to read as follows:

The provisions contained in sections 1 to 34, inclusive, of this act, shall take effect on the 1st day of September, 1951. A policy, rider or endorsement, which could have been lawfully used or delivered or issued for delivery to any person in this state immediately before such effective date may be used or

delivered or issued for delivery to any such person during five years after such effective date.

[See note to sec. 1.]

Repealing  
clause.

SEC. 34. The following sections are hereby repealed: Section 48.20.010, R.C.W., being section .20.01, chapter 79, Laws of 1947; section 48.20.020, R.C.W., being section .20.02, chapter 79, Laws of 1947; section 48.20.030, R.C.W., being section .20.03, chapter 79, Laws of 1947; section 48.20.040, R.C.W., being section .20.04, chapter 79, Laws of 1947; section 48.20.050, R.C.W., being section .20.05, chapter 79, Laws of 1947; section 48.20.060, R.C.W., being section .20.06, chapter 79, Laws of 1947; section 48.20.070, R.C.W., being section .20.07, chapter 79, Laws of 1947; section 48.20.080, R.C.W., being section .20.08, chapter 79, Laws of 1947; section 48.20.090, R.C.W., being section .20.09, chapter 79, Laws of 1947; section 48.20.100, R.C.W., being section .20.10, chapter 79, Laws of 1947; section 48.20.110, R.C.W., being section .20.11, chapter 79, Laws of 1947; section 48.20.120, R.C.W., being section .20.12, chapter 79, Laws of 1947; section 48.20.130, R.C.W., being section .20.13, chapter 79, Laws of 1947; section 48.20.140, R.C.W., being section .20.14, chapter 79, Laws of 1947; section 48.20.150, R.C.W., being section .20.15, chapter 79, Laws of 1947; section 48.20.160, R.C.W., being section .20.16, chapter 79, Laws of 1947; section 48.20.170, R.C.W., being section .20.17, chapter 79, Laws of 1947; section 48.20.180, R.C.W., being section .20.18, chapter 79, Laws of 1947; section 48.20.190, R.C.W., being section .20.19, chapter 79, Laws of 1947; section 48.20.200, R.C.W., being section .20.20, chapter 79, Laws of 1947; section 48.20.210, R.C.W., being section .20.21, chapter 79, Laws of 1947; section 48.20.220, R.C.W., being section .20.22, chapter 79, Laws of 1947; section 48.20.230, R.C.W., being section .20.23, chapter 79, Laws of 1947; section 48.20.240, R.C.W., being section .20.24, chapter 79, Laws of 1947; section

48.20.250, R.C.W., being section .20.25, chapter 79, Laws of 1947; section 48.20.260, R.C.W., being section .20.26, chapter 79, Laws of 1947; section 48.20.270, R.C.W., being section .20.27, chapter 79, Laws of 1947; section 48.20.280, R.C.W., being section .20.28, chapter 79, Laws of 1947; section 48.20.290, R.C.W., being section .20.29, chapter 79, Laws of 1947; section 48.20.300, R.C.W., being section .20.30, chapter 79, Laws of 1947; section 48.20.310, R.C.W., being section .20.31, chapter 79, Laws of 1947; section 48.20.320, R.C.W., being section .20.32, chapter 79, Laws of 1947; section 48.20.330, R.C.W., being section .20.33, chapter 79, Laws of 1947; section 48.20.370, R.C.W., being section .20.37, chapter 79, Laws of 1947.

[Rep. Rem. Supp. 1947, §§ 45.20.01 to 45.20.33 incl., and Rem. Supp. 1947, § 45.20.37.]

Passed the Senate February 21, 1951.

Passed the House March 3, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 230.

[ S. B. 150. ]

### ISSUANCE AND SALE OF SECURITIES.

AN ACT relating to the issuance and the sales of securities; amending sections 21.04.040 and 21.04.070, R.C.W.

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

SECTION 1. Section 21.04.040, R.C.W., as derived from section 3, chapter 231, Laws of 1943, is amended to read as follows: Amendment.

An application for a permit shall be in writing, verified, and filed in the office of the director, and shall set forth: Application for permit.

The names, addresses, and occupations of the officers of the company, the location of the office of the company; a statement of the assets and liabilities Same; contents.

of the company as of a date within thirty days prior to the filing of an application, or such reasonable statement thereof as prescribed by the director; a statement of the plan upon which the company proposes to transact business; the number of shares in the treasury of the company and the amount to be paid agents for the sale of stock; a copy of any security the company proposes to issue, and of any contract it proposes to make concerning it; a copy of any advertising matter which it proposes to issue in connection with the sale of its securities; and any additional information concerning the affairs of the company as the director may reasonably require.

Partnership,  
association,  
or joint stock  
company  
applicant.

If the applicant is a co-partnership or an unincorporated association or joint stock company, it shall file with its application a copy of its articles of co-partnership or association, and all other papers pertaining to its organization.

Trustee  
applicant.

If the applicant is a trustee, it shall file with its application a copy of all instruments by which the trust is created and accepted.

Corporation  
applicant.

If the applicant is a corporation, it shall file with its application a copy of all minutes of any proceedings of its directors, stockholders, or members relating to the issue of the securities, and a copy of its articles of incorporation and by-laws: *Provided*, That if the applicant has a registration statement in effect with the federal securities and exchange commission under the securities act of 1933, a copy of the prospectus filed with that commission as a part of its registration statement, or in case the applicant is a common or contract carrier and is subject to the provisions of section 20a of the interstate commerce act as amended, a copy of the petition or application filed with the interstate commerce commission together with all supplements thereto and a copy of the offering circular, if any, used in connection with the sale of such securities, may be accepted by the



director in lieu of the information required under this section.

[Am. Rem. Supp. 1943, § 5853-4.]

SEC. 2. Section 21.04.070, R.C.W., as derived from section 3, chapter 189, Laws of 1947, is amended to read as follows: Amendment.

The director shall charge the following fees: Fees:

(1) For filing an application for permit to issue securities twenty-five dollars for any issue of securities in the amount of fifty thousand dollars or less, fifty dollars for any issue of securities in an amount over fifty thousand dollars but not more than one hundred thousand dollars, and one hundred dollars for any issue of securities in an amount over one hundred thousand dollars. The determination of the amount of any issue of securities under the provisions of this section shall be based on the initial aggregate offering price of said issue. For filing application; permit to issue securities.

Where the applicant has a registration statement in effect with the securities and exchange commission under the act of 1933, or a petition or application in effect with the interstate commerce commission, and the prospectus, or all supplements are accepted by the department of licenses, the fee to be charged shall be twenty-five dollars. Same; applicant registered with S. E. C. or application with I. C. C.

(2) For filing an application for a broker's certificate twenty-five dollars, and ten dollars for each and every year after the first year. Same; broker's certificate.

(3) For filing an application for an agent's certificate five dollars, and two dollars for each and every year thereafter. Same; agent's certificate.

(4) For filing an application for collection of pre-organization subscriptions ten dollars. Same; collection of subscriptions.

Fees for furnishing copies of papers and records shall be as now provided by law. Fees for copies.

[Am. Rem. Supp. 1943, § 5853-22.]

Passed the Senate February 16, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 231.

[ S. B. 17. ]

RELATING TO VETERANS' BONUS PAYMENTS.

AN ACT declaring the proceeds of the World War II veterans' bonus payments to be separate property, not subject to assignment and exempting the same from certain legal processes; and declaring an emergency.

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

SECTION 1. There is hereby added to chapter 73.32 of the Revised Code of Washington, derived from chapter 180, Laws of 1949, a new section to read as follows:

New section.

Bonuses exempt from legal process.

All sums paid as bonuses under this chapter shall, when received, be the separate property of the person entitled thereto and shall not be subject to assignment. All bonuses herein provided for shall be exempt from garnishment, attachment or other legal process, except that whenever an application for the bonus shall have been filed with the state auditor, a court, in any case involving the support of minor children, may direct the payment by the state auditor into the registry of the court for such disposition as the court may determine of the amount due or any portion thereof.

Exception.

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety and shall take effect immediately.

[Chapter 73.32 R.C.W. was derived from Rem. Supp. 1949, §§ 10747a to 10747m incl.]

Passed the Senate January 23, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

## CHAPTER 232.

[ S. B. 68. ]

## INVESTMENT IN STATE WARRANTS.

AN ACT relating to the investment of current funds of the state of Washington by the state finance committee; and declaring an emergency.

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

SECTION 1. For the purposes of this act the state treasurer shall make and keep an accounting separation of the amount of cash balances in the state treasury belonging to the permanent school fund.

Accounting separation of cash balances belonging to permanent school fund.

SEC. 2. Whenever there is in any fund or in cash balances in the state treasury more than sufficient to meet the current expenditures properly payable therefrom, and over and above the amount belonging to the permanent school fund as shown by the separation made by the state treasurer, the state finance committee may invest such portion of such funds or balances over and above that belonging to the permanent school fund in warrants of the state of Washington. The state finance committee may purchase such state warrants at such prices and upon such terms as it may determine, and may sell them at such times and on such terms as it deems advisable.

Surplus funds.

Investment in state warrants.

Upon such investment being made, the state treasurer shall pay into the general fund the amount so invested, and the warrants so purchased shall be deposited with the state treasurer, who shall collect all interest and principal payments falling due thereon and allocate the same to the proper fund or funds.

SEC. 3. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Emergency.

Passed the Senate March 2, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 233.

[ S. B. 107. ]

COOPERATIVE CONTROL OF FOREST INSECTS AND FOREST DISEASES.

AN ACT providing for cooperative control of forest insects and forest diseases between the state of Washington, federal government and/or private forest land owners; creating the forest insect and disease control fund of which the state treasurer shall be the custodian; making appropriations; and declaring an emergency.

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

Declaration of public nuisance.

SECTION 1. Forest insects and forest tree diseases which threaten the permanent timber production of the forest areas of the state of Washington are hereby declared to be a public nuisance.

SEC. 2. As used in this act:

"Supervisor."  
"Board."

"Supervisor" means the supervisor of forestry;  
"Board" means the state forest board;

"Owner."

"Owner" means and includes individuals, partnerships, corporations and associations;

"Agent."

"Agent" means the recognized legal representative, representatives, agent or agents for any owner;

"Timber land."

"Timber land" means any land on which there is a sufficient number of trees, standing or down, to constitute, in the judgment of the board, a forest insect or forest disease breeding ground of a nature to constitute a menace, injurious and dangerous to permanent forest growth in the district under consideration.

Administration of act.

SEC. 3. This act shall be administered by the division of forestry under the guidance and approval of the state forest board.

Owners to eradicate pests and diseases.

SEC. 4. Every owner of timber lands, or his agent, shall make every reasonable effort to control, destroy and eradicate such forest insect pests and forest tree diseases which threaten the existence of any stand of timber or provide for the same to be done on tim-

ber lands owned by him or under his control. In the event he fails, neglects, or is unable to accomplish such control, the action may be performed as provided for in this act.

SEC. 5. Whenever the supervisor finds timber lands threatened by infestations of forest insects or forest tree diseases, and if he finds that such infestation is of such character as to threaten destruction of timber stands, the supervisor shall with the approval of the board declare and certify an infestation control district and fix and declare the boundaries thereof, so as to definitely describe such district. Said district may include timber lands threatened by the infestation as well as those timber lands already infested.

Infestation  
control  
district.

Thereafter the supervisor shall at once serve written notice to all owners of timber lands or their agents within the said district to proceed under the provisions of this act without delay to control, destroy and eradicate the said forest insect pests or forest tree diseases as provided herein. The said notice may be made by personal service, or by mail addressed to the last known place or address of such owner or agent. Said notice shall list and describe the method or methods of action that will be acceptable to the board if the owner or agent elects to control, destroy and eradicate said insects or diseases on his own property.

Notice  
to eradicate  
insect pests.

SEC. 6. If the owner or agent so notified shall fail, refuse, neglect or is unable to comply with the requirements of said notice, within a period of thirty days after the date thereof, it shall be the duty of the supervisor or his agents, using such funds as have been, or hereafter may be, made available to proceed with the control, eradication and destruction of such forest pests or forest tree diseases with or without the cooperation of the owner involved in a manner approved by the forest board.

Failure  
to comply  
with notice;  
supervisor  
to perform  
work.

Statement of expenses prepared by supervisor.

Lien

limitation.

Collection.

Report and levy only on commercial timber lands.

SEC. 7. Upon the completion of the work directed, authorized and performed under the provisions of this act, the supervisor shall prepare a verified statement of the expenses necessarily incurred in performing the work of controlling, eradicating and destroying said forest insects or forest tree diseases. The balance of such expenses after deducting such amounts as may be contributed to the control costs by the state, by the federal government, or by any other agencies, companies, corporations or individuals, shall be a lien to be prorated per acre upon the property, or properties involved: *Provided*, That the amount of said lien shall not exceed twenty-five per cent of the total costs incurred on such owner's lands including necessary buffer strips. Said lien shall be reported by the supervisor to the county assessor of the county in which said lands are situated, and shall be levied and collected with the next taxes on such lands in the same manner and with the same interest, penalty and cost charges as apply to *ad valorem* property taxes in this state: *Provided further*, Such report and levy shall be made only on commercial timber lands. The assessor shall extend the amounts on the assessment roll in a separate column, and the procedure provided by law for the collection of taxes and delinquent taxes shall be applicable thereto, and, upon the collection thereof, the county treasurer shall repay the same to the supervisor to be applied to the expenses incurred in carrying out the provisions of this act.

Forest insect and disease control fund.

SEC. 8. There is hereby created the forest insect and disease control fund of which the state treasurer shall be the custodian. The state treasurer shall keep an account of his records of said fund and all sums deposited therein and expended or withdrawn therefrom. Any sums placed in said fund shall be kept separate and apart from the funds of the state treasurer, and shall not be deemed to be a part of the

state funds, but shall be pledged for the purpose of paying costs incurred for the control, eradication, and destruction of forest insect pests and forest diseases. No funds shall be expended for payment of said costs, until so authorized by the board.

SEC. 9. All moneys collected under the provisions of section 7, together with such moneys as may be appropriated by the legislature for the purposes of this act, by the federal government or by any owner or agent, shall be deposited by the supervisor in the forest insect and disease control fund, and the moneys therein hereby are made available to the board for the purposes of this act.

Same;  
deposits.

All unexpended balances remaining in said fund shall continue to be available for the purposes of this act and shall not revert to the state general fund.

Same;  
balances.

SEC. 10. Any money appropriated to the forest insect and disease control fund is hereby made available to the division of forestry for the purposes of this act.

Appropriations to fund are available to division.

SEC. 11. Every owner, and all owners or representatives, who upon receiving notice as provided in section 5 of this act, shall proceed and continue in good faith to control, eradicate and destroy said forest insects and forest tree diseases in accordance with standards established by the supervisor shall be exempt from the provisions hereof as to the lands upon which he or they are so proceeding.

Owners complying with notice, exempt.

SEC. 12. Whenever the board shall determine that insect control work within the designated district of infestation is no longer necessary or feasible, said board by resolution may dissolve said district.

Dissolution of district.

SEC. 13. This act is necessary for the immediate preservation of the public peace, health and safety,

Emergency.

the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate February 9, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 234.

[ S. B. 7. ]

### CHILDREN AND YOUTH SERVICES.

AN ACT relating to children with behavior problems, defective and feeble-minded persons, deaf children, and blind children; providing for their custody, education, care, treatment, and rehabilitation; establishing in the department of public institutions a division to be known as the division of children and youth services; providing for the appointment, removal, and dismissal of the members and employees thereof; providing for the appointment of a supervisor thereof; prescribing his powers and duties; providing for establishment and operation of parental schools or homes, farm units, and forest camps, and diagnostic and special facilities for the treatment and rehabilitation of children with behavior problems; providing for the supervision, management, and control of the Washington State Training School, the State School for Girls, Lakeland Village, Rainier State School, the State School for the Blind, and the State School for the Deaf; creating a state council for children and youth; and prescribing its powers and duties; and creating a forest camp revolving fund.

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

Declaration  
of purposes.

SECTION 1. The purposes of this act are: To provide for every child with behavior problems, defective and feeble-minded person, and deaf and blind children, within the purview of this act, such care, guidance and instruction, control and treatment as will best serve the welfare of the child or person and society; to insure non-political and qualified operation, supervision, management, and control of the Washington State Training School, the State School for Girls, Lakeland Village, Rainier State School, the



State School for the Blind, and the State School for the Deaf, and to place them under the division of children and youth services in the department of public institutions; and to provide for the persons committed or admitted to those schools that type of care, instruction, and treatment most likely to accomplish their rehabilitation and restoration to normal citizenship.

SEC. 2. Unless the context requires otherwise:

(1) "Council" means the state council for children and youth. "Council."

(2) "Department" means the department of public institutions. "Department."

(3) "Division" means the division of children and youth services. "Division."

(4) "Director" means the director of public institutions. "Director."

(5) "Supervisor" means the supervisor of children and youth services. "Supervisor."

SEC. 3. There is hereby established within the department of public institutions a new division to be known as the division of children and youth services. Division of children and youth services created.

SEC. 4. Upon the taking effect of this act, the director of public institutions shall, with the advice of the state council for children and youth which is hereinafter created, appoint and deputize an assistant director to be known as the supervisor of children and youth services. The appointment of the supervisor shall be based upon character, education, experience, ability, and aptitudes for the duties of such position. The supervisor of children and youth services shall have charge and supervision of the division of children and youth services. Assistant director as supervisor of children and youth services.

SEC. 5. All employees of the division except the supervisor and certificated teachers or employees shall be appointed through competitive examination Employees; competitive examination.

Existing personnel.

conducted by the state personnel board: *Provided*, That upon the taking effect of this act, all the personnel of the Washington State Training School, State School for Girls, Lakeland Village, Rainier State School, the State School for the Blind, and the State School for the Deaf, shall be retained as employees of the division pending determination by the supervisor as to their permanent status, which is dependent also upon their ability within one year to meet the requirements for their respective positions according to the standards established by the state personnel board with the advice of the supervisor.

Basis of appointments.

SEC. 6. All appointments to employment in the division shall be based upon character, education, experience, ability, personality, temperament, and aptitude for the respective positions and without regard to political affiliation. The state personnel board, with the advice of the supervisor, shall establish the requirement standards for each classification.

State personnel board; establishment of requirement standards.

Board to designate the classifications.

SEC. 7. The state personnel board, with the advice of the supervisor, shall designate the title of the classifications of the various employees in the division and the number of positions there are in each classification. Separate examinations shall be conducted by the state personnel board for each classification, or they may be combined as the state personnel board may elect.

Examinations.

Supervisor to select employees; list of eligibles.

SEC. 8. The supervisor, or the subordinate designated by him, shall select the employees of the division from the list of eligibles furnished by the state personnel board. If there is no list of eligibles when a vacancy occurs, he may hire any available person, if, in his opinion, that person is able to perform the work in a satisfactory manner and has the minimum qualifications of the position to which he is appointed.

SEC. 9. Any employee selected from an eligibility list furnished by the state personnel board shall be

subject to a probationary period of six months before becoming an employee on permanent status. An employee so certified shall, within six months, pass a qualifying examination conducted by the state personnel board.

Probationary period.

Qualifying examination.

SEC. 10. Any employee other than one selected from an eligibility list furnished by the state personnel board, shall be on a temporary status unless after a six months probationary period, the supervisor, with the approval of the director, shall certify him for a permanent status.

Employees not on an eligibility list.

SEC. 11. No employee on permanent status shall be discharged, except for cause, and then only after hearing by the state personnel board, or the person or persons designated by it, if demanded.

Discharge of an employee on permanent status.

SEC. 12. In the event that the legislature enacts a merit or civil service system which includes the employees of the division, the provisions of this act in conflict with such merit or civil service system shall be deemed to be thereby superseded.

Merit system; act superseded, when.

SEC. 13. The division of children and youth services shall establish, maintain, operate and administer a comprehensive program for the custody, care, education, treatment, instruction, guidance, control and rehabilitation of all persons who may be committed or admitted to institutions, schools, or other facilities controlled and operated by the division and in order to accomplish these purposes, the powers and duties of the supervisor of the division of children and youth services shall include the following:

Purpose of division of youth services.

Powers and duties of supervisor.

(a) The assembling, analyzing, tabulating, and reproduction in report form, of statistics and other data with respect to children with behavior problems in the state of Washington, including, but not limited to, the extent, kind, and causes of such behavior problems in the different areas and population centers of the state. Such reports shall not be open to

Behavior problem reports.

Reports closed.

public inspection, but shall be open to the inspection of the director, supervisor, governor, council, and to the superior court judges of the state of Washington.

Maintenance  
of diagnostic  
facilities  
and ser-  
vices.

(b) The establishment and supervision of diagnostic facilities and services in connection with the custody, care, and treatment of defective, feeble-minded, and behavior problem children who may be committed or admitted to any of the institutions, schools, or facilities controlled and operated by the division, or who may be referred for such diagnosis and treatment by any superior court of this state. Such diagnostic services may be established in connection with, or apart from, any other state institution under the supervision and direction of the director. Such diagnostic services shall be available to the superior courts of the state for persons referred for such services by them prior to commitment, or admission to, any school, institution, or other facility. Such diagnostic services shall also be available to other departments of the state.

Supervision  
of persons  
in division  
operated in-  
stitutions.

(c) The supervision of all persons committed or admitted to any institution, school, or other facility operated by the division, and the transfer of such persons from any such institution, school, or facility to any other such school, institution, or facility: *Provided*, That where a person has been committed to a minimum security institution, school, or facility by any of the superior courts of this state, a transfer to a close security institution shall be made only with the consent and approval of such court. This shall not apply to the State School for the Deaf or the State School for the Blind.

Persons  
committed  
to minimum  
security in-  
stitutions;  
transfer of.

Supervision  
of release  
and post-in-  
stitutional  
placement.

(d) The supervision of parole, discharge, or other release, and the post-institutional placement of all persons committed to the Washington State Training School and the State School for Girls, or such as may be assigned, paroled, or transferred therefrom to other facilities operated by the division.

The State Training School and the State School for Girls are hereby designated as "close security" institutions to which shall be given the custody of children with the most serious behavior problems.

Schools designated as "close security" institutions.

SEC. 14. The division of children and youth services, in order to provide educational facilities for persons admitted or committed to any of the institutions, schools or facilities herein provided, is authorized either to:

Powers to secure educational facilities.

(a) enter into an agreement with the local school district within which the institution is situated or with any other local school district conveniently located in the region, or

Contract with school districts.

(b) provide a comprehensive school program in connection with any institution as if that institution were itself a local school system.

Provide a comprehensive school program.

In the event that either option is exercised, all teachers shall meet all certification requirements and the program shall conform to the usual standards defined by law or by regulations of the state board of education or the office of the state superintendent of public instruction, and/or other recognized national certifying agencies.

Teacher qualifications.

SEC. 15. The department, through the division, shall have power to acquire, establish, maintain, and operate "minimum security" facilities for the care, custody, education, and treatment of children with less serious behavior problems. Such facilities may include parental schools or homes, farm units, and forest camps. Admission to such minimum security facilities shall be by juvenile court commitment or by transfer as herein otherwise provided. In carrying out the purposes of this section, the department may establish or acquire the use of such facilities by gift, purchase, lease, contract, or other arrangement with existing public entities, and to that end the director may execute necessary leases, contracts, or other agreements. In establishing forest camps, the

Acquisition of "minimum security" facilities.

Admission.

Methods of acquisition.

Forest camps.

department may contract with other divisions of the state and the federal government; including, but not limited to, the state division of forestry, the state parks and recreation commission, the U. S. forest service, and the national park service, on a basis whereby such camps may be made as nearly as possible self-sustaining. Under any such arrangement the contracting agency shall reimburse the department for the value of services which may be rendered by the inmates of a camp and all such reimbursements shall be credited to a "forest camp revolving fund," which fund is hereby created, and out of which funds may be disbursed towards the cost of operation and maintenance of the camp.

Department to be reimbursed for value of inmates' services.

Forest camp revolving fund.

Contracts with other agencies.

SEC. 16. In carrying out the provisions of this act, the department, through the division, shall have power to contract with other divisions or departments of the state or its political subdivisions, with any agency of the federal government, or with any private social agency.

State council for children and youth.

Terms.

Membership.

Vacancies.

Expenses.

SEC. 17. There is hereby created a state council for children and youth which shall consist of twenty-one members to be appointed by the governor. Of the members initially appointed, the governor shall designate seven to serve for terms of six years, seven to serve for terms of four years, and seven to serve for terms of two years. Thereafter, the terms of all members shall be for six years. Membership of the council shall be representative of and chosen from all congressional districts of the state in so far as practicable. Vacancies shall be filled by the governor for the remainder of unexpired terms. Upon their appointment and qualification, the members of the council for children and youth shall meet at Olympia and organize by the election of a chairman and secretary. Members of the council shall be entitled to their necessary traveling expenses and expenses of subsistence while engaged upon the performance of

their official duties. The council shall fix the times it will regularly meet but it shall meet in regular session at least twice a year. Special meetings may be held at the call of the chairman.

Meetings.

SEC. 18. The state council for children and youth shall:

Duties of council.

(a) Advise with, and formulate and recommend policies to, the director of public institutions and supervisor of children and youth services in relation to the custody, care, education, treatment, and rehabilitation of youth.

Recommend policies.

(b) Develop and recommend programs designed to provide, strengthen, and coordinate such services as are deemed essential to the children and youth of the state, and to that end, cooperate with existing agencies, and to encourage and assist the organization of committee units in the several counties of the state for local study and examination of youth problems.

Develop programs for coordinating services.

Local committee units.

(c) Collect and collaborate with other agencies and with special local committee units in collecting statistics and information regarding the behavior problems of children and the underlying causes thereof.

Collect statistics on behavior problems.

(d) Make continuous studies of the educational, health, recreational, economic, and working conditions of children and youth with the object in view of recommending the adoption of measures designed to correct the behavior problems of children.

Continuous studies of working conditions etc., of children.

(e) Make such surveys as may be deemed necessary to enable it to properly carry out its policy-making and recommendatory powers.

Surveys.

(f) Advise and consult with the director in the appointment of the supervisor.

Advise director.

SEC. 19. Nothing in this act shall be construed as limiting the right of a parent, guardian or person standing in *loco parentis* in providing any medical or

Parents' rights not affected by act.

other remedial treatment recognized or permitted under the laws of this state.

Application of juvenile court law.

SEC. 20. This act shall be construed in connection with and supplemental to the juvenile court law as embraced in chapter 160, Laws of 1913, as amended (Remington's Revised Statutes, sections 1987-1 to 1987-18, inclusive). Process, procedure, probation by the court prior to commitment, and commitment shall be as provided therein. The terms "delinquency," "delinquent" and "delinquent children" as used and applied in the juvenile court law and the terms "behavior problems" and "children with behavior problems" as used herein are synonymous and interchangeable.

Terms used synonymously.

Passed the Senate February 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

---

CHAPTER 235.

[ S. B. 218. ]

REMOVAL OF SLASH IN FORESTED AREAS.

AN ACT relative to the liability of persons responsible for slash in forested area; and amending section 76.04.370, R.C.W.

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

Amendment.

SECTION 1. Section 76.04.370 of the Revised Code of Washington, derived from section 4 of chapter 105 of the Laws of 1917, as last amended by section 1 of chapter 58 of the Laws of 1939, is hereby amended to read as follows:

Debris declared fire hazard.

Any land in the state covered wholly or in part by inflammable debris created by logging or other forest operations, land clearing, or right-of-way clearing and which by reason of such condition is likely to further the spread of fire and thereby en-



danger life or property, shall constitute a fire hazard, and the owner thereof and the person responsible for its existence shall abate such hazard. If the state shall incur any expense from fire fighting made necessary by reason of such hazard, it may recover the cost thereof from the person responsible for the existence of such hazard or the owner of the land upon which such hazard existed, and the state shall have a lien upon the land therefor enforceable in the same manner and with the same effect as a mechanic's lien. Nothing in this section shall apply to land for which a certificate of clearance has been issued.

Owner to abate.

Fire fighting; state's expense recoverable.

Lien.

Not applicable, when.

If the owner or person responsible for such hazard refuses, neglects, or fails to abate the hazard, the supervisor may summarily cause it to be abated and the cost thereof may be recovered from the owner or person responsible therefor, and shall also be a lien upon the land enforceable in the same manner with the same effect as a mechanic's lien. The summary action may be taken only after twenty days' notice in writing has been given to the owner or reputed owner of the land on which the hazard exists either by personal service or by registered letter addressed to him at his last known place of residence.

Abatement by supervisor.

Cost a lien.

Notice to abate.

[Am. Rem. Supp. § 5807.]

Passed the Senate February 23, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 236.

[ S. B. 431. ]

WORKMEN'S COMPENSATION.

AN ACT relating to labor and industries; and amending sections 51.08.140, 51.16.020, 51.16.080, 51.16.110, 51.32.050, 51.36.020, and 51.44.070, R.C.W., and repealing section 51.44.060, R.C.W.

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

Amendment. SECTION 1. Section 51.08.140, R.C.W., as derived from section 1, chapter 235, Laws of 1941, is amended to read as follows:

“Occupational disease.” “Occupational disease” means such disease or infection as arises naturally and proximately out of extrahazardous employment. Such claims to be valid and compensable must be filed within one year following the date claimant has notice from a physician of his occupational disease.

[R.C.W. 51.08.140 was derived from Rem. Supp. 1941, § 7679-1; part (1st paragraph and proviso), remainder of § 7679-1 is codified in R.C.W. 51.08.100.]

Amendment. SEC. 2. Section 51.16.020, R.C.W., as derived from section 1, chapter 247, Laws of 1947, is amended to read as follows:

Determination of amounts paid to accident fund; basis. The amounts to be paid into the accident fund shall be determined as follows: The department shall, prior to the first day of January of each year, determine for each class and sub-class, a basic premium rate for the ensuing calendar year and, in so doing, shall take into consideration; first, that no class shall be liable for the depletion of the accident fund for accidents happening in any other class; second, that each class shall meet and be liable for its own accidents; third, the cost experience of each class and sub-class over the two year period immediately preceding July first of the year in which the basic rate is being fixed; fourth, the then condition of each class and sub-class account.

The department shall also, prior to the first day of January of each year, determine the premium rate to be paid into said accident fund during the ensuing year by each employer to be credited to each class and sub-class account, applicable to the employer's operations or business and, in so doing, shall take into consideration the average cost experience of each employer for each workman hour reported by him during each fiscal year in each such class or sub-class over the five year period immediately preceding July first of the year in which the rate is being determined and, in so computing the cost experience of any employer, seventy-five per cent of the average cost of pension claims shall be charged against his experience for each injury resulting in death or total permanent disability of a workman instead of the actual cost to the accident fund of such injury. The actual premium rate which any employer shall be required to pay for the accident fund shall be forty per cent of the basic rate, plus sixty per cent of the employer's cost rate for each workman hour reported by him during each fiscal year over the five year period next preceding the then last July first, but in no case shall the total rate exceed one hundred sixty per cent of the basic rate.

Determination of premium rates to be paid into fund; basis.

[R.C.W. 51.16.020 was derived from Rem. Supp. 1947, § 7676a (second and third paragraphs).]

SEC. 3. Section 51.16.080, R.C.W., as derived from section 1, chapter 247, Laws of 1947, is amended to read as follows:

Amendment.

If a single establishment or work comprises several occupations listed in chapter 51.20 in different risk classes, the premium shall be computed according to the workmen hours of each occupation or, in the discretion of the director, a single rate of premium may be charged for the entire establishment

Where establishment comprises several occupations; basis for computing premiums.

based upon the rate of premium of the occupation reporting the largest number of workmen hours.

[R.C.W. 51.16.080 was derived from Rem. Supp. 1947, § 7676e; part (second paragraph).]

[Chapter 51.20 R.C.W. is Rem. Supp. 1947, § 7676b (part).]

SEC. 4. Section 51.16.110, R.C.W., as derived from section 1, chapter 247, Laws of 1947, is amended to read as follows:

Premium based on estimated payroll and workman hours.

Every employer who shall enter into any business, or who shall resume operations in any work or plant after the final adjustment of his payroll in connection therewith, shall, before so commencing or resuming operations, as the case may be, notify the director of such fact, accompanying such notification with an estimate of his payroll and workmen hours for the first calendar month of his proposed operations, and shall make payment of the premiums on such estimate. Every such employer shall be liable for a premium of at least such estimate. Every such employer shall pay the full basic rate until such time as an experience rating in excess of a one, two, three, or four year period may be computed as of a first succeeding July first date, and shall be liable for a premium of at least one dollar per month irrespective of the amount of his workmen hours reported during said month to the department.

[R.C.W. 51.16.110 was derived from Rem. Supp. 1947, § 7676c (first paragraph).]

Amendment.

SEC. 5. Section 51.32.050, R.C.W., as derived from section 1, chapter 219, Laws of 1949, is amended to read as follows:

Burial expenses.

(a) Where death results from the injury the expenses of burial not to exceed two hundred dollars shall be paid to the undertaker conducting the funeral.

Monthly payment to surviving spouse and children.

(b) If the workman leaves a widow or invalid widower, a monthly payment of seventy-five dollars shall be made throughout the life of the surviving spouse, to cease at the end of the month in which

re-marriage occurs, and the surviving spouse shall also receive per month for each child of the deceased at the time any monthly payment is due the following payments: For the youngest or only child, twenty dollars, for the next or second youngest child, fifteen dollars, and for each additional child, ten dollars, but the total monthly payments shall not exceed one hundred forty dollars and any deficit shall be deducted proportionately among the beneficiaries. In addition to the monthly payments above provided for, a surviving widow, or parent or parents, if there is no surviving widow of any such deceased workman shall be forthwith paid the sum of three hundred dollars.

Additional  
payment.

Upon re-marriage of a widow she shall receive, once and for all, a lump sum of one thousand dollars, but the monthly payments for the child or children shall continue as before.

Payment  
upon remar-  
riage of  
widow.

(c) If the workman leaves no wife or husband, but an orphan child or children a monthly payment of thirty-five dollars shall be made to each such child, but the total monthly payment shall not exceed one hundred forty dollars and any deficit shall be deducted proportionately among the beneficiaries.

Payments  
to orphan  
children.

(d) In the event a surviving spouse receiving monthly payments dies, leaving a child or children, each shall receive the sum of thirty-five dollars per month, but the total monthly payment shall not exceed one hundred forty dollars and any deficit shall be deducted proportionately among the beneficiaries.

Payments to  
children on  
death of  
surviving  
spouse.

(e) If the workman is under the age of twenty-one years and unmarried at the time of his death, the parents or parent of the workman shall receive twenty-five dollars per month for each month after his death until the time at which he would have arrived at the age of twenty-one years.

Payment to  
parents on  
death of  
minor un-  
married  
workman.

Payments to  
other de-  
pendents.

(f) If a workman leaves no widow, widower or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty per cent of the average monthly support actually received by such dependent from the workman during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed fifty dollars per month. If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

Payments  
where death  
occurs dur-  
ing period of  
permanent  
total dis-  
ability.

(g) If the injured workman dies during the period of permanent total disability, whatever the cause of death, leaving a widow, invalid widower, or child, the surviving widow or invalid widower shall receive seventy-five dollars per month until death or re-marriage, to be increased per month for each child of the deceased, as follows: for the youngest or only child, twenty dollars, for the next or second youngest, fifteen dollars and for each additional child, ten dollars: *Provided*, That the total monthly payments shall not exceed one hundred forty dollars and any deficit shall be deducted proportionately among the beneficiaries; but if such child is or shall be without father or mother, such child shall receive thirty-five dollars per month, but the total monthly payment to such children shall not exceed one hundred forty dollars, and any deficit shall be deducted proportionately among the children. Upon re-marriage the payments on account of the child or chil-

Maximum  
monthly  
payments.

Remarriage.

dren shall continue as before to such child or children.

[Subsections of R.C.W. 51.32.050 were derived from subsections of Rem. Supp. 1949, § 7679, as follows: subsection (a) was derived from subsection (a); subsection (b) was derived from subsection (a 1); subsection (c) was derived from subsection (a 2); subsection (d) was derived from subsection (a 4); subsection (e) was derived from subsection (a 3) (last paragraph); subsection (f) was derived from subsection (a 3) (first paragraph); subsection (g) was derived from subsection (c) (first paragraph).]

[R.C.W. 51.32.050 was also amended by sec. 1, ch. 115, Laws of 1951.]

SEC. 6. Section 51.36.020, R.C.W., as derived from section 2, chapter 186, Laws of 1943, is amended to read as follows:

Amendment.

When the injury to any workman is so serious as to require his being taken from the place of injury to a place of treatment, his employer shall, at his own expense and without charge against the medical aid fund, furnish transportation to the nearest place of proper treatment. To assure prompt and adequate hospital care in cases of serious injury the department shall furnish to employers suitable index cards which the employer shall be required to have filled in and shall keep at all times convenient and accessible on which shall be set forth the name and address of each workman, together with such information as, in the judgment of the department, is necessary in cases of serious injury where the workman may be rendered unconscious and at the point of death, said card to be filled in at time of employment of workman and to have space for the following information: hospital preferred, doctor preferred, religious, fraternal or union affiliations, and name of nearest relative: *Provided*, That the employee may at his option decline to give any or all of the information hereinbefore provided for.

Employer to pay expense of transporting seriously injured worker to place of treatment.

Index cards, stating hospital preference, etc.

Every workman whose injury results in the loss of one or more limbs or eyes shall be provided with proper artificial substitutes to be purchased by the department at the expense of the accident fund. Every workman, who suffers a penetrating wound

Artificial limbs provided.

Injury to the cornea, glasses provided.

Damage to artificial limb, eye, or tooth.

Mechanical appliances.

Workman within provisions of subsec. (4) of R.C.W. 51.32.090.

of the cornea producing an error of refraction, shall be once provided, at the expense of the accident fund, proper and properly equipped lenses to correct such error of refraction and his disability rating shall be based upon the loss of sight before correction. Every workman, whose accident results in damage to or destruction of an artificial limb, eye or tooth, shall have same repaired or replaced at the expense of the accident fund. All mechanical appliances necessary in the treatment of an injured workman, such as braces, belts, casts and crutches, may be provided at the expense of the medical aid fund and all mechanical appliances required as permanent equipment after treatment has been completed shall be provided at the expense of the accident fund. A workman, whose injury is of such short duration as to bring him within the provisions of paragraph (e) of section 51.32.080 [subsection (4) of R.C.W. 51.32.090] shall nevertheless receive during the omitted period medical, surgical and hospital care and service and transportation under the provisions of this chapter.

[R.C.W. 51.36.020 was derived from Rem. Supp. 1943, § 7714; part (line 34, p. 454 to end of section).]

[Subsection (4) of R.C.W. 51.32.090 is Rem. Supp. 1949, § 7679 (subsection k).]

Amendment.

SEC. 7. Section 51.44.070, R.C.W., as derived from section 1, chapter 169, Laws of 1941, is amended to read as follows:

Cases resulting in death or permanent total disability; transfer of money to the "reserve fund."

For every case resulting in death or permanent total disability the department shall transfer on its books from the accident fund of the proper class to the "reserve fund" a sum of money for that case equal to the estimated present cash value of the monthly payments provided for it, to be calculated upon the basis of an annuity covering the payments in this title provided to be made for the case. Such annuities shall be based upon tables to be prepared for that purpose by the state insurance commissioner

Basis.



and by him furnished to the state treasurer, calculated upon standard mortality tables with an interest assumption of two per cent *per annum*.

[R.C.W. 51.44.070 was derived from Rem. Supp. 1949, § 7679 (e) third sentence to end of paragraph. Note also that Rem. Supp. 1941, § 7705-2 contains the same language.]

[Reference in title to repeal R.C.W. 51.44.060 was not stricken when the bill was amended to strike section 8 thereof which purported to repeal R.C.W. 51.44.060.]

Passed the Senate March 2, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 237.

[ S. B. 427. ]

### IRRIGATION DISTRICTS—DISSOLUTION.

AN ACT relating to irrigation districts and the dissolution thereof; and repealing chapter 87.54, R.C.W.

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

SECTION 1. An irrigation district may be dissolved and its affairs liquidated as herein prescribed. If there are outstanding bonds of the district the acknowledged uniform consent in writing of at least two thirds in amount of the holders of the bonds must be recorded in the office of the auditor of the county in which the district board has its office.

District may be dissolved.

Consent of holders of outstanding bonds.

SEC. 2. The acknowledged uniform written consent of one hundred per cent of the holders of bonds may provide for cancellation of part of the bonds and for the manner and terms of payment of the balance. The bondholders may also make a firm offer for all property and rights of the district, except property in the district sold for taxes and district assessments, to be paid for by turning over for cancellation an appropriate amount in bonds with accrued interest.

Cancellation of part of bonds.

Bondholders; offer for property and rights of district.

Electors to file petition praying for dissolution.

SEC. 3. At least one third of the electors of the district shall sign and file with the auditor a petition, reciting the substance of the uniform text of the bondholders' consent, that the consent has been filed, and praying that the district be dissolved and its affairs liquidated.

Election.

SEC. 4. The board of commissioners of the county shall at their present or next regular meeting, call an election to submit to the electors of the district the question of whether the district shall be so dissolved. They shall direct the auditor to give notice of the election and shall appoint the election officials.

Notice.

Election; how conducted.

SEC. 5. The election shall be called upon the same notice and conducted in like manner as other elections of the district: *Provided*, That when the bondholder's consent to dissolution provides for an adjustment of the bonded debt and/or the terms and method of its payment the notice of election shall recite the substance thereof.

Contents of notice.

Ballot.

The ballot shall contain the words "For dissolution, Yes" and "For dissolution, No." No person not a qualified elector under the general election laws and a freeholder of the district shall be deemed a qualified elector under this chapter.

Qualified elector.

Canvass; declaration of result.

SEC. 6. The election officials shall file with the auditor the returns within ten days of the election, and at their next meeting the commissioners shall canvass the returns, and if a majority of the votes cast favor dissolution, the commissioners shall declare the election carried. All records of the district shall, upon demand, be delivered to the auditor.

Auditor to deliver transcript of proceedings, statement of assets, etc., to county clerk.

SEC. 7. The auditor shall deliver to the county clerk a certified copy of the transcript of the proceedings of the commissioners on the matter together with a statement of the district's cash assets, segregated as to the bond fund and the total of all other funds, and a statement of the debts of the district

as they appear on the records, taking into account any reduction in bond debt offered by the bondholders in their consent to dissolution; also a general inventory of the district property segregated only as to main classes, together with any offer for same submitted in the bondholders' consent to dissolution.

SEC. 8. The clerk shall docket the proceedings entitled "In the matter of the dissolution of ..... irrigation district," and the court shall direct the clerk to give notice thereof. The notice shall contain a general statement of the nature of the proceedings, and notify all persons having claims against the district to present them on or before a day specified therein, and shall be published once a week for at least six weeks in a newspaper published in the county. Any claim not so filed shall be barred.

Docket.

Notice to  
file claims.Claims  
barred.

SEC. 9. If the court finds that the provisions of this chapter have been complied with, it shall then determine the validity and amount of the claims so filed. No claim barred by the statute of limitations shall be allowed. It shall separately determine the validity and amount of outstanding bonds with accrued interest, making allowances for any offer of adjustments contained in the bondholders' consent to dissolution, and shall order that all cash in the district's bond fund together with the proceeds from a sale of all the property and rights of the district shall be first applied to the redemption of outstanding bonds with interest; that other cash funds of the district be applied on payment of valid unsecured claims, and the remainder on the redemption of any balance of outstanding bonds with interest. The court shall further order that in the event the district's cash funds together with proceeds from the sale of district property and rights shall prove insufficient to discharge all valid obligations of the district, one or more annual assessments shall be made against the assessable property in the district, as herein

Court to  
pass upon  
claims.Disposition  
of assets.Order of as-  
sessments.

provided, sufficient in amounts to discharge all valid debt. The district or any person affected by the judgment may appeal therefrom within ten days of the entry of judgment.

Appeal.  
Appointment of trustee.

SEC. 10. Upon the entry of final judgment, the court shall issue an order appointing a trustee for the district and shall deliver to him a certified copy of the order. The court shall fix the compensation of the trustee and the amount of his bond to be obtained at the cost of the district.

Bond.

Notice of sale.

SEC. 11. The trustee shall give notice that all the property and rights of the district, except property in the district sold for taxes or district assessments, will be sold pursuant to order of the court. The notice shall be given in the same manner and for the same time as for sale of real property on execution, except that it need not be posted.

Sale at public auction.

The sale shall be made at public auction at the front door of the court house and may be adjourned from time to time not exceeding three weeks in all, by public announcement at the time and place of the sale.

Claims and securities accepted at face value.

Any claim established by the previous judgment of the court or any securities of the district may be accepted at face value on the purchase price: *Provided*, That any offer made in the bondholders' written consent to dissolution shall be considered a bid and shall be accepted in the absence of a better offer. No bid shall be considered nor shall any sale be made for less than all the property and rights of the district. The trustee shall forthwith disburse the cash funds of the district in accordance with the order of the court.

Minimum price acceptable.

Trustee's report.

SEC. 12. The trustee shall file with the clerk a report of the disposition made of the cash funds and of the sale and if the court finds the sale was fairly conducted, it shall enter an order confirming the sale, and the trustee shall execute and deliver to

Order confirming sale.

the purchaser an instrument conveying to him all property and rights of the district, free from all claims of the district or its creditors, which shall entitle the purchaser to immediate possession.

Conveyance.

SEC. 13. Upon verification of the disposition of the cash funds and confirmation of the sale the court shall enter an order dissolving the district and discharging the trustee, and a certified copy of the order shall be recorded in the office of the auditor. Thereupon the district shall cease to exist, except for the purpose of collecting its indebtedness. All records of the proceedings shall be delivered to the auditor.

Order dissolving district.

Records delivered to auditor.

SEC. 14. Upon the dissolution of the district the county commissioners shall determine from the records the remaining bond and other indebtedness of the district and shall determine the proper number of annual assessments, not over five, necessary to discharge the debt. They shall cause the county assessor to prepare the annual assessment roll for the lands in the district, based upon the acreages shown on the last district assessment roll. The commissioners shall levy annual assessments, not exceeding five, upon all property in the district assessed for the bond fund on the district's last assessment roll and according to the ratios of benefits there shown, sufficient to pay any remaining claims, including bonds. They shall levy and equalize the assessments, after the same notice of hearing as are required of district directors on irrigation assessments. The county auditor shall perform the duties of the secretary of the district and the county treasurer shall be *ex officio* treasurer of the district and shall collect the assessments. In all other respects the general irrigation district laws shall govern.

Assessments to discharge remaining debts.

Duties of county auditor and county treasurer.

Any funds remaining after all assessments have been collected and all indebtedness and costs liquidated shall be paid over to the bondholders in cases

Surplus funds.

where they have accepted a compromise settlement. Otherwise the surplus shall be distributed as by law provided.

Bonds held in state reclamation revolving fund; consent to dissolution by director of conservation.

SEC. 15. Whenever any bonds of the district are held in the state reclamation revolving fund, and, in the opinion of the director of conservation and development, the district is or will be unable to meet its obligations, and that the state's investment can be best preserved by the dissolution of the district the director may give his consent to dissolution under such stipulations and adjustments of the indebtedness as he deems best for the state.

SEC. 16. Chapter 87.54, R.C.W., same being chapter CII, Laws of 1899, is hereby repealed.

[Rep. R.R.S. §§ 7531 to 7542, incl.]

Passed the Senate February 27, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

---

### CHAPTER 238.

[ S. B. 62. ]

#### PAROLE OF PERSONS SERVING LIFE SENTENCE.

AN ACT relating to the powers of the board of prison terms and paroles; amending chapter 9.95, R.C.W., by adding thereto a new section.

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

New section.

SECTION 1. There is hereby added to chapter 9.95, R.C.W., as derived from chapter 92, Laws of 1947, a new section to read as follows:

Parole of person serving life sentence after 20 years less earned good time.

The board of prison terms and paroles is hereby granted authority to parole any person sentenced to the penitentiary or the reformatory, under a mandatory life sentence, who has been continuously confined therein for a period of twenty consecutive years

less earned good time: *Provided*, The superintendent of the penitentiary or the reformatory, as the case may be, certifies to the board of prison terms and paroles that such person's conduct and work have been meritorious, and based thereon, recommends parole for such person: *Provided*, That no such person shall be released under parole who is found to be a sexual psychopath under the provisions of and as defined by chapter 71.12, R.C.W.

Recommendation of superintendent.

No parole for sexual psychopaths.

[Chapter 9.95 R.C.W. was derived from Rem. Supp. § 10249-2 to 10249-7 incl., as amended, and Rem. Supp. § 10249-11.]

[Chapter 71.12 R.C.W. is Rem. Supp. 1949, §§ 6953-1 to 6953-67.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 239.

[ S. B. 63. ]

### BOARD OF PRISON TERMS AND PAROLES—REDUCTION OF MINIMUM TERMS DURING WAR EMERGENCY.

AN ACT relating to the board of prison terms and paroles; authorizing reduction of minimum term in certain instances, and providing exceptions.

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

SECTION 1. The board of prison terms and paroles is hereby granted authority, in the event of a declaration by the governor that a war emergency exists, including a general mobilization, and for the duration thereof only, to reduce downward the minimum term, as set by the board, of any inmate confined in the Washington state penitentiary or reformatory, who will be accepted by and inducted into the armed services: *Provided*, That a reduction downward shall not be made under this act for those inmates who are confined for treason, murder in the first

Reduction of minimum terms authorized when.

Certain inmates ineligible.

degree or carnal knowledge of a female child under ten years: *And provided further*, That no such inmate shall be released under this act who is found to be a sexual psychopath under the provisions of and as defined by chapter 71.12, R.C.W.

[Chapter 71.12 R.C.W. is Rem. Supp. 1949, §§ 6953-1 to 6953-67 incl.]

Analysis and report of prisoner's prospects for rehabilitation.

SEC. 2. After a person has been confined in the state penitentiary for seven years or in the state reformatory for three years, the superintendent of the penitentiary or of the reformatory, as the case may be, upon his own initiative or at the request of the board of prison terms and paroles shall cause a thorough analysis and report of the convicted person's prospects for rehabilitation to be made. If, based thereon, the superintendent so recommends, the board of prison terms and paroles, after such further investigation as it deems necessary, may reconsider its previous determination as to the duration of confinement of the convicted person, and subject to the limitations contained in section 1 of this act, may adjust the duration downward: *Provided*, The three-year period of confinement shall be considered only in those cases wherein the judgment, sentence and commitment shall be to the state reformatory.

Adjustment downward of duration of term.

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.



CHAPTER 240.

[ S. B. 82. ]

STATE AND LOCAL FLOOD CONTROL.

AN ACT relating to state and local participation in flood control; and repealing chapter 86.20, R.C.W., and chapter 86.28, R.C.W.

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

SECTION 1. Chapter 86.20, R.C.W., being chapter 150, Laws of 1933, and chapter 86.28, R.C.W., being sections 1 to 7, both inclusive, of chapter 204, Laws of 1941, are hereby repealed.

Repealing clause.

[Chapter 86.20 R.C.W. is Rem. Supp. §§ 9663-1 to 9663-21 incl.]

[Chapter 86.28 R.C.W. is 9663f-1 to 9663f-7 incl., as amended.]

SEC. 2. It is the purpose of the state in the exercise of its sovereign and police powers and in the interest of public welfare, to establish a state and local participating flood control maintenance policy.

Declaration of purpose.

SEC. 3. There are created under the director of conservation and development, the division of flood control and the office of supervisor of flood control. The supervisor of flood control shall have charge for the state, of the administration and enforcement of all laws relating to flood control.

Division of flood control created.

Supervisor of flood control.

SEC. 4. State participation in flood control maintenance shall be with corporate municipalities subject to flood conditions, namely, with counties, counties acting jointly, cities, towns, flood control districts, diking or diking improvement districts, drainage and drainage improvement districts, diking and drainage improvement districts, irrigation districts, and soil conservation districts.

State's participation with political subdivisions.

SEC. 5. The regular or special engineer for any such municipality shall be *ex officio* the local flood control engineer for any flood control work prosecuted by his municipality with aid from state flood

Municipal engineer is ex officio local flood control engineer.

County engineer; soil conservation district or other municipalities.

control funds. The county engineer shall be the *ex officio* local flood control engineer for any soil conservation district in his county and for any other municipality therein by special agreement between the proper municipal authorities and the county commissioners.

Project plans; approval by local engineer.

SEC. 6. Each local flood control engineer shall approve all plans for flood control maintenance projects within his jurisdiction; he shall supervise their construction and have control of and make the authorized expenditures therefor. The approval of such plans, construction and expenditures by the supervisor of flood control shall be a condition precedent to state participation in the cost of any project.

Same; approval by supervisor, condition precedent to state aid.

State participation limited to projects of general interest.

SEC. 7. State participation shall be in such flood control maintenance projects as are affected with a general public and state interest, as differentiated from a private interest, and as are likely to bring about public benefits commensurate with the amount of state funds allocated thereto. Such participation shall be made from state appropriations for flood control maintenance purposes.

Source of funds.

Allocations for emergency purposes.

SEC. 8. Appropriation for flood control maintenance shall be so employed that as far as possible, funds will be on hand to meet unusual, unforeseeable and emergent flood conditions. Allocations by the supervisor, for emergency purposes, shall in each instance be in amounts which together with funds provided by local authority, under reasonable exercise of its emergency powers, shall be adequate for the preservation of life and property, and with due regard to similar needs elsewhere in the state.

Municipal corporation; flood control maintenance fund authorized.

SEC. 9. Any municipal corporation subject to flood conditions, may establish in its treasury a flood control maintenance fund. Such fund may be maintained by transfer thereto of moneys derived from regular or special lawful levies for flood control pur-

poses, moneys which may be lawfully transferred to it from any other municipal fund; and gifts and contributions received for flood control purposes. All costs and expenses for flood control maintenance purposes shall be paid out of said flood control maintenance fund, which fund shall not be used for any other purpose.

Use of fund.

SEC. 10. Any municipal corporation intending to seek state participating funds shall, within thirty days after final adoption of its annual budget for flood control purposes, report the amount thereof, to the supervisor of flood control. On the basis of all such budget reports received, he may thereupon prepare his tentative and preliminary plan for the orderly and most beneficial allocation of state flood control funds for the ensuing calendar year. Any otherwise eligible municipal corporation failing and neglecting to report the amount of its budget may, at the discretion of the supervisor, become ineligible for state participation during the ensuing year. Soil conservation districts shall be exempted from the provisions of this section.

Municipal corporations; annual report to supervisor of amount of budget.

Soil conservation districts excluded.

SEC. 11. The state shall participate with eligible local authorities in maintaining and restoring the normal and reasonably stable river and stream channel alignment and the normal and reasonably stable river and stream channel capacity for carrying off flood waters with a minimum of damage from bank erosion or overflow of adjacent lands and property; and in restoring, maintaining and repairing natural conditions, works and structures for the maintenance of such conditions. The state shall likewise participate in the restoration and maintenance of natural conditions, works or structures for the protection of lands and other property from inundation or other damage by the sea or other bodies of water. State flood control maintenance funds shall not be available for maintenance of works or structures main-

State participation; maintenance of stable channel alignment and capacity.

Same; structures for protection of land.

Works maintained solely for detention of water; state funds not available.

tained solely for the detention or storage of flood waters.

State participation provided by agreement.

SEC. 12. State participation in the cost of any flood control maintenance project shall be provided for by a written memorandum agreement between the director of conservation and development and the corporate authorities of the local sponsoring party, which agreement, among other things, shall state the estimated cost and the percentage thereof to be borne by the state. In no instance, except on emergency projects, shall the state's share exceed one-half the cost of the project. State participation in any soil conservation district shall not, in the aggregate, exceed ten thousand dollars in any fiscal year, and shall be only in projects approved and recommended by the district's board of supervisors.

Limitation on state's share of the cost.

Warrants drawn only on vouchers.

SEC. 13. No warrant shall be drawn by the state auditor to the credit of the flood control maintenance account of any participating local agency except on vouchers for reimbursement of expenditures therefor made and properly supported and approved by the local flood control engineer and by the supervisor of flood control.

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 241.

[ S. B. 86. ]

DESTRUCTION OF CERTAIN MOTOR VEHICLE REGISTRATIONS.

AN ACT relating to motor vehicles, and authorizing the director of licenses to destroy motor vehicle registrations, operators' registrations, supporting papers; and amending section 46.08.120, R.C.W.

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

SECTION 1. Section 46.08.120, R.C.W., as derived from section 77, chapter 188, Laws of 1937, is amended to read as follows: Amendment.

The director, in his discretion, may destroy applications for vehicle licenses, copies of vehicle licenses issued, applications for vehicle operators' licenses, and copies of issued vehicle operators' licenses, after they have been on file in his office for a period of three years and certificates of title or registration or other documents, records or supporting papers, on file in his office which have been photographed or reproduced on film for a period of not less than thirty days: *Provided*, That there shall be retained and filed with the director, as a permanent record or otherwise, any records deemed necessary or convenient for use in completing the case record of any motor vehicle operator, or for any other purpose. Destruction of certain licenses, etc., authorized.

Certain records retained.

[Am. R.R.S. § 6312-77.]

Passed the Senate March 8, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 242.

[ S. B. 88. ]

GUARDIANS' BONDS.

AN ACT relating to guardianships and guardians' bonds; and amending section 11.88.100, R.C.W.

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

SECTION 1. Section 11.88.100, R.C.W., as derived from section 1, chapter 145, Laws of 1947, is amended to read as follows:

Oath and bond prior to issuance of letters.

Before letters of guardianship are issued, each guardian shall take and subscribe an oath and file a bond, with sureties to be approved by the court, payable to the state, in such sum as the court may fix, and such bond shall be conditioned substantially as follows:

Form of bond.

The condition of this obligation is such, that if the above bound A.B., who has been appointed guardian for C.D., shall faithfully discharge the office and trust of such guardian according to law and shall render a fair and just account of his guardianship to the superior court of the county of....., from time to time as he shall thereto be required by such court, and comply with all orders of the court, lawfully made, relative to the goods, chattels, moneys, care, management, and education of such minor, insane or mentally incompetent person, or his or her property, and render and pay to such minor, insane or mentally incompetent person all moneys, goods, chattels, title papers, and effects which may come into the hands or possession of such guardian, at such time and in such manner as the court may order or adjudge, then this obligation shall be void, otherwise to be and remain in full force and effect.

Bond not void on first recovery.

The bond shall be for the use of the minor, insane or mentally incompetent person, and shall not become void upon the first recovery, but may be put

in suit from time to time against all or any one of the obligors, in the name and for the use and benefit of any person entitled by the breach thereof, until the whole penalty is recovered thereon. The court may require an additional bond whenever for any reason it appears to the court that an additional bond should be given: *Provided*, That in cases where the estate consists of, or has been reduced solely to, cash or securities or both, and the said assets do not exceed the sum of five thousand dollars, and where such guardian agrees that the funds of the estate not theretofore ordered disbursed, shall be invested in government bonds, savings and loan association accounts, or certificates, or other investments permitted by law and approved by the judge, and said guardian further agrees that such bonds, certificates or other evidence of investment shall be placed in possession of a savings and loan association or a bank, trust company, escrow corporation or other corporation approved by the court and files in court a receipt therefor stating that such corporation holds the same subject to order of court then in such case the judge may in his discretion dispense with the giving of a bond or reduce the same, and may order that no further reports by said guardian be required until such time as the guardian desires to withdraw such funds or change the investment thereof: *Provided further*, When the petition for appointment of guardian or other papers on file with the court show to the satisfaction of the court the amount to be so invested and the disposition to be made of the other funds of the estate, if any, the court may also dispense with the filing of an inventory or of a first guardian's report or both.

In all cases where a bank or trust company, authorized to act as guardian, is appointed as guardian, or acts as guardian under an appointment as such heretofore made, no bond shall be required.

Additional  
bond.

Instances  
when bond  
may be dis-  
pensed with  
or reduced.

Instances  
when inven-  
tory and/or  
report may  
be dispensed  
with.

Bank or  
trust com-  
pany as  
guardian;  
no bond re-  
quired.

Estates less than \$500.

Letters may be issued without bond.

When it appears from the petition for letters of guardianship and from the evidence submitted at the hearing thereon that the value of the estate does not exceed five hundred dollars, that the rights of the ward and creditors will not be jeopardized thereby, and that the guardian is a parent of, or a person standing in *loco parentis* to, the ward, the court may order that letters of guardianship be issued without bond.

[Am. Rem. Supp. 1947, § 1573.]

Passed the Senate March 8, 1951.

Passed the House March 5, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 243.

[ S. B. 153. ]

### SOCIAL SECURITY CONTINGENT RECEIPTS FUND.

AN ACT establishing a social security contingent receipts fund in the state treasury to receive federal funds involving no financial participation by the state; making an appropriation; and declaring an emergency.

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

Declaration of intention.

SECTION 1. The legislature hereby expresses its intention to provide adequate provision for the receiving and disbursing of any funds that might be received from the federal government during the ensuing biennium.

Social security contingent receipts fund; created.

SEC. 2. There is hereby created a fund in the state treasury to be known as the social security contingent receipts fund in which shall be deposited all monies received from the federal government which shall be made available to the state department of social security on a one hundred per cent matching basis or which supplement the appropriation of the department of social security for such purposes as



child welfare services, vocational rehabilitation for the blind, or any other federal aid for public welfare purposes which does not involve any specific financial participation or matching by the state of Washington.

SEC. 3. The director of the department of social security is hereby designated the agent of the state of Washington to accept and receive all such funds and to deposit all such funds in the state treasury to the credit of the social security contingent receipts fund herein created, and the same shall be expended therefrom by his written authorization.

Same;  
powers and  
duties of  
director of  
social  
security.

SEC. 4. To carry out the purposes of this act there is hereby appropriated from the contingent receipts fund the sum of five hundred thousand dollars.

Appropriation.

SEC. 5. This act is necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately.

Emergency.

Passed the Senate February 20, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

## CHAPTER 244.

[ S. B. 151. ]

AGRICULTURAL PRODUCTS—CASH BUYER'S  
LICENSE FEES.

AN ACT fixing fees and bonds for issuance of license to cash buyer of agricultural products; and amending section 20.08.050, R.C.W.

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

Amendment.

SECTION 1. Section 20.08.050, R.C.W., as derived from section 17, chapter 197, Laws of 1939, is amended to read as follows:

Cash buyer's  
license; fees.

If an applicant is applying for a license to do a business in agricultural products as a cash buyer, and no part of his business is to be conducted or carried on as a commission merchant and credit buyer, the director shall issue to such applicant, on payment of twenty-five dollars, a cash buyer's license entitling him to conduct the business of purchasing agricultural products for the purpose of processing or resale at the place or places named in the application: *Provided*, That should any or all of such applicant's business include the purchase for resale of any livestock, cattle, horses, mules, swine, sheep, goats, or any hay, grain, or straw, such applicant before being issued a license shall be required to execute and deliver to the director a substantial bond in a sum not to exceed five thousand dollars, and with surety satisfactory to the director. Such bond shall be governed in all respects by the terms of sections 20.12.020, 20.12.030 and 20.12.040, R.C.W., relating to bonds for commission merchants and crediting buyers.

Bond re-  
quired, when.

[Am. Rem. Supp. § 8293-3.]

[R.C.W. 20.12.020 is Rem. Supp. § 8294; 20.12.030 is Rem. Supp. § 8300; 20.12.040 is Rem. Supp. § 8301.]

Passed the Senate March 8, 1951.

Passed the House March 4, 1951.

Approved by the Governor March 19, 1951.

## CHAPTER 245.

[ S. B. 188. ]

## CUSTOM SLAUGHTERING LICENSE.

AN ACT relating to licensing of custom slaughtering.

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

SECTION 1. Any person, firm or corporation engaged in custom slaughtering for farmers on their own farms shall secure from the director of agriculture an annual license to operate as a custom slaughterer and pay an annual license fee of twenty-five dollars. Farm slaughtering by a licensed custom slaughterer shall be limited to slaughtering animals for the farmer's own consumption.

Custom slaughterer's license.

Farm slaughtering.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

## CHAPTER 246.

[ S. B. 177. ]

DECLARING CERTAIN EMPLOYMENT TO BE  
EXTRAHAZARDOUS.

AN ACT declaring work performed by maintenance and service employees in stores, buildings and establishments to be extrahazardous; and providing for compensation in case of injuries.

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

SECTION 1. The work performed by maintenance and service employees in stores, buildings and establishments is hereby declared to be extrahazardous within the meaning of the workmen's compensation law, and the firms operating said stores, buildings and establishments, as employers, and the maintenance and service employees, as employees, shall be

Maintenance and service employees in stores, etc.; work declared extra-hazardous.

Churches and educational institutions excepted.

subject to all the provisions of law relating to contributions and to the compensation and medical and surgical care of injured workmen and entitled to all the benefits thereof: *Provided*, That churches and educational institutions are specifically excluded from the provisions of this act.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

---

CHAPTER 247.

[ S. B. 199. ]

STATE HIGHWAY COMMISSION.

AN ACT relating to state government; creating a state highway commission to administer the state highway system and defining its powers and duties; establishing the Washington state safety council as a division of the executive department, and providing for its organizational structure, and for the study of accident prevention thereby.

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

Legislative declaration.

SECTION 1. The administration of highway affairs has become a matter of major public importance involving vast sums of money, the development of commerce and resources, the employment of great numbers of persons, the promotion of recreation and the welfare of every citizen of the state. It demands the highest order of business and technical administration, accompanied by continuity of sound long-range highway policies, freedom from political interference and changes of personnel, and an organization attracting the services of qualified talented administrators and meriting the confidence of the people.

State highway commission created.

SEC. 2. There is hereby created a state highway commission consisting of five members, all of whom

shall be residents of this state and who shall be appointed by the governor with the consent of the senate for terms of office as herein provided, and with the qualifications herein specified. Within ninety days after the passage of this act the governor shall appoint the first members of said state highway commission: One member to serve two years; one member to serve three years; one member to serve four years; one member to serve five years; and one member to serve six years from the first day of July, 1951. Upon expiration of said original terms subsequent appointments shall be for six years except in the case of a vacancy, in which event appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred.

Members appointed by governor.

Terms of office.

Vacancies.

SEC. 3. No two members of said state highway commission shall at the time of appointment or thereafter during their respective terms of office be residents of the same congressional district, and not more than three members of said state highway commission shall reside at the time of appointment or thereafter in one part of the state divided north and south by the summit of the Cascade Mountains. Not more than three members of said state highway commission shall at the time of appointment or thereafter during their respective terms of office be members of the same major political party. No elective state official or state officer during the term of office to which he was elected or appointed or state employee shall be a member of said commission. No state highway commissioner shall be removed from office by the governor before the expiration of his term unless for a disqualifying change of residence or for cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston County upon petition and show cause proceedings duly brought therefor in

Geographical limitations on appointments.

Political limitations of membership.

Removal of members.

said court and directed to the commissioner in question.

Commission;  
scope of  
authority.

SEC. 4 The state highway commission is hereby vested with all powers, authority, functions and duties now vested in or required to be performed by the director of highways or the state department of highways. Full and complete jurisdiction and authority over the administration of state highways and all matters connected therewith or related thereto is hereby granted the said state highway commission except only insofar as the same may have been heretofore or may be hereafter specifically granted to the director or department of licenses, the public service commission, the state commission on equipment, the Washington state patrol or its chief, the Washington toll bridge authority, or the governing bodies of cities and towns.

Where  
director  
presently  
designated  
member of  
other board;  
commission  
to determine  
membership.

SEC. 5. In all situations wherein the director of highways is now designated as a member of any board, commission, committee, or authority, the state highway commission shall hereafter determine who shall serve as such member.

First  
meeting of  
commission.

SEC. 6. The first appointed members of the state highway commission shall meet in the offices of the department of highways at the state capitol and organize as a state highway commission during the first week in July, 1951, or as soon thereafter as possible. At the first annual meeting and at each annual meeting thereafter the commission shall elect a secretary who may be, but need not be, a member of said commission, and the commission shall elect a chairman from its own membership who shall hold office for one year. Election as chairman shall not interfere with the member's right to vote on all matters before the commission. The commission shall meet at such other times as it deems advisable, but at least once every thirty days, and shall from time to time adopt rules and regulations not incon-

Secretary.

Chairman.

Other  
meetings.

sistent with the provisions of this act for its own government, and to regulate and discharge its duties, and to exercise its powers under this act.

SEC. 7. On and after July 1, 1951, the state highway commission shall take over, assume and exercise all of the powers, authority and functions and perform all of the duties now vested in or required to be performed by the director of highways and the department of highways. Thereafter the state highway commission shall assume and exercise full and complete jurisdiction and authority over the administration of the state highways and all matters connected therewith or related thereto as hereinabove set forth in section 4 of this act. The state highway commission shall establish such rules and regulations as may be deemed wise and lay down policies of procedure and generally supervise and control the operation of said functions within the terms of this act and pursuant to the laws of this state, and the said commission is hereby clothed with all necessary powers to carry out the terms of this act.

Authority vests as of July 1, 1951.

Rules and regulations.

General grant of powers.

SEC. 8. The commission shall act collectively in harmony with recorded resolutions or motions adopted by a majority of the commission at regular or special meetings, notice of which meetings shall be given to all members pursuant to the rules of said commission. Three members shall constitute a quorum at any meeting, but no resolution, motion, or other decision of the commission shall be adopted or passed without the favorable vote of at least three members.

Notice of meetings.

Quorum.

Resolutions, etc.; concurrence of three members required.

SEC. 9. The state highway commission shall select and appoint the director of highways who after appointment shall be an *ex officio* member of the commission without a vote. He shall be the chief executive officer of the commission responsible only to it, and shall carry into effect the commission's order and shall be guided by policies laid down by it.

Appointment of director.

*Ex Officio* member of commission.

Chief executive officer.

As the executive head, he shall direct all activities and supervise the work of the staff of the department.

Director; qualifications.

SEC. 10. The director of highways shall be fully competent as a highway engineer and as an executive. He shall be a registered professional engineer and shall be a graduate in engineering of an accredited university or college or have in lieu thereof experience as a civil engineer in responsible charge of work equivalent to such education, and in addition experience in highway or road construction for a period of not less than five years. He need not be a resident of the state at the time of his appointment.

Same; tenure.

SEC. 11. The director of highways shall hold office indefinitely but may be dismissed by the commission at any time for incompetence, neglect of duty, malfeasance in office or failure to carry out the commission's policies. Before a motion for dismissal shall be acted upon by the state highway commission, the director of highways shall be granted a hearing on formal written charges before the full commission.

Same; salary.

SEC. 12. The salary of the director of highways shall be ten thousand dollars per year: *Provided, however,* That the commission may increase said salary to a maximum of fifteen thousand dollars per year.

Commission; compensation of members.

Expenses.

Maximum annual per diem.

SEC. 13. Each member of the state highway commission shall receive twenty-five dollars *per diem* for each day actually spent in the performance of his duties and his actual necessary traveling and other expenses in going to, attending and returning from meetings of the commission, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the commission, but in no event shall a commissioner's *per diem* payments exceed three thousand dollars in any one year.



SEC. 14. The state highway commission shall prepare a report of its activities to be submitted to each biennial session of the legislature. The report shall be printed and copies thereof submitted to the senate and house of representatives on or before the opening day of the legislative session and shall show the sum of money expended by or under its direction during the fiscal biennium or portion thereof during which the commission has functioned, and shall show data and information as will show a strict accounting of all sums expended by or under its direction.

Report to legislature.

SEC. 15. The commission shall prepare, furnish and present to the governor, and through him to the legislature, the budget for the following two years. The commission shall within two years after its establishment submit to the legislature a comprehensive plan for highway development based on the principle that the state is furnishing transportation facilities which should be paid for by those most benefited and developed in the order of greatest need therefor.

Budget.

Comprehensive plan for highway development.

SEC. 16. There is hereby established, as a division of the executive department, the Washington state safety council, hereinafter referred to as the council.

Washington state safety council; established.

SEC. 17. The council shall study ways and means for prevention of accidents on the streets and highways, in homes, on the farms, at schools, in industrial and commercial plants, and in public places; shall plan and execute safety programs, including educational campaigns, designed to reduce accidents in every field of activity; shall work in cooperation with all official and unofficial organizations and instrumentalities within the state which are interested in safety to the end that all possible resources shall be marshalled and utilized to reduce the menace of accidental death and injury; shall work toward ob-

Same; duties.

taining better observance and enforcement of laws governing street and highway traffic, and shall assist in bringing about, wherever feasible, the application of further modern engineering measures for the control and facility of street and highway traffic movement and for the prevention of traffic accidents; shall advise with the state departments having responsibilities for safeguarding the people against accidents, and especially with the director of highways, the chief of the state patrol, the chairman of the public service commission, the director of licenses, the superintendent of public instruction and the director of labor and industries in the accomplishment of the purposes as herein stated.

Composition of council.

SEC. 18. The council shall be composed of an executive board, an advisory committee, an official coordinating committee, the staff of the council, and such divisions or additional committees as may be established by the executive board to assist in carrying out of the purposes of the council.

Council executive board; composition.

SEC. 19. The executive board shall be composed of the director of highways, the chief of the state patrol, the director of licenses, the superintendent of public instruction, the director of labor and industries, and six members to be appointed by the governor from among citizens of the state who are not officers, officials or employees of the state or any department or unit thereof, or who are not officers, officials or employees of any city, town, county or other minor civil subdivision of the state.

Same; appointment of citizen members; terms of office.

SEC. 20. Within thirty days after the effective date of this act the governor shall appoint the citizen members of the executive board, two to serve for terms of two years, two to serve for terms of four years, and two to serve for terms of six years; the terms to begin as of January first of the year in which this act becomes effective. In each second year

thereafter the governor shall appoint two members of the board to serve for terms of six years.

From among its citizen members the executive board shall elect a chairman and a vice-chairman of the board to serve in such capacities during their respective terms of office.

Same;  
officers.

SEC. 21. The advisory committee shall be composed of the citizen members of the executive board, and sixty or more additional members, to be appointed by the governor, who are broadly representative of all sections of the state and such interests as business and industry, organized labor, the press, radio stations, advertising interests, service clubs, veterans' organizations, women's organizations, religious organizations, local official agencies, and such other groups as are concerned with prevention of accidents.

Council  
advisory  
committee;  
composition.

SEC. 22. Within thirty days after the effective date of this act, the governor shall appoint the aforesaid sixty or more additional members of the advisory committee, one-third of them to serve for terms of two years, one-third for terms of four years, and one-third for terms of six years, said terms to begin on January first of the year in which this act becomes effective. In each second year thereafter the governor shall appoint the number of members required to fill the places vacated through expiration of terms of office, such appointees to serve for terms of six years.

Same;  
appointment  
of members;  
terms of  
office.

The chairman and the vice-chairman of the executive board shall also serve as chairman and vice-chairman respectively of the advisory committee.

Same;  
officers.

SEC. 23. The official coordinating committee shall be composed of the governor, the director of highways, the chief of the state patrol, the director of licenses, the superintendent of public instruction, the chairman of the public service commission and

Council  
official  
coordinating  
committee;  
composition.

the director of labor and industries, and such other state officials as the governor may designate. The governor shall serve as chairman of this committee.

Executive board; approval of actions of council.

SEC. 24. All final actions and decisions of the council shall be taken under the approval and authority of the executive board, which shall be the governing body of the council.

Same; annual report.

SEC. 25. On or before the fifteenth day of December in each year the executive board shall submit to the legislature and to the governor a report showing the status of the council's organization, its activities during the past year, and the accomplishments in the state toward reductions in accidents of all types, together with a plan for the council's proposed safety program during the ensuing year. This report shall be printed by the state printing office, and a minimum number of copies shall be made available for public information.

Same; budget.

SEC. 26. On or before the first day of December in each even numbered year the executive board shall submit to the governor an itemized budget of its proposed expenditures during the ensuing biennium.

Same; by-laws.

SEC. 27. The executive board shall adopt by-laws providing for carrying out the purposes of the council including:

- (1) The holding of meetings of said board and the procedures involved in relation to its functions;
- (2) The holding of meetings of the advisory committee, and the procedures involved in relation to its functions;
- (3) Administration of the business and financial responsibilities relating to the work of the council;
- (4) Organization and control of divisions and committees needed in conducting the state-wide program of safety activities.

SEC. 28. The office of managing director of the council and the position of director of public information of the council are hereby created. Appointment of persons to these positions shall be made by the executive board; and within the limitations of the council's budget, the compensation to be paid such employees shall be fixed by said board.

Council; managing director and director of public information; appointment and compensation.

SEC. 29. Under the direction of the executive board, the managing director shall be in general charge of administration of the council's affairs. He shall act as secretary of the executive board and as secretary of the advisory committee, and shall record the minutes of meetings of those bodies. He shall be in charge of the council's staff, and shall guide and help to activate all of the council's program of safety activities, under the plans and policies approved by the executive board.

Managing director; duties.

In recognition of the fact that administration of the work of the council requires an executive who possesses specialized training and exceptional qualifications, the executive board is hereby authorized to employ as managing director whatever person, available anywhere in the United States, may be best suited for the position.

Same; qualifications.

SEC. 30. Persons employed as managing director and as director of public information, and other regular, full-time members of the council's staff, shall be under the direct control of the executive board and their compensation shall be provided out of such funds as are available for the work of the council.

Council's staff controlled by executive board.

SEC. 31. Directors of the several departments of the state government shall cooperate with the council in carrying forward its program of safety activities, shall make available information needed by the council relating to the accident problems and methods employed or recommended for accident prevention; and at their discretion said directors may

Heads of state departments to assist council.

from time to time loan such personnel as may be spared from their regular duties for short periods, to assist in the safety program.

Council executive board; jurisdiction as to funds.

SEC. 32. All funds appropriated by the state for the support of the council shall be under the direct jurisdiction of the executive board, and all expenditures of said funds shall be covered by vouchers prepared in the council's headquarters, signed by the managing director, countersigned by the chairman or the vice-chairman of said board, and submitted to the state auditor for payment.

Receipt of contributions authorized.

SEC. 33. Contributions may be received by the executive board from business firms, organized groups or individuals for financing special safety projects. Expenditures from any such contributed funds shall be under direct control of said board.

Citizen members to receive no compensation.

SEC. 34. Citizen members of the executive board and members of the advisory council shall receive no compensation for their services, but necessary expenses of the citizen members of the executive board for attendance at regular or called meetings of that board shall be paid from state funds available to the council.

Expenses.

Advisory committee; functions.

SEC. 35. It shall be the function of the advisory committee to bring to bear upon proposals for solutions of the accident problem the mature judgment and recommendations of leaders representing all primary segments of public opinion and groups located in all parts of the state which are interested in preventing accidents; to assist the executive board in formulating plans and conducting safety programs which will be likely to secure public acceptance; to help support the public authorities in the administration and enforcement of laws and regulations properly designed for the protection of the people against accidents and for the convenience of street and highway traffic movements; and to utilize the

influence of its respective member groups and activate the facilities within their control to promote a state-wide, coordinated program of safety.

SEC. 36. It shall be the function of the official coordinating committee to advise with and assist the executive board in formulating plans and policies essential for accomplishing the purposes of the council, to make sure that official activities of state departments which touch upon or overlap each other in relation to prevention of accidents are actively coordinated, to promote further practicable means whereby state departments individually and collectively may attack the accident problems more effectively, to make available where feasible the facilities of various departments in cooperation with the executive board and the other divisions or committees of the council to help strengthen the safety program.

Official  
coordinating  
committee;  
functions.

Meetings of the official coordinating committee shall be held according to a schedule established by the committee itself, or upon call of the chairman.

Same;  
meetings.

SEC. 37. The council shall have no authority, power or duties now vested in any department or departments of the state except as provided in this act.

Council's  
powers  
limited to  
act.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 248.

[ S. B. 221. ]

ANNEXATION OF WATER, SEWER AND FIRE DISTRICTS TO CITIES AND TOWNS.

AN ACT permitting annexation to cities and towns of territory which includes all or parts of a water, sewer, or fire protection district; providing for adjusting existing property rights, assets and liabilities between the city and such districts; providing a method for counting the population of the annexed territory; amending section 35.13.020, R.C.W.; and declaring an emergency.

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

Annexation to city or town of territory which includes entire district.

All district property inures to city with power to operate facilities and collect charges subject however to district indebtedness.

City may elect to assume indebtedness.

Credit to district.

Prior to election by city; district property owners remain liable.

Same; function of district officers.

SECTION 1. Whenever any territory which includes all the territory of a water, sewer or fire protection district, hereinafter referred to as "the district," has been heretofore or is hereafter annexed to a city or town, all real and personal property, franchises, rights, assets, water or sewer lines, facilities, or equipment of the district shall become the property of the city to which annexation is made, with full power to manage, control, maintain and operate such facilities and to fix and collect charges to customers, subject, however, to any outstanding indebtedness, bonded or otherwise, of the district, which indebtedness the city may by resolution of its governing body elect to assume and pay at the times and in the manner said indebtedness is due and payable: *Provided*, That such district shall be credited with a reasonable value of any equipment or personal property acquired by the city. Until such election is made, the property annexed and the owners and occupants thereof shall continue liable for its and their proportion of the unpaid indebtedness and the district and its officers shall continue to function for the sole purpose of certifying the amount of property tax to be collected and paid on such indebtedness in the same manner and by the same means as if the annexation had not been made.



If the city elects to assume outstanding indebtedness, and property taxes have been levied but not collected for the district prior to the date the annexation takes effect, the same shall when collected belong and be paid to the annexing city and be used by such city so far as necessary for payment as and when due of the indebtedness of the district existing and unpaid on the date of annexation. If the city takes over any funds which have been collected for paying any bonded or other indebtedness of the district the same shall be used for the purpose for which collected and for no other purpose.

Uncollected taxes inure to city.

when.

Acquisition by city of funds collected for payment of district indebtedness.

SEC. 2. If only a portion of the territory of any such district is annexed to the city, all real estate, facilities, installations or equipment belonging to the district within the annexed territory which are exclusively used for or by the annexed territory, together with a portion of the assets or funds of the district equal to the proportion which the assessed valuation of the real estate of the district located inside the city bears to the total assessed valuation of the real estate of the district, shall belong to the city, subject to the debts and obligations of the district for which such real estate, facilities, installations or equipment, assets or funds would have been liable if no annexation had been made; and, in such case, the real estate annexed, and the owners and occupants thereof, shall continue liable for payments of its and their proportionate share of any unpaid indebtedness, bonded or otherwise, with the right on the part of the district officials to make tax levies and collect charges on such property or owners or occupants, and to enforce such collections as if the annexation had not been made. The city shall have power to manage and control the facilities and fix and collect charges for service for such territory located within the city. If only a portion of any such district is annexed, and there shall be located in the

Annexation of but part of district; district property within annexed area used exclusively by such area, effect.

District's rights as to district properties used exclusively for service to real estate not annexed.

territory annexed any real estate, facilities, installations or equipment which are used exclusively for service to real estate not annexed to the city, the district shall have the right to continue to use such real estate, facilities, installations or equipment for service of the territory of the district not annexed, in the same manner as if the annexation had not been made.

Annexation of but part of district, no facilities exclusively used; effect.

SEC. 3. If a portion of the district is located outside the city and a portion inside, with no facilities or services used exclusively for territory outside or exclusively for territory inside the city, the real and personal property, water or sewer mains, facilities or equipment located within the annexed territory, and all assets and funds of the district in proportion to the assessed valuation of the real estate located inside and outside shall belong to the city; and the city shall have power to manage, control, maintain and operate the same, and fix and collect charges for the use of such facilities for territory located inside the city: *Provided*, That no action of the city shall prejudice or impair the rights or privileges of any creditor under any contract with the district existing at the time the annexation takes effect nor shall the operation of the city affect the right to service of any owner of real estate or any person within the district but outside the city who has paid or contributed towards the cost of installation of any improvements located in the territory annexed: *Provided*, The city shall be under no obligation to maintain, replace or repair any facilities located outside the city but may enter into agreements with such outside owners or users and with the district covering the terms under which such outside service, maintenance and replacement may be made. All funds taken over by a city so far as practicable shall be used for the purpose for which the same were collected and accumulated.

Rights of creditors.

City not obligated to repair facilities outside city.

SEC. 4. Notwithstanding the provisions of this act, the city may through its legislative authority authorize a contract with the district, with respect to rights, duties and obligations of the city and the district as to ownership of property, services, assets, liabilities and debts and any other questions arising out of the annexation, which contract may also make provision for services by the district and use of its facilities for real estate within the city.

City may contract with district notwithstanding act.

SEC. 5. Whenever any territory is annexed to the city the population of the annexed territory shall be determined by a count, made by or under direction of the mayor of the annexing city and chairman of the board of county commissioners of the county in which the property is located, of the number of dwelling units existing in the annexed territory at the time of annexation, multiplied by a factor of 2.95 and the population so determined shall be added to the official population of the annexing city and subtracted from the official population of the unincorporated area of the county in which the annexed territory is located; and when certified as herein-after provided shall become the official population of the unincorporated area of the county and city, respectively, until another population figure is determined therefor under law. The count of the number of dwelling units as herein provided shall be made and a certificate filed with the secretary of state within thirty days following the annexation showing the boundaries of the annexed territory and the population of the city including that added by the annexation and the population of the unincorporated area of the county with the subtraction of the population of the annexed territory as herein provided, and, such population shall thereafter be used for allocating all state funds and for all other purposes until a new population is fixed for the county and city in accordance with law.

Population of annexed territory; how determined.

Population added to city and subtracted from unincorporated area.

Count made and certificate filed, when.

Population used for allocation of state funds.

Population basis for distribution of state funds; when effective.

No change shall be made in the population basis for the distribution of state funds until on and after January 1st, 1952; and whenever annexation is made effective subsequent to September 1st in any year and prior to January 1st next following, such population basis for distribution shall not be used until on and after one year following the next subsequent January 1st; and in all other cases such population basis shall become effective on and after January 1st next following the date annexation becomes effective. Whenever any territory is annexed to a city which is part of a road district of the county and road district taxes have been levied but not collected on any property within the annexed territory the same shall when collected by the county treasurer be paid to the city and by the city placed in the city street fund.

Uncollected road district taxes.

Amendment.

SEC. 6. Section 35.13.020, R.C.W., as derived from section 2, chapter 245, Laws of 1907, is amended to read as follows:

Petition for annexation election.

A petition for an election to vote upon the annexation of a portion of a county to a contiguous city or town signed by qualified voters resident in the area equal in number to twenty per cent of the votes cast at the last election may be filed in the office of the board of county commissioners: *Provided*, That any such petition shall first be filed with the legislative body of the city or town to which the annexation is proposed, and such legislative body shall, by resolution entered within sixty days from the date of presentation, notify the petitioners of its approval or rejection of the proposed action. The approval of the legislative body shall be a condition precedent to the filing of such petition with the board of county commissioners as hereinafter provided.

Filed with county commissioners.

Filed first with legislative body of city.

Approval by city a condition to filing with board.

The costs of conducting such election shall be a charge against the city or town concerned.

Costs of election.

[R.C.W. 35.13.020 was derived from R.R.S. § 8897; part (to comma in line six of first sentence).]

[Proviso in R.C.W. 35.13.020 is new.]

SEC. 7. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Emergency.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 249.

[ S. B. 318. ]

### STATE OFFICIAL BIRD—WILLOW GOLDFINCH.

AN ACT designating the Willow Goldfinch as the official bird of the state of Washington.

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

SECTION 1. The willow goldfinch is hereby designated as the official bird of the state of Washington.

State official bird.

Passed the Senate March 1, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 250.

[ S. B. 354. ]

VITAL STATISTICS—REPORTS OF DEATHS.

AN ACT relating to elections; and adding a new section to chapter 29.10, R.C.W.

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

New section.

SECTION 1. There is hereby added a new section to chapter 29.10, R.C.W., to read as follows:

State registrar of vital statistics and local registrars in first class cities to file sworn statements.

On or before the fifteenth day of July and quarterly thereafter, the local registrar of vital statistics in cities of the first class and the registrar of vital statistics of the state shall file a sworn statement with the secretary of state. The form of said statement shall be furnished by the secretary and shall recite the number of deaths that have occurred during the three months' period immediately preceding the date of said report and the fact that the county auditor or city clerk, as the case may be, has been notified. The number of deaths shall be further segregated as to city, town or rural areas.

Same; contents.

[Chapter 29.10 R.C.W. is Rem. Supp. §§ 5114-13 to 5114-21 incl., as amended.]

Passed the Senate February 24, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 251.

[ S. B. 362. ]

ADOPTION AND CUSTODY OF MINOR CHILDREN.

AN ACT relating to the welfare of minor children, their care, custody, control and relinquishment for adoption or other purposes; and amending sections 26.36.010 and 26.36.040, R.C.W.; and repealing section 26.36.050, R.C.W.

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

SECTION 1. Section 26.36.010, R.C.W., as derived from section 1, chapter 162, Laws of 1939, is amended to read as follows: Amendment.

It shall be unlawful for any person, partnership, society, association, or corporation, except the parents, to assume the permanent care, custody, or control of any minor child unless authorized so to do by a written order of a superior court of the state. Unlawful to assume permanent care, etc., of minor without court order.

It shall be unlawful, without the written order of the superior court having first been obtained, for any parent or parents to in any wise relinquish or transfer to another person, partnership, society, association, or corporation, the permanent care, custody, or control of any minor child for adoption or any other purpose, and any such relinquishment or transfer shall be void: *Provided*, That waivers and relinquishments heretofore signed by the parent or parents of said children or child shall be given the same force and effect as would be given prior to the enactment of this law. Unlawful to relinquish permanent care, etc., of minor without court order.

Declared void.

Waivers and relinquishments prior to act, effect.

None of the court proceedings in conformity with this chapter shall be open to the public unless otherwise directed by the presiding judge. Proceedings not open to the public.

[Am. Rem. Supp. § 1700-1.]

SEC. 2. Section 26.36.040, R.C.W., as derived from section 2, chapter 162, Laws of 1939, is amended to read as follows: Amendment.

No maternity hospital, physician, midwife, or nurse, or any other person shall directly or indirectly

Physicians, etc., not to place infants in family homes prior to entry of order.  
Exception.

dispose of infants by placing them in family homes for permanent care or for adoption, until after the order of relinquishment has been entered: *Provided*, That this shall not apply to spouses either of whom is the parent of such child where the family home wherein the child is placed is the home of the spouses.

Offer to dispose of children as inducement to patronize maternity home, etc., prohibited.

No person, as an inducement to a woman to go to any maternity hospital, maternity home or place of refuge for confinement care, shall in any way offer to dispose of any child or advertise that he will give children for adoption, or hold himself out directly or indirectly as being able to dispose of children.

[Am. Rem. Supp. § 1700-4.]

Repealing clause:

SEC. 3. Section 26.36.050, R.C.W., same being section 3, chapter 162, Laws of 1939, is hereby repealed.

[Rep. Rem. Supp. § 1700-5.]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951



## CHAPTER 252.

[ S. B. 399. ]

## MUNICIPAL WATERWORKS.

AN ACT relating to water supply to inhabitants within municipal utility districts; and amending section 80.40.010, R. C. W.

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

SECTION 1. Section 80.40.010, R.C.W., as derived from section 1, chapter 214, Laws of 1947, is amended to read as follows:

A city or town may construct, condemn and purchase, purchase, acquire, add to, maintain, and operate water works, within or without its limits, for the purpose of furnishing the city and its inhabitants, and any other persons, with an ample supply of water for all purposes, public and private, including water power and other power derived therefrom, with full power to regulate and control the use, distribution, and price thereof: *Provided, however,* That all water sold by a municipal corporation outside its corporate limits shall be sold at just and reasonable rates.

For such purposes any city or town may take, condemn and purchase, purchase, acquire, and retain water from any public or navigable lake or watercourse, surface or ground, and, by means of aqueducts or pipe lines, conduct it to the city or town; and it may erect and build dams or other works across or at the outlet of any lake or watercourse in this state for the purpose of storing and retaining water therein up to and above high water mark; and for all the purposes of erecting such aqueducts, pipe lines, dams, or water works or other necessary structures in storing and retaining water, or for any of the purposes provided for by this chapter, the city or town may occupy and use the beds and shores up to the high water mark of any such watercourse or lake, and acquire the right by pur-

Amendments.

Acquisition and operation of waterworks by cities.

Rates for water sold outside of corporate limits.

Acquisition and conveyance of water.

Dams.

Use of beds and shores.

Acquisition  
of water  
rights.

chase, or by condemnation and purchase, or otherwise, to any water, water rights, easements or privileges named in this chapter, or necessary for any of said purposes, and the city or town may acquire by purchase or condemnation and purchase any properties or privileges necessary to be had to protect its water supply from pollution. Should private property be necessary for any such purposes or for storing water above high water mark, the city or town may condemn and purchase, or purchase and acquire such private property. No such dam or other structure shall impede, obstruct, or in any way interfere with public navigation of the lake or water-course.

Pollution  
protection.

Private  
property for  
storage  
above high  
water mark.

Interference  
with public  
navigation  
prohibited.

[ R.C.W. 80.40.010 was derived from Rem. Supp. 1947, § 9488 (first nine and one-half lines and beginning at line 28, page 836 to the last proviso). ]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 253.

[ S. B. 410. ]

### PROTECTION OF STATE BOUNDARIES—MILITIA.

AN ACT relating to the powers and duties of the governor in connection with the militia of the state; empowering him to enter into compacts and agreements with governors of bordering states for guarding and patrol of bridges crossing the common boundaries of said states, and the patrol of said boundaries; and declaring an emergency.

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

Interstate  
agreements  
respecting  
patrol of  
state  
boundaries.

SECTION 1. The governor, with consent of congress, is authorized to enter into compacts and agreements with governors of bordering states concerning guarding and patrol of bridges crossing the common boundaries of said states, and for the patrol of said common boundaries. In any such compact

or agreement the governor is authorized to permit militia of any bordering state to enter into areas of this state adjacent to said border, or to send militia of this state into areas of any bordering state adjacent to the common boundary as may be necessary to provide effective protection.

SEC. 2. 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. Emergency.

Passed the Senate February 27, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951.

---

## CHAPTER 254.

[ S. B. 379. ]

### SUBVERSIVE ACTIVITIES ACT.

AN ACT to be known as the "Subversive Activities Act," defining the crime of sedition and of being a subversive person or organization and prescribing the punishment and penalties thereof; relating to the loyalty of candidates for public office and prescribing procedures of filing for election to public office; relating to the loyalty of officers and employees of the state or of any political subdivision thereof; prescribing procedures and providing for employment and discharge thereof; providing for the appointment of a special assistant attorney general, prescribing the duties thereof; making an appropriation; and declaring an emergency.

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

SECTION 1. For the purpose of this act:

(a) "Organization" means an organization, corporation, company, partnership, association, trust, foundation, fund, club, society, committee, association, political party, or any group of persons, whether or not incorporated, permanently or temporarily asso-

"Organiza-  
tion."

ciated together for joint action or advancement of views on any subject or subjects.

"Subversive organization."

(b) "Subversive organization" means any organization which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or advocate, abet, advise, or teach activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of Washington, or of any political subdivision of either of them, by revolution, force or violence.

"Foreign subversive organization."

(c) "Foreign subversive organization" means any organization directed, dominated or controlled directly or indirectly by a foreign government which engages in or advocates, abets, advises, or teaches, or a purpose of which is to engage in or to advocate, abet, advise, or teach, activities intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of the constitutional form of the government of the United States, or of the state of Washington, or of any political subdivision of either of them, and to establish in place thereof any form of government the direction and control of which is to be vested in, or exercised by or under, the domination or control of any foreign government, organization, or individual.

"Foreign government."

(d) "Foreign government" means the government of any country or nation other than the government of the United States of America or of one of the states thereof.

"Subversive person."

(e) "Subversive person" means any person who commits, attempts to commit, or aids in the commission, or advocates, abets, advises or teaches by any means any person to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form

of the government of the United States, or of the state of Washington, or any political subdivision of either of them, by revolution, force, or violence; or who is a member of a subversive organization or a foreign subversive organization.

SEC. 2. It shall be a felony for any person knowingly and wilfully to:

Felonious acts.

(a) commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of Washington or any political subdivision of either of them, by revolution, force or violence; or

Actions intended to overthrow, etc., certain governments by force.

(b) advocate, abet, advise, or teach by any means any person to commit, attempt to commit, or assist in the commission of any such act under such circumstances as to constitute a clear and present danger to the security of the United States, or of the state of Washington or of any political subdivision of either of them; or

Advocate, etc., overthrow; clear and present danger to security.

(c) conspire with one or more persons to commit any such act; or

Conspiracy.

(d) assist in the formation or participate in the management or to contribute to the support of any subversive organization or foreign subversive organization knowing said organization to be a subversive organization or a foreign subversive organization; or

Assisting formation, participating in management, contribution to support of subversive organization.

(e) destroy any books, records or files, or secrete any funds in this state of a subversive organization or a foreign subversive organization, knowing said organization to be such.

Destroying records or secreting funds.

Any person upon a plea of guilty or upon conviction of violating any of the provisions of this section shall be fined not more than ten thousand dollars, or imprisoned for not more than ten years, or both, at the discretion of the court.

Penalty.

Membership in certain organizations a felony, when.

SEC. 3. It shall be a felony for any person after June 1, 1951 to become, or after September 1, 1951 to remain a member of a subversive organization or a foreign subversive organization knowing said organization to be a subversive organization or foreign subversive organization. Any person upon a plea of guilty or upon conviction of violating any of the provisions of this section shall be fined not more than five thousand dollars, or imprisoned for not more than five years, or both, at the discretion of the court.

Penalty.

Conviction or plea of guilty of violation of secs. 2 and 3 bars defendant from:

SEC. 4. Any person who shall be convicted or shall plead guilty of violating any of the provisions of sections two and three of this act, in addition to all other penalties therein provided, shall from the date of such conviction be barred from

holding public office or other position of profit or trust,

(a) holding any office, elective or appointive, or any other position of profit or trust in, or employment by the government of the state of Washington or of any agency thereof or of any county, municipal corporation or other political subdivision of said state;

filing or standing for election, voting.

(b) filing or standing for election to any public office in the state of Washington; or

(c) voting in any election held in this state.

Existence of certain organizations unlawful, dissolution.

SEC. 5. It shall be unlawful for any subversive organization or foreign subversive organization to exist or function in the state of Washington and any organization which by a court of competent jurisdiction is found to have violated the provisions of this section shall be dissolved, and if it be a corporation organized and existing under the laws of the state of Washington a finding by a court of competent jurisdiction that it has violated the provisions of this section shall constitute legal cause for forfeiture of its charter and its charter shall be forfeited and all funds, books, records and files of every kind and all other property of any organization

Corporations; forfeiture of charter.

found to have violated the provisions of this section shall be seized by and for the state of Washington, the funds to be deposited in the state treasury and the books, records, files and other property to be turned over to the attorney general of Washington.

SEC. 6. The attorney general is hereby authorized and directed to appoint a special assistant attorney general. Said special assistant attorney general shall have the responsibility and authority to assemble, arrange and deliver to the prosecuting attorney of any county, together with a list of necessary witnesses, all information and evidence of matters within said county which have come to his attention, relating in any manner to the acts prohibited by this act, and relating generally to the purposes, processes and activities of communism and any other or related subversive organizations, associations, groups or persons.

SEC. 7. For the collection of any evidence or information referred to in this act a special assistant attorney general is hereby authorized to call upon the attorney general, state patrol, and prosecuting attorneys, sheriffs, police chiefs, and any other state, county or municipal police authorities in this state to furnish such assistance as may come within the scope of their duties and legal authority. Nothing herein shall be construed as redefining, extending or granting any additional authority, powers or duties of such officers or agencies.

Vetoed.

The special assistant attorney general, herein provided for, may testify before any grand jury or petit jury as to matters referred to in this act.

SEC. 8. The records of the special assistant attorney general shall not be made public or divulged to any person, except upon the written permission of the attorney general in order to effectuate the purposes of this act. The special assistant attorney gen-

Vetoed. } eral shall be authorized to establish such office or offices as shall be deemed are necessary and required for the effective operation of this act. To the extent that his time may not be required in the performance of his duties under this act, the special assistant attorney general shall be available for, and perform such other duties as may be assigned to him by the attorney general.

Attorney general; biennial report. } SEC. 9. The attorney general shall prepare and report to the governor, to the legislature, at or before the convening of each biennial session a concise statement of all matters pertaining to his official duties together with his recommendations for the enforcement of the provisions of this act.

Vetoed. } SEC. 10. The judge or judges of superior court of each county, when informed by the special assistant attorney general or by the prosecuting attorney of said county or counties, that there is information or evidence of the character described in section six of this act to be considered by a grand jury, may call such grand jury, and shall charge the grand jury to inquire into the violations of this act.

Subversive persons ineligible for public office or employment. } SEC. 11. No subversive person, as defined in this act, shall be eligible for employment in, or appointment to any office, or any position of trust or profit in the government, or in the administration of the business, of this state, or of any county, municipality, or other political subdivision of this state.

State agencies and political subdivisions to establish procedures to ascertain whether any person is a subversive person. } SEC. 12. Every person and every board, commission, council, department, court or other agency of the state of Washington or any political subdivision thereof, who or which appoints or employs or supervises in any manner the appointment or employment of public officials or employees shall establish by rules, regulations or otherwise, procedures designed to ascertain whether any person is a subversive person. In securing any facts necessary to



ascertain the information herein required, the applicant shall be required to sign a written statement containing answers to such inquiries as may be material, which statement shall contain notice that it is subject to the penalties of perjury.

Applicant to sign written statement.

SEC. 13. The inquiries prescribed in preceding sections, other than the written statement to be executed by an applicant for employment, shall not be required as a prerequisite to the employment of any persons in any case in which the employing authority may determine, and by rule or regulation specify the reasons why, the nature of the work to be performed is such that employment of such persons will not be dangerous to the health of the citizens or the security of the governments of the United States, the state of Washington, or any political subdivision thereof.

Written statement where nature of work is such that employment of subversives will not endanger governmental security.

SEC. 14. Every person who, on June 1, 1951, shall be in the employ of the state of Washington or of any political subdivision thereof, other than those now holding elective office shall be required on or before July 1, 1951, to make a written statement which shall contain notice that it is subject to the penalties of perjury, that he or she is not a subversive person as defined in this act; namely, any person who commits, attempts to commit, or aids in the commission, or advocates, abets, advises or teaches by any means any person to commit, attempt to commit, or aid in the commission of any act intended to overthrow, destroy or alter, or to assist in the overthrow, destruction or alteration of, the constitutional form of the government of the United States, or of the state of Washington, or any political subdivision of either of them, by revolution, force, or violence; or who is a member of a subversive organization or a foreign subversive organization, as more fully defined in this act. Such statements shall be prepared and execution required of and by every

Employees of state and political subdivisions to make written statements, when.

person and every board, commission, council, code department, court or other agency of the state of Washington or any subdivision thereof responsible for the supervision of other employees, for the employees under the jurisdiction thereof. Any such person failing or refusing to execute such a statement or who admits he is a subversive person as defined in this act shall immediately be discharged.

Refusal to execute statement or admission of being subversive person; immediate discharge. Grounds for discharge of public employees.

SEC. 15. Reasonable grounds on all the evidence to believe that any person is a subversive person, as defined in this act, shall be cause for discharge from any appointive office or other position of profit or trust in the government of or in the administration of the business of this state, or of any county, municipality or other political subdivision of this state, or any agency thereof. The attorney general and the personnel director, and the civil service commission of any county, city or other political subdivision of this state, shall, by appropriate rules or regulations, prescribe that persons charged with being subversive persons, as defined in this act, shall have the right of reasonable notice, date, time and place of hearing, opportunity to be heard by himself and witnesses on his behalf, to be represented by counsel, to be confronted by witnesses against him, the right to cross-examination, and such other rights which are in accordance with the procedures prescribed by law for the discharge of such person for other reasons. Every person and every board, commission, council, department, or other agency of the state of Washington or any political subdivision thereof having responsibility for the appointment, employment or supervision of public employees not covered by the classified service in this section referred to, shall establish rules or procedures similar to those required herein for classified services for a hearing for any person charged with being a subversive person, as defined in this

Rights of person charged as being subversive.

Establishment of hearing procedures.

act, after notice and opportunity to be heard. Every employing authority discharging any person pursuant to any provision of this act, shall promptly report to the special assistant attorney general in charge of subversive activities the fact of and the circumstances surrounding such discharge. Any person discharged under the provisions of this act shall have the right within thirty days thereafter to appeal to the superior court of the county wherein said person may reside or wherein he may have been employed for determination by said court as to whether or not the discharge appealed from was justified under the provisions of this act. The court shall regularly hear and determine such appeals and the decision of the superior court may be appealed to the supreme court of the state of Washington as in civil cases. Any person appealing to the superior court may be entitled to trial by jury if he or she so elects.

Discharges reported.

Appeal to superior court.

Appeal to supreme court.

Jury trial.

SEC. 16. No person shall become a candidate for election under the laws of the state of Washington to any public office whatsoever in this state, unless he or she shall file an affidavit that he or she is not a subversive person as defined in this act. No declaration of candidacy shall be received for filing by any election official of any county or subdivision in the state of Washington or by the secretary of state of the state of Washington unless accompanied by the affidavit aforesaid, and there shall not be entered upon any ballot or voting machine at any election the name of any person who has failed or refused to make the affidavit as set forth herein.

Candidates for public office; affidavit.

SEC. 17. Every written statement made pursuant to this act by an applicant for appointment or employment, or by any employee, shall be deemed to have been made under oath if it contains a declaration preceding the signature of the maker to the effect that it is made under the penalties of perjury.

Statements by applicants deemed under oath, when.

Material misstatements of fact; perjury.

Any person who wilfully makes a material misstatement of fact (a) in any such written statement, or (b) in any affidavit made pursuant to the provisions of this act, or (c) under oath in any hearing conducted by any agency of the state, or of any of its political subdivisions pursuant to this act, or (d) in any written statement by an applicant for appointment or employment or by an employee in any state aid or private institution of learning in this state, intended to determine whether or not such applicant or employee is a subversive person as defined in this act, which statement contains notice that it is subject to the penalties of perjury, shall be subject to the penalties of perjury, as prescribed in chapter 9.72, R.C.W.

Penalty.

Partial invalidity.

SEC. 18. If any provision, phrase, or clause of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions, phrases, or clauses or applications of this act which can be given effect without the invalid provision, phrase, or clause or application, and to this end the provisions, phrases and clauses of this act are declared to be severable.

Abrogation of certain rights not intended.

SEC. 19. Nothing in this act shall be construed to authorize, require or establish any military or civilian censorship or in any way to limit or infringe upon freedom of the press or freedom of speech or assembly within the meaning and the manner as guaranteed by the Constitution of the United States or of the state of Washington and no regulation shall be promulgated hereunder having that effect.

Short title.

SEC. 20. This act may be cited as the Subversive Activities Act.

Vetoed.

SEC. 21. There is hereby appropriated from the general fund to the attorney general the sum of fifty thousand dollars, or so much thereof as may be necessary for the purposes of carrying out this act.

SEC. 22. This act is vitally necessary for the immediate preservation of the public peace, health and safety, and shall take effect immediately. Emergency.

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 19, 1951, with the exception of sections 6, 7, 8, 10 and 21, which are vetoed.

## CHAPTER 255.

[ H. B. 434. ]

### TAXATION OF PROPERTY.

AN ACT relating to property taxation, eliminating certain county levies, revising limitations upon rates of levy, amending sections 74.04.090 and 84.52.050, R.C.W., and repealing sections 74.04.150, 74.04.160 and 74.04.170, R.C.W.

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

SECTION 1. Section 84.52.050 of the Revised Code of Washington, derived from section 1, of chapter 176, of the Laws of 1941, as last amended by section 1, of chapter 11, of the Extraordinary Session of 1950, is hereby amended to read as follows: Amendment.

Except as hereinafter provided, the aggregate of all tax levies upon real and personal property by the state, municipal corporations, taxing districts and governmental agencies, now existing or hereafter created, shall not in any year exceed forty mills on the dollar of assessed valuation, which assessed valuation shall be fifty per cent of the true and fair value of such property in money; and within and subject to the aforesaid limitation the levy by the state shall not exceed two mills to be used exclusively for the support of the University of Washington, Washington State College, and the State Colleges of Education; the levy by any county shall not ex- 40 mill limit.  
State's levy.  
County levy.

School district, road district, and city levies.

ceed ten mills; the levy by or for any school district shall not exceed twelve mills; the levy for any road district shall not exceed ten mills; and the levy by or for any city or town shall not exceed fifteen mills.

Port and power districts excepted.

Nothing herein shall prevent levies at the rates provided by existing law by or for any port or power district.

Additional levies.

The limitations imposed by this section shall not prevent the levy of additional taxes, not in excess of five mills a year and without anticipation of delinquencies in payment of taxes, in an amount equal to the interest and principal payable in the next succeeding year on general obligation bonds, outstanding on December 6, 1934, issued by or through the agency of the state, or any county, city, town, or school district, or the levy of additional taxes to pay interest on or toward the reduction, at the rate provided by statute, of the principal of county, city, town, or school district warrants outstanding on December 6, 1932; but this millage limitation with respect to general obligation bonds shall not apply to any taxing district in which a larger levy is necessary in order to prevent the impairment of the obligation of contracts. Any county, school district, metropolitan park district, city, or town may levy taxes at a rate in excess of the rate specified in this section, when authorized so to do by the electors of such county, school district, metropolitan park district, city or town by a three-fifths majority of those voting on the proposition at a special election, to be held in the year in which the levy is made, and not oftener than twice in such year, in the manner provided by law for holding general elections, at such time as may be fixed by the body authorized to call the same, which special election may be called by the board of county commissioners, board of school directors, or council, or other governing body of any metropolitan park district, city or

General obligation bonds outstanding on Dec. 6, 1934.

Warrants outstanding on Dec. 6, 1932.

County, school district, metropolitan park district, city or town; special election to exceed.

Vote required.

Number of elections per year.

town, by giving notice thereof for two successive weeks by publication and posting in the manner provided by law for giving notices of general elections, at which special election the proposition of authorizing such excess levy shall be submitted in such form as to enable the voters favoring the proposition to vote "Yes," and those opposed thereto to vote "No": *Provided*, That the total number of persons voting at such special election must constitute not less than forty per cent of the voters in said taxing district who voted at the last preceding general state election.

Notice of special election.

Number of voters required.

Any municipal corporation otherwise authorized by law to issue general obligation bonds for capital purposes may, at an election duly held after giving notice thereof as required by law, authorize the issuance of general obligation bonds for capital purposes only, which shall not include the replacement of equipment, and provide for the payment of the principal and interest of such bonds by annual levies in excess of the tax limitation contained herein. Such an election shall not be held oftener than twice a calendar year, and the proposition to issue any such bonds and to exceed said tax limitation must receive the affirmative vote of a three-fifths majority of those voting on the proposition and the total number of persons voting at such election must constitute not less than forty per cent of the voters in said municipal corporation who voted at the last preceding general state election.

Municipal corporations; election; general obligation bonds for capital purposes.

Excess levies.

Vote required.

Any taxing district shall have the right by vote of its governing body to refund any general obligation bonds of said district issued for capital purposes only, and to provide for the interest thereon and amortization thereof by annual levies in excess of the tax limitation provided for herein.

Refund of general obligation bonds.

[Am. sec. 1, ch. 11, Laws of 1950, Ex. Sess., Rem. Supp. 1945, § 11238-1e.]

SEC. 2. Section 74.04.090 of the Revised Code of Washington, derived from section 7, chapter 216, of the Laws of 1939, as last amended by section 1, of chapter 172, of the Laws of 1943, is hereby amended to read as follows:

To the end that the department's supervision over county administration of public assistance funds may be made effective, the board of county commissioners of each county shall submit to the department and through the department to the committee a county plan which shall include:

(1) An agreement to submit an annual estimate at such time as may be fixed by the committee showing the county's requirements and resources for the ensuing year with respect to all public assistance and plans for the expenditure thereof;

(2) An agreement to submit quarterly budgets at least thirty days in advance of each quarterly period showing the requirements and resources of the county with respect to public assistance, together with supporting records and data, based upon past expenditures for such purposes and anticipated demands for further funds;

(3) An agreement to comply with the terms of this title respecting the issuance of warrants through the office of the state auditor;

(4) An agreement to keep such records, make such reports and use such blanks and forms as may be prescribed by the committee. Said records, reports, blanks and forms shall not exceed in scope and extent the minimum requirements of the federal government in respect thereof;

(5) An agreement to provide a full and fair hearing to each applicant;

(6) A statement of plans for the conduct of investigations of need and the determination of eligibility for the granting of public assistance.

[R.C.W. 74.04.090 is Rem. Supp. 1943, § 10007-107a.]

Vetoed.



SEC. 3. Sections 74.04.150, 74.04.160, and 74.04.170 of the Revised Code of Washington, derived from sections 10 and 11, of chapter 216, Laws of 1939, as last amended by chapter 172, of the Laws of 1943, are hereby repealed. Vetoed.

[R.C.W. 74.04.150 and 74.04.160 were derived from Rem. Supp. 1943, § 10007-110a; R.C.W. 74.04.170 was derived from Rem. Supp. 1943, § 10007-111a.]

Passed the House February 27, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 19, 1951, with the exception of sections 2 and 3, which are vetoed.

## CHAPTER 256.

[ H. B. 614. ]

### COUNTY HOSPITALS, FUNDS AND BUDGETS— DENTAL HYGIENISTS.

AN ACT relating to public health; regulating hospitals and establishing a county hospital fund, providing that dental hygienists may be employed by such hospitals and other persons or institutions, and regulating the duties of such hygienists; adding new sections to chapter 18.29 and chapter 36.62, R.C.W., and repealing section 36.62.250, R.C.W.

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

SECTION 1. There is added a new section to chapter 36.62, R.C.W., as derived from chapter 139, Laws of 1931, to read as follows: New section.

Every county which maintains a county hospital shall establish a "county hospital fund" into which fund shall be deposited monies received from any source for hospital care including funds from the state department of health to cover the total cost of providing medical care to recipients of public assistance and other persons without income and resources sufficient to secure them who are assigned to county hospital for treatment. Obligations incurred from such hospitalization shall be paid from the fund by County hospital fund.

Auditor to furnish report of receipts and disbursements.

the county treasurer in the same manner as general county obligations are paid. The county auditor shall furnish to the board of county commissioners and the state department of health a monthly report of receipts and disbursements in the county hospital fund which report shall also show balance of cash on hand.

[R.C.W. 36.62 is R.R.S. §§ 6090-1 to 6090-18 incl., as amended.]

New section.

SEC. 2. There is added a new section to chapter 36.62, R.C.W., as derived from chapter 139, Laws of 1931, to read as follows:

Director of health to submit to county commissioners estimate of funds available.

On or before the second Monday in July of each year the state director of health shall submit to the board of county commissioners of each county which operates a county hospital a written estimate of funds to be available for the operation of the county hospital for the ensuing budget year.

County hospital budget submitted to director, returned with recommendations.

Not less than forty days prior to the time county budgets are finally approved and adopted by the board of county commissioners, each county maintaining a county hospital shall be required to submit its proposed county hospital budget to the state director of health. He shall consider the proposed budget and return it to the board of county commissioners with his recommendations within thirty days of its receipt by him. Before adopting a final budget, the board of county commissioners shall consider such recommendations.

[See note to sec. 1.]

New section.

SEC. 3. There is added a new section to chapter 36.62, R.C.W., as derived from chapter 139, Laws of 1931, to read as follows:

Supplemental budget.

In the event that additional funds are needed for the operation of a county hospital, the board of county commissioners shall have authority to adopt a supplemental budget. Such supplemental budget shall set forth the amount and sources of funds and the items of expenditure involved. In the adoption

of a supplemental budget the board of county commissioners shall follow the same procedure as required under the provisions of section 36.40.180, R.C.W.

[See note to sec. 1.]

[R.C.W. 36.40.180 was derived from the 2nd paragraph of R.R.S. § 3997-6.]

SEC. 4. There is added a new section to chapter 36.62, R.C.W., as derived from chapter 139, Laws of 1931, to read as follows: New section.

Payments from the state department of health shall be made by warrant of the state auditor to the individual counties upon vouchers of the state department of health and shall be paid into the county hospital fund. At the beginning of the fiscal year the state department of health shall advance to the counties an amount equal to two months' operation based upon the average monthly cost of the last quarter of operation, which amount may be used to defray costs in the first months' operation. Reimbursements for the actual cost of operation shall be made monthly by the state department of health to the counties until the eleventh month of the fiscal year when the money advanced shall be used for the final two months' operational costs. Payments from state department of health to counties; procedure.

[See note to sec. 1.]

SEC. 5. A new section is added to chapter 18.29, R.C.W., to read as follows: New section.

Hospitals, boards of education or health, schools, and public or charitable institutions, may employ licensed dental hygienists under the direction and supervision of one or more licensed dentists. Licensed dental hygienists may, in addition to other services permitted by law, either for any such institution or in a dental office, and under the direction and supervision of a licensed dentist, make topical applications of medicinal agents to the teeth for prophylactic purposes: *Provided*, That in dental offices the number of licensed dental hygienists em- Dental hygienists; hospitals, etc., may employ.  
Same; additional service authorized.  
Limitation on number of dental hygienists.

ployed shall not exceed the number of licensed dentists practicing therein.

[Chapter 18.29 R.C.W. is R.R.S. §§ 10030-26 to 10030-36 incl.]

Repealing clause.

SEC. 6. Section 36.62.250, R.C.W., as derived from section 7, chapter 139, Laws of 1931, is repealed.

[Rep. R.R.S. § 6090-14.]

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 19, 1951.

CHAPTER 257.

[ H. B. 262. ]

RELATING TO ELECTIONS AND VOTING.

AN ACT relating to elections and voting; amending chapters 28.63 and 29.13, R.C.W., by adding new sections thereto, and amending sections 28.59.220, 29.13.030, 29.13.040, 29.13-.050, and 29.21.010, R.C.W.

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

New section.

SECTION 1. There is added a new section to chapter 28.63, R.C.W., to read as follows:

District directors may employ judges, etc., and provide funds and supplies.

The board of directors of each district shall be authorized to employ judges and clerks or inspectors of election and to provide all funds and supplies for carrying out the provisions herein.

[Chapter 28.63 R.C.W. embodies general provisions applicable to second and third class school districts.]

Amendment.

SEC. 2. Section 28.59.220, R.C.W., as derived from section 15, chapter 90, Laws of 1919, is amended to read as follows:

Time polls open.

At all elections official ballots or voting machines shall be used to record the votes of the electors, and the polls shall be opened at 8 o'clock A. M. and be closed at 8 o'clock P. M. The official ballot shall be printed and furnished by the board of directors

Ballots.

and shall contain the names of all candidates whose

names have been filed in accordance with section 29.21.060, R. C.W. The names of no other candidates shall appear upon said official ballots.

[Am. R.R.S. § 5032.]

[R.C.W. 29.21.060 is sec. 5, ch. 101, Laws of 1951.]

SEC. 3. Section 29.13.030, R.C.W., as derived from section 2, chapter 161, Laws of 1949, is amended to read as follows: Amendment.

All city and town elections, other than in class A counties, whether general or special, and whether for the election of officers, or for the submission to the voters of such city or town, of any question for their adoption and approval, or rejection, shall be held on the second Tuesday of March in the year in which they may be called. All school district elections, other than in class A counties, whether general or special, and whether for the election of officers, or for the submission to the voters of such district, of any question for their adoption and approval, or rejection, shall be held on the second Tuesday of March in the year in which they may be called: *Provided*, That this section shall not be construed as fixing the time for holding the elections for the recall of any city, town, or district officers or primary election or special bond election or any election held in a city of the first class for choosing qualified electors to prepare a new charter for such city by altering, changing, revising, adding to or repealing its existing charter, or any election held in any such city for ratifying such new charter. Whenever in the judgment of the governing board of any such city, town or school district, an emergency exists, such board may, by resolution, call a special election at any time in such municipality or district, and at any such special election said governing board may combine, unite or divide precincts for the purpose of holding such special election and every such special election so called shall be conducted and notice thereof given in the manner provided by law. This

City and town elections in other than class A counties, when held.

School district elections, when held.

Certain elections not affected.

Special election pursuant to emergency.

and sections 29.13.010 and 29.13.020 are referred to as the consolidated election laws.

[This section (R.C.W. 29.13.030) was also amended by sec. 2, ch. 101, Laws of 1951.]

[Am. Rem. Supp. 1949, § 5150.]

[R.C.W. 29.13.010 is R.R.S. § 5143, R.C.W. 29.13.020 is sec. 1, ch. 101, Laws of 1951.]

Amendment. SEC. 4. Section 29.13.040, R.C.W., as derived from section 5, chapter 161, Laws of 1949, is amended to read as follows:

Supervisory and canvassing powers; where vested; in class A counties.

All elections held under section 29.13.020 shall be conducted by the county auditor as *ex officio* county supervisor of elections and shall be canvassed by the county canvassing board. In all elections held under section 29.13.030, the duties enjoined upon the county auditor by section 29.04.020, as derived from section 1, chapter 182, Laws of 1947, shall be performed by the city, town or school district clerk. Such elections shall be canvassed by the city, town or school districts canvassing authority: *Provided*, That if the laws governing any such city, town or school district do not designate a canvassing authority, the canvass shall be made by the legislative body thereof.

Same; in other than class A counties.

School district elections in other than class A counties; determination of voting places and composition of election board.

For school district elections under section 29.13.030, the district officers shall determine the number of voting places and composition of the election board: *Provided*, That the officer charged with conducting city and town elections under section 29.13.030 shall, whenever requested by the school district officers, conduct the school district elections in conjunction with such city or town election and the results shall be canvassed by the school district officers.

Same; when held in conjunction with city elections.

Same; uniting or dividing of precincts.

Whenever a school district election is conducted under section 29.13.030, by a city or town officer, the school district officers may cooperate with the person conducting such election in uniting or divid-

ing voting precincts to facilitate the orderly conduct of such election.

[This section (R.C.W. 29.13.040) was also amended by sec. 4, ch. 101, Laws of 1951.]

[Am. Rem. Supp. 1949, § 5153-1.]

[R.C.W. 29.13.020, see note sec. 3; 29.13.030 appears as sec. 3, *supra*; 29.04.020 is Rem. Supp. 1947, § 5166-10, to first proviso and part of second proviso. The omitted portions of § 5166 are codified in R.C.W. 29.45.010.]

SEC. 5. There is added a new section to chapter 29.13, R.C.W., as derived from chapter 161, Laws of 1949, to read as follows:

New section.

Every school district shall be liable for its proportionate share of the costs when district elections are held in conjunction with other elections, held under sections 29.13.020 and 29.13.030.

School district elections in conjunction with other elections; costs shared.

[Chapter 29.13 R.C.W. is Rem. Supp. 1949, §§ 5144, 5146, 5150, 5153-1.]

[See note to sec. 4.]

SEC. 6. Section 29.13.050, R.C.W., as derived from section 9, chapter 161, Laws of 1949, is amended to read as follows:

Amendment.

The term of every city, town, and district officer, excepting school district officers, elected to office on the second Tuesday in March shall begin on the first Monday in June following his election. The term of every officer in first, second, and third class school districts shall begin on the twentieth day following his election. Each board of directors shall be organized at the first meeting held after a newly elected director takes office.

Terms of office; officers other than school district officers. Same; school district officers.

Directors organized, when.

[R.C.W. 29.13.050 was derived from Rem. Supp. 1949, § 5146-1.]

SEC. 7. Section 29.21.010, R.C.W., as derived from section 3, chapter 161, Laws of 1949, is amended to read as follows:

Amendment.

All primaries for all cities of the first, second and third class, irrespective of type or form of government shall be nonpartisan and held four weeks prior to the municipal general election. All names of candidates to be voted upon at city primary elections shall be printed upon the official primary ballot

1st, 2nd, and 3rd class cities; primaries.

Ballot; order of candidates' names.

Municipal  
general elec-  
tion ballot;  
candidates.

Candidate  
must receive  
10% of vote  
cast.

Charter,  
provisions;  
effect.

alphabetically in groups under the designation of the respective titles of the offices for which they are candidates. The name of the person who receives the greatest number of votes and of the person who receives the next greatest number of votes for each position, shall appear in that order on the municipal general election ballot under the designation for each respective office. In the event there are two or more offices to be filled for the same position, then names of candidates receiving the highest number of votes equal in number to twice the offices to be filled shall appear on the municipal general election ballot so that the voter shall have a choice of two candidates for each position: *Provided*, That no name of any candidate shall appear on the city general election ballot unless said candidate shall receive at least ten *per centum* of the total votes cast for that office. The sequence of names of candidates printed on the municipal general election ballot shall be in relation to the number of votes each candidate received at the primary. Names of candidates printed upon the municipal primary and general election ballot need not be rotated: *Provided further*, That no provision of this section in conflict with the primary election provisions contained in charters of cities of the first class shall be effective, except that all first class cities shall hold their primaries four weeks prior to their city general elections.

[Am. Rem. Supp. 1949, § 5179-1.]

Passed the House February 28, 1951.

Passed the Senate March 5, 1951.

Approved by the Governor March 19, 1951.



CHAPTER 258.

[ H. B. 130. ]

INDIGENT PERSON—COUNTY TO DISPOSE  
OF REMAINS.

AN ACT providing for the disposition of the remains of certain indigent persons and repealing section 36.39.020, R.C.W.

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

SECTION 1. The board of county commissioners of any county shall provide for the disposition of the remains of any indigent person not a recipient of public assistance who dies within the county and whose body is unclaimed by relatives or friends. Indigents;  
disposition  
of remains.

SEC. 2. Section 36.39.020, R.C.W., derived from section 2701 of the Code of 1881 is hereby repealed. } Vetoed.  
[Rem. 36.39.020 is R.R.S. § 9986.]

Passed the House March 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 19, 1951, with the exception of section 2, which is vetoed.

CHAPTER 259.

[ H. B. 626. ]

WASHINGTON TOLL BRIDGE AUTHORITY—OPERATION OF PUGET SOUND FERRY AND TOLL BRIDGE SYSTEM.

AN ACT relating to the Washington toll bridge authority; regulating the operation of the Puget Sound ferry and toll bridge system by such authority; providing for the settlement or disposal of certain claims arising during the course of such operations; establishing a permanent revolving fund for certain engineering investigations thereby; and making an appropriation from the motor vehicle fund therefor; and making a further appropriation from the motor vehicle fund for an investigation by said authority into projects for the solution of the cross-sound transportation problem; amending sections 47.60.140, 47.64.070, and 47.60.100, R.C.W.; adding sections to chapter 47.60, R.C.W.; and declaring an emergency.

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

Amendment. SECTION 1. Section 47.60.140, R.C.W., derived from section 5, chapter 179, Laws of 1949, is amended to read as follows:

Ferries and toll bridges; toll bridge authority authorized to operate.

Same; powers of director of highways.

Toll bridge authority; exclusive right to lease space on ferries, docks, etc.

Five year limitation.

The authority is empowered to operate such ferry system, including all operations, whether intrastate or international, upon any route or routes, and toll bridges as a revenue producing and self-liquidating undertaking. The director of highways shall have full charge of the construction, rehabilitation, rebuilding, enlarging, improving, operation and maintenance of the ferry system, including toll bridges, approaches and roadways incidental thereto that may be authorized by the authority, including the collection of tolls and other charges for the services and facilities of the undertaking: *Provided*, That the authority shall have the exclusive right to enter into leases and contracts for use and occupancy by other parties of the concessions and space located on the ferries, wharves, docks, approaches and landings, but no such leases or contracts shall be entered into for more than five years, nor without public

advertisement for bids as may be prescribed by the authority: *Provided further*, That the authority may accept and continue leases and contracts for a period of ten years without advertisement or bid, if such leases or contracts were in effect or entered into at the time of the purchase of the Puget Sound ferry system, and any leases or contracts so made are hereby validated.

Bids.

Prior leases and contracts.

[R.C.W. 47.60.140 was derived from Rem. Supp. 1949, § 6584-34, part (through the first proviso).]

SEC. 2. Section 47.64.070, R.C.W., derived from section 6, chapter 148, Laws of 1949, is amended to read as follows:

Amendment.

Employees, except the masters and members of the crews of vessels, shall be subject to and entitled to the benefits of the industrial insurance laws of the state, and are hereby declared to be in extra-hazardous employment within the meaning of such laws.

Authority employees; application of industrial insurance laws.

[Am. Rem. Supp. 1949, § 6524-27.]

SEC. 3. Section 47.60.100, R.C.W., derived from section 8, chapter 179, Laws of 1949, is amended to read as follows:

Amendment.

Notwithstanding any other provision of the law, bonds issued by the authority shall be legal investments by the state finance committee of any state monies in its hands, except permanent school funds and motor vehicle funds. This section shall not invalidate any investment outstanding on its effective date.

Authority bonds; legal investment for state funds.

[Am. Rem. Supp. 1949, § 6584-37.]

SEC. 4. Sections 5 to 13, inclusive, of this act are added to chapter 47.60, R.C.W., derived from chapter 179, Laws of 1949.

New sections.

[Chapter 47.60 R.C.W. is Rem. Supp. 1949, §§ 6584-30 to 6584-37 incl.]

SEC. 5. Any consent to liability given under the provisions of this act shall create liability of the authority only and shall not create any general liability of the state.

Consent to liability limited.

Consent to suits against authority by seamen.

SEC. 6. The state consents to suits against the authority by seamen for injuries occurring upon vessels of the authority in accordance with the provisions of section 688, title 46, of the United States Code. The venue of such actions may be in the superior court for Thurston County or the county where the injury occurred.

Venue.

Authority as common carrier.

SEC. 7. The authority shall have all the obligations, duties and rights of a common carrier of persons and property in its operation of ferries, terminals or other facilities used in its ferry operations, including the right to participate in joint rates and through routes, agreements, and divisions of through and joint rates with railroads and other common carriers and the right to make any filings with the interstate commerce commission, the United States maritime commission or any other state or federal regulatory or governmental body and to comply with the lawful rules and regulations or requirements of any such body, and shall be subject to laws relating to carrier's liability for loss or damage to property transported, and for personal injury or death of persons transported.

Rights of action against the authority.

SEC. 8. In case of property loss or damage, personal injuries or death resulting from the operation of any ferry or terminal by the authority, any person or the personal representative of any person shall, subject to and to the extent hereinafter provided, have a right of action against the authority for such damage, loss, injury or death.

Damages recoverable limited to amount of insurance carried.

SEC. 9. The right of action extended by this act shall be applicable to loss or damage of property and/or personal injury or death, resulting from the operation of ferries or terminals by the authority to persons other than shippers or passengers, but any recovery of damages in such cases shall not exceed an amount equal to the limitations of the

insurance carried by the authority to insure it against loss for such liability.

SEC. 10. As a condition to a recovery thereon, a verified claim against the authority growing out of such damages, loss, injuries or death must first be presented to the authority and filed with its secretary within thirty days after the time when such claim accrued. If the claimant shall be incapacitated from verifying and filing his claim within said thirty days, or if the claimant be a minor, then the claim may be verified and presented on behalf of said claimant by his relative, attorney or agent. Each such claim must accurately locate and describe the event or defect that caused the damage, loss, injury or death, reasonably describe the damage, loss or injury, and state the time when the same occurred, give the claimant's residence for six months last past and contain the items of damages claimed. No action shall be maintained against the authority upon such claim until the same has been presented to, and filed with, the authority and sixty days have elapsed after such presentation and filing, nor more than three years after such claim accrued.

Recovery conditioned on filing claims within thirty days.

Claim.

Time limitations.

SEC. 11. The authority may upon such terms and conditions as it may impose and under such rules and regulations as it may adopt, pay claims arising under its operation of ferries or terminals or compromise or settle such claims. No claim shall be paid by the authority or any settlement or compromise hereof be made except from its operating revenues derived from its operation of ferries or terminals or from the proceeds of insurance recoveries.

Authority may settle claims.

SEC. 12. Actions for the recovery of damages under all the foregoing provisions of this act except section 6 may be brought in Thurston County or in the county in which the aggrieved person resides. No execution upon a judgment or attachment shall be levied against the property of the authority, nor

Venue.

Property not subject to process.

does the state consent to any maritime lien against vessels of the authority, but the authority may be required by order of court to pay any judgment.

Washington state ferries revolving fund may be created.

SEC. 13. Nothing in section 47.60.150, R.C.W., shall forbid the establishment by the authority of a Washington state ferries revolving fund of not to exceed three hundred thousand dollars from the proceeds of any bonds sold under the provisions of this act. Such fund may be deposited by the authority in such banks or financial institutions as it may select throughout the state. The provisions of section 43.01.050, R.C.W., shall not be applicable to such fund or any deposits therein made by the authority under the provisions of this section. The authority may deposit thereafter therein all monies received under the provisions of this chapter. All expenses whatsoever arising in the operations of the Puget Sound ferry system shall be paid from such fund if established by check or voucher in such manner as may be prescribed by the authority.

Expenses of operation paid from fund.

All monies received by the authority or any employee under the foregoing sections of this act, except an amount of petty cash for each day's needs as fixed by the regulation of the authority, shall be each day and as often during such day as advisable, deposited in the nearest authorized depository selected by the authority under the terms of this section.

Monies received to be deposited each day.

Whenever the fund shall exceed three hundred thousand dollars, the authority shall forthwith transmit such excess to the state treasurer for deposit in the trust fund established by section 47.60.150.

Transmittal of excess monies.

[R.C.W. 47.60.150 is Rem. Supp. 1949, § 6584-34, sentence beginning line 20 through line 33 plus last sentence of section; 43.01.050 is R.R.S. § 5501, first sentence (to first proviso), and all of third proviso.]

"Authority revolving fund" created.

SEC. 14. There is hereby established a permanent fund in the state treasury to be known as the "authority revolving fund," which fund shall be avail-

able to the Washington toll bridge authority in lieu of any allocation from any other appropriation from the motor vehicle fund made to the department of highways for the proper engineering investigation, in its discretion, of any proposals for facilities, which appear to have merit, for the relief of traffic problems throughout the state. The projects to be investigated must propose facilities to be financed by revenue bonds of the authority to be repaid by tolls or charges.

Use of fund.

SEC. 15. Any sums expended under the provisions of section 14 as to each projected facility which shall be adopted and constructed by the authority shall be repaid from the revenues of such facility after it becomes operative to the authority revolving fund. The authority shall take into account any such expense in setting up any schedule of tolls or charges for such project. The authority shall make and order an orderly schedule of payments for the recovery of such expenses from any constructed facility within a reasonable time, which schedule shall be so made that it will not interfere with the other necessary expenses to be recovered by tolls or charges but shall operate with such other expense charges. Any sums so recovered shall be paid into the state treasury and by the treasurer deposited in the authority revolving fund.

Sums expended to be repaid from revenues to authority revolving fund.

Schedule of payments.

SEC. 16. The toll bridge authority is directed to embark upon an investigation of Puget Sound transportation problems with the view to the preparation of a long range, overall plan for the permanent relief and solution of the unsatisfactory conditions which have prevailed as to cross-sound transportation in the Puget Sound area. The results of such investigation and any plan or plans recommended by the authority shall be the subject of and embodied in a report which shall be prepared and transmitted to the governor and each member of the thirty-

Authority to investigate Puget Sound transportation problems.

Results to be reported to governor and legislators.

third session of the legislature one month prior to its convening.

Appropriation.

SEC. 17. There is hereby appropriated from the motor vehicle fund to the authority revolving fund the sum of one hundred twenty-five thousand dollars for the purpose of establishing the permanent authority revolving fund.

Appropriation.

SEC. 18. There is hereby appropriated from the authority revolving fund to the Washington toll bridge authority the sum of one hundred twenty-five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of section 14.

Appropriation.

SEC. 19. There is hereby appropriated from the motor vehicle fund to the Washington toll bridge authority the sum of two hundred twenty-five thousand dollars, or so much thereof as may be necessary, to carry out the provisions of section 16.

Partial invalidity.

SEC. 20. The provisions of this act are to be severable, and if any section, subdivision or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

Vetoed.

SEC. 21. The Washington toll bridge authority is authorized and directed to complete the location surveys and plans and specifications for a toll tunnel through the Cascade Mountains, together with the necessary connections to existing highways, said toll tunnel to be located on an extension to primary state highway No. 5, beginning at a point on primary state highway No. 5 in the vicinity of the junction of the Greenwater and White rivers, thence in an easterly direction to a junction with primary state highway No. 5 in the vicinity north of Cliffdell. The authority is further authorized and directed to proceed with the construction and operation of said toll tunnel as soon as finances therefor become available to the authority.



SEC. 22. This act is necessary for the immediate Emergency.  
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 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 19, 1951, with  
the exception of section 21, which is vetoed.

---

## CHAPTER 260.

[ S. B. 55. ]

### PUBLIC SERVICE COMMISSION.

AN ACT relating to state government; creating public service  
commission; providing for the appointment of public service  
commissioners; and amending section 43.53.010, R.C.W.

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

SECTION 1. Section 43.53.010, R.C.W., as derived  
from section 1, chapter 117, Laws of 1949, is hereby Amendment.  
amended to read as follows:

There is hereby created and established a state  
commission to be known and designated as the Wash- Washington  
public  
service  
commission.  
ington public service commission, and in this act  
referred to as the commission.

The commission shall be composed of three mem- Membership.  
bers appointed by the governor, with the consent of  
the senate. Not more than two members of said  
commission shall belong to the same political party.

The members of the first commission to be ap- Terms.  
pointed after taking effect of this act shall be ap-  
pointed for terms beginning April 1, 1951, and  
expiring as follows: One commissioner for the term  
expiring January 1, 1953; one commissioner for the  
term expiring January 1, 1955; one commissioner for  
the term expiring January 1, 1957. Each of the com-  
missioners shall hold office until his successor is

appointed and qualified. Upon the expiration of the terms of the three commissioners first to be appointed as herein provided, each succeeding commissioner shall be appointed and hold office for the term of six years. One of such commissioners to be designated by the governor, shall, during the term of the appointing governor, be the chairman of the commission.

Chairman.

Salaries.

Each commissioner shall receive a salary of ten thousand dollars *per annum*, payable monthly.

Removal.

Any member of the commission may be removed for inefficiency, malfeasance or misfeasance in office, upon specific written charges filed by the governor, who shall transmit such written charges to the member accused and to the chief justice of the supreme court. The chief justice shall thereupon designate a special tribunal composed of three judges of the superior court to hear and adjudicate the charges. Such tribunal shall fix the time, place and procedure for the hearing, and the hearing shall be public. The decision of such tribunal shall be final and not subject to review.

Special tribunal.

If the tribunal specified herein finds the charges of the governor to be true, the governor shall have the right to immediately remove the commissioner from office, to declare that position of the commissioner vacant, and appoint another commissioner to the position in accordance with the provisions of the law.

Vacancy.

Any vacancy arising in the office of commissioner shall be filled by appointment by the governor, and an appointee selected to fill such vacancy shall hold office for the balance of the full term for which his predecessor on the commission was appointed.

Vacancy when senate not in session; temporary appointment.

If a vacancy occurs while the senate is not in session, the governor shall make a temporary appointment until the next meeting of the senate, when

he shall present to the senate his nomination or nominations for the office to be filled.

[Am. Rem. Supp. 1949, § 10964-115-1.]

Passed the Senate March 8, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 20, 1951.

---

## CHAPTER 261.

[ S. B. 340. ]

### SOCIAL SECURITY—CENTRAL OPERATING FUND.

AN ACT relating to social security; providing for county emergency funds.

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

SECTION 1. In order to obtain federal matching funds on federal-aid program payments made while eligibility is being established, and in order that other categories of need may be provided for, the director of the department of social security is authorized to make provisions for the cash payment of assistance by county administrators by the establishment of a central operating fund. The director may establish such a fund with the approval of the state auditor from monies appropriated to the department of social security for the payment of general assistance in a sum not to exceed one million dollars. Such funds shall be deposited as agreed upon by the director and the state auditor in accordance with the laws regulating the deposits of public funds. Such security shall be required of the depository in connection with the fund as the state treasurer may prescribe. Monies remaining in the fund shall be returned to the general fund at the end of the biennium, or an accounting of proper expenditures from the fund shall be made to the state auditor. All expenditures from such central operating

Central  
operating  
fund.

Source.

Deposit.

Biennial  
return of  
monies or  
accounting.

Reimbursement of expenditures.

Expenditures to be audited.

Emergency payments defined.

fund shall be reimbursed out of and charged to the proper program appropriated by the use of such forms and vouchers as are approved by the director of the department of social security and the state auditor. Expenditures from such fund shall be audited by the director of the budget and the state auditor from time to time and a report shall be made by the state auditor and the director as are required by law. For the purpose of this act, emergency payments shall mean and include payments to applicants after application and before eligibility is established and until such time as payment can be authorized and made in the regular manner through the state auditor's office.

Passed the Senate March 2, 1951.

Passed the House March 6, 1951.

Approved by the Governor March 20, 1951.

---

CHAPTER 262.

[ S. B. 59. ]

BEAVERS AND BURROWING ANIMALS.

AN ACT relating to damage by beavers and other burrowing animals, and amending chapter 77.20, R.C.W., by adding a new section thereto.

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

New section.

SECTION 1. There is added a new section to chapter 77.20, R.C.W., as derived from chapter 275, Laws of 1947, to read as follows:

Game commission; removal or destruction of burrowing animals damaging land.

If beavers or other burrowing animals are damaging or endangering any land the owner or occupant of such land may notify the state game commission of such danger, and the commission shall cause such animals to be trapped or killed by state trappers in accordance with the provisions of sections 77.20.010 to 77.20.060, inclusive, R.C.W.

If the commission fails to act within fourteen days after receipt of notice any such owner or occupant may trap or kill such animals, but if he does so such person must notify the commission regarding the number of such animals disposed of and when possible surrender the pelts thereof to the commission.

Owner may act where commission fails.

[Chapter 77.20 R.C.W. is Rem. Supp. 1947, §§ 5992-73 to 5992-80 incl.]

[R.C.W. 77.20.010 to 77.20.060 incl. is Rem. Supp. 1947, §§ 5992-73 to 5992-78 incl.]

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951.

---

## CHAPTER 263.

[ S. B. 108. ]

### MOTOR VEHICLE FUEL TAX—REFUND.

AN ACT relating to the motor vehicle fuel tax; creating a right for refund thereof; and amending section 82.36.280, R.C.W.

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

SECTION 1. Section 82.36.280, R.C.W., as derived from section 5, chapter 84, Laws of 1943, is amended to read as follows:

Amendment.

Any person who uses any motor vehicle fuel for the purpose of operating any internal combustion engine not used on or in conjunction with any motor vehicle licensed to be operated over and along any of the public highways, and as the motive power thereof, upon which motor vehicle fuel excise tax has been paid, shall be entitled to and shall receive a refund of the amount of the motor vehicle fuel excise tax paid on each gallon of motor vehicle fuel so used, whether such motor vehicle excise tax has been paid either directly to the vendor from whom the motor vehicle fuel was purchased or indirectly by adding the amount of such excise tax to the price

Refund of motor fuel excise tax; motor vehicle not licensed for use on public highways.

Same: United States vehicle operated off the public highways.

of such fuel. No refund shall be made for motor vehicle fuel consumed in any motor vehicle as herein defined licensed to be operated over and along any public highway except that a refund shall be allowed for motor vehicle fuel consumed in a motor vehicle owned by the United States and operated off the public highways for the official use thereof.

[R.C.W. 82.36.280 was derived from Rem. Supp. 1945, § 8327-18, part (second para. through first proviso).]

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 264.

[ S. B. 100. ]

PROBATE—AWARD IN LIEU OF HOMESTEAD.

AN ACT relating to probate law and procedure; providing for the rewarding and setting aside of property of decedent to surviving spouse in lieu of homestead; and amending sections 11.52.010 and 11.52.020, R.C.W.

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

Amendment.

SECTION 1. Section 11.52.010, R.C.W., as derived from section 103, chapter 156, Laws of 1917, as last amended by section 1, chapter 102, Laws of 1949, is divided into sections 2 to 5, inclusive herein, and is amended to read as follows:

Award to surviving spouse in lieu of homestead.

SEC. 2. If it is made to appear to the satisfaction of the court that no homestead has been claimed in the manner provided by law, either prior or subsequent to the death of the person whose estate is being administered, then the court, after hearing and upon being satisfied that the funeral expenses, expenses of last sickness and of administration have been paid or provided for, and upon petition for that purpose, shall award and set off to the surviving spouse, if any, property of the estate, either com-

munity or separate, not exceeding the value of six thousand dollars exclusive of general taxes and special assessments which were liens at the time of the death of the deceased spouse, and exclusive of any mortgage or mechanic's, laborer's or materialmen's or vendor's liens upon the property so set off, and exclusive of funeral expenses, expenses of last sickness and administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse. Amount.

SEC. 3. The property so set off shall include the home and household goods, if any, and such award shall be made by an order or judgment of the court and shall vest the absolute title, and thereafter there shall be no further administration upon such portion of the estate so set off, but the remainder of the estate shall be settled as other estates: *Provided*, That no property of the estate shall be awarded or set off, as in this act provided, to a surviving spouse who has feloniously killed the deceased spouse: *Provided further*, That if it shall appear to the court, either (1) that there are minor or incompetent children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner, or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) if such surviving spouse is entitled to receive insurance on the life of the deceased spouse in the sum of five thousand dollars, or more, then the award in lieu of homestead and exemptions shall lie in the discretion of the court, and that whether there shall be an award and the amount thereof shall be determined by the court, who shall enter such decree as shall be just and equitable but not in excess of the award provided herein. Home and household goods.  
Order vests title.  
No further administration.  
Limitation.  
When award is within court's discretion.

SEC. 4. Notice of such hearing shall be given by posting a notice in three public places in the county Notice of hearing.

Posting. in which the hearing is to be held. Said notice may be posted by the clerk of the superior court of the county in which the hearing is to be held, or may be posted by any person qualified to serve a summons in a civil action. Said notices shall be posted at least ten days prior to the date fixed for the hearing. If there be any minor child or incompetent heir of the decedent, the court shall appoint a guardian *ad litem* for such minor child or incompetent heir, who shall appear at the hearing and represent the interest of such minor child or incompetent heir.

Judgment final save right to appeal. SEC. 5. The order of judgment of the court making the award or awards provided for in this act shall be conclusive and final, except on appeal and except for fraud. The awards in this act provided shall be in lieu of all homestead provisions of the law and of exemptions. The said property, when set aside as

Property awarded; exempt from claims. herein provided, shall be exempt from all claims for the payment of any debt of the deceased or of the surviving spouse existing at the time of death, whether such debt be individual or community.

Limitation on amount of award. Under this act, the court shall not award more property than could be awarded under the law in effect at the time of the death of the deceased spouse.

Separate property otherwise disposed of by will. The awards provided for in this act shall not be taken from separate property of the deceased which is otherwise disposed of by will.

[Am. Rem. Supp. 1949, § 1473.]

Amendment. SEC. 6. Section 11.52.020, R.C.W., as derived from section 104, chapter 156, Laws of 1917, as last amended by section 2, chapter 102, Laws of 1949, is divided into sections 7 to 9, inclusive herein, and is amended to read as follows:

Where homestead selected; decree of set off for surviving spouse. SEC. 7. In event a homestead has been, or shall be selected in the manner provided by law, whether the selection of such homestead results in vesting the complete or partial title in the survivor, it shall be the duty of the court, upon petition of any person



interested, and upon being satisfied that the value thereof does not exceed six thousand dollars, exclusive of general taxes and special assessments which were liens at the time of the death of the deceased and exclusive of mortgages, mechanic's, laborer's, materialmen's or vendor's liens thereon, and exclusive of funeral expenses, expenses of last sickness and of administration, which expenses may be deducted from the gross value in determining the value to be set off to the surviving spouse, to enter a decree, upon such notice as the court may determine, setting off and awarding such homestead to the survivor, thereby vesting the title thereto in fee simple in the survivor.

SEC. 8. If the value of the homestead, exclusive of all such liens, be less than six thousand dollars, the court, upon being satisfied that the funeral expenses, expenses of last sickness and of administration, have been paid or provided for, shall set off and award additional property, either separate or community, in lieu of such deficiency, so that the value of the homestead, exclusive of all such liens and expenses when added to the value of the other property awarded, exclusive of all such liens and expenses shall equal six thousand dollars: *Provided*, That if it shall appear to the court, either (1) there are minor or incompetent children of the deceased by a former marriage or by adoption prior to decedent's marriage to petitioner, or (2) that the petitioning surviving spouse has abandoned his or her minor children or wilfully and wrongfully failed to provide for them, or (3) if such surviving spouse is entitled to receive insurance on the life of the deceased spouse in the sum of five thousand dollars, or more, then the award of property in addition to the homestead, where the homestead is of less than six thousand dollars in value, shall lie in the discretion of the court, and that whether there shall be an award

Where value of homestead less than \$6,000; award of additional property.

When additional award is within court's discretion.

in addition to the homestead and the amount thereof shall be determined by the court, who shall enter such decree as shall be just and equitable, but not in excess of the award provided herein.

Decree.

SEC. 9. Said decree shall particularly describe the said homestead and other property so awarded, and such homestead and other property so awarded shall not be subject to further administration, and such decree shall be conclusive and final, except on appeal, and except for fraud, and such awards shall be in lieu of all further homestead rights and of all exemptions. The property in addition to the homestead, when set aside as herein provided, shall be exempt from all claims for the payment of any debt of deceased or of the surviving spouse existing at the time of death, whether such debt be individual or community. Under this act, the court shall not award more property than could be awarded under the law in effect at the time of the death of the deceased spouse.

Additional property exempt from claims.

Limitation on amount of award.

Separate property otherwise disposed of by will.

The awards provided for in this act shall not be taken from separate property of the deceased which is otherwise disposed of by will.

[Am. Rem. Supp. 1949, § 1474.]

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 265.

[ S. B. 184. ]

UNEMPLOYMENT COMPENSATION.

AN ACT relating to unemployment compensation, amending sections 50.04.260, 50.04.350, 50.04.320, 50.04.330, 50.04.180, 50.04.200, 50.24.160, 50.20.010, 50.20.070, 50.20.120 and 50.04-.340, R.C.W.; and declaring an emergency.

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

SECTION 1. Section 50.04.260, R.C.W., as derived from section 27, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

The term "employment" shall not include service performed in any calendar quarter in the employ of any of the following organizations, if (1) the remuneration for such services is less than fifty dollars; or (2) such service is in connection with the collection of dues or premiums for a fraternal benefit society, order, or association and is performed away from the home office or is ritualistic service in connection with any such society, order, or association; or (3) such service is performed by a student who is enrolled and who is regularly attending classes at a school, college or university:

"Employment" certain services excluded.

(a) labor organizations;

Labor organizations.

(b) mutual savings banks not having a capital stock represented by shares;

Certain mutual savings banks.

(c) fraternal beneficiary societies, orders, or associations,

Fraternal beneficiary societies.

(1) operating under the lodge system or for the exclusive benefit of members of a fraternity itself operating under the lodge system; and

(2) providing for the payment of life, sick, accident; or other benefits to the members of such society, order, or association or their dependents;

(d) domestic saving and loan associations substantially all the business of which is confined to making loans to members; and cooperative banks

Certain savings and loan associations.

without capital stock organized and operated for mutual purposes and without profit;

Certain cemetery companies.

(e) cemetery companies owned and operated exclusively for the benefit of their members or which are not operated for profit; and any corporation chartered solely for burial purposes as a cemetery corporation and not permitted by its charter to engage in any business not necessarily incident to that purpose, no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Chambers of commerce, etc.

(f) business leagues, chambers of commerce, real estate boards, or boards of trade, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual;

Civic leagues.

(g) civic leagues or organizations not organized for profit but operated exclusively for the promotion of social welfare, or local associations of employees, the membership of which is limited to individuals in the employment of a designated person or persons in a particular municipality, and the net earnings of which are devoted exclusively to charitable, educational, or recreational purposes;

Pleasure clubs.

(h) clubs organized and operated exclusively for pleasure, recreation, and other nonprofitable purposes, no part of the net earnings of which inures to the benefit of any private shareholder;

Certain life insurance companies and cooperative utilities.

(i) benevolent life insurance associations of a purely local character, mutual ditch or irrigation companies, mutual or cooperative telephone companies, or like organizations; but only if eighty five per cent or more of the income consists of amounts collected from members for the sole purpose of meeting losses and expenses;

Farmers' and other mutual insurance companies.

(j) farmers' or other mutual hail, cyclone, casualty, or fire insurance companies or associations (including inter-surers and reciprocal underwriters)

the income of which is used or held for the purpose of paying losses or expenses;

(k) farmers', fruit growers', or like associations organized and operated on a cooperative basis, (1) for the purpose of marketing the products of members or other producers, and turning back to them the proceeds of sales, less the necessary marketing expenses, on the basis of either the quantity or the value of the products furnished by them; or (2) for the purpose of purchasing supplies and equipment for the use of members or other persons, and turning over such supplies and equipment to them at actual cost, plus necessary expenses. Exemption shall not be denied any such association because it has capital stock, if the dividend rate of such stock is fixed at not to exceed the legal rate of interest in the state of incorporation or eight per cent a year, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the association, upon dissolution or otherwise, beyond the fixed dividends) is owned by producers who market their products or purchase their supplies and equipment through the association; nor shall exemption be denied any such association because there is accumulated and maintained by it a reserve required by state law or a reasonable reserve for any necessary purpose. Such an association may market the products of nonmembers in an amount the value of which does not exceed the value of the products marketed for members, and may purchase supplies and equipment for nonmembers in an amount the value of which does not exceed the value of the supplies and equipment purchased for members, providing the value of the purchases made for persons who are neither mem-

Farmers',  
etc.,  
cooperative  
associations.

bers nor producers does not exceed fifteen per cent of the value of all its purchases. Business done for the United States or any of its agencies shall be disregarded in determining the right to exemption under this paragraph;

Finance corporations in conjunction with farmers', etc., cooperative associations.

(l) corporations organized by an association exempt under the provisions of paragraph (k) or members thereof, for the purpose of financing the ordinary crop operations of such members or other producers, and operated in conjunction with such association. Exemption shall not be denied any such corporation because it has capital stock, if the dividend rate of such stock is fixed not to exceed the legal rate of interest in the state of incorporation or eight per cent a year, whichever is greater, on the value of the consideration for which the stock was issued, and if substantially all such stock (other than nonvoting preferred stock, the owners of which are not entitled or permitted to participate, directly or indirectly, in the profits of the corporation, upon dissolution or otherwise, beyond the fixed dividends) is owned by such association, or members thereof; nor shall exemption be denied any such corporation because there is accumulated and maintained by it a reserve required by state law or a reasonable reserve for any necessary purpose;

Corporations holding title for benefit of exempt organization.

(m) corporations organized for the exclusive purpose of holding title to property, collecting income therefrom, and turning over the entire amount thereof, less expenses, to an organization which itself is exempt from the tax imposed by this title;

Corporate instrumentalities of the United States.

(n) corporations organized under act of congress, if such corporations are instrumentalities of the United States and if, under such act, as amended and supplemented, such corporations are exempt from federal income taxes;

Certain teachers' retirement fund associations.

(o) teachers' retirement fund associations of a purely local character, if (1) no part of their net

earnings inures (other than through payment of retirement benefits) to the benefit of any private shareholder or individual; and (2) the income consists solely of amounts received from public taxation, amounts received from assessments upon the teaching salaries of members, and income in respect of investments;

(p) religious or apostolic associations or corporations, if such associations or corporations have a common treasury or community treasury, even if such association or corporations engage in business for the common benefit of the members, but only if the members thereof include (at the time of filing their returns) in their gross income their entire *pro rata* shares, whether distributed or not, of the net income of the association or corporation for such year. Any amount so included in the gross income of a member shall be treated as a dividend received.

Certain religious or apostolic associations or corporations.

[Am. Rem. Supp. 1945, § 9998-165.]

SEC. 2. Section 50.04.350, R.C.W., as derived from section 36, chapter 35, Laws of 1945, is amended to read as follows:

Amendment.

The term "wages" shall not include the payment by an employing unit (without deduction from the remuneration of the individual in its employ) of the tax imposed upon an individual in employment under section 1400 of the federal internal revenue code, as amended, or any amount paid to a person in the military service for any pay period during which he performs no service for the employer: *Provided, however,* That prior to January 1, 1952, the term "wages" shall not include dismissal payments which an employing unit is not legally required to make.

"Wages;" certain items not included.

[Am. Rem. Supp. 1945, § 9998-174.]

SEC. 3. Section 50.04.320, R.C.W., as derived from section 4, chapter 214, Laws of 1949, is amended to read as follows:

## "Wages."

"Wages" means the first three thousand dollars of remuneration paid by one employer during any calendar year to an individual in its employment under this title or the unemployment compensation law of any other state. After December 31, 1950, if an employer (hereinafter referred to as successor employer) during any calendar year acquires substantially all the operating assets of another employer (hereinafter referred to as a predecessor employer) or assets used in a separate unit of a trade or business of a predecessor employer, and immediately after the acquisition employs in his trade or business an individual who immediately prior to the acquisition was employed in the trade or business of such predecessor employer, then, for the purposes of determining whether the successor employer has paid remuneration equal to three thousand dollars to such individual during such calendar year, any remuneration paid to such individual by such predecessor during such calendar year and prior to such acquisition shall be considered as having been paid by such successor employer.

## "Remuneration."

"Remuneration" means all compensation paid for personal services, including commissions and bonuses and the cash value of all compensation paid in any medium other than cash. The reasonable cash value of compensation paid in any medium other than cash and the reasonable value of gratuities shall be estimated and determined in accordance with rules prescribed by the commissioner.

## "Wage credits."

"Wage credits" applicable to eligibility for benefits means the same as "wages."

[Am. Rem. Supp. 1949, § 9998-171.]

## Amendment.

SEC. 4. Section 50.04.330, R.C.W., as derived from section 5, chapter 214, Laws of 1949, is amended to read as follows:

"Wages;"  
exceptions;  
retirement,  
disability,  
etc.,  
payments.

Prior to January 1, 1951, the term "wages" shall not include the amount of any payment by an em-



ploying unit for or on behalf of an individual in its employ under a plan or system established by such employing unit which makes provision for individuals in its employ generally, or for a class or classes of such individuals (including any amount paid by an employing unit for insurance or annuities or into a fund to provide for any payment) on account of retirement, sickness or accident disability, or medical and hospitalization expenses in connection with sickness or accident disability. After December 31, 1950, the term "wages" shall not include:

(a) the amount of any payment made (including any amount paid by an employing unit for insurance or annuities, or into a fund, to provide for any such payment), to, or on behalf of, an individual or any of his dependents under a plan or system established by an employing unit which makes provision generally for individuals performing service for it (or for such individuals generally and their dependents) or for a class or classes of such individuals (or for a class or classes of such individuals and their dependents), on account of (i) retirement, or (ii) sickness or accident disability, or (iii) medical or hospitalization expenses in connection with sickness or accident disability or (iv) death;

(b) the amount of any payment by an employing unit to an individual performing service for it (including any amount paid by an employing unit for insurance or annuities, or into a fund, to provide for any such payment) on account of retirement;

(c) the amount of any payment on account of sickness or accident disability, or medical or hospitalization expenses in connection with sickness or accident disability, made by an employing unit to, or on behalf of, an individual performing services for it after the expiration of six calendar months following the last calendar month in which the individual performed services for such employing unit;

“Wages;”  
exception;  
employees’  
trusts and  
annuities.

(d) the amount of any payment made by an employing unit to, or on behalf of, an individual performing services for it or his beneficiary (i) from or to a trust exempt from tax under section 165 (a) of the federal internal revenue code at the time of such payment unless such payment is made to an individual performing services for the trust as remuneration for such services and not as a beneficiary of the trust, or (ii) under or to an annuity plan which, at the time of such payments, meets the requirements of section 165 (a) (3), (4), (5), and (6) of the federal internal revenue code; or

“Wages;”  
exception;  
payment to  
person over  
65 not  
performing  
services.

(e) the amount of any payment (other than vacation or sick pay) made to an individual after the month in which he attains the age of sixty-five, if he did not perform services for the employing unit in the period for which such payment is made.

[Am. Rem. Supp. 1949, § 9998-172.]

Amendment.

SEC. 5. Section 50.04.340, R.C.W., as derived from section 6, chapter 214, Laws of 1949, is amended to read as follows:

“Wages;”  
exception;  
death  
benefits.

Prior to January 1, 1951, the term “wages” shall not include the amount of any payment by an employing unit for or on behalf of an individual in its employ under a plan or system established by such employing unit which makes provision for individuals in its employ generally, or for a class or classes of such individuals (including any amount paid by an employing unit for insurance or annuities or into a fund to provide for any payment) on account of death, provided the individual in its employ

(a) has not the option to receive instead of provisions for such death benefits, any part of such payment, or, if such death benefit is insured, any part of the premium (or contributions to premiums) paid by his employing unit; and

(b) has not the right under the provisions of the plan or system or policy of insurance providing for

such death benefits to assign such benefits or to receive a cash consideration in lieu of such benefits, either upon his withdrawal from the plan or system providing for such benefits or upon termination of such plan or system or policy of insurance or of his services with such employing unit.

[Am. Rem. Supp. 1949, § 9998-173.]

SEC. 6. Section 50.04.180, R.C.W., as derived from section 19, chapter 35, Laws of 1945, is amended to read as follows: Amendment.

The term "employment" shall not include service performed by an individual in the employ of his or her spouse, or by a child under the age of twenty-one in the employ of his father or mother. "Employment;" exemption; service in employ of spouse or parent.

[Am. Rem. Supp. 1945, § 9998-158.]

SEC. 7. Section 50.04.200, R.C.W., as derived from section 21, chapter 35, Laws of 1945, is amended to read as follows:

The term "employment" shall not include service performed in the employ of this state, or of any political subdivision thereof, or of any instrumentality of this state or its political subdivision: *Provided*, That this exemption shall not be deemed to apply if the state or any political subdivision thereof or any instrumentality of this state or its political subdivisions voluntarily elects coverage for all or any distinct class or group of individuals in its employ: *And provided further*, That the state or any political subdivision thereof or any instrumentality of this state or its political subdivisions is hereby authorized to pay to the unemployment compensation division for the unemployment compensation fund contributions required of employers by the provisions of this title. "Employment;" exemption; service in employ of state or political subdivisions. Effect of elective coverage. State, political subdivisions authorized to contribute.

[Am. Rem. Supp. 1945, § 9998-160.]

SEC. 8. Section 50.24.160, R.C.W., as derived from section 104, chapter 35, Laws of 1945, is amended to read as follows: Amendment.

Services not constituting employment; elective coverage; procedure.

Any employing unit for which services that do not constitute employment as defined in this title are performed, or this state or any political subdivisions thereof or any instrumentality of this state or its political subdivisions, may file with the commissioner a written election that all such services performed by any distinct class or group of individuals or by all individuals in its employ in one or more distinct establishments or places of business shall be deemed to constitute employment for all the purposes of this title for not less than two calendar years. Upon the written approval of such election by the commissioner, such services shall be deemed to constitute employment subject to this title from and after the date stated in such approval. Such services shall cease to be deemed employment subject hereto as of January first of any calendar year subsequent to such two calendar years, only if the employing unit files with the commissioner prior to the fifteenth day of January of such year a written application for termination of coverage.

[Am. Rem. Supp. 1945, § 9998-242.]

[This section (R.C.W. 50.24.160) was also amended by sec. 9. ch. 215, Laws of 1951.]

Amendment.

SEC. 9. Section 50.20.010, R.C.W., as derived from section 9, chapter 214, Laws of 1949, is amended to read as follows:

Waiting period credit or benefits; prerequisites.

An unemployed individual shall be eligible to receive waiting period credit or benefits with respect to any week only if the commissioner finds that

Registration for work.

(a) he has registered for work at, and thereafter has continued to report at, an employment office in accordance with such regulation as the commissioner may prescribe, except that the commissioner may by regulation waive or alter either or both of the requirements of this subdivision as to individuals attached to regular jobs and as to such other types of cases or situations with respect to which he finds that the compliance with such requirements would

be oppressive, or would be inconsistent with the purposes of this title;

(b) he has filed an application for an initial determination and made a claim for waiting period credit or for benefits in accordance with the provisions of this title;

Application and claim.

(c) he is able to work, and is available for work in any trade, occupation, profession, or business for which he is reasonably fitted. To be available for work an individual must be ready, able and willing, immediately to accept any suitable work which may be offered to him and must be actively seeking work pursuant to customary trade practices and through other methods when so directed by the commissioner or his agents;

Able and available for work.

(d) he has been unemployed for a waiting period of one week; and

Unemployed for waiting period.

(e) he has within the base year been paid wages of not less than the minimum amount now or hereafter fixed by law as the minimum amount to be earned in order to allow the individual to receive unemployment benefits.

Base year minimum wages.

[Am. Rem. Supp. 1949, § 9998-206.]

[This section (R.C.W. 50.20.010) was also amended by sec. 11, ch. 215, Laws of 1951.]

SEC. 10. Section 50.20.070, R.C.W., as derived from section 14, chapter 214, Laws of 1949, is amended to read as follows:

Amendment.

Irrespective of any other provisions of this title an individual shall be disqualified for benefits for any week with respect to which he has knowingly made a false statement or representation involving a material fact or knowingly failed to report a material fact and has thereby obtained or attempted to obtain any benefits under the provisions of this title, and for an additional twenty-six weeks commencing with the first week for which he completes a claim for waiting period or benefits following the date of the delivery or mailing of the determination of disqualification under this section: *Provided*, That

Disqualification for benefits; false representation.

such disqualification shall not be applied after two years have elapsed from the date of the delivery or mailing of the determination of disqualification under this section, but all over-payments established by such determination of disqualification shall be collected as otherwise provided by this title.

[Am. Rem. Supp. 1949, § 9998-213.]

Amendment.

SEC. 11. Section 50.20.120, R.C.W., as derived from section 16, chapter 214, Laws of 1949, is amended to read as follows:

Schedule of benefits.

Subject to the other provisions of this title benefits shall be payable to any eligible individual during the benefit year in accordance with the weekly benefit amount and the maximum benefits potentially payable shown in the following schedule for such base year wages shown in the schedule as are applicable to such individual:

<i>Base Year Wages</i>	<i>Weekly Benefit Amount</i>	<i>Maximum Benefits Potentially Payable</i>
\$000- 599.99.....	\$00	\$000
600- 699.99.....	10	150
700- 799.99.....	11	176
800- 899.99.....	12	204
900- 999.99.....	13	234
1000-1099.99.....	14	266
1100-1199.99.....	15	300
1200-1299.99.....	16	336
1300-1399.99.....	17	374
1400-1499.99.....	18	414
1500-1599.99.....	20	480
1600-1699.99.....	21	525
1700-1799.99.....	22	572
1800-1899.99.....	23	598
1900-1999.99.....	24	624
2000-2099.99.....	25	650
2100-2199.99.....	26	676
2200-2299.99.....	27	702
2300-2399.99.....	28	728

2400-2499.99 . . . . .	29	754
2500 and over . . . . .	30	780
[Am. Rem. Supp. 1949, § 9998-218.]		

SEC. 12. A new section is added to chapter 50.20, R.C.W., as derived from chapter 35, Laws of 1945, to read as follows: New section.

When an unemployed individual is qualified for receipt of unemployment compensation benefits by the specific provisions of sections 50.20.010, 50.20.120 and 50.20.130, R.C.W., and such individual is not specifically disqualified from receiving such benefits by reason of the provisions of sections 50.20.030, 50.20.040, 50.20.090, 50.20.050, 50.20.060, 50.20.070 or 50.20.080, R.C.W., he shall, for all purposes of the unemployment compensation act, be deemed to be involuntarily unemployed and entitled to unemployment compensation benefits: *Provided*, That the cessation of operations by an employer for the purpose of granting vacations, whether by union contract or other reasons, shall in no manner be construed to be a voluntary quit nor a voluntary unemployment on the part of the employees. Involuntary unemployed.

[R.C.W. 50.20 is Rem. Supp. 1945, §§ 9998-206 to 9998-226 as amended.]

[R.C.W. 50.20.010 appears as sec. 9, *supra*; 50.20.120 appears as sec. 11, *supra*; 50.20.130 is Rem. Supp. 1949, § 9998-219; 50.20.030 is Rem. Supp. 1945, § 9998-208; 50.20.040 is Rem. Supp. 1945, § 9998-209; 50.20.090 is Rem. Supp. 1945, § 9998-215; 50.20.050 and 50.20.060 are respectively Rem. Supp. 1949, §§ 9998-211 and 9998-212; 50.20.070 appears as sec. 10, *supra*; 50.20.080 is Rem. Supp. 1949, § 9998-214.]

SEC. 13. A new section is added to chapter 50.36, R.C.W., as derived from chapter 35, Laws of 1945, to read as follows: New section.

Employing units or agents thereof supplying information to the employment security department pertaining to the cause of a benefit claimant's separation from work, which cause stated to the department is contrary to that given the benefit claimant by such employing unit or agent thereof at the time of his separation from the employing unit's employ, Employing unit; contrary information concerning cause for separation; misdemeanor.

Penalty.

shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty dollars nor more than two hundred and fifty dollars or by imprisonment in the county jail for not more than ninety days.

[Chapter 50.36 R.C.W. is Rem. Supp. § 9998-319 to 9998-320.]

Partial  
invalidity.

SEC. 14. If any section, sentence, clause or word of this act shall be held unconstitutional, the invalidity of such section, sentence, clause or word shall not affect the validity of any other portion of this act, it being the intent of this legislative assembly to enact the remainder of this act notwithstanding such part so declared unconstitutional should or may be so declared.

Emergency.

SEC. 15. An emergency exists and this act is necessary for the preservation of the public peace, health, safety and welfare, and shall take effect immediately, except section 11 which shall not become effective until the first day of July, 1951.

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951.

---

## CHAPTER 266.

[ H. B. 393. ]

### SALE OF TIMBER ON STATE LANDS.

AN ACT relating to state land; providing for the sale of timber thereon on a scale basis and prescribing the duties of the commissioner of public lands in connection therewith.

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

Sale of  
timber or  
certain state  
lands.

SECTION 1. The commissioner of public lands may sell timber upon state school and granted lands on a stumpage or scale basis for a price per thousand feet not less than the appraised value thereof. All



provisions of the general timber sales statutes with reference to the filing of applications, deposits required therewith, appraisal by the board of state land commissioners, advertising for bids, public auction sale through the county auditor, and confirmation of sale by the commissioner shall apply to all sales made under the provisions of this act.

Laws applicable.

SEC. 2. Upon the confirmation of the sale of any timber on the stumpage or scale basis as herein provided, a written contract shall be entered into with the successful bidder which shall:

Terms of contract with successful bidder.

(1) Fix the time when logging operations shall be commenced and concluded;

(2) In the discretion of the commissioner, require monthly payments for timber removed as soon as scale sheets have been tabulated and a determination made of the amount of timber removed during the month, or require payments monthly in advance;

(3) Provide for supervision of the logging operations, the methods of scale and reporting; and

(4) Require the purchaser to comply, as to such timber, with all laws concerning fire protection and logging. The contract may also contain such other provisions as may be deemed advisable.

SEC. 3. At the time of executing the contract, the purchaser shall make a cash deposit equal to twenty per cent of the estimated value of the timber purchased computed at the stumpage rate bid. At no time shall the amount due the state for timber actually cut and removed exceed the amount of the deposit as hereinabove set forth. The amount of the deposit shall be returned to the purchaser upon completion and full compliance with the contract by the purchaser, or it may, at the discretion of the purchaser, be applied on final payment of the full amount due under the contract. Upon failure of the purchaser to comply with the terms of the contract, the commissioner of public lands shall enter a forfeiture

Purchaser's cash deposit.

Deposit returned, when.

Forfeiture.

thereof and the deposit made in connection therewith may be forfeited upon order of the commissioner.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 267.

[ H. B. 220. ]

MOTOR VEHICLE FUEL TAX.

AN ACT relating to the motor vehicle fuel tax and amending section 82.36.100, R.C.W.

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

Amendment. SECTION 1. Section 82.36.100, R.C.W., as derived from section 5(a), chapter 177, Laws of 1939, is amended to read as follows:

Acquisition and use of certain motor vehicle fuel. Every person other than a distributor who acquires any motor vehicle fuel within this state from any person importing it into the state, on which the tax has not been paid, or imports such fuel into this state and sells, distributes, or in any manner uses it in this state shall apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay a tax of six and one-half cents for each gallon thereof so sold, distributed, or used in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distribu-

License. Bond.

Tax.

Penalty.

Administration.

tors. Nothing herein shall be construed as classifying such persons as distributors.

Such persons not distributors.

[Am. Rem. Supp. § 8327-5a.]

Passed the House February 2, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

---

## CHAPTER 268.

[ H. B. 293. ]

### LEGISLATIVE INTERIM COMMITTEE FOR INVESTIGATION OF PENAL AND OTHER INSTITUTIONS.

AN ACT creating an interim committee; prescribing its powers and duties, and making an appropriation.

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

SECTION 1. There is created an interim bi-partisan committee composed of three members of the senate, appointed by the president of the senate, and four members of the house of representatives, appointed by the speaker of the house. Appointments shall be so made that not more than five of the total number appointed shall be members of one political party. Vacancies on the committee shall be filled by the remaining members.

Interim bi-partisan committee created.

Appointments.

Vacancies.

SEC. 2. The committee shall have the following duties and powers:

Duties and powers.

(1) To investigate the conditions, methods of operation, facilities, and buildings of and in the penal institutions, and the various state institutions for the insane, feeble-minded, delinquent and handicapped persons, adult and minor, in this state;

(2) To conduct hearings, administer oaths, take depositions, subpoena witnesses and compel their depositions;

(3) The activity herein authorized shall be carried on in conjunction with the state legislative coun-

cil. The committee shall make reports to the state legislative council and to the governor as often as desired but at least once per year.

Employment of assistants.

SEC. 3. The committee may employ such persons as it may deem necessary or proper in the exercise of the authority vested in it and may fix their compensation. All officers, employees, departments and agencies of the state shall make available to the committee all books, papers, documents and information requested by the committee and shall answer all questions pertinent or material to any inquiry, investigation or hearing being conducted by the committee. Members of the committee shall be reimbursed for their traveling, lodging, and subsistence expenses while absent from their usual places of residence in performance of their duties the same as is provided for elective state officers and employees.

State officers, etc., to assist.

Expenses reimbursed.

Appropriation.

SEC. 4. There is appropriated from the general fund to the committee herein created the sum of three thousand dollars, or so much thereof as may be necessary to carry out the purposes of this act.

Passed the House February 21, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 269.

[ H. B. 506. ]

HIGHWAYS—MOTOR VEHICLES.

AN ACT relating to highways and the operation of motor vehicles thereon; amending certain sections of the highway and motor vehicle code and adding sections thereto; prescribing the size, weight and licenses of certain motor vehicles and regulating the collection of motor vehicle fuel taxes and fees; providing for an interim legislative committee on highways to make studies; providing for the experimental operation and study of test highways; relating to the organization of the department of highways; prescribing penalties, declaring an emergency and providing effective dates.

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

SECTION 1. Section 46.12.040, R. C. W., as derived from section 1, chapter 164, Laws of 1947, is amended to read as follows: Amendment.

The application accompanied by a draft, money order, or certified bank check for one dollar, together with the last preceding certificates or other satisfactory evidence of ownership, shall be forwarded to the director. Certificate of ownership; application forwarded to director.

The fee shall be in addition to any other fee for the license registration of the vehicle. The certificate of ownership shall not be required to be renewed annually, or at any other time, except as by law provided. Fee additional.

[R.C.W. 46.12.040 was derived from Rem. Supp. 1947, § 6312-3, part (subsections d and e).]

SEC. 2. Section 46.12.060, R.C.W., as derived from section 3, chapter 164, Laws of 1947, is amended to read as follows: Amendment.

Before the director shall issue a certificate of ownership, or re-issue such a certificate, covering any vehicle, the motor number of which, in case of a motor vehicle, or the serial number of which, in case of a trailer, has been altered, removed, obliterated, defaced, omitted, or is otherwise absent, the Where motor or serial number has been tampered with.

Special  
motor,  
identifica-  
tion, or serial  
number.

registered owner of the vehicle shall file an application with the director, accompanied by a fee of one dollar, upon a form provided, and containing such facts and information as shall be required by the director for the assignment of a special number for such vehicle. Upon receipt of such application, the director, if he is satisfied the applicant is entitled to the assignment of a motor number, identification number, or serial number, shall designate a special motor number, identification number, or serial number, as the case may be, together with a symbol indicative of this state, for such vehicle, which symbol followed by such number shall be noted upon the application therefor, and likewise upon a suitable record of the authorization of the use thereof, to be kept by and in the office of the director. The applicant for such assignment of number shall be, in case of a motor vehicle, promptly notified of the number assigned and the symbol to be prefixed thereto, and such applicant shall thereupon cause such symbol and motor number to be pressed or cut in a conspicuous position upon the motor, if the assigned number is a motor number, or frame or other permanent part of the motor vehicle, if the number assigned is an identification number. The applicant for such assignment of number shall be, in case of a trailer, assigned a proper identification number which shall be placed or stamped in a conspicuous position upon the outside of the trailer in such manner and form as may be prescribed by the director. Upon receipt by the director of a certificate by an officer of the Washington state patrol, or other person authorized by the director, that he has inspected such vehicle and that the motor number, or identification number, together with the symbol so assigned, or the special serial number plate, have been legally pressed or cut in a conspicuous position upon the motor or upon the most permanent part of the motor

Same;  
trailer.

vehicle most readily accessible for inspection, or stamped or securely attached in a conspicuous position upon the outside of the trailer, accompanied by an application for a certificate of ownership or application for reissue of such certificate and the required fee therefor, the director shall use such number and such symbol as the numerical identification marks for the vehicle in any certificate of license registration or certificate of ownership he may thereafter issue therefor.

[R.C.W. 46.12.060 was derived from Rem. Supp. 1947, § 6312-5, part (subsection a).]

SEC. 3. Section 46.12.080, R.C.W., as derived from section 3, chapter 164, Laws of 1947, is amended to read as follows: Amendment.

Any person holding the certificate of license registration for a vehicle in which there has been installed a new or different motor than that with which it was issued certificates of ownership and license registration shall forthwith and within five days after such installation forward and surrender such certificates to the director, together with an application for issue of corrected certificates of ownership and license registration and a fee of one dollar, and a statement of the disposition which was made of the former motor. The possession by any person of any such certificates for a vehicle in which a new or different motor has been installed, after five days following such installation, shall be *prima facie* evidence of a violation of the provisions of this chapter and shall constitute a misdemeanor. Where  
new motor  
installed.  
  
Time  
within which  
to make  
application  
for corrected  
certificates.

[R.C.W. 46.12.080 was derived from Rem. Supp. 1947, § 6312-5, part (subsection c).]

SEC. 4. Section 46.12.170, R.C.W., as derived from section 5, chapter 164, Laws of 1947, is amended to read as follows: Amendment.

If, after a certificate of ownership is issued, a mortgage is placed on the vehicle described therein, the registered owner shall, within ten days there- Where  
vehicle is  
mortgaged.

**Application.** after, present his application to the director, signed by the mortgagee, to which shall be attached the certificate of license registration and the certificate of ownership last issued covering the vehicle, which application shall be upon a form provided by the director and shall be accompanied by a money order, bank draft, or certified bank check for one dollar.

**Fee.** The director, if he is satisfied that there should be a reissue of the certificates, shall note such change upon his records and issue to the registered owner a new certificate of license registration and to the mortgagee a new certificate of ownership.

**Issuance of new certificates.**

**Payment of contract or mortgage.**

Upon the payment in full of a contract or mortgage on a vehicle, the legal owner or mortgagee shall assign the certificate of ownership and deliver it to the registered owner, who shall within ten days thereafter present the certificate of ownership and certificate of license registration to the director accompanied by a fee of one dollar, together with an application for reissue thereof, which application shall be handled by the director as in the case of an original application for a certificate of license registration and certificate of ownership. Upon the payment in full of a contract or mortgage on a vehicle the legal owner or mortgagee shall immediately notify the director of such fact on a form to be provided by the director.

**Legal owner or mortgagee to notify director.**

[Am. Rem. Supp. 1947, § 6312-7.]

**Amendment.** SEC. 5. Section 46.12.180, R.C.W., as derived from section 6, chapter 164, Laws of 1947, is amended to read as follows:

**Lost instruments.**

In the event that a certificate of ownership or certificate of license registration is lost, mutilated, or has become illegible, the holder shall immediately file with the director an application for the issuance of a duplicate, the application to be on a form prescribed and furnished by the director, accompanied by a fee of one dollar. Upon receipt of such appli-



cation and fee, the director shall issue a duplicate of the certificate if its loss or mutilation is established by satisfactory proof.

Duplicate issued.

[Am. Rem. Supp. 1947, § 6312-9.]

SEC. 6. Section 46.16.270, R.C.W., as derived from section 13, chapter 164, Laws of 1947, is amended to read as follows:

Amendment.

Upon the loss, defacement, or destruction of both of the vehicle license number plates issued for any vehicle or where they have become so illegible or in such a condition as to be difficult to distinguish, the owner of the vehicle shall make application for new vehicle license number plates upon a form furnished by the director, upon which form it shall be required that the owner, in addition to other requirements, make a complete statement as to the cause of the loss, defacement, or destruction of the original plates, which statement shall be subscribed and sworn to before a notary public or other person authorized to certify to statements upon vehicle license applications. Such application shall be filed with the director or his authorized agent, accompanied by the certificate of license registration of the vehicle and a fee in the amount of four dollars, whereupon the director, or his authorized agent, shall issue new vehicle license number plates to the applicant. Upon the loss, defacement, or destruction of one of the vehicle license number plates issued for any vehicle, application shall be made on a form provided by the director and in the manner above prescribed, except that it shall be accompanied by a fee of two dollars for a vehicle plate and one dollar for a motorcycle plate. Upon the receipt of such application and fee by the director, he shall issue to the applicant a duplicate plate or plates of those lost, defaced, or destroyed. In the event the director has issued license period tabs or a wind shield emblem instead of vehicle license number plates, and upon the loss, deface-

Loss or destruction of license plates.

Application for new plates.

Statement as to cause of loss.

Fee.

Loss of but one plate.

Fee.

Duplicate issued.

Loss of  
license tabs.

ment or destruction of said tabs or wind shield emblem, application shall be made on a form provided by the director and in the same manner as above described, and shall be accompanied by a fee of one dollar for each pair of tabs or for each wind shield emblem, whereupon the director shall issue to the applicant a duplicate pair of tabs or a wind shield emblem to replace those lost, defaced or destroyed.

[Am. Rem. Supp. 1947, § 6312-37.]

New  
section.

SEC. 7. A new section is added to chapter 46.16, R.C.W., to read as follows:

License fee  
for passenger  
cars and  
trailers un-  
der 2,000 lbs.

In lieu of the fee provided in section 46.16.060, private passenger car one or two-wheel trailers of two thousand pounds gross weight or less, may be licensed for the sum of three dollars, but only if such trailers are to be operated upon the public highway by the owners thereof. It is the intention of the legislature that this reduced license shall be issued only as to trailers operated for personal use of the owners and not trailers held for rental to the public.

Limitation.

[Chapter 46.16 R.C.W. was derived from Rem. Supp. 1947, § 6312-15 to 6312-39 as amended.]

[R.C.W. 46.16.060 is Rem. Supp. 1949, § 6312-16.]

Amendment.

SEC. 8. Section 46.16.070, R.C.W., as derived from section 1, chapter 15, Laws of 1950, Extraordinary Session, is amended and divided into sections 9 to 11, inclusive, herein.

Additional  
fees based  
on gross  
weight of  
trucks and  
truck  
tractors.

Sec. 9. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each motor truck and truck tractor based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That no motor truck or truck tractor having an empty weight of more than four thousand pounds shall be licensed for less than one hundred fifty per cent of the actual empty weight of such vehicle:

Empty  
weight  
more than  
4,000 lbs.

Up to 4,000 lbs.....	\$4.50	Schedule of fees.
4,000 lbs. or more and less than 6,000 lbs.....	\$9.50	
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50	
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50	
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50	
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00	
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00	
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00	
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00	
20,000 lbs. or more and less than 22,000 lbs.....	\$100.00	
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00	
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00	
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00	
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00	
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00	
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00	
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00	

[This section was derived from sec. 1, ch. 15, Laws of 1950, Ex. Sess. (first para. and schedule).]

SEC. 10. In addition to other fees for the licensing of vehicles there shall be paid and collected annually for each trailer, semi-trailer and pole trailer based upon the maximum gross weight thereof as set by the licensee in his application, or otherwise, the following fees: *Provided, however,* That no trailer, semi-trailer or pole trailer having an empty weight of more than four thousand pounds shall be licensed for less than one hundred fifty per cent of the actual empty weight of the vehicle:

Additional fees based on gross weight of trailers, semi-trailers, and pole trailers.

Empty weight more than 4,000 lbs.

4,000 lbs. or more and less than 6,000 lbs.....	\$9.50	Schedule of fees.
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50	
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50	
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50	
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00	
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00	
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00	
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00	
20,000 lbs. or more and less than 22,000 lbs.....	\$100.00	
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00	
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00	
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00	
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00	
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00	
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00	
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00	

[This section was derived from sec. 1, ch. 15, Laws of 1950, Ex. Sess. (second para. and schedule).]

Diesel and other powered vehicles; fees, how computed.

SEC. 11. As to any such motor truck or truck tractor propelled by steam, electricity, natural gas, diesel oil, butane, or propane the schedule of fees set forth in section 9 shall be increased in every instance by twenty-five per cent thereof and paid in addition to any excise tax upon such substance other than motor vehicle fuel.

[This section is the first proviso of sec. 1, ch. 15, Laws of 1950, Ex. Sess.]

Amendment.

SEC. 12. Section 46.16.090, R.C.W., as derived from section 1, chapter 15, Laws of 1950, Extraordinary Session, is amended to read as follows:

Special license for motor trucks less than 20,000 lbs. owned and operated by farmers; conditions.

Motor trucks of less than twenty thousand pounds may be specially licensed based on the maximum gross weight thereof for fifty per cent of the various amounts set forth in schedule provided in section 46.16.070, when such trucks are owned and operated by farmers, but only if the following condition or conditions exist:

(1) When such trucks are to be used for the transportation of such farmer's own farm, orchard or dairy products from point of production to market, and of supplies to be used on his farm; and/or

(2) When such trucks are to be used for the infrequent or seasonal transportation by one such farmer for another farmer in his neighborhood of products of the farm, orchard or dairy owned by such other farmer from point of production to market, or supplies to be used on such other farm, but only if such transportation for another farmer is for compensation other than money.

Same; special form of application.

The department shall prepare a special form of application to be used by farmers applying for licenses under this section, which form shall contain a statement to be signed by the farmer to the effect that the vehicle concerned will be used subject to the limitations of this section. The department shall prepare special insignia which shall be placed upon all such vehicles to indicate that the vehicle is spe-

Same; special insignia.

cially licensed, or may, in its discretion, substitute a special license plate for such vehicles for such designation.

Any person who operates such a specially licensed vehicle in transportation upon the public highways in violation of the limitations of this section shall be guilty of a misdemeanor. Violation.

[R.C.W. 46.16.090 was derived from sec. 1, ch. 15, L. '50, Ex. Sess., part (2nd proviso appearing on p. 31 of temporary 1950 session laws, to end of page).]

[R.C.W. 46.16.070 is secs. 9 and 10 of this act.]

SEC. 13. Section 46.16.120, R.C.W., as derived from section 9, chapter 220, Laws of 1949, is amended to read as follows: Amendment.

In addition to other fees for the licensing of vehicles, there shall be paid and collected annually, for each auto stage and for hire vehicle, except taxi cabs, with seating capacity of six or less the sum of fifteen dollars. For auto stages and for hire vehicles whose seating capacity is over six the following fees, in addition to any regular fees for licensing of vehicles, shall be collected upon the scale weight of each such auto stage and for hire vehicle, plus an average load factor of fifty per cent of seating capacity figured at one hundred fifty pounds per seat: License fees for auto stages.

Up to 6,000 lbs.....	\$9.50	Schedule of fees.
6,000 lbs. or more and less than 8,000 lbs.....	\$15.50	
8,000 lbs. or more and less than 10,000 lbs.....	\$18.50	
10,000 lbs. or more and less than 12,000 lbs.....	\$21.50	
12,000 lbs. or more and less than 14,000 lbs.....	\$25.00	
14,000 lbs. or more and less than 16,000 lbs.....	\$30.00	
16,000 lbs. or more and less than 18,000 lbs.....	\$50.00	
18,000 lbs. or more and less than 20,000 lbs.....	\$70.00	
20,000 lbs. or more and less than 22,000 lbs.....	\$100.00	
22,000 lbs. or more and less than 24,000 lbs.....	\$125.00	
24,000 lbs. or more and less than 26,000 lbs.....	\$160.00	
26,000 lbs. or more and less than 28,000 lbs.....	\$190.00	
28,000 lbs. or more and less than 30,000 lbs.....	\$230.00	
30,000 lbs. or more and less than 32,000 lbs.....	\$285.00	
32,000 lbs. or more and less than 34,000 lbs.....	\$325.00	
34,000 lbs. or more and less than 36,000 lbs.....	\$370.00	

[Am. Rem. Supp. 1949, § 6312-18.]

New section.

SEC. 14. A new section is added to chapter 46.16, R.C.W., to read as follows:

Additional fee for auto stages.

In addition to the fees required by section 13, operators of auto stages with seating capacity over six shall pay quarterly, at the time they file gross earning returns with the public service commission, the sum of fifteen cents for each one hundred vehicle miles operated by each auto stage over the public highways of this state: *Provided*, That in the case of each auto stage propelled by steam, electricity, natural gas, diesel oil, butane or propane, the payment required hereunder shall be twenty cents per one hundred miles of such operation. The commission shall transmit all such sums so collected to the state treasurer, who shall deposit the same in the motor vehicle fund. Any person failing to make any payment required by this section shall be subject to a penalty of one hundred per cent of the payment due hereunder, in addition to any penalty provided for failure to submit a quarterly report. Any penalties so collected shall be credited to the public service revolving fund.

Auto stages propelled by Diesel oil, etc.

Penalty for failure to make payment.

[See note to sec. 7.]

Amendment.

SEC. 15. Section 46.16.130, R.C.W., as derived from section 11, chapter 220, Laws of 1949, is amended to read as follows:

Registration after March 31st; quarterly reduction schedule.

Whenever an application is made for a license on a motor truck, trailer, tractor, semi-trailer, for hire vehicle, bus or auto stage subsequent to March thirty-first of any calendar year, the license fees based on gross weight or seating capacity of such vehicles shall be computed as follows:

Upon motor vehicles above described licensed in this state after March thirty-first of any year, but before July first, the license fees imposed by this section for such year shall be reduced by one-fourth thereof; upon vehicles licensed in this state after June thirtieth of any year, but before October first,

the license fees shall be reduced by one-half thereof; and upon vehicles licensed in this state after September thirtieth of any year the license fees shall be reduced by three-fourths thereof: *Provided, That* such reductions shall not apply to special permits.

Limitation.

[Am. Rem. Supp. 1949, § 6312-18a.]

SEC. 16. A new section is added to chapter 46.16, R.C.W., to read as follows:

New section.

When the gross weight license fee applied for on any vehicle exceeds twenty thousand pounds, licenses for motor trucks, trailers, tractors, pole trailers, or semi-trailers may be purchased for a three-months period for one-fourth the regular fee at the beginning of any calendar month. For each fee so paid other than at the time of payment of the basic license fee, an additional fee of one dollar shall be charged by the director. The director is authorized to establish rules and regulations relative to the issuance and display of certificates or insignia, which shall state the months by name for which the vehicle is licensed.

Gross weight license fee; purchase for 3-month period.

Rules and regulations.

No vehicle licensed under the provisions of this section shall be operated over the public highways unless the owner or operator thereof within ten days after the expiration of any such three-month period apply for, and pay the required fee for, a license for an additional three-month period, or for the remainder of the year. Any person who operates any such vehicle upon the public highways after the expiration of said ten days, shall be guilty of a misdemeanor, and in addition shall be required to purchase a gross weight license for the vehicle involved at the fee covering an entire year's license for operation thereof, less the fees for any period or periods of the year already paid. If, within five days thereafter, no license for a full year has been purchased as required aforesaid, the Washington state patrol, county sheriff or city police shall impound such vehicle in such manner as may be directed for such

Time within which to secure license for additional period.

Violation.

Penalty.

Impounding, when.

cases by the chief of the Washington state patrol, until such requirement is met.

[See note to sec. 7.]

SEC. 17. Section 46.16.140, R.C.W., as derived from section 25, chapter 188, Laws of 1937, is amended and divided into sections 18 and 19 herein.

Amendment.

Operation of certain vehicles in excess of licensed weight a misdemeanor

SEC. 18. Any person who operates, or causes, permits, or suffers to be operated upon a public highway of this state any auto stage, motor truck, trailer, pole trailer, or semi-trailer, with passengers, or with a maximum gross weight, in excess of that for which the vehicle is licensed shall be guilty of a misdemeanor.

New maximum gross weight deemed set; additional license.

Any person who operates or causes to be operated upon a public highway of this state any motor truck, trailer, pole trailer, or semi-trailer with a maximum gross weight in excess of the maximum gross weight for which the vehicle is licensed shall be deemed to have set a new maximum gross weight and shall, in addition to any penalties otherwise provided, be required to purchase an additional license for the additional gross weight and any such person who fails to secure such additional license shall be guilty of a misdemeanor: *Provided*, That this section shall not apply to for hire vehicles or auto stages operating principally within cities and towns: *Provided further*, That no such person may be permitted or required to purchase the additional license upon a gross weight which would exceed the maximum gross weight allowed by law.

Exception.

Limitation.

[This section was derived from R.R.S. § 6312-25, part (down to and including the second proviso).]

Penalties.

Fine.

SEC. 19. Any person violating any of the provisions of section 18 shall, upon a first conviction, pay a fine of not less than ten dollars nor more than twenty-five dollars; upon a second conviction pay a fine of not less than twenty-five dollars nor more than fifty dollars, and in addition the court may sus-



pend the certificate of license registration of his vehicle for not more than thirty days; upon a third and subsequent conviction pay a fine of not less than fifty dollars nor more than one hundred dollars, and in addition the court shall suspend the certificate of license registration of the vehicle for not less than thirty days nor more than ninety days.

Suspension  
of certificate  
of license  
registration.

Upon ordering the suspension of any certificate of license registration, the court or judge shall forthwith secure such certificate and mail it to the director.

[This section was derived from the remainder of R.R.S. § 6312-25 (see note to sec. 18, *supra*).]

SEC. 20. Section 46.44.020, R.C.W., as derived from section 48, chapter 189, Laws of 1937, is amended to read as follows:

Amendment.

It shall be unlawful for any vehicle unladen or with load to exceed a height of twelve feet and six inches above the level surface upon which the vehicle stands. This section shall not apply to authorized emergency vehicles or repair equipment of a public utility engaged in reasonably necessary operation. The provisions of this section shall not relieve the owner or operator of a vehicle or combination of vehicles from the exercise of due care in determining that sufficient vertical clearance is provided upon the public highways where such vehicle or combination of vehicles is being operated, and no liability shall attach to the state or to any county, city, town, or other political subdivision by reason of any damage or injury to persons or property by reason of the existence of any structure or otherwise where the vertical clearance above the roadway is less than twelve feet six inches where signs are posted to indicate vertical clearance of less than twelve feet six inches. An additional four inches in height is lawful as to a vehicle over and above such twelve feet six inches when such vehicle is equipped with a tire size of over ten inches in width and twenty-two

Height  
limitations.

Exceptions.

Vertical  
clearance;  
due care.

Same; liability  
of state  
and political  
subdivisions.

Vehicles;  
additional  
4 inches  
authorized,  
when.

inches in rim diameter and larger, notwithstanding the liability provided for herein.

[Am. R.R.S. § 6360-48.]

Amendment. SEC. 21. Section 46.44.030, R.C.W., as derived from section 1, chapter 221, Laws of 1949, is amended and divided into sections 22 through 24 herein.

Length limitations; single vehicle.

SEC. 22. It is unlawful for any person to operate upon the public highways of this state any vehicle having an overall length, with or without load, in excess of thirty-five feet, except that an auto stage equipped with three axles shall not exceed an overall length, inclusive of front and rear bumpers, of forty feet, but the operation of any such auto stage upon the public highways shall be limited as determined by the director of highways. It is unlawful for any person to operate upon the public highways any combination of vehicles which, with or without load, has an overall length in excess of sixty feet, or any combination of vehicles containing any vehicle of which the permanent structure has an overall length in excess of forty feet. Said length limitations shall not apply to vehicles transporting poles, pipe, machinery or other objects of a structural nature which cannot be dismembered and operated by a public utility when required for emergency repair of public service facilities or properties but in respect to night transportation every such vehicle and load thereon shall be equipped with a sufficient number of clearance lamps on both sides and marker lamps upon the extreme ends of any projecting load to clearly mark the dimensions of such load.

Same; combination of vehicles.

Exceptions; transport of structural members by public utilities.

Clearance and marker lamps.

[This section was derived from Rem. Supp. 1949, § 6360-49, part (1st para.).]

Combination limited to two vehicles.

SEC. 23. It is unlawful for any person to operate upon the public highways of this state any combination of vehicles consisting of more than two vehicles.

What deemed two vehicles.

For the purposes of this section a truck tractor-semi-trailer and/or pole trailer combination will be con-

sidered as two vehicles but the addition of another axle to the tractor of a truck tractor-semi-trailer and/or pole trailer combination in such a way that it supports a proportional share of the load of the semi-trailer and/or pole trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the truck tractor. For the purposes of this section a converter gear used in converting a semi-trailer to a full trailer shall not be deemed a separate vehicle but for all purposes shall be considered a part of the trailer.

Not deemed separate vehicle; additional axle to tractor.

Same; converter gear.

[This section was derived from Rem. Supp. 1949, § 6360-49, part (2nd para.).]

SEC. 24. The load upon any vehicle operated alone upon the public highways of this state, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle, or the front bumper, if equipped with front bumper.

Limitations on load extensions.

No vehicle shall be operated upon the public highways with any part of the permanent structure or load extending in excess of fifteen feet beyond the center of the last axle of such vehicle.

[This section was derived from Rem. Supp. 1949, § 6360-49, part (3rd and 4th para.).]

SEC. 25. Section 46.44.040, R.C.W., as derived from section 2, chapter 221, Laws of 1949, is amended and divided into sections 26 through 29, inclusive, herein.

Amendment.

SEC. 26. (a) It is unlawful to operate any vehicle upon the public highways with a gross weight including load upon any one axle thereof in excess of eighteen thousand pounds.

Maximum axle and gross weights; one axle.

It is unlawful to operate any one axle semi-trailer upon the public highways with a gross weight including load upon such one axle in excess of eighteen thousand pounds.

Same; one axle semi-trailer.

It is unlawful to operate any truck or truck-tractor upon the public highways of this state sup-

Same; two axle truck or truck-tractor.

ported upon two axles with a gross weight including load in excess of twenty-eight thousand pounds.

Same; two axle trailer, semi-trailer, or pole trailer.

It is unlawful to operate any trailer, semi-trailer or pole trailer upon the public highways supported upon two axles with a gross weight including load in excess of thirty-two thousand pounds.

Same; any vehicle, three axles.

It is unlawful to operate any vehicle upon the public highways supported upon three axles or more with a gross weight including load in excess of thirty-six thousand pounds.

Specifications subject to braking requirements.

(b) The maximum axle and gross weights specified in subsection (a) above are subject to the braking requirements set up for the service brakes upon any motor vehicle or combination of vehicles as provided by law.

Limitations on axle spacing.

(c) It is unlawful to operate any vehicle upon the public highways equipped with two axles spaced less than seven feet apart, unless the two axles are so constructed and mounted in such a manner to provide oscillation between the two axles and that either one of the two axles will not at any one time carry more than the maximum gross weight allowed for one axle or two axles specified in subsection (a) above.

[This section was derived from Rem. Supp. 1949, § 6360-50, part (para. a, b, and c).]

Ratio of weight to tires.

SEC. 27. Subject to the maximum gross weights specified in subsection (a) of section 26 above, it is unlawful to operate any vehicle upon the public highways with a gross weight, including load, upon any tire concentrated upon the surface of the highway in excess of five hundred pounds per inch width of such tire. For the purpose of this section, the width of tire in case of solid rubber or hollow center cushion tires, so long as the use thereof may be permitted by the law, shall be measured between the flanges of the rim. For the purpose of this section, the width of tires in case of pneumatic tires shall be

the cross-section diameter measured from the inside of the widest point when inflated to the recommended inflation point and without load thereon. In lieu of this method of measurement the tire shall not carry any load in excess of the manufacturer's recommended carrying capacity.

[This section was derived from Rem. Supp. 1949, § 6360-50, part (para. d).]

SEC. 28. Subject to the maximum axle and gross weights specified in subsection (a) of section 26 above, it is unlawful to operate any motor vehicle or combination of vehicles with a gross weight, including load, on any group of axles of a vehicle or combination of vehicles in excess of that set forth in the following table:

Maximum gross load.

*Wheelbase of Any Group of Axles of a Vehicle or Combination of Vehicles (feet)*

<i>Wheelbase of Any Group of Axles of a Vehicle or Combination of Vehicles (feet)</i>	<i>Maximum Gross Load</i>
3' 6" .....	32,000
4 .....	32,000
5 .....	32,000
6 .....	32,000
7 .....	32,000
8 .....	32,610
9 .....	33,580
10 .....	34,550
11 .....	35,550
12 .....	36,830
13 .....	38,350
14 .....	39,870
15 .....	41,400
16 .....	42,930
17 .....	44,459
18 .....	46,000
19 .....	47,000
20 .....	48,000
21 .....	49,000
22 .....	50,000
23 .....	51,340
24 .....	52,670
25 .....	54,000
26 .....	55,100
27 .....	56,200
28 .....	57,400
29 .....	58,500

30	59,500
31	60,300
32	61,140
33	61,710
34	62,280
35	62,860
36	63,430
37	64,000
38	64,500
39	65,000
40	65,500
41	66,000
42	66,500
43	67,000
44	67,500
45	68,000
46	68,500
47	69,000
48	69,500
49	70,000
50	70,500
51	71,000
52	71,500
53	72,000
54	72,000
55	72,000
56	72,000
57	72,000

When inches are involved: Under six inches take lower; six inches and over take higher.

[This section was derived from Rem. Supp. 1949, § 6360-50, part (subsection (e) through the sentence following the schedule).]

Violations.

Penalties.  
Fine.

Suspension  
of certificate  
of license  
registration.

SEC. 29. Any person violating any of the provisions of sections 26 to 28, inclusive, shall be guilty of a misdemeanor and upon first conviction thereof shall be fined not less than twenty-five dollars nor more than fifty dollars; upon second conviction thereof shall be fined not less than fifty dollars nor more than one hundred dollars; and upon a third or subsequent conviction shall be fined not less than one hundred dollars. The court may suspend the certificate of license registration of the vehicle or combination of vehicles upon the second conviction and the court shall suspend the certificate of license registration of the vehicle or combination of vehicles

upon a third or subsequent conviction as to the same vehicle or combination of vehicles.

Any person convicted of violating any posted limitations of a highway or section of highway shall be fined not less than one hundred dollars and the court shall in addition thereto suspend the operator's driver's license for not less than thirty days. Whenever the operator's driver's license and/or the certificate of license registration are suspended under the provisions of this section the judge shall secure such certificates and immediately forward the same to the director of licenses with information concerning the suspension thereof.

Violation of posted limitations; fine, suspension of operator's license.

[This section was derived from Rem. Supp. 1949, § 6360-50, part (last para. of section).]

SEC. 30. A new section is added to chapter 46.44, R.C.W., to read as follows:

New section.

In addition to the limitations of sections 26 to 28, inclusive, if the gross axle weight is not more than five hundred pounds in excess of the maximum gross axle weight for one axle, and if the gross weight of two axles spaced less than seven feet apart is not more than one thousand pounds in excess of the maximum gross weight for two axles spaced less than seven feet apart, and if the gross weight of any group of axles is not more than fifteen hundred pounds in excess of the maximum gross weight for any group of axles according to the wheelbase spacing of the group of axles as shown in the maximum gross load table of section 28, and if the maximum gross weight of the combination of vehicles is not more than two thousand pounds in excess of the maximum gross weight of the combination of vehicles, when fully licensed as permitted by law, the arresting officer may, within his discretion, permit the operator to proceed with his vehicle or vehicles in combination without penalty or the removal of the excess weight, but this discretionary action by the arresting officer shall in no manner relieve the

Weight discrepancies in cargo; arresting officer may permit vehicle to proceed, when.

Operator not relieved of penalties and fees.

operator of the vehicle or combination of vehicles of any penalty or fee imposed by this act for such excess weight. For the purposes of determining gross weights the actual scale weight taken by the arresting officer shall be *prima facie* evidence of such total gross weight of vehicle or combination thereof.

Scale weight; *prima facie* evidence.

Legislative intent.

It being the intention of the legislature to recognize that occasional weight discrepancies in cargo will occur, and to provide the arresting officer with authority and discretion to determine the same; but to prevent the habitual and consistent loading of vehicles above the licensed gross weight of the vehicle provided for in this act.

Rules and regulations.

The chief of the state patrol, with the advice of the director of highways, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

[Chapter 46.44 R.C.W. was derived from R.R.S. §§ 6360-47 to 6360-57 incl. as amended.]

New section.

SEC. 31. A new section is added to chapter 46.44, R.C.W., to read as follows:

Three axle truck-tractor and two-axle pole trailer combination; allowable variation in wheel base length.

In addition to the limitations of sections 26 to 28, inclusive, a three-axle truck tractor and a two-axle pole trailer combination engaged in the operation of hauling logs, shall have an allowable variation in wheelbase length of six feet for the distance between the first and last axle of the vehicle in combination which has a wheelbase overall length of thirty-seven feet or more and if the gross axle weight is not more than nine hundred pounds in excess of the maximum gross axle weight for one axle, and if the gross weight of two axles spaced less than seven feet apart is not more than sixteen hundred pounds in excess of the maximum gross axle weight for two axles spaced less than seven feet apart, and if the maximum gross weight of the combination of vehicles is not more than three thousand four hundred pounds in excess of the maximum gross weight of the com-

Weight discrepancies; arresting officer may permit vehicle to proceed, when.



combination of vehicles, when fully licensed as permitted by law, the arresting officer may, within his discretion, permit the operator to proceed with his vehicle or vehicles in combination without penalty or the removal of the excess weight, but this discretionary action by the arresting officer shall in no manner relieve the operator of the combination of vehicles of any penalty or fee imposed by this act for such excess weight. For the purpose of determining gross weights the actual scale weight taken by the arresting officer, shall be *prima facie* evidence of such total gross weight of vehicles in combination thereof.

Operator not relieved of penalties and fees.

Scale weight; *prima facie* evidence.

It being the intention of the legislature to recognize that occasional weight discrepancies in cargo will occur, and to provide the arresting officer with authority and discretion to determine the same; but to prevent the habitual and consistent loading of vehicles above the licensed gross weight of the vehicle provided for in this act.

Legislative intent.

The chief of the state patrol, with the advice of the director of highways, may make reasonable rules and regulations to aid in the enforcement of the provisions of this section.

Rules and regulations.

[See note to sec. 30.]

SEC. 32. There is added a new section to chapter 46.44, R.C.W., to read as follows.

New section.

In addition to any penalty incurred under the provisions of this act, the owner or operator of any motor vehicle or combination of motor vehicles, as payment for excess weights, over and above those set forth in sections 30 and 31, shall pay two cents per pound for each pound of excess weight up to five thousand pounds; if such excess weight is five thousand pounds and not in excess of ten thousand pounds, the rate per pound shall be three cents per pound for each pound of excess weight; and if the excess weight is ten thousand pounds or over the

Excess weight; schedule of payments.

rate shall be four cents per pound for each pound of such excess weight.

Legislative intent.

It is intended by this section to provide a method of compensation for the state for any use of the highways beyond the designed capacity thereof. The court, in addition to any penalty assessed, shall order such payment to be made, and in the event the owner or operator does not make payment or arrange to make payment as required and ordered by the court, the court shall suspend the certificate of license registration of the vehicle or vehicles in combination concerned, until the owner or operator does so.

Certificate of license registration; suspension by court.

"Excess weight."

For the purposes of this section "excess weight" shall mean that poundage in excess of the maximum licensed gross weight plus the weights allowed by sections 30 and 31 of the vehicle or of the vehicles in combination.

Sums collected deposited in motor vehicle fund.

Any sums of money collected under the provisions of this section shall be transmitted to the state treasurer and he shall deposit the same in the motor vehicle fund.

[See note to sec. 30.]

Amendment.

SEC. 33. Section 46.44.090, R.C.W., as derived from section 7, chapter 221, Laws of 1949, is amended and divided into sections 34 to 43, inclusive, herein.

Special permits for operation of vehicle exceeding size, weight, or load maximums.

SEC. 34. The director of highways with respect to primary and secondary state highways and local authorities with respect to public highways under their jurisdiction may, upon application in writing and good cause being shown therefor, issue a special permit in writing authorizing the applicant to operate or move a vehicle or combination of vehicles of a size, weight of vehicle or load exceeding the maximum specified in this chapter or otherwise not in conformity with the provisions of this chapter upon any public highway under the jurisdiction of the

authority granting such permit and for the maintenance of which such authority is responsible.

No overweight permit shall be issued to any vehicle or combination of vehicles unless such vehicle or combination of vehicles is licensed for the maximum gross weight allowed by law.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (1st and 2nd para.)]

SEC. 35. No special permit shall be issued for movement on any primary or secondary state highway or route of state primary or state secondary highway within the limits of any city or town where the gross weight, including load, exceeds twenty-two thousand pounds on a single axle or forty-one thousand pounds on any group of axles having a wheelbase between the first and last axle thereof of less than ten feet: *Provided*, That a tolerance of two thousand pounds may be allowed on any group of axles having a wheelbase between the first and last axle thereof of less than ten feet when the permit is being issued for the maximum overload permitted under this section: *Provided further*, That the tolerance shall not be allowed unless specifically granted on the face of the permit.

Special permit; limitations on gross weight in cities or towns.

Tolerance.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (3rd para.)]

SEC. 36. No special permit shall be issued for movement on any two lane state highway outside the limits of any city or town where the overall width of load exceeds fourteen feet, on any three lane state highway where the overall width of load exceeds twenty-two feet, or on any four lane state highway where the overall width of load exceeds thirty-two feet: *Provided*, That (1) these width limitations may be exceeded on state highways where the latest available traffic figures show that the highway or section of highway carries less than one hundred vehicles per day; (2) permits may be issued for weights and width of vehicles in excess

Special permit; limitation on widths.

Exceptions: less than 100 vehicles per day.

Highways designed for excesses.

War emergency.

Farm machinery.

of the preceding limitations on highways or sections of highways which have been designed and constructed for weights and widths in excess of such limitations; (3) these limitations may be rescinded during a war emergency when certification is made by military officials as to the necessity for such action; (4) these limitations shall not apply to farmers moving farm machinery between farms during daylight hours if the movement does not pass along and upon any primary or secondary state highway for a distance greater than twenty miles, if properly patrolled and flagged.

The applicant for any special permit shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular state highways for which permit to operate is requested and whether such permit is requested for a single trip or for continuous operation.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (4th and 5th para.).]

Issuance or withholding of special permits; powers of director or local authority.

SEC. 37. The director of highways or local authority is authorized to issue or withhold such special permit at his or its discretion; or, if such permit is issued, to limit the number of trips, or to establish seasonal or other time limitations within which the vehicle described may be operated on the public highways indicated, or otherwise to limit or prescribe conditions of operation of such vehicle or vehicles when necessary to assure against undue damage to the road foundation, surfaces or structures or safety of traffic and may require such undertaking or other security as may be deemed necessary to compensate for injury to any roadway or road structure.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (6th para.).]

Undertaking or security.

Special permit fees.

SEC. 38. The following fees, in addition to the regular license and tonnage fees, shall be paid for all movements under special permit made upon state

primary or secondary highways. All funds collected shall be forwarded to the state treasury and shall be deposited in the motor vehicle fund:

- All overlegal loads, except overweight, single trip. . . . \$4.00
- Continuous operation of overlegal loads having either over-width or over-height features only for a period not to exceed thirty days. . . . . \$25.00
- Continuous operation of overlegal loads having over-length only for a period not to exceed thirty days. \$10.00
- Continuous operation of an overlegal vehicle as a pilot model and/or semi-trailer as a pilot model for a period of one year. . . . . \$50.00
- Continuous operation of combination of vehicles composed of more than two vehicles single trip. . . . . \$4.00
- Continuous operation of a combination of vehicles composed of more than two vehicles—thirty days. \$10.00
- Continuous operation of a combination of vehicles composed of more than two vehicles, including issuance up to and including four permits to the same operator for a period of six months. . . . . \$40.00
- Continuous operation of a combination of vehicles composed of more than two vehicles, including issuance up to and including six permits to the same operator for a period of one year. . . . . \$60.00

OVERWEIGHT FEE SCHEDULE.

<i>Weight over that allowed by statute</i>	<i>Miles traveled over</i>		
	<i>50 miles or less</i>	<i>50 miles but less than 200 miles</i>	<i>200 miles or more</i>
7,000 pounds or less. . . .	\$5.00	\$10.00	\$15.00
7,001 to 13,999 pounds overlegal . . . .	\$10.00	\$20.00	\$30.00
14,000 to 19,999 pounds overlegal . . . .	\$15.00	\$30.00	\$45.00
20,000 pounds or more overlegal . . . . .	\$50.00	\$100.00	\$150.00

[This section was derived from Rem. Supp. 1949, § 6360-55, part (7th para. through the fee schedule).]

SEC. 39. An additional two thousand pounds gross load over and above the maximum gross load may be allowed as to certain vehicles when fully licensed as required by sections 26 through 28 for three-axle trucks, two-axle trailers and three-axle trailers, also either an additional two thousand pounds or an additional four thousand pounds gross load for a three-axle truck-tractor over and above the maximum

Special permit; additional gross load allowable on certain highways or sections thereof.

gross load, when fully licensed as permitted in sections 26 through 28 may be eligible for increased weights by special permit for operations on designated highways or section of highways as specified in a special permit to be issued by the director of highways based upon his determination that such designated highways or section of highways are capable of withstanding such allowable increased gross load. The fee for such additional gross weight for a twelve-month period shall be at a rate of fifty dollars for each two thousand pounds issued.

Fee.

Fees not applicable to government vehicles.

The fees levied in sections 38 and 39 shall not apply to any vehicles owned and operated by the state of Washington; any county within the state or any municipality within the state; or by the federal government.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (8th and 11th para.).]

Basis for determining fees.

SEC. 40. In determining fees according to section 38, mileage on state primary and secondary highways shall be as determined from the planning survey records of the department of highways and the gross weight of the vehicle or vehicles, including load, shall be as declared by the applicant. Overweight on which fees shall be paid will be gross loadings in excess of loadings authorized by law or axle loadings in excess of loadings authorized by law, whichever is the greater. Loads which are overweight and oversize shall be charged the fee for the overweight permit without additional fees being assessed for the oversize features.

Fees; payable to political body; when.

Fees established in sections 38 and 39 shall be paid to the political body issuing the permit if the entire movement is to be confined to roads, streets or highways for which that political body is responsible, when a movement involves a combination of state highways, county roads and/or city streets the fee shall be paid to the director of highways.

Same; payable to director of highways, when.

A permit will not be required from city or town authorities for a move involving a combination of city or town streets and state highways when the move through a city or town is being confined to the route of the state highway. When a move involves a combination of county roads and city streets the fee shall be paid to the county authorities, but the fee shall not be collected nor the county permit issued until valid permits are presented showing the city or town authorities approve of the move in question.

Permit not required from city or town, when.

Fee; payable to county authorities, when.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (9th and 10th para.).]

SEC. 41. Any person who misrepresents the size or weight of any load in obtaining a special permit or does not follow the requirements and conditions of the special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty dollars or more than one hundred dollars.

Special permit; misrepresentations; non-compliance with conditions; penalty.

Any person who operates any overlegal vehicle without first obtaining a special permit is guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars.

Operation of overlegal vehicle without permit; penalty.

Every special permit issued hereunder shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any peace officer or authorized agent of any authority granting such permit.

Special permits carried in vehicle.

[This section was derived from Rem. Supp. 1949, § 6360-55, part (last 3 para.).]

SEC. 42. Section 43.27.060, R.C.W., as derived from section 3, chapter 220, Laws of 1949, is amended to read as follows:

The director shall establish and provide for the operation and maintenance within the department of highways of a personnel merit system for the employment, classification, salaries, promotion, demotion, suspension, transfer, layoff, and discharge of its appointive officers and employees on the sole basis of

Vetoed.

merit and fitness and without regard to political influence or affiliation. The director shall have power to adopt the type or pattern of merit system best suited to its size and conditions. The provisions hereof shall apply only to engineering, supervisory, technical, accounting, property acquiring, traffic inspection, and clerical employees.

Vetoed.

The body created for the purpose of administering such personnel system shall have power to make, amend and repeal rules and regulations essential in carrying out the provisions of this section. All such rules and regulations shall become effective if not disapproved by the director within sixty days after their promulgation. Such rules and regulations shall provide:

(1) That the person to be discharged or demoted must be presented with the reasons [reasons] for such discharge or demotion specifically stated; and

(2) That he shall be allowed a reasonable time in which to reply thereto in writing.

The reasons and the reply shall be filed as a public record with the director.

[R.C.W. 43.27.060 was derived from Rem. Supp. 1949, § 6400-3h.]

Amendment.

SEC. 43. Section 82.36.020, R.C.W., as derived from section 5, chapter 58, Laws of 1933, as last amended by section 7, chapter 220, Laws of 1949, is amended to read as follows:

Motor vehicle fuel excise tax.

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the treasurer of this state of six and one-half cents for each gallon of motor vehicle fuel sold, distributed or used by him in the state: *Provided*, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one per cent of the net gallonage

Sales from one distributor to another; tax free.



otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. Bills should be rendered by distributors to all purchasers of inflammable petroleum products of fifty gallons or more, and upon request to all purchasers of smaller lots. In the case of sales of motor vehicle fuels, the bills shall contain a statement that the distributor has assumed the tax thereon; and in other cases the bills shall contain a statement that the purchaser is responsible for the tax, if the products are to be used for the purpose of operating a motor vehicle. The net gallonage, for purposes of tax distribution, shall be computed after deducting three-fourths of one per cent therefrom. The proceeds of the amount deducted shall be paid into the motor vehicle fund. The proceeds of the net gallonage remaining shall be distributed as follows: Of the six and one-half cents collected as herein provided, five cents shall be distributed between the state, cities and counties under the provisions of 46.68.090 and 46.68.100, and one-quarter cent shall be distributed to the counties directly and allocated between them as provided by 46.68.120, and one and one-quarter cents shall be paid directly into the motor vehicle fund.

Handling  
loss allow-  
able.

Distributors;  
bills to  
purchasers.

Distribution  
of proceeds  
of tax.

[Am. Rem. Supp. 1949, § 8327-5.]

[R.C.W. 46.68.090 is Rem. Supp. 1943, § 6600-1d; 46.68.100 is Rem. Supp. 1943, § 6600-1e; 46.68.120 is Rem. Supp. 1949, § 6600-2a.]

SEC. 44. The joint fact-finding committee on highways, streets and bridges, created by chapter 111, Laws of 1947, and continued in chapter 213, Laws of 1949, is hereby continued for another biennium. It shall consist of six senators to be appointed by the president of the senate and six members of the house of representatives to be appointed by the

Joint fact-  
finding com-  
mittee on  
highways,  
streets and  
bridges con-  
tinued for  
biennium.

speaker thereof. One of the senate members and one of the house members shall be appointed from the area included within each of the six state highway districts. The list of appointees shall be submitted before the close of the 1951 session for confirmation of the senate members, by the senate, and the house members, by the house. Vacancies occurring shall be filled by the appointing authority.

Same;  
powers  
and duties.

SEC. 45. The committee is authorized and directed to continue its studies and for that purpose shall have all the powers and duties set forth in such acts and section 46. The members of the committee shall be entitled to reimbursement of their expenses as set forth in section 5, chapter 111, Laws of 1947, except that any travel expense shall be reimbursed at the rate of seven cents per mile.

Same;  
expenses of  
members.

Same;  
further  
powers.

SEC. 46. The committee continued by section 44 in addition to the powers and duties set forth in the acts referred to therein, is further authorized and directed to:

Participate in  
activities of  
"western  
interstate  
committee  
on highway  
policy  
problems."

(1) Participate in the activities of the "Western Interstate Committee on Highway Policy Problems" of the eleven western states in its study of highway problems upon a state and regional basis, and cooperate with and contribute to any study made by such committee of highway-user cost allocations in order to bring about equity and uniformity in this state and in the eleven western states in highway-user taxes and fees; and participate in or make joint studies with relation to the design and construction of highways and the use and cost thereof.

Review state  
highway  
system.

(2) Enter upon a review of the state highway system with particular consideration of the usefulness of all highways that are a part of the state system, any need for changes in the state system by additions or deletions and the relationship between the state system and county roads and city streets,

but any such study shall not have as its purpose the increase of the total present mileage of either primary or secondary highways;

(3) Participate with the department of highways in any study which may be undertaken of the relationship of motor vehicle weights and highway design and costs.

Study motor vehicle weight problems.

(4) Participate with the department of highways in studies with relation to the construction, designation and testing of natural resource roads.

Participate in natural resource road activities.

SEC. 47. The director of highways is authorized to make and enter into agreements with the federal government or any state or group of states or agencies thereof, or any non-profit association, on a joint or cooperative basis, to study, analyze or test the effects of weight on highway construction. Such studies or tests may be made either by designating existing highways or the construction of test strips including natural resource roads to the end that a proper solution of the many problems connected with the imposition on highways of motor vehicle weights may be determined.

Director of highways; agreements for study of weight effects.

Such studies may include the determination of values to be assigned various highway-user groups according to their gross weight or use.

SEC. 48. In addition to all other fees prescribed by law, there shall be paid for each truck, trailer, truck-tractor, auto stage, or for hire vehicle the following amounts at the time of the payment of the registration fee as provided by law:

Additional fees.

For each truck under 12,000 lbs.....	\$ .25
For each truck over 12,000 lbs. and under 20,000 lbs.....	.50
For each truck over 20,000 lbs.....	1.00
For each trailer 4,000 lbs. to 12,000 lbs.....	.25
For each trailer 12,000 lbs. to 20,000 lbs.....	.50
For each trailer, semi-trailer or pole trailer over 20,000 lbs.	1.00
For each diesel truck.....	2.00
For each auto stage.....	1.00
For each for hire vehicle over 4,000 lbs.....	.50

Schedule.

Collected  
1952, 1953,  
1954 only.

Such fees shall be collected for the calendar years 1952, 1953, and 1954, only and shall be deposited in the motor vehicle fund, and shall be used by the joint fact-finding committee on highways, streets and bridges and the director of highways to help defray the costs of special highway use and weight studies and tests including natural resource roads as provided for in this act and for other necessary expenses of such committee.

Use.

Emergency.

SEC. 49. 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 sections 1 to 6, inclusive, 15 to 42, inclusive, and 44 to 47, inclusive, shall take effect immediately; section 43 shall take effect on April 1, 1951; sections 7 to 13, inclusive, and section 48, on November 15, 1951; and section 14 on January 1, 1952.

Passed the House March 2, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 20, 1951, with the exception of section 42 which is vetoed.

## CHAPTER 270.

[ H. B. 231. ]

RELATING TO THE WELFARE OF DEPENDENT AND  
DELINQUENT CHILDREN.

AN ACT relating to the welfare of dependent and delinquent children; providing for the appointment of probation officers, amending section 13.04.040, R.C.W.; providing for the licensing of child care and placing agencies; issuance of certificates of approval to foster homes; establishing standards; providing for appeals; and prescribing procedures declaring a crime; and declaring an emergency.

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

SECTION 1. Section 13.04.040, R.C.W., as derived from section 1, chapter 43, Laws of 1921, is amended to read as follows: Amendment.

The court shall appoint or designate one or more persons of good character to serve as probation officers during the pleasure of the court, said probation officers to receive no compensation from the public treasury. In case a probation officer shall be appointed by any court, the clerk of the court, if practicable, shall notify him in advance when a child is to be brought before said court. The probation officer shall make such investigations as may be required by the court. The probation officer shall inquire into the antecedents, character, family history, environments and cause of dependency or delinquency of every alleged dependent or delinquent child brought before the juvenile court and shall make his report in writing to the judge thereof. He shall be present in order to represent the interests of the child when the case is heard; he shall furnish the court such information and assistance as it may require, and shall take such charge of the child before and after the trial as may be directed by the court: *Provided*, That in counties containing twenty thousand or more inhabitants, or in judicial districts composed of two or more counties, the combined Court to appoint probation officers.

Powers and duties.

Counties or judicial districts; population 20,000 or more.

Compensated probation officers and detention officers.

Compensation; how fixed.

Probation officers; powers of peace officers.

population of which is twenty thousand or more, when it appears that there is a necessity therefor, the court may appoint one or more persons to act as probation officers, and one or more persons who shall have charge of detention rooms or house of detention, all of whom shall be paid as compensation for their services, such sums as may be fixed by the board of county commissioners, or, in the case of a joint judicial district, such sums as shall be agreed upon by the boards of county commissioners of the counties affected, and who shall be paid as other county officers are paid.

All probation officers shall possess all the powers conferred upon sheriffs and police officers to serve process and make arrests for the violation of any state law or county or city ordinance, relative to the care, custody, and control of delinquent and dependent children.

[Am. R.R.S. § 1987-3.]

SEC. 2. For the purpose of this act, unless otherwise clearly indicated by the context, the terms used shall have the following meanings:

"Department."

(a) The term "department" as used herein means the state department of social security.

"Director."

(b) The term "director" as used herein means the director of the state department of social security.

"Children's staff."

(c) The term "children's staff" as used herein means personnel of the department specially qualified in and responsible for the direction of services for children.

"Agency."

(d) The term "agency" as used herein is defined as any person, firm, association or corporation, or any private institution, but not including foster homes, which receives for control, care, placement, or maintenance, minor children, and not including in the case of an individual, children related to such persons or under guardianship, but shall include within its scope the following:

Included within term "Agency" are:

(1) A children's institution is defined as an establishment which is maintained and operated for the group care of children or which may accept custody and responsibility as required for the welfare of children under care. It shall not apply to any boarding school which is essentially and primarily engaged in educational work characterized by having education as its only function, operating on a definite school year schedule, following a stated academic curriculum, accepting only school-age children, and not accepting custody of children; nor to any non-profit institution which is operated under adequate local control by an established board of laymen or by a church organization.

Children's  
institution,

(2) A child-placing agency is defined as any agency, society, association, institution or person not related by blood to the child placed, which places or supervises children in family homes or special institutions or arranges temporary or continued care for children or places a child or children for adoption.

Child plac-  
ing agency,

An agency, society, association or institution which is not operated for profit and which is operated under adequate local control by an established board of laymen or by a church organization and which places or supervises children in family homes or special institutions or arranges temporary or continued care for children or places a child or children for adoption shall not be considered a child-placing agency within the terms of this act.

(3) A maternity home is an institution or place of residence the primary function of which is to give care to illegitimately pregnant girls or women, before or during confinement, or which provides care as needed to mothers and their infants after confinement, with or without compensation.

Maternity  
home,

(4) A day nursery is an institution which provides care during the day for a group of children

Day nursery.

with or without compensation. Its primary function is to give care and supervision to children in need of supplemental parental care during the day whose own families are unable to provide this daytime care. A day nursery shall not mean a nursery school which is essentially and primarily engaged in educational work with preschool children whose parents send the child to the nursery school only for education, the child not being in need of supplemental parental care.

Hourly nursery.

(5) An hourly nursery is an agency which has the facility for providing care for children on an hourly basis, with the primary function of providing a few hours of care and supervision of such children during the period when parents are shopping or keeping appointments: *Provided*, That nothing in this act shall be construed to cover the care of a neighbor's, relative's or friend's child or children with or without monetary consideration where the person does not regularly engage in such activity or where parents on a mutually cooperative basis exchange care of one another's children. It shall not include any agency operated by another state department or governmental agency, nor to any non-profit institution, society or association which is operated under adequate local control by an established board of laymen or by a church organization.

Powers and duties of children's staff.

SEC. 3. The department shall have the power, and it shall be its duty through the children's staff of the department:

Promulgate standards.

(a) To promulgate standards as follows:

(1) Practices and policies of the applicant must provide adequately for the protection of the health, safety, physical, moral and mental well-being of the children cared for by the applicant or licensee.

(2) The applicant or licensee or the person charged with the active management must be persons of good character.



(3) The applicant or licensee must employ an adequate number of capable persons qualified by education or experience to render the type of care for which the applicant seeks a license.

(4) The applicant or licensee must have adequate physical facilities for the purpose for which the applicant seeks a license.

(b) To promulgate and publish rules and regulations in implementation of these standards governing the issuance of and renewal of licenses. Promulgate and publish rules and regulations.

(c) To inspect and evaluate all applicants or licensees to determine whether or not there is compliance by such applicant or licensee with the applicable rules and regulations and standards. Inspect and evaluate applicants.

(d) To consult with licensees and those applying for a license in order to help them improve their methods and facilities of child care. Consult with licensees.

(e) To prescribe the form and content of reports necessary for the administration of this act and to require regular reports from each licensee. Prescribe form and content of reports.

(5) The applicant or licensee must carry an adequate liability and property damage insurance policy in such amount as may be determined by the director. Applicants or licensees, insurance required.

SEC. 4. On receipt of an application showing compliance with all of the requirements of this act and all the rules and regulations of the department, a license for a period of one year shall be granted by the department. If a licensee desires to apply for a renewal of its license, a request therefor shall be filed three months prior to the expiration date: *Provided*, That all agencies now approved by the department shall be deemed to be approved by the department to operate hereunder for a period of ninety days after the effective date of this act. Issuance of license.  
  
Renewal.  
  
Agencies presently approved.

SEC. 5. Applicants for a license as provided for in this act shall make application to the state department of social security on forms provided by Applications.

the department. Upon receipt of such an application the department shall have a reasonable time in which to determine whether or not a license should be granted. The licenses provided for in this act shall be issued for a period of one year. If a licensee desires to apply for a renewal of its license a request for a renewal shall be filed three months prior to the expiration date of the license. If the department has failed to act at the time of the expiration date of the license, the license shall be deemed to be automatically and temporarily renewed until such time as the department shall act: *Provided*, That all agencies now approved by the state department of social security shall be deemed to be approved to operate under the provisions of this act for a period of ninety days following its enactment.

Licenses issued for one year.

Renewal.

Automatic temporary renewal.

Agencies presently approved.

Fire protection; powers and duties of state fire marshal.

SEC. 6. Fire protection with respect to all agencies to be licensed hereunder shall be the responsibility of the state fire marshal. In this connection the state fire marshal shall adopt, promulgate, and enforce such rules and regulations as may be designed to protect the occupants from fire hazards, and he shall make or cause to be made such inspections and investigations as he deems necessary.

Certificate of approval as to fire protection.

Each applicant for a license shall submit to the department of social security a certificate of approval from the state fire marshal that rules and regulations for fire protection as established by him have been met before a license can be issued.

State board of health to adopt rules.

SEC. 7. The state board of health with the advice of representatives of voluntary agencies subject to this act and the state department of social security shall adopt and promulgate such rules, and regulations with respect to all child welfare agencies to be licensed hereunder as is deemed necessary to promote and protect the health of all children residing therein.

(a) Except as provided in section 7-(b) of this act the health rules and regulations of the state board of health shall be enforced by the state department of health.

Health rules and regulations; enforcement by state department of health.

(b) Any city, county, or district health department, which employs a full-time health officer, may make application in writing to the state director of health for a certificate of approval to enforce the rules and regulations of the state board of health within the area of its jurisdiction. Upon receipt of such application the state director of health shall investigate and determine whether the city, county, or district health department is entitled to such approval and if so the state director of health shall issue the certificate applied for. Upon receipt of such certificate of approval the local health department shall have full authority through the health officer to perform all the duties relative to the enforcement of the rules and regulations of the state board of health. Any certificate of approval may be cancelled by the state director of health after thirty days notice in writing to the holder of the certificate of approval should it be found that such holder is incompetent or unable to enforce the rules and regulations of the state board of health.

Same; enforcement by local health department upon certificate of approval issued by director of health.

Cancellation of certificate.

(c) The state department of health or the local health department having authority shall make or cause to be made such inspections and investigations of child welfare agencies as is deemed necessary, and each applicant for a license shall submit to the department a certificate of approval from the state or local health department that rules and regulations for health as established by the state board of health have been met before a license can be issued.

Inspections of child welfare agencies.

Certificate of approval as to health.

SEC. 8. The department may issue provisional licenses to applicants for a license, or licensees who are unable to conform to all the rules and regulations of the department as established pursuant to

Provisional licenses.

sections 3, 6 - 7 of this act. No provisional license may be issued unless the applicant makes at least minimum provision for the health and safety of the child and unless the department finds that an emergent need exists for the type of service the applicant proposes to render. Such provisional license shall in no event be issued for a period in excess of six months and shall not be subject to renewal.

Denial; suspension and revocation of licenses.

SEC. 9. (a) Any license issued pursuant to this act may be denied, suspended or revoked by the director upon proof (1) that the licensee has failed or refused to comply with the provisions of this act or the rules and regulations promulgated pursuant to the provisions of this act, or (2) that the conditions required for the issuance of a license under this act have ceased to exist with respect to such licenses.

Notice to licensee.

(b) Whenever the director shall have reasonable cause to believe that grounds for the denial, suspension or revocation of a license exists or that a licensee has failed to qualify for renewal of a license he shall notify the licensee in writing stating the grounds upon which it is proposed that the license be denied, suspended, revoked or not renewed.

Rules governing conduct of hearings.

The director shall promulgate and publish rules and regulations governing the conduct of hearings. Within fifteen days from the receipt of notice of the grounds denial, suspension, revocation or lack or renewal the licensee may serve upon the director a written request for hearing. Service of a request for hearing may be made by registered mail. Upon receiving a request for hearing the director shall fix a date upon which the matter may be heard, which date shall be not more than thirty days from the receipt of the request for such hearing and shall give the licensee at least fifteen days written notice of said hearing date. If no request for hearing is made within the time specified, the license shall be deemed denied, suspended or revoked. It shall be the duty

Request for hearing.

Time for hearing.

of the department within thirty days after the date of the hearing to notify the appellant of the decision of the director.

SEC. 10. In the event that an applicant or licensee feels aggrieved by the decision rendered in the hearing provided for in the foregoing section, he shall have the right to appeal to the superior court of the county of his legal residence which appeal shall be taken by a notice filed with the clerk of the court and served upon the director either by registered mail or by personal service within fifteen days after the decision of the department. Upon receipt of the notice of appeal, the clerk of the superior court shall immediately docket the case for trial.

Appeal to superior court.

Within ten days after being served with a notice of appeal the director shall file with the clerk of the court the record of the case on appeal, and no further pleadings shall be necessary to bring the appeal to issue.

Director to file record.

The court shall decide the case on the record. The findings of the director as to the facts shall be conclusive unless the court determines that such findings are not supported by a preponderance of the evidence in the record.

Findings conclusive on appeal, when.

The court may affirm the decision of the director or reverse any decision of the director where it finds the director has acted arbitrarily, capriciously or contrary to law, and remand the cause to the director for further proceedings in conformity with the decision of the court. Either party may appeal from the decision of the superior court to the supreme court of the state, which appeal shall be taken and conducted in the manner provided for by law or by the rules of the court applicable to civil appeals.

Powers of court.

Appeal to supreme court.

SEC. 11. A copy of the articles of incorporation or amendment of the articles of existing corporations for agencies shall be sent by the secretary of state

Copy of articles of incorporation.

to the department of social security at the time such articles are filed.

Agencies to permit access for inspection, etc.

SEC. 12. It is the duty of all agencies, pursuant to this act, to accord the department or its agents the right of entrance, privilege of inspection, and access to its records of work for the purpose of ascertaining the kind and quality of work done and of obtaining a proper basis for its recommendations.

"Foster home."

SEC. 13. The term "foster home" as used in this act shall mean a family home which is operated with or without compensation to provide care on a twenty-four hour basis or during a period of the twenty-four hours a day in lieu of the child's own home. It shall not include within its scope the occasional care of a neighbor's, relative's or friend's child or children with or without compensation or where the person does not regularly engage in such activity or where the parents on a mutually cooperative basis exchange care of one another's children.

Powers and duties of children's staff.

SEC. 14. The department shall have the power, and it shall be its duty, through the children's staff of the department:

Issue and renew licenses.

(1) To issue and renew licenses to applicants who have complied with the following standards either directly or through the county welfare departments acting for the department or licensees of the department as prescribed by rules and regulations.

Foster home applicant, character.

(a) The applicant for a certificate of approval as a foster home must be a person of good character.

Same, facilities for care.

(b) The foster home care of the applicant must provide adequately for the protection of the health, safety, physical, mental and moral well-being of the child or children to be cared for by the applicant.

Promulgate rules.

(2) To promulgate and publish rules and regulations in implementation of these standards governing the issuance and renewal of certificates of approval.

(3) To inspect and supervise all foster homes to enforce the application of the rules and regulations.

Inspect foster homes.

(4) To deny, revoke or suspend the certificate of approval of any foster home which has failed or refused to comply with the provisions of this act or the rules and regulations promulgated pursuant to this act.

Deny, revoke or suspend certificates.

SEC. 15. Notwithstanding the existence or pursuit of any other remedy, the department of social security may, in the manner provided by law, upon the advice of the attorney general who shall represent the department in the proceeding, maintain an action in the name of the state for injunction or other process against any person, partnership, association, or corporation, or any private institution, agency or foster home, which shall hereafter give temporary or permanent care or custody to a child or children, or an illegitimate pregnant woman or women not related by blood, marriage or adoption to such person, without having a license from the department or a certificate of approval as a foster home, or who shall place for temporary or permanent care or for adoption, a child or children not related to him by blood, marriage or adoption without having a license or certificate of approval, as heretofore provided in this act.

Additional rights of action of department.

SEC. 16. Nothing in this act or the rules and regulations adopted pursuant thereto shall be construed as authorizing the supervision, regulation, or control of the remedial care or treatment of residents of any agency, children's institution, child placing agency, maternity home, day or hourly nursery, foster home or other related institution conducted for or by members of a recognized religious sect, denomination or organization which in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion, nor shall the existence of any of the above conditions

Act not applicable to religious sects depending upon healing by prayer.

militate against the licensing of such a home or institution.

Persons leaving certain minors unattended in cars, guilty of gross misdemeanor, when.

SEC. 17. Every person having the care and custody, whether temporary or permanent, of minor children under the age of twelve years, who shall leave such children in a parked automobile unattended by an adult while such person enters a tavern or other premises where vinous spirituous or malt liquors are dispensed for consumption on the premises shall be guilty of a gross misdemeanor.

Emergency.

SEC. 18. This act is necessary for the public health, welfare and safety, and shall take effect immediately.

Passed the House March 8, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

---

## CHAPTER 271.

[ H. B. 371. ]

### REGULATION OF FOOD FISH AND SHELLFISH.

AN ACT relating to the regulation, protection and management of food fish and shellfish, and the food fish and shellfish industry of the state; amending sections 75.04.090, 75.08.230, 75.12.060, 75.12.080, 75.28.060, 75.28.080 through 75.28.300, 75.28.320, 75.28.330, 75.28.350, 75.28.360, 75.28.370, 75.32.030, 75.32.070, 75.32.080, 75.32.100, 75.36.050, 79.20.010, and 79.20.030, R.C.W., adding new sections to chapters [79.20], 75.08, 75.28, and 75.32, R.C.W., repealing sections 75.28.340, 79.20.040, 79.20.060, and 75.32.050, R.C.W., and declaring an emergency.

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

Amendment. SECTION 1. Section 75.04.090, R.C.W., as derived from section 1, chapter 112, Laws of 1949, is amended to read as follows:

"Resident." "Resident"—A "resident" means a person who for the preceding one hundred and eighty days has main-



tained a permanent place of abode within the state with the intent to permanently reside within the state.

[R.C.W. 75.04.090 was derived from Rem. Supp. 1949, § 5780-100, part (10th para.).]

SEC. 2. Section 75.08.230, R.C.W., as derived from section 25, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

All license fees, taxes, fines, and moneys realized from the sale of property seized or confiscated under the provisions of this title, and all bail moneys forfeited under prosecutions instituted under the provisions of this title, and all moneys realized from the sale of any of the property, real or personal, heretofore or hereafter acquired for the state and under the control of the department, and all moneys collected for damages and injuries to any such property, and all moneys collected for rental or concessions from such property, shall be paid into the state treasury general fund: *Provided*, That fifty per cent of all money received as fines together with all of the costs shall be retained by the county in which the fine was collected. Deposit of fees, fines and certain other moneys in general fund.  
Costs and percentage of fine to county.

All fines collected shall be remitted monthly by the justice of the peace or by the clerk of the court collecting the same to the county treasurer of the county in which the same shall be collected, and the county treasurer shall at least once a month remit fifty per cent of the same to the state treasurer and at the same time shall furnish a statement to the director showing the amount of fines so remitted and from whom collected: *Provided*, That in instances wherein any portion of a fine assessed by a court is suspended, deferred, or otherwise not collected, the entire amount collected shall be remitted by the county treasurer to the state treasurer, and shall be credited to the general fund. Remittance of fines collected.

[Am. Rem. Supp. 1949, § 5780-223.]

SEC. 3. Section 75.12.060, R.C.W., as derived from Amendment. section 31, chapter 112, Laws of 1949, is amended to read as follows:

Fixed appliance for purpose of catching salmon; unlawful.

It shall be unlawful to construct, install, use, operate, or maintain within any waters of the state any pound net, round haul net, lampara net, fish trap, fish wheel, scow fish wheel, set net, weir, or any fixed appliance for the purpose of catching salmon, and it shall be unlawful to take salmon by any such means.

[Am. Rem. Supp. 1949, § 5780-305.]

SEC. 4. Section 75.12.080, R.C.W., as derived from Amendment. section 32, chapter 112, Laws of 1949, is amended to read as follows:

Use of explosives in waters; unlawful.

It shall be unlawful to use or discharge, in any of the waters of this state, any explosive substance of any kind, character or description except under permit of the director. Where explosives are discharged for the purpose of unlawfully taking or destroying food fish or shellfish the person so offending shall be

Penalty.

fined not less than two hundred and fifty dollars.

[Am. Rem. Supp. 1949, § 5780-306.]

SEC. 5. Section 75.28.060, R.C.W., as derived from Amendment. section 74, chapter 112, Laws of 1949, is amended to read as follows:

Fishing gear licenses non-transferable.

All fishing gear licenses issued under the provisions of this title shall be non-transferable, and it shall be unlawful for any gear which is licensed as herein specified to be operated or caused to be operated by any person other than the licensee or an agent or employee of the licensee. In the event the gear is operated by a non-resident, the gear shall be required to be licensed as non-resident gear and the fees provided for non-residents shall be paid for such license. All licenses for fishing gear issued under the provisions of the fisheries code shall be carried in the possession of the licensee or authorized representa-

Non-resident gear.

License to be in possession of licensee.

tive of the licensee who shall be in charge of the operation of such gear.

[R.C.W. 75.28.060 was derived from Rem. Supp. 1949, § 5780-512, part (1st para.); 2nd para. of § 5780-512 is R.C.W. 75.28.070.]

SEC. 6. Section 75.28.080, R.C.W., as derived from section 66, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A personal commercial fishing license shall be obtained by each and every person who takes or assists in taking any fish or shellfish from the waters or beaches of the state for commercial purposes, or who brings or assists in bringing any food fish or shellfish into the state for commercial purposes after having taken such food fish or shellfish in the off-shore waters. Personal commercial fishing license.

The fee for such license is ten dollars *per annum*. Fee.

The personal license shall be carried on the person whenever such person is engaged in the taking, landing, or selling of any fish or shellfish: *Provided, however,* That this section does not apply to those persons engaged solely as employees of any person holding a valid oyster or clam farm license.

[Am. Rem. Supp. 1949, § 5780-504.]

[This section (R.C.W. 75.28.080) was further amended by sec. 1, ch. 7, Laws of 1951, Ex. Sess.]

SEC. 7. Section 75.28.090, R.C.W., as derived from section 67, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A fishing guide license shall be obtained by every person acting as a professional guide for hire for others in the taking of food fish or shellfish from the waters or beaches of the state. The fee for such license is fifteen dollars *per annum* for residents of the state and seventy-five dollars *per annum* for non-residents. Fishing guide license.

[Am. Rem. Supp. 1949, § 5780-505.]

SEC. 8. Section 75.28.100, R.C.W., as derived from section 68, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

Commercial vessel license.

A license is required for each and every commercial vessel which delivers or lands fish or shellfish within the state, for which license there shall be paid a fee of ten dollars *per annum*: *Provided*, That nothing in this section shall apply to vessels operated by any person having an oyster or clam farmer's license and used exclusively for that purpose.

Excluded.

Application for license.

Each annual application for a commercial fishing vessel license shall contain the name and address of the owner of the vessel, the name and address of the operator of the vessel, the name and number of the vessel, a description of the vessel and fishing gear to be carried thereon, and such information as may be required by the department.

Certificate of registration and license plates.

At the time of issuance of such license the director shall furnish each applicant with a certificate of registration and two license plates with the registration number stamped thereon. Such registration shall be known as the "State of Washington license and registration number" and shall not be transferable. The registration certificate shall be carried aboard the vessel at all times and the license plates shall be affixed and carried in plain sight on each side of the vessel well forward.

Non-transferable.

Carried aboard.

Operation by other operator; license invalid.

The license provided for herein shall be invalid in the event the vessel is operated by anyone other than the operator listed in the annual application. In the event of change of name, ownership or operator of the vessel, the director shall be notified in writing and will issue a new certificate of registration which will reflect the change of name or ownership or operator, as the case may be. A fee of one dollar shall be charged for the new certificate of registration.

Change of ownership, etc.; new certificate.

Fee.

Report of change.

Registrants shall report immediately any change of name, ownership, or operator of the vessel. Defaced, mutilated, or lost license plates shall be re-

Lost, etc., plates.

placed immediately and a fee of two dollars shall be charged for such new plates.

[Am. Rem. Supp. 1949, § 5780-506.]

SEC. 9. Section 75.28.110, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for handlines or jiggers used in the taking or catching of food fish for commercial purposes in the waters of the state for which license there shall be paid a fee of seven dollars and fifty cents *per annum* by residents and thirty-seven dollars and fifty cents *per annum* by non-residents: *Provided*, That not more than three hooks shall be attached to any one handline or jigger used for commercial purposes. Each license shall entitle the licensee to use two or less handlines or jiggers. Handlines or jiggers license.

Fees.

Hook limitation.

Number of lines or jiggers permitted.

[R.C.W. 75.28.110 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 1).]

SEC. 10. Section 75.28.120, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

A license is required for each set line used in the taking or catching of food fish for commercial purposes in the waters of the state, for which license there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents: *Provided*, That not more than five hundred hooks may be attached to any one set line. Set line license.

Fees.

Hook limitation.

[R.C.W. 75.28.120 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 2).]

SEC. 11. Section 75.28.130, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

A license is required for troll lines used in the taking or catching of food fish for commercial purposes in the waters of the state, for which license there shall be paid a fee of seven dollars and fifty cents *per annum* by residents and thirty-seven dollars and fifty cents *per annum* by non-residents. Troll line license.

Fees.

Number of lines permitted.

Each license shall entitle the licensee to use six or less troll lines.

[R.C.W. 75.28.130 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 3).]

Amendment.

SEC. 12. Section 75.28.140, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Gill net or pole net license.

A license is required for each and every gill net or pole net used in the taking or catching of food fish in the waters of the state, for which license there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents.

Fees.

[R.C.W. 75.28.140 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 4).]

Amendment.

SEC. 13. Section 75.28.150, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Set nets license.

A license is required for each three hundred fathoms or less of set nets used in the taking or catching of food fish in the waters of the state, for which license there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents.

Fees.

[R.C.W. 75.28.150 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 5).]

Amendment.

SEC. 14. Section 75.28.160, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Dip bag net license.

A license is required for each and every dip bag net used in the taking or catching of food fish for commercial purposes in the waters of the state, for which license there shall be paid a fee of seven dollars and fifty cents *per annum* by residents and thirty-seven dollars and fifty cents *per annum* by non-residents.

Fees.

[R.C.W. 75.28.160 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 6).]

SEC. 15. Section 75.28.170, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for each and every drag seine, beach seine, or drag bag seine used in the taking or catching of food fish or shellfish in the waters of the state, for which license there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents: *Provided*, That there shall be paid an additional fee of three cents by residents and fifteen cents by non-residents for each foot by which any such seine exceeds three hundred feet in length. Drag seine, beach seine, drag bag seine license.  
Fees.

[R.C.W. 75.28.170 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 7).]

SEC. 16. Section 75.28.180, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license fee is required for each and every lampara or round haul net used in the taking or catching of food fish or shellfish in the waters of the state, for which license there shall be paid a fee of thirty-seven dollars and fifty cents *per annum*. Lampara or round haul net license.  
Fee.

[R.C.W. 75.28.180 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 8).]

SEC. 17. Section 75.28.190, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for each and every purse seine used in the taking or catching of food fish in the waters of the state, for which license there shall be paid a fee of seventy-five dollars *per annum*. Purse seine license.  
Fee.

[R.C.W. 75.28.190 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 9).]

SEC. 18. Section 75.28.200, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for each and every beam trawl used in the taking or catching of food fish or Beam trawl license.

shellfish in the waters of the state, for which license there shall be paid a fee of thirty-seven dollars and fifty cents *per annum* by residents and one hundred eighty-seven dollars and fifty cents *per annum* by non-residents.

[R.C.W. 75.28.200 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 10).]

Amendment. SEC. 19. Section 75.28.210, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Otter trawl license. A license is required for each and every otter trawl used in the taking or catching of food fish or shellfish in the waters of the state for which license

Fees. there shall be paid a fee of thirty-seven dollars and fifty cents *per annum* by residents and one hundred eighty-seven dollars and fifty cents *per annum* by non-residents.

[R.C.W. 75.28.210 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 11).]

Amendment. SEC. 20. Section 75.28.220, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Reef net license. A license is required for each and every reef net used in the taking or catching of food fish in the waters of the state, for which license there shall be

Fees. paid a fee of twenty-two dollars and fifty cents *per annum* by residents and one hundred twelve dollars and fifty cents *per annum* by non-residents.

[R.C.W. 75.28.220 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 12).]

Amendment. SEC. 21. Section 75.28.230, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Fyke net license. A license is required for each and every fyke net used in the taking or catching of food fish or shellfish in the waters of the state, for which license there

Fees. shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents.

[R.C.W. 75.28.230 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 13).]



SEC. 22. Section 75.28.240, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for each and every brush weir used in the taking or catching of food fish in the waters of the state, for which license there shall be paid a fee of seventy-five dollars *per annum* by residents and three hundred and seventy-five dollars *per annum* by non-residents. Brush weir license.  
Fees.

[R.C.W. 75.28.240 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 14).]

SEC. 23. Section 75.28.250, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for ring nets used in the taking of or fishing for food fish or shellfish within the state. Ring net license.

For a license for twenty-five ring nets or less there shall be paid a fee of seven dollars and fifty cents *per annum* by residents and thirty-seven dollars and fifty cents *per annum* by non-residents, and for each ring net in excess of twenty-five there shall be paid an additional fee of ten cents *per annum* by residents and one dollar and twenty-five cents by non-residents. Fees.

[R.C.W. 75.28.250 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 15).]

SEC. 24. Section 75.28.260, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A license is required for bottom fish pots used in the taking of or fishing for food fish within the state. Bottom fish pots.

For a license for one hundred bottom fish pots or less there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents, and for each bottom fish pot in excess of one hundred there shall be paid an Fees.

additional fee of ten cents *per annum* by residents and fifty cents by non-residents.

[R.C.W. 75.28.260 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 16).]

Amendment. SEC. 25. Section 75.28.270, R.C.W., as derived from section 69, chapter 112, Laws of 1949, is amended to read as follows:

Shellfish pots license. A license is required for shellfish pots used in the taking of or fishing for shellfish within the state.

Fees. For a license for one hundred shellfish pots or less there shall be paid a fee of fifteen dollars *per annum* by residents and seventy-five dollars *per annum* by non-residents, and for each shellfish pot in excess of one hundred there shall be paid an additional fee of ten cents *per annum* by residents and fifty cents by non-residents.

[R.C.W. 75.28.270 was derived from Rem. Supp. 1949, § 5780-507, part (subsection 17).]

Amendment. SEC. 26. Section 75.28.280, R.C.W., as derived from section 70, chapter 112, Laws of 1949, is amended to read as follows:

Clam or oyster farm license. A license is required for each and every clam or oyster farm being operated for commercial purposes on privately owned or leased tidelands in the state, for which license there shall be paid a fee of fifteen dollars *per annum*.

[Am. Rem. Supp. 1949, § 5780-508.]

Amendment. SEC. 27. Section 75.28.290, R.C.W., as derived from section 71, chapter 112, Laws of 1949, is amended to read as follows:

Oyster reserve license. An oyster reserve license is required of any person taking shellfish from the reserves of this state. The fee for such license is fifteen dollars *per annum*.

[Am. Rem. Supp. 1949, § 5780-509.]

Amendment. SEC. 28. Section 75.28.300, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows:

Wholesale fish dealer's license. A wholesale fish dealer's license is required for any business in the state engaged in the freezing,

salting, smoking, kippering, preserving in ice or otherwise involving the dealing in or curing of any food fish or shellfish or any wholesale selling of food fish and shellfish, and for any fisherman selling his catch direct to retail fish dealers. The fee for said license is thirty-seven dollars and fifty cents *per annum*. Fee.

[R.C.W. 75.28.300 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 1).]

SEC. 29. Section 75.28.320, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A fish canning license is required for any business in the state engaged in the canning of food fish and shellfish, for commercial purposes, in hermetically sealed containers which are processed by exposure to heat for pasteurization or sterilization, and the fee for said license is thirty-seven dollars and fifty cents *per annum*. Canning license. Fee.

[R.C.W. 75.28.320 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 3).]

SEC. 30. Section 75.28.330, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A fish by-products license is required for any business in the state engaged in the manufacture or preparation for commercial purposes of fertilizer, oil, meal, caviar, fish bait, or other by-products from fish or shellfish and the fee for said license is thirty-seven dollars and fifty cents *per annum*. Fish by-products license. Fee.

[R.C.W. 75.28.330 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 4).]

SEC. 31. Section 75.28.350, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows: Amendment.

A fish buyer's license shall be obtained by every wholesaler, canner, by-products manufacturer, or broker for each and every fish buyer engaged as a representative in the state for such wholesaler, can- Fish buyer's license.

ner, by-products manufacturer or broker, and the fee for said license is seven dollars and fifty cents *per annum*.

"Fish buyer;" defined.

The term "fish buyer" as used in this section means a buyer who ordinarily makes his purchases at a place or places other than his employers' business premises, and who buys for only one person. In the event the buyer buys for two or more persons, he shall be deemed a wholesale fish dealer and shall be required to be licensed as such.

Wholesale fish dealer.

[R.C.W. 75.28.350 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 6).]

Amendment. SEC. 32. Section 75.28.360, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows:

Boat house operator's license.

A boat house operator's license is required for any business engaged in the renting of boats to individuals for the purpose of taking or catching food fish or shellfish and the fee for said license is twenty-five dollars *per annum*, plus one dollar for each boat used by the boat house operator in the operation of his business.

Fee.

[R.C.W. 75.28.360 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 7).]

Amendment. SEC. 33. Section 75.28.370, R.C.W., as derived from section 72, chapter 112, Laws of 1949, is amended to read as follows:

Branch plants licenses.

A branch license is required for each branch plant in the state of any retail, wholesale, canning, by-products manufacturing or boat house business enterprise having more than one place of business. One such place shall be designated as headquarters and said license shall be obtained for each and every other place of business or branch plant. The fee for said license is seven dollars and fifty cents *per annum*.

Fee.

[R.C.W. 75.28.370 was derived from Rem. Supp. 1949, § 5780-510, part (subsection 8).]

SEC. 34. Section 75.32.030, R.C.W., as derived from section 1, chapter 107, Laws of 1949, is amended to read as follows: Amendment.

Canners, curers, freezers, wholesale fish dealers, retail fish dealers or fish by-products manufacturers of food fish or shellfish, except those located within the Columbia River district, shall pay a privilege fee equal to two per cent of the primary market value on all fresh or frozen chinook and silver salmon which they receive, handle, deal in, or deal with as original receiver in the state, and they shall pay a privilege fee equal to one per cent of the primary market value on all other fresh or frozen food fish and shellfish or parts thereof which they receive, handle, deal in or deal with, as original receiver in the state. Privilege fees.

[R.C.W. 75.32.030 was derived from Rem. Supp. 1949, § 5780-60, part (subsection 1).]

SEC. 35. Section 75.32.070, R.C.W., as derived from section 1, chapter 107, Laws of 1949, is amended to read as follows: Amendment.

A catch fee shall be paid by every person taking food fish or shellfish, or parts thereof, from the waters or beaches of this state for commercial purposes, and the fee shall be equal to two per cent of the primary market value of all fresh or frozen chinook and silver salmon so taken, and one per cent of the primary market value of all other species of food fish and shellfish, or parts thereof: *Provided*, That catch taxes shall not be paid by those taking shellfish from licensed oyster or clam farms nor by those taking food fish or shellfish from the waters of the Columbia River. Catch fee.  
Amounts.  
Exception.

[R.C.W. 75.32.070 was derived from Rem. Supp. 1949, § 5780-60, part (1st para. of subsection 5).]

SEC. 36. Section 75.32.080, R.C.W., as derived from section 1, chapter 107, Laws of 1949, is amended to read as follows: Amendment.

Catch and landing fees collected by original receiver.

The catch fees and landing fees provided for herein shall be deducted from the payments made by the original receiver to the person catching or landing the food fish or shellfish, and the original receiver shall collect the fees and remit them to the director, and in event he fails to do so he is liable for such fees as he fails to collect and remit.

"Original receiver;" defined.

"Original receiver" means the person first receiving, handling, dealing in, or dealing with the fresh or frozen food fish or shellfish within the state of Washington as a canner, curer, freezer, retail dealer, wholesale dealer, by-products manufacturer, or branch plant; and the privilege fees provided for herein shall be paid on all fresh or frozen food fish or shellfish handled by the original receivers regardless of where the fish or shellfish were caught: *Provided*, That no tax shall be paid on frozen food fish or frozen shellfish that has been previously landed in another state, territory, or country.

[R.C.W. 75.32.080 was derived from Rem. Supp. 1949, § 5780-60, part (2nd and 3rd para. of subsection 5).]

Amendment.

SEC. 37. Section 75.32.100, R.C.W., as derived from section 3, chapter 107, Laws of 1949, is amended to read as follows:

Unpaid fees; interest; lien.

In the event the fees provided for are not paid as herein provided, interest shall accrue at the rate of eight per cent *per annum*, and the delinquent payments together with the accrued interest thereon shall constitute a first lien upon the cannery, packing plant, building, boats, scows, or other equipment used by the person owing the fees in the taking, handling, or processing of food fish or shellfish.

[Am. Rem. Supp. 1949, § 5780-62.]

Amendment.

SEC. 38. Section 75.36.050, R.C.W., as derived from section 76, chapter 112, Laws of 1949, is amended to read as follows:

Sale or destruction of articles seized or forfeited.

In the event of seizure and forfeiture of any articles as provided in this chapter, the director may sell or destroy all or any of such articles at public

auction. The time, place, and manner of holding such sale shall be within the discretion of the director. Notice of the time and place of any such sale shall be published once a week for at least two consecutive weeks in advance of such sale, in at least one newspaper of general circulation in the county wherein the sale is to be held.

Notice  
of sale.

The proceeds from all such sales shall be deposited with the state treasurer to credit of the general fund.

Proceeds.

[R.C.W. 75.36.050 was derived from Rem. Supp. 1949, § 5780-602, part (subsection 5).]

SEC. 39. Section 79.20.010, R.C.W., as derived from section 142, chapter 255, Laws of 1927, is amended to read as follows:

Amendment.

The beds of all navigable tidal waters in this state lying below extreme low tide not in front of any incorporated city or town, nor within two miles on either side thereof, shall be subject to lease for the purpose of planting and cultivating thereon artificial oyster beds, for periods not to exceed twenty years and in quantities not to exceed forty acres, to any one person or corporation.

Artificial  
oyster beds;  
lands subject  
to lease for.

Term  
and area  
limitation.

[Am. R.R.S § 7797-142.]

SEC. 40. Section 79.20.030, R.C.W., as derived from section 144, chapter 255, Laws of 1927, is amended to read as follows:

Amendment.

The commissioner, upon the receipt of an application for a lease for the purpose of planting and cultivating artificial oyster beds, shall notify the director of fisheries of the filing of the application, describing the lands applied for. The director of fisheries shall cause an inspection of the lands applied for to be made and shall make a full report to the commissioner of his findings as to whether it is necessary, in order to protect existing natural oyster beds, and to secure adequate seeding thereof, to retain the lands described in the application for lease or any part thereof, and in the event the director deems it

Lease  
of tidelands  
for artificial  
oyster  
production;  
procedure.

advisable to retain the lands or any part thereof for the protection of existing natural oyster beds or to guarantee the continuance of an adequate seed stock for existing natural oyster beds, the same shall not be subject to lease. However, if the director determines that the land applied for or any part thereof may be leased, he shall so notify the commissioner of public lands and the director shall cause an examination of the lands to be made to determine the presence, if any, of natural oysters on said lands, and to fix the rental value of the land for use for artificial oyster cultivation. In his report to the commissioner, the director shall recommend a minimum rental price for said land and an estimation of the value of the oysters, if any, then present on the lands applied for. The lands approved by the director for lease may then be leased to the applicant for a period of not less than five years nor more than ten years at a rental not less than the minimum rental recommended by the director of fisheries. In addition, before entering upon possession of the land, the applicant shall pay the value of the oysters, if any, then present on the land as determined by the director, plus the expense incurred by the director in investigating the quantity of oysters present on the land applied for.

Same; term of lease.

Same; payment of value of existing oysters plus cost of inspection.

[Am. R.R.S. § 7797-144.]

Amendment.

SEC. 41. There is added a new section to chapter 79.20, R.C.W., as derived from chapter 255, Laws of 1927, to read as follows:

Same; applicant to have lands surveyed and marked.

Before entering into possession of the leased lands the applicant shall cause the same to be surveyed by a registered land surveyor, and he shall furnish to the commissioner of public lands and to the director of fisheries a map of the leased premises signed and certified by the registered land survey. The lessee shall also cause the boundaries of the leased premises to be marked by piling monuments or other markers



of a permanent nature as the director of fisheries may direct.

[Chapter 79.20 R.C.W. was derived from R.R.S. §§ 7797-138 to 7797-140, incl., as amended.]

SEC. 42. There is added a new section to chapter 75.08, R.C.W., as derived from chapter 112, Laws of 1949, to read as follows: New section.

The director shall have the power to promulgate regulations governing the importation of oyster seed for the purpose of planting in the waters of this state, and he shall have the duty and authority to require them to be inspected for disease, infestations and pests at such places and in such manner and at such times as he shall deem advisable in order to insure that the oysters in the waters of this state shall not be endangered by the importations of diseased or infested oysters or pests which prey on oysters, and it shall be unlawful for any person to import oysters in this state for the purpose of planting the same in the waters of this state or to plant oyster seed in the waters of this state without first having obtained the authority from the director to do so. The director shall give such authority only after an adequate inspection under his direction has been made and the seed in question has been found to be free of disease, infestation, pests and other substances which might endanger the oysters in the waters of this state. Regulations concerning importation of oyster seeds.

[Chapter 75.08 R.C.W. was derived from Rem. Supp. 1949, §§ 5780-200, 5780-205 to 5780-207 incl., 5780-209, 5780-212 to 5780-215 incl., 5780-217 to 5780-221 incl., and 5780-223 to 225 incl., 5780-601, 5780-604 and 5780-605. Importation unlawful without authority from director.

SEC. 43. There is added a new section to chapter 75.08, R.C.W., as derived from chapter 112, Laws of 1949, to read as follows: Inspection.

Persons importing oyster seed under the provisions of this act shall pay for the actual cost of inspecting the same not to exceed six cents per case. The cost shall be determined by the director of fisheries and shall be prorated among the importers New section.

Importers to pay cost of inspection.

according to the number of cases of oyster seeds each imports. The director of fisheries shall have the authority and it shall be his duty to specify the time and manner of payment.

[See note to sec. 42.]

**SEC. 44.** There is added a new section to chapter 75.28, R.C.W., as derived from chapter 112, Laws of 1949, to read as follows:

**Clam digger's license.** A clam digger's license shall be required of any person digging clams for commercial purposes from the waters or beaches of this state, and the fee for such license shall be five dollars *per annum* for hard shell clams, and five dollars per season, as defined by the director of fisheries, for razor clams: *Provided*, That such license shall not be required for licensed clam farmers or their agents or employees who dig only on licensed clam farms.

[Chapter 75.28 R.C.W. is Rem. Supp. 1949, §§ 5780-216, 5780-501 to 5780-512 incl., and 5780-603.]

**SEC. 45.** There is added a new section to chapter 75.32, R.C.W., as derived from chapter 107, Laws of 1949, to read as follows:

**Landing fee.** A landing fee shall be paid by every person landing fresh or frozen food fish or shellfish, or parts thereof, in the state after having taken the same for commercial purposes from waters outside the territorial limits of the state, and a fee shall be equal to two per cent of the primary market value of all fresh or frozen chinook and silver salmon so landed, and one per cent of the primary market value of all other fresh or frozen salmon so landed, and one-half of one per cent on all species of food fish or shellfish other than salmon so landed: *Provided, however*, That no fee shall be charged for the privilege of landing halibut in the state.

[Ch. 75.32 R.C.W. is Rem. Supp. 1949, §§ 5780-60 to 5780-65 incl.]

**SEC. 46.** For the protection and conservation of natural resources, the county sheriffs, the state patrol

**Traffic control along beaches.**

and fish and game inspectors are given authority to regulate and control traffic on and along the ocean beach highways as designated and established under sections 79.16.130, 79.16.160 and 79.16.170, R.C.W.

[R.C.W. 79.16.130 is R.R.S. § 6402-31; 79.16.160 is sec. 1 and 2, ch. 105, Laws of 1901; 79.16.170 is secs. 1 and 2, ch. 110, Laws of 1901.]

SEC. 47. Section 75.28.340, R.C.W., as derived from section 72, chapter 112, Laws of 1949, sections 79.20.040 and 79.20.060, R.C.W., as derived from sections 145 and 147, chapter 255, Laws of 1927, and section 75.32.050, R.C.W., as derived from section 1, chapter 107, Laws of 1949, are repealed.

Repealing  
clause.

[R.C.W. 75.28.340 is Rem. Supp. 1949, § 5780-510 (subsection 5); 79.20.040 is R.R.S. § 7797-145; 79.20.060 is R.R.S. § 7797-147; 75.32.050 is Rem. Supp. 1949, § 5780-60 (subsection 3).]

SEC. 48. The provisions of this act are to be severable, and if any section, subdivision or clause of this act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the act.

Partial  
invalidity.

SEC. 49. 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.

Emergency.

Passed the House March 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 272.

[ H. B. 557. ]

ENABLING ACQUISITION OF ELECTRICAL PROPERTIES BY CERTAIN CITIES AND PUBLIC UTILITY DISTRICTS.

AN ACT permitting first class cities and county-wide public utility districts to acquire by condemnation certain electrical properties within their boundaries, and declaring an emergency.

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

Certain cities may acquire electrical distribution properties of public utility districts.

SECTION 1. Any city of the first class with a population of over 100,000 may acquire by purchase or condemnation from any public utility district, or combination of public utility districts any electrical distribution property within the boundaries of such city for a period of five years from the date such properties are acquired by a public utility district or combination of public utility districts.

Acquisition by county-wide public utility district of properties of another public utility district.

SEC. 2. Upon the formation of a county-wide public utility district in any county such district shall have the right, in addition to any other right provided by law, to acquire by purchase or condemnation any electrical distribution properties in the county from any other public utility district or combination of public utility districts for a period of five years from the time of organization of said public utility district.

Emergency.

SEC. 3. 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 House February 27, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 20, 1951.

## CHAPTER 273.

[ S. B. 393. ]

## ESTABLISHING PRIMARY AND SECONDARY HIGHWAYS.

AN ACT relating to public highways; establishing certain primary and secondary state highways; providing for flight strips; and amending certain sections of the highway code in regard thereto; making appropriations for public highways from the motor vehicle and highway equipment funds; making appropriations for surveys and studies of highways; providing for flight strips; declaring an emergency; and that sections 12 to 29, inclusive, of this act shall take effect April 1, 1951.

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

SECTION 1. There is hereby established the east Pacific highway which shall be composed of the following existing highway routes: Beginning on primary state highway No. 1 at or near Centralia; thence by way of primary state highway No. 1 to Tenino or by way of secondary state highway 1N between Centralia and Tenino; thence on secondary state highway 5H to Roy junction with primary state highway No. 5; thence on primary state highway No. 5 to a junction with secondary state highway No. 5G; thence on secondary state highway No. 5G to Puyallup; thence on primary state highway No. 5 to Sumner, Auburn, Kent and Renton; thence on primary state highway No. 2 to secondary state highway No. 2A; thence on secondary state highway No. 2A to Kirkland to primary state highway No. 2 west of Bothell; thence on primary state highway No. 2 to Bothell and Woodinville; and thence on secondary state highway No. 1A to Snohomish, Arlington, Sedro Woolley, Sumas, to the Canadian International Boundary.

East Pacific  
highway  
established.

[SEC. 2.] Section 47.16.100, R.C.W., as derived from section 10, chapter 190, Laws of 1937, is amended to read as follows:

Amendment.

Primary state  
highway  
No. 10,  
or Chelan-  
Okanogan  
highway;  
established.

A primary state highway to be known as primary state highway No. 10, or the Chelan-Okanogan highway, is established as follows: Beginning at Quincy, on primary state highway No. 7, thence in a northwesterly direction to a junction with primary state highway No. 2, in the vicinity east of Wenatchee; also beginning at a junction with primary state highway No. 2, in the vicinity northwesterly of Wenatchee, thence in a northerly direction on the west side of the Columbia River by way of Chelan, Pateros, Brewster, Okanogan and Oroville to the international boundary line; also from Brewster on primary state highway No. 10, thence in a southeasterly direction to a junction with primary state highway No. 2, in the vicinity west of Coulee City; also beginning at a point on primary state highway No. 10 at Brewster, thence in a southeasterly direction on the north side of the Columbia River to Chief Joseph Dam, thence crossing the Columbia River to the south side in the vicinity of Bridgeport, thence southerly to the junction with primary state highway No. 2 in the vicinity west of Coulee City; also until the Chief Joseph Dam is sufficiently completed so as to furnish hydroelectric energy, from Brewster on primary state highway No. 10, thence in a southeasterly direction on the south side of the Columbia River to a junction with primary state highway No. 10 in the vicinity of Bridgeport.

[Am. R.R.S. § 6401-10.]

Amendment.

SEC. 3. Section 47.20.010, R.C.W., as derived from section 6, chapter 239, Laws of 1943, is amended to read as follows:

Branches of  
primary state  
highway  
No. 1;  
established.

Secondary state highways as branches of primary state highway No. 1 are established as follows:

Secondary  
state  
highway  
No. 1A.

Secondary state highway No. 1A; beginning at Blaine on primary state highway No. 1, thence in an easterly direction to a junction with secondary

state highway No. 1B in the vicinity west of Lynden, thence following the route of secondary state highway No. 1B southerly to a point south of Wisner Lake, thence northeasterly to a point east of Everson, thence in a southerly direction to an intersection with primary state highway No. 1 in the vicinity west of Deming, thence following the route of primary state highway No. 1 to a point east of Deming, thence in a southerly direction by way of Sedro Woolley, Arlington and Snohomish to an intersection with primary state highway No. 2 in the vicinity southeast of Bothell; also beginning at a junction with secondary state highway No. 1A in the vicinity east of Everson, thence in a northerly direction to the international boundary in the vicinity west of Sumas;

Secondary state highway No. 1B; beginning at Bellingham on primary state highway No. 1, thence in a northerly direction to an intersection with secondary state highway No. 1A; thence in a northerly direction to the international boundary in the vicinity east of Delta.

[R.C.W. 47.20.010 was derived from Rem. Supp. 1943, § 6402-2, part (subsections a and b).]

SEC. 4. Section 47.20.160, R.C.W., as derived from section 2, chapter 207, Laws of 1937, as amended, is amended to read as follows:

Secondary state highways as branches of primary state highway No. 2 are established as follows:

Secondary state highway No. 2H; beginning at Spokane on primary state highway No. 2, thence in an easterly direction by way of Millwood to a junction with primary state highway No. 2 in the vicinity of the Washington-Idaho boundary line;

Secondary  
state  
highway  
No. 1B.

Amendment.

Branches of  
primary state  
highway  
No. 2;  
established.

Secondary  
state high-  
way No. 2H.

Vetoed. { Secondary state highway No. 2I; beginning at a junction with primary state highway No. 2 in the vicinity of Virden, thence southeasterly to a junction with primary state highway No. 3 in the vicinity of Woldale.

[R.C.W. 47.20.160 was derived from Rem. Supp. 1943, § 6402-3, part (subsections h and i).]

Amendment. SEC. 5. Section 47.20.180, R.C.W., as derived from section 4, chapter 207, Laws of 1937, is amended to read as follows:

Branches of primary state highway No. 3; established. Secondary state highways as branches of primary state highway No. 3 are established as follows:

Secondary state highway No. 3C. Secondary state highway No. 3C; beginning at a junction with secondary state highway No. 3A south of Union Gap, thence in a southerly direction to a junction with secondary state highway No. 3B in the vicinity west of Toppenish;

Secondary state highway No. 3D. Secondary state highway No. 3D; beginning at a junction with primary state highway No. 3 in the vicinity of Burbank, thence in a northeasterly direction by the most feasible route to a point in the vicinity of Eureka, thence in an easterly direction by the most feasible route to a junction with secondary state highway No. 3E in the vicinity of Prescott.

[R.C.W. 47.20.180 was derived from R.R.S. § 6402-4, part (subsections c and d).]

Amendment. SEC. 6. Section 47.20.320, R.C.W., as derived from section 8, chapter 207, Laws of 1937, is amended to read as follows:

Branches of primary state highway No. 7; established. Secondary state highways as branches of primary state highway No. 7 are established as follows:

Secondary state highway No. 7B. Secondary state highway No. 7B; beginning at Ellensburg on primary state highway No. 3, thence in an easterly direction by way of Kittitas to a junction with primary state highway No. 7 in the vicinity north of Kittitas;



Secondary state highway No. 7C; beginning in the vicinity of the east end of the Vantage bridge on primary state highway No. 7, thence in a southerly direction parallel to the east bank of the Columbia River for a distance of approximately two and one-half miles, thence southeasterly to the vicinity of Othello, thence easterly to a junction with primary state highway No. 11: *Provided*, That until such time as secondary state highway No. 7C is actually constructed on the location adopted by the director of highways no existing county roads shall be maintained or improved by the state highway department as a temporary route of said secondary state highway No. 7C.

Secondary state highway No. 7C.

[R.C.W. 47.20.230 was derived from R.R.S. § 6402-8.]

SEC. 7. Section 47.20.340, R.C.W., as derived from section 8, chapter 239, Laws of 1943, is amended to read as follows:

Amendment.

Secondary state highways as branches of primary state highway No. 8 are established as follows:

Branches of primary state highway No. 8; established.

Secondary state highway No. 8C; beginning at a junction on primary state highway No. 8 east of Stevenson, thence in a northwesterly direction following the general course of the Wind River to the boundary of Columbia National Forest;

Secondary state highway No. 8C.

Secondary state highway No. 8D; beginning at a wye junction with primary state highway No. 8, the west branch in the vicinity east of Underwood and the east branch in the vicinity of White Salmon, thence in a northerly direction to the boundary of the Columbia National Forest.

Secondary state highway No. 8D.

[R.C.W. 47.20.340 was derived from Rem. Supp. 1943, § 6402-9, part (subsections c and d).]

SEC. 8. Section 47.20.370, R.C.W., as derived from section 1, chapter 232, Laws of 1947, is hereby amended to read as follows:

Amendment.

Branches of primary state highway No. 9; established.

Secondary state highways as branches of primary state highway No. 9 are established as follows:

Secondary state highway No. 9C.

Secondary state highway No. 9C; beginning at a junction with primary state highway No. 9 in Hoquiam, thence in a northwesterly direction by the way of Ocean City, Copalis, Pacific Beach, and Moclips to a junction with primary state highway No. 9 in the vicinity of Queets;

Secondary state highway No. 9D.

Secondary state highway No. 9D; beginning at a junction with primary state highway No. 9 in the vicinity west of McCleary, thence in a northeasterly direction to a junction with primary state highway No. 9 south of Shelton.

[R.C.W. 47.20.370 was derived from Rem. Supp. 1947, § 6402-10, part (subsections c and d).]

Amendment.

SEC. 9. Section 47.20.390, R.C.W., as derived from section 11, chapter 207, Laws of 1937, is amended to read as follows:

Branches of primary state highway No. 10; established.

Secondary state highways as branches of primary state highway No. 10 are hereby established according to designation and description as follows:

Secondary state highway No. 10A.

Secondary state highway No. 10A; beginning at Omak on primary state highway No. 10, thence in a southeasterly direction by the most feasible route by way of Disautel and Nespelem to the boundary of the Federal reservation at the Grand Coulee Dam;

Secondary state highway No. 10B.

Secondary state highway No. 10B; beginning at a junction with primary state highway No. 10 east of Bridgeport, thence in an easterly direction by the most feasible route to the boundary of the Federal reservation at the Grand Coulee Dam; also beginning at a junction with secondary state highway No. 10B, as herein described, in the vicinity of Leahy, thence in a southwesterly direction by the most feasible route by way of Mansfield to a junction with primary state highway No. 2 in the vicinity of Waterville;

From the effective date of this section and until construction of the extension of secondary state

highway No. 10B is completed, the highway department of the state shall assume control and maintenance of the existing county road running from Sims Corner through Mansfield and south to the junction at Farmer.

[R.C.W. 47.20.390 was derived from R.R.S. § 6402-11, part (subsections a and b).]

SEC. 10. Section 47.20.430, R.C.W., as derived from section 9, chapter 239, Laws of 1943, is amended to read as follows: Amendment.

Secondary state highways as branches of primary state highway No. 11 are established as follows: Branches of primary state highway No. 11; established.

Secondary state highway No. 11F; beginning at Sprague on primary state highway No. 11, thence in a northwesterly direction to Harrington on primary state highway No. 7; Secondary state highway No. 11F.

Secondary state highway No. 11G; beginning in the vicinity of Eltopia on primary state highway No. 11, thence in a northwesterly direction to a junction with primary state highway No. 18 in the vicinity of Moses Lake, thence northwesterly to a junction with primary state highway No. 7 in the vicinity of Soap Lake with a wye connection from the vicinity of Rocky Ford Creek to the vicinity of Ephrata: *Provided*, That until such time as secondary state highway No. 11G is actually constructed on the location adopted by the director of highways no existing county roads shall be maintained or improved by the state highway department as a temporary route of said secondary state highway No. 11G. Secondary state highway No. 11G.

[R.C.W. 47.20.430 was derived from Rem. Supp. 1943, § 6402-12, part (subsection e).]

SEC. 11. Section 47.20.540, R.C.W., as derived from section 18, chapter 207, Laws of 1937, is amended to read as follows: Amendment.

Secondary state highways as branches of primary state highway No. 21 are hereby established as follows: Branches of primary state highway No. 21; established.

Secondary state highway No. 21A.

Secondary state highway No. 21A; beginning at a junction with primary state highway No. 21 in the vicinity north of Poulsbo, thence in a southeasterly direction by the most feasible route across Agate Pass to the north end of Bainbridge Island, thence in a southerly direction by the most feasible route to the vicinity of Winslow;

Secondary state highway No. 21B.

Secondary state highway No. 21B; beginning at Keyport on primary state highway No. 21, thence in a southerly direction by the most feasible route to East Bremerton; also beginning at a junction with secondary state highway No. 21B in the vicinity north of East Bremerton, thence easterly by the most feasible route to Illahee State Park.

[Am. Rem. Supp. 1949, § 6402-18.]

Appropriation for salaries, wages and operations.

SEC. 12. There is hereby appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways for the biennium ending March 31, 1953, for salaries, wages and operations of the office of the director of highways and/or district offices of the department of highways including that of the research and planning engineer, the laboratory engineer, the traffic engineer, including traffic training, administration of state aid to cities and counties as provided by chapter 181, Laws of 1939, and amendments thereof, the sum of two million six hundred twenty-three thousand nine hundred seventy-five dollars (\$2,623,975.00), or so much thereof as shall be necessary: *Provided*, That the sum of three hundred thousand dollars (\$300,000.00) of the appropriation made by this section shall be available only for salaries, wages and operations of the department in carrying out the provisions of Senate Bill No. 156 and for no other purposes.

[Senate Bill No. 156 became chapter 121, Laws of 1951, p. 304, *supra*.]

Appropriation for primary and secondary highway.

SEC. 13. There is hereby appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways for the

biennium ending March 31, 1953, and for obligations incurred and not yet paid, the sum of sixty-three million seven hundred two thousand eight hundred five dollars (\$63,702,805.00), or so much thereof as shall be necessary, for primary and secondary highways and designated routes through cities and towns including nonreimbursable federal aid, location, engineering, engineering supervision, improvement, right-of-way, reconstruction, construction and damages, bridges, interest and bond redemption becoming due between April 1, 1951 and March 31, 1953 on state owned bridges, maintenance, including road signs, radio and ferries, maintenance supervision, extraordinary maintenance, toll bridges, emergencies and for any and all proper highway purposes not specifically set forth in other sections of this act—emergencies being hereby defined as damages to primary or secondary highways or designated routes through cities and towns and/or structures and ferries which could not with the exercise of reasonable judgment have been foreseen.

SEC. 14. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways for the biennium ending March 31, 1953 and for obligations incurred and not yet paid the sum of one million two hundred thirty-six thousand four hundred dollars (\$1,236,400.00), or so much thereof as shall be necessary, for capital outlay, which shall include the purchase and improvement of land, the erection of buildings and structures, major repairs and equipment, including the necessary salaries and wages incident thereto.

Appropriation for capital outlay.

SEC. 15. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways for the biennium ending March 31, 1953, for the maintenance and improvement of state historical

Appropriation for maintenance of historical road No. 1.

road No. 1 established outside the corporate limits of Tacoma and Puyallup under chapter 225, Laws of 1941, the sum of thirty-six thousand dollars (\$36,000.00), or so much thereof as may be necessary.

Appropriation for roads within state parks.

SEC. 16. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways for the biennium ending March 31, 1953, for the maintenance and construction of roads within state parks as provided for in section 1, chapter 253, Laws of 1943, which sum shall be deducted from the net tax amount of the motor vehicle fuel tax in the motor vehicle fund before credits are made to incorporated cities and towns and to counties of the state of Washington under the provisions of section 3, chapter 181, Laws of 1939, or any subsequent amendment thereof, the sum of one hundred fifty thousand dollars (\$150,000.00).

Appropriation as revolving fund to be expended under project agreements executed under federal aid road acts

SEC. 17. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways for the biennium ending March 31, 1953, and for obligations incurred and not yet paid the sum of twenty-seven million four hundred fifty thousand dollars (\$27,450,000.00), or so much thereof as shall be necessary, as a revolving fund to be expended under specific project agreements executed or to be executed under the federal aid road acts and the state act assenting thereto, and for any other expenditures of any kind by the department of highways upon public highways for which reimbursement is anticipated including inventories and salary suspense.

Appropriation for highway equipment fund.

SEC. 18. There is hereby appropriated from the highway equipment fund to the department of highways to be expended by the director of highways for the biennium ending March 31, 1953, the sum of six million three hundred eighty-one thousand nine hun-

dred thirty-seven dollars (\$6,381,937.00), or so much thereof as shall be necessary to continue the highway equipment fund as established by chapter 144, Laws of 1935, and amendments thereof.

SEC. 19. There is hereby appropriated from the motor vehicle fund to incorporated cities and towns for the biennium ending March 31, 1953, the sum of nine million four hundred fifty-six thousand dollars (\$9,456,000.00), or so much thereof as shall become available under the provisions of chapter 181, Laws of 1939, and amendments thereof, to be paid out and expended in the manner provided by law.

Appropriation for cities and towns.

SEC. 20. There is hereby appropriated from the motor vehicle fund to the counties of the state, including counties composed entirely of islands, for the biennium ending March 31, 1953, the sum of twenty-nine million two hundred thirty-eight thousand dollars (\$29,238,000.00), or so much thereof as shall become available under chapter 181, Laws of 1939, and amendments thereof, to be paid out and expended in the manner provided by law.

Appropriation for counties.

SEC. 21. There is hereby appropriated from the motor vehicle fund to be expended by the joint fact finding committee on highways, streets and bridges, created by chapter 111, Laws of 1947, continued by chapter 213, Laws of 1949, and as authorized and directed as to added duties set forth by section 46 of House Bill No. 506, for the biennium ending March 31, 1953, the sum of seventy-four thousand two hundred dollars (\$74,200.00), or so much thereof as shall be necessary.

Appropriation for joint fact finding committee on highways, streets and bridges.

SEC. 22. There is hereby appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways with the approval of the joint fact finding committee on highways, streets and bridges, on projects set forth in sections 46 and 47 of House Bill No. 506 for the bien-

Appropriation; projects specified in secs. 46 and 47, ch. 269, Laws of 1951.

nium ending March 31, 1953, the sum of one hundred eighty thousand dollars (\$180,000.00) or so much thereof as shall be necessary.

[House Bill No. 506 became chapter 269, Laws of 1951, p. 851, *supra*.]

Appropriation; reconnaissance survey for highway from primary No. 9 to secondary No. 9C.

SEC. 23. There is appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways, for the biennium ending March 31, 1953, the sum of twenty-five thousand dollars (\$25,000.00), or so much thereof as may be necessary, for a reconnaissance survey for a highway from primary state highway No. 9 in the city of Port Angeles northwesterly along the shore of the Strait of Juan de Fuca to Neah Bay, thence southwesterly to the shore of the Pacific Ocean and southerly and southeasterly along the said Pacific Ocean shore to a junction with secondary state highway No. 9C in the vicinity of Moclips. This reconnaissance survey shall be submitted by report to the 1953 legislature.

Cascade tunnel; location; director to continue study.

SEC. 24. The department of highways, by and through its director of highways, is directed and authorized to continue the exploration and study for the location of a tunnel through the Cascade Mountains together with necessary connection to existing highways. The tunnel is to be located on an extension of primary state highway No. 5 beginning at a point on primary state highway No. 5 in the vicinity of the junction of the Greenwater and White rivers, thence in an easterly direction to a junction with primary state highway No. 5 in the vicinity north of Cliffdell.

Appropriation; reconnaissance survey for highway from primary No. 18 to primary No. 7.

SEC. 25. There is appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways, for the biennium ending March 31, 1953, the sum of five thousand dollars (\$5,000.00), or so much thereof as may be necessary, for a reconnaissance survey for a highway beginning at a junction with primary state



highway No. 18 in the vicinity of Moses Lake and ending at a junction with primary state highway No. 7 between the Grant-Lincoln county line and Odessa. This reconnaissance survey shall be submitted in a report to the 1953 legislature.

SEC. 26. There is appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways for the bien-nium ending March 31, 1953, the sum of ten thousand dollars (\$10,000.00), or so much thereof as may be necessary, for a reconnaissance survey for a high-way beginning on primary state highway No. 10 in the vicinity of Pateros, crossing the Columbia River thence in a southerly direction to a junction with secondary state highway No. 10D. This recon-naissance survey shall be submitted in a report to the 1953 legislature.

Appropriation; recon-naissance survey for highway from primary No. 10 to secondary No. 10D.

SEC. 27. There is appropriated from the motor vehicle fund to the department of highways, to be expended by the director of highways, for the bien-nium ending March 31, 1953, the sum of twenty-five thousand dollars (\$25,000.00), or so much thereof as may be necessary to continue the study in co-operation with the city of Seattle and the city of Tacoma for the location of a highway beginning at a point in the vicinity of North Bend on primary state highway No. 2, thence southwesterly by the most direct and feasible route to the vicinity of Auburn, thence southwesterly to a junction with primary state highway No. 1 in the vicinity of Milton. A report on this study shall be submitted to the 1953 legislature.

Appropriation; location study for highway from primary No. 2 to pri-mary No. 1.

SEC. 28. There is appropriated from the motor vehicle fund to the department of highways to be expended by the director of highways for the bien-nium ending March 31, 1953, the sum of three thousand dollars (\$3,000.00), or so much thereof as may be necessary for a reconnaissance survey for a bridge

Appropriation; recon-naissance survey for bridge and approaches across Sinclair inlet.

and approaches across Sinclair Inlet from primary state highway No. 21 in the vicinity of Keyport to a junction with secondary state highway No. 21A in the vicinity of Lemolo.

War emergency; director authorized to cooperate with bureau of public roads in planning and constructing defense roads and flight strips.

SEC. 29. In order to facilitate the war emergency declared by the president on December 16, 1950, the director of highways, upon request of the commissioner of public roads of the United States, is hereby authorized to cooperate with the bureau of public roads in the making of surveys, plans, specifications and estimates for, and in the construction and maintenance of, flight strips and of roads and bridges necessary to provide access to military and naval reservations, to defense industries and defense industry sites, and to sources of raw material, and for replacing existing highways and highway connections shut off from the general public use for military and naval reservations and defense industry sites, and, notwithstanding any other provision of law, may enter into contracts in any manner approved by the bureau of public roads for the construction of any such flight strips or roads, or may perform such construction and maintenance work by force account, whether such construction and maintenance work is paid for in whole by federal funds or in part by federal funds and in part by funds provided by the state or any of its subdivisions.

Funds available.

Any funds appropriated and allocated herein to carry out the provisions of the federal aid road act and the state act assenting thereto may be used to carry out the provisions of this act.

Director authorized to acquire property for highway purposes.

For the purpose of carrying out the provisions of this section the director is hereby authorized and empowered to acquire land or any interest in land, real estate, premises or other property by purchase, gift or condemnation, in the manner now provided for acquiring land, real estate, or other property for highway purposes.

SEC. 30. 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 sections 12 to 29, inclusive, shall take effect April 1, 1951. Emergency.

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951, with the exception of the last unnumbered item of section 4, which is vetoed.

---

## CHAPTER 274.

[ H. B. 313. ]

### SOCIAL SECURITY—RATABLE REDUCTIONS.

AN ACT relating to the department of social security and prescribing the method of making ratable reductions thereby, and providing for conformity with the federal social security act.

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

SECTION 1. In the event that the appropriation for the department of social security is insufficient to pay full grants to all recipients of public assistance, the department is authorized to consider all income and resources in relation to the total requirements under the standards of assistance of the department, in applying a ratable reduction, but such income or resources shall only be considered available to reduce the amount of the payment to the recipient to the extent that such income or resources exceeds the amount of the ratable reduction. The amount of the ratable reduction shall be computed on the basis of the ratio between the total amount of appropriation available divided by the number of remaining months in the biennium and the total monthly requirements of recipients as computed under the standards of the department. Determination of ratable reductions.

Provisions  
in conflict  
with federal  
act declared  
inoperative.

SEC. 2. If any plan of administration of this act transmitted to the federal security agency shall be found not to be in conformity with the federal social security act by reason of any conflict of any section, portion or clause of this act and the federal social security act, such conflicting section, portion or clause of this act is hereby declared to be inoperative to the extent that it is so in conflict.

Passed the House February 16, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

---

CHAPTER 275.

[ H. B. 319. ]

CITIES AND TOWNS—EMPLOYEES RETIREMENT.

AN ACT relating to cities and towns, and to pension, relief, disability and retirement systems and pension, relief, disability and retirement funds therein; amending sections 35.39.040, 41.44.030, 41.44.050, 41.44.060, 41.44.080, 41.44.090, 41.44.100, 41.44.110, 41.44.120, 41.44.130, 41.44.140, 41.44.150, 41.44.160, 41.44.170, 41.44.190, and 41.44.250, R.C.W.

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

Amendment. SECTION 1. Section 35.39.040, R.C.W., as derived from section 2, chapter 92, Laws of 1943, is amended to read as follows:

City or town  
operating  
employees'  
pension  
system;  
securities  
constituting  
lawful  
investment  
for funds.

Any city or town now or hereafter operating an employees' pension system, established and operated pursuant to state statute or charter provision, or any pension system operating now or hereafter under state statute or charter provision exclusively for employees of cities or towns, is hereby authorized to invest pension fund moneys in such securities of the United States, states, Dominion of Canada, public housing authorities, municipal corporations and other public bodies, as are designated by the laws of the state of Washington as lawful

investments for the funds of mutual savings banks, and to invest not to exceed twenty-five per cent of the system's total investments in the securities of any corporations or public utility bodies as are designated by the laws of this state as lawful investments for the funds of mutual savings banks: *Provided*, That not more than five per cent of the system's total investments may be made in the securities of any one of such corporations or public utility bodies.

Limitation.

Subject to the limitations hereinafter contained, investment of pension funds may also be made in amounts not to exceed five per cent of the system's total investments in the shares of certain open-end investment companies: *Provided*, That not more than one per cent of the system's total investments may be made in the shares of any one such open-end investment company. The total amount invested in any one company shall not exceed one per cent of the assets of such company, and shall only be made in the shares of such companies as are registered as open-end companies under the federal investment company act of 1940, as from time to time amended. The company must be at least ten years old and have net assets of at least five million dollars. It must have outstanding no bonds, debentures, notes, or other evidences of indebtedness, or any stock having priority over the shares being purchased, either as to distribution of assets or payment of dividends. It must have paid dividends from investment income in each of the ten years next preceding purchase. The maximum selling commission on its shares, furthermore, may not exceed seven and one-half per cent of the sum of the asset value plus such commission.

Investment  
in open-end  
investment  
companies.

Limitation.

Qualifica-  
tions of  
company.

Investment of pension funds may also be made in the bonds of any municipal corporation or other public body of the state of Washington, and in any of the bonds or warrants, including local improve-

Investment  
in certain  
municipal  
securities.

ment bonds or warrants within the protection of the local improvement guaranty fund law issued by the city or town operating such pension system, or by any city or town which is a member of the system. Investment of pension funds shall be made by the pension board, board of trustees or other board charged with administering the affairs of the pension system.

Investments made by whom.

[R.C.W. 35.39.040 was derived from Rem. Supp. 1943, §§ 5646-14 and 5646-15.]

Amendment.

SEC. 2. Section 41.44.030, R.C.W., as derived from section 3, chapter 71, Laws of 1947, is amended to read as follows:

As used in this chapter, unless a different meaning is plainly required by the context:

"Retirement System."

(1) "Retirement System" means the statewide city employees retirement system provided for herein.

"City" or "Cities."  
"Employee."

(2) "City" or "Cities" includes town or towns.

(3) "Employee" means any appointive officer or employee and shall include elective officials to the extent specified herein.

"Member."

(4) "Member" means any person included in the membership of the retirement system as provided herein.

"Board."

(5) "Board" means the "board of trustees" provided for herein.

"Retirement Fund."

(6) "Retirement Fund" means "statewide city employees retirement fund" provided for herein.

"Service."

(7) "Service" means service rendered to a city for compensation; and for the purpose of this chapter a member shall be considered as being in service only while he is receiving compensation from the city for such service or is on leave granted for service in the armed forces of the United States as contemplated in section 41.44.120.

"Prior Service."

(8) "Prior Service" means the service of a member for compensation rendered a city prior to the effective date and shall include service in the armed

forces of the United States to the extent specified herein.

(9) "Current Service" means service after the employee has become a member of the system. "Current Service."

(10) "Creditable Service" means such service as is evidenced by the record of normal contributions, plus prior service as evidenced by prior service certificate. "Creditable Service."

(11) "Beneficiary" means any person in receipt of a pension, annuity, retirement allowance, disability allowance, or any other benefit herein. "Beneficiary."

(12) "Compensation" means the compensation payable in cash, plus the monetary value, as determined by the board of trustees, of any allowance in lieu thereof (but for the purposes of this chapter such "compensation" shall not exceed three hundred dollars per month). "Compensation."

(13) "Compensation Earnable" means the full rate of compensation that would be payable to an employee if he worked the full normal working time (but for the purposes of this chapter, such "compensation earnable" shall not exceed three hundred dollars per month). "Compensation earnable."

(14) "Final Compensation" shall mean the average annual compensation earnable by a member during the ten years immediately preceding his retirement. "Final Compensation."

(15) "Matching Contribution" means the contribution of the city deposited in an amount equal to the normal contributions of the employee. "Matching Contribution."

(16) "Normal Contributions" means contributions at the rate provided for in section 41.44.130, excluding those referred to in subdivision (f). "Normal Contribution."

(17) "Released Matching Contributions" means such "matching contributions" as are no longer held for the benefit of the employee. "Released Matching Contributions."

(18) "Regular Interest" shall mean interest compounded annually at such rate as shall have been "Regular Interest."

adopted by the board of trustees in accordance with the provisions of this chapter.

"Accumulated Normal Contributions."

(19) "Accumulated Normal Contributions" shall mean the sum of all normal contributions, deducted from the compensation of a member, standing to the credit of his individual account, together with regular interest thereon.

"Pension."

(20) "Pension" means payments derived from contributions made by the city as provided herein.

"Annuity."

(21) "Annuity" means payments derived from contributions made by a member as provided herein.

"Retirement Allowance."

(22) "Retirement Allowance" means the pension plus the annuity.

"Fiscal Year."

(23) "Fiscal Year" shall mean any year commencing with January 1st, and ending with December 31st next following.

"Miscellaneous Personnel."

(24) "Miscellaneous Personnel" means officers and employees other than those in the uniformed police or fire service: *Provided*, Those members of the fire department who are ineligible to the benefits of a firemen's pension system established by or pursuant to any other state law, are also included in the miscellaneous personnel.

"Uniformed Personnel."

(25) "Uniformed Personnel" means any employee who is a policeman in service or who is subject to call to active service or duty as such.

"Effective date."

(26) "Effective Date" when used with regard to employees means the date on which any individual or group of employees became members of any retirement system and when used with regard to any city or town shall mean the date on which it became a participant.

"Actuarial Equivalent."

(27) "Actuarial Equivalent" means a benefit of equal value when computed at regular interest upon the basis of such mortality tables as shall be adopted by the board of trustees.

"Persons Having an Insurable Interest in His Life."

(28) "Persons Having an Insurable Interest in His Life" means and includes only such persons who,



because of relationship from ties of blood or marriage, have reason to expect some benefit from the continuation of the life of a member.

(29) "Additional Contributions" shall mean contributions made pursuant to subdivision (f) of section 41.44.130. "Additional Contributions."

(30) "Accumulated Additional Contributions" mean the sum of all "additional contributions" made by a member standing to the credit of the individual account, together with regular interest thereon. "Accumulated Additional Contributions."

[Am. Rem. Supp. 1947, § 9592-132.]

[R.C.W. 41.44.120 is Rem. Supp. 1947, § 9592-141.]

SEC. 3. Section 41.44.060, R.C.W., as derived from section 6, chapter 71, Laws of 1947, is amended to read as follows: Amendment.

Policemen in first-class cities and all city firemen shall be excluded from the provisions of this chapter, except those employees of the fire department who are not eligible to the benefits of any firemen's pension system established by or pursuant to state law, and who shall be included in the miscellaneous personnel. Certain policemen and firemen excluded.

[Am. Rem. Supp. 1947, § 9592-135.]

SEC. 4. Section 41.44.080, R.C.W., as derived from section 1, chapter 171, Laws of 1949, is amended to read as follows: Amendment.

The administration of the system is hereby vested in the board of trustees created in 41.44.070 of this chapter and the board shall: Board of trustees; duties.

(a) Keep in convenient form such data as shall be deemed necessary for actuarial valuation purposes; Maintain data.

(b) From time to time, through its actuary, make an actuarial investigation into the mortality and service experience of the beneficiaries under this chapter and the various accounts created for the purpose of showing the financial status of the retirement fund; Investigate mortality and service experience.

Adopt mortality, etc., tables.

(c) Adopt for the retirement system the mortality tables and such other tables as shall be deemed necessary;

Certify cities contributions to fund.

(d) Certify annually the amount of appropriation which each city shall pay into the retirement fund in the next fiscal year, at such a time that the local authorities shall have ample opportunity for including such expense in the budget;

Keep record of proceedings.

(e) Keep a record of all its proceedings, which shall be open to inspection by the public;

Adopt rules and regulations.

(f) From time to time adopt such rules and regulations not inconsistent with this chapter, for the administration of the provisions of this chapter, for the administration of the fund created by this chapter and the several accounts thereof, and for the transaction of the business of the board;

Manage funds.

(g) Provide for investment, reinvestment, deposit and withdrawal of funds;

Publish annual financial statement.

(h) Prepare and publish annually a financial statement showing the condition of the fund and the various accounts thereof, and setting forth such other facts, recommendations and data as may be of use in the advancement of knowledge concerning the statewide city employees retirement system, and furnish a copy thereof to each city which has joined the retirement system, and to such members as may request copies thereof;

Serve gratuitously.

(i) Serve without compensation but shall be reimbursed for expense incident to service as individual members thereof;

Determine certain city expenses.

(j) Determine equitable amount of administrative expense and death-in-line-of-duty benefit expense to be borne by each city;

Furnish actuarial services to cities.

(k) Make available to any city considering participation in the system, the services of the actuary employed by the board for the purpose of ascertaining the probable cost of such participation. The cost of any such calculation or valuation shall be paid by

the city requesting same to the retirement system;

(l) Perform such other functions as are required for the execution of the provisions of this chapter;

Perform other functions.

(m) No member of the board shall be liable for the negligence, default or failure of any employee or of any other member of the board to perform the duties of his office and no member of the board shall be considered or held to be an insurer of the funds or assets of the retirement system but shall be liable only for his own personal default or individual failure to perform his duties as such member and to exercise reasonable diligence to provide for the safeguarding of the funds and assets of the system.

Liability of board members.

(n) Fix the amount of interest to be credited at a rate which shall be based upon the net annual earnings of the fund for the preceding twelve-month period and from time to time make any necessary changes in such rate.

Fix interest rate.

[Am. Rem. Supp. 1949, § 9592-137.]

[R.C.W. 41.44.070 is Rem. Supp. 1947, § 9592-136.]

SEC. 5. Section 41.44.090, R.C.W., as derived from section 2, chapter 171, Laws of 1949, is amended to read as follows:

Amendment.

(a) There shall be paid into the retirement fund by contributions of each city the amounts necessary to pay the following:

City contributions.

(1) Contributions equal to those deposited by employees;

(2) Prior service credits at such rate as may be selected;

(3) That part of a retirement allowance necessary to raise it to a specified minimum;

(4) An equitable share of the administrative costs, all of which costs are to be paid by the cities;

(5) An equitable share of the cost of the death-in-the-line-of-duty benefit, all of which costs are to be paid by the cities.

(b) Payment of the obligations set forth in subsection (a) of this section may be made in advance

Time for payments.

or may be paid currently as contributions are received from employees and pensions are paid to retired members: *Provided*, That the share of administrative expense and expense of the death-in-line-of-duty benefits shall be paid as soon as funds are available to make such payment and the board shall have the right to require any city that has withdrawn from the system, to annually, at the beginning of each calendar year, deposit and pay in cash an amount estimated by the board to be sufficient to meet the obligation of such city for the ensuing year to those of its members receiving a retirement allowance. From time to time each city may apply reserves in payment of the obligations set forth above as contemplated in 41.44.200;

Expense payments to be paid as funds available.

Cities which have withdrawn.

Reserves.

Participating cities; board furnish estimate of obligations.

Same; board to keep account with.

Same; board to furnish monthly statement to.

System not liable for benefits, when.

(c) The board shall furnish each city with an estimate of the amount necessary to pay the obligations of the city in the ensuing fiscal year and the city shall provide therefor in its budget. The board shall cause to be kept an account with each city, crediting the account with such advances and payments as are made by the city and debiting the account with such charges as properly accrue against the city. The board shall furnish each city with a monthly statement of the amount of matching contributions, prior service charges and charges for minimum retirement allowances properly accruing by reason of payment of retirement allowances and deposit of contributions of members;

(d) Notwithstanding anything to the contrary, the retirement system shall not be liable for the payment of any retirement allowances or other benefits on account of the employees or retired members of any city under this chapter, for which reserves or guarantees have not been properly set up by such city or its employees to pay such retirement allowances or other benefits: *Provided*, That nothing herein contained shall be so construed to prevent

the establishment of a reserve account for annuities and pensions in which shall be placed at the time of retirement of any member the balances of the retiring member's contribution and the city's matching funds for such member and from which account all annuities and current service pensions shall be paid;

(e) Any city may, by majority vote of its electors, withdraw from participation in the retirement system two years after giving written notice to the board of such action by the electorate. It is hereby specifically provided, however, that the city's obligation to those members receiving or eligible to a retirement allowance prior to such termination of participation shall continue in full force and effect as provided in this chapter. Members not receiving or being eligible to a retirement allowance at time of such termination shall be paid their accumulated contributions on demand. Should it develop that any such city is entitled to a refund such refund shall be made within one year following demand of city entitled thereto.

Withdrawal  
by city from  
system;  
procedure.

Rights of  
members.

Refund.

[Am. Rem. Supp. 1949, § 9592-138.]

[R.C.W. 41.44.200 is Rem. Supp. 1947, § 9592-149.]

SEC. 6. Section 41.44.100, R.C.W., as derived from section 3, chapter 171, Laws of 1949, is amended to read as follows:

Amendment.

(a) A fund is hereby created and established to be known as the "statewide city employees retirement fund," and shall consist of all moneys paid into it in accordance with the provisions of this chapter, whether such moneys shall take the form of cash, securities, or other assets: *Provided*, That such assets shall be public funds to the extent necessary to authorize any bank to deposit such collateral security necessary and required under the laws of the state to secure the deposit of public funds belonging to a city;

Statewide  
city  
employees  
retirement  
fund created.

Assets public  
funds for  
deposit  
purposes.

Board  
custodian of  
fund.

(b) The board of trustees shall be the custodian of the retirement fund and shall arrange for the safekeeping thereof. Subject to such provisions as may be prescribed by law for the deposit of city funds in banks, cash belonging to the retirement fund may be deposited in any licensed national bank or banks in the state, or in any bank, banks or corporations authorized or licensed to do a banking business and organized under the laws of the state of Washington; and may be withdrawn on order of the board for the purpose of making such payments as are authorized and required by this chapter;

Deposit.

Withdrawal.

Investment  
of pension  
fund monies  
in certain  
securities.

(c) The board may invest pension fund moneys in such securities of the United States, states, Dominion of Canada, public housing authorities, municipal corporations and other public bodies, as are designated by the laws of the state as lawful investments for the funds of mutual savings banks, and to invest not to exceed twenty-five per cent of the system's total investments in the securities of any corporations or public utility bodies as are designated by the laws of the state as lawful investments for the funds of mutual savings banks: *Provided*, That not more than five per cent of the system's total investments may be made in the securities of any one of such corporations or public utility bodies.

Limitation.

Investment  
in certain  
open-end  
investment  
companies.

(d) Subject to the limitations hereinafter provided, investment of pension funds may also be made in amounts not to exceed five per cent of the system's total investments in the shares of certain open-end investment companies: *Provided*, That not more than one per cent of the system's total investments may be made in the shares of any one such open-end investment company. The total amount invested in any one company shall not exceed one per cent of the assets of such company, and shall only be made in the shares of such companies as are registered as "open-end companies" under the

Limitation.

federal investment company act of 1940, as amended. Such company must be at least ten years old and have net assets of at least five million dollars. It must have no outstanding bonds, debentures, notes, or other evidences of indebtedness, or any stock having priority over the shares being purchased, either as to distribution of assets or payment of dividends. It must have paid dividends from investment income in each of the ten years next preceding purchase. It must not have made, during the two years next preceding such purchase, any distribution from realized capital gains except during the last month of its federally taxable year. The maximum selling commission on its shares may not exceed seven and one-half per cent of the sum of the asset value plus such commission.

Qualifications of company.

(e) Investment of pension funds may also be made in the bonds of any municipal corporation or other public body of the state; and in any of the bonds or warrants, including local improvement bonds or warrants within the protection of the local improvement guaranty fund law, issued by any city or town which is a member of the system.

Investment in certain municipal bonds and warrants.

[Am. Rem. Supp. 1949, § 9592-139.]

SEC. 7. Section 41.44.110, R.C.W., as derived from section 4, chapter 171, Laws of 1949, is amended to read as follows:

Amendment.

(a) Subject to paragraph (b) of this section, membership of this retirement system shall be composed of the following groups of employees in any participating city or cities:

Membership composed of following groups;

(1) Miscellaneous personnel as defined in this chapter;

Miscellaneous personnel,

(2) Uniformed personnel, as defined in this chapter, not eligible to benefits under any existing state pension law;

Uniformed personnel,

(3) Elective officials, who shall have the right to membership in this retirement system upon filing

Elective officials,

written notice of such election with the board of trustees;

Employees of the system.

(4) Employees of the retirement system itself shall be entitled to membership and any costs in connection with such membership shall be a part of the cost of administration.

One or any combination of groups may be included.

(b) Any city may, when electing to participate in this retirement system in the manner set forth in 41.44.050, include any one group or combination of the groups above mentioned but must include or exclude all employees in any group. Groups (3) and (4) shall be considered as being composed of miscellaneous personnel as far as benefits and obligations are concerned except when the contrary is clearly indicated.

Groups (3) and (4) considered miscellaneous personnel.

Groups (1) and (2); membership compulsory.

(c) Subject to paragraph (b) of this section, membership in the retirement system shall be compulsory for all employees in groups (1) and (2), after qualification as provided in subdivision (d) of this section.

Date of becoming members.

(d) Subject to paragraph (b) of this section, all employees in city service on the effective date or on June 9, 1949, shall be members of the system, provided that such employees who are not regular full time employees and are earning less than fifty dollars per month, or are part-time employees serving in an official or special capacity may with the acquiescence of the legislative body of the city or town in which they are employed, elect on or before January 1, 1950, to discontinue membership by giving written notice of such election to the board. All regular full time employees entering city employment in the uniform personnel, not eligible to benefits under any existing state pension law, shall become members as of the date of their respective employment. All other regular employees earning more than fifty dollars per month shall become members upon the completion of six consecutive months service or six months service in any calendar year;



any such employee otherwise eligible, employed in a permanent position, may elect in writing to become a member of the system at any time prior to completing such six months service. Such individual employees other than regular employees, who are earning less than fifty dollars per month or who are serving in an official or special capacity may elect to become members with the acquiescence of the legislative body of the city or town in which they are employed upon the completion of six months of consecutive service or six months service in any calendar year, except those in the uniformed personnel, who shall become members as of the date of their respective employment.

(e) It shall be the duty of the proper persons in each city to immediately report to the board routine changes in the status of personnel and to immediately furnish such other information regarding the employment of members as the board may from time to time require.

Report of change of status of personnel.

(f) Should any member withdraw more than one-quarter of his accumulated contributions, or should he die or be retired, he shall thereupon cease to be a member.

Membership ceases; when.

(g) Transfer of any employee from one city to another shall not cause the employee to lose membership in the system providing the city to which he transfers participates in the retirement system created herein.

Transfer of employee to another city.

[Am. Rem. Supp. 1949, § 9592-140.]

[R.C.W. 41.44.050 is Rem. Supp. 1947, § 9592-134.]

SEC. 8. Section 41.44.120, R.C.W., as derived from section 12, chapter 71, Laws of 1947, is amended to read as follows:

Amendment.

(a) Subject to subsection (d) of this section the following members shall be entitled to prior service credit:

Members entitled to prior service credit.

(1) Each member in service on the effective date.

(2) Each member entering after the effective date if such entry is within one year after rendering service prior to the effective date.

Certificate of prior service credit.

As soon as practicable, the board shall issue to each member entitled to prior service credit a certificate certifying the aggregate length of service rendered prior to the effective date. Such certificate shall be final and conclusive as to his prior service unless hereafter modified by the board, upon application of the member.

City may select rate for calculating prior service pensions.

(b) Each city joining the system shall have the privilege of selecting the rate at which prior service pensions shall be calculated for its employees and may select any one of the three rates set forth below:

"Full prior service credit."

(1) 1.33% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "full prior service credit."

"Three fourths prior service credit."

(2) 1.00% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "three-fourths prior service credit."

"One-half prior service credit."

(3) .667% of final compensation multiplied by the number of years of prior service credited to the member. This rate may be referred to as "one-half prior service credit."

Rates applicable at age 62 and 60.

(c) The above rates shall apply at the age of sixty-two or over for members included in the miscellaneous personnel and at age sixty or over for members in the uniformed personnel: *Provided*, That if a member shall retire before attaining either of the ages above referred to the total prior service pension shall be reduced by percentages computed actuarially, for miscellaneous personnel at all ages under sixty-two; and for uniformed personnel at all ages under sixty.

Death of member before attaining 62 or 60, effect.

(d) If sickness, injury or service in the armed forces of the United States during the national emer-

gency identified with the First World War or the Second World War and/or service in the armed forces of the United States of America for extended active duty by any employee who shall have been regularly granted a leave of absence from the city service by reason thereof, prevents any regular employee from being in service on the effective date, the board shall grant prior service credit to such person when he is again employed. The legislative authority in each participating city shall specify the amount of prior service to be granted or current service credit to be made available to such employees: *Provided*, That in no case shall such service credit exceed five years. Certificate of honorable discharge from or documentary evidence of such service shall be submitted to the board before any such credit may be granted or made available. Prior or current service rates, or both, for such employees shall not exceed the rates established for fellow employees.

Employee on duty with armed forces on effective date.

[Am. Rem. Supp. 1947, § 9592-141.]

SEC. 9. Section 41.44.130, R.C.W., as derived from section 13, chapter 71, Laws of 1947, is amended to read as follows:

Amendment.

(a) The normal rates of contribution of members shall be based on sex and age at time of entry into the system, which age shall be the age at the birthday nearest the date of such entry.

Normal rates of contribution based on sex and age at date of entry.

(b) The normal rates of contribution for miscellaneous personnel shall be so fixed as to provide an annuity which, together with the pension provided by the city, shall produce as nearly as may be, a retirement allowance at the age of sixty-two years, of one and one-third per cent of the final compensation multiplied by the number of years of service of the retiring employee. The normal rate established for age sixty shall be the rate for any member who has attained a greater age before entrance into the retirement system and the normal contribution established for age twenty-four shall be the rate for

Same; for miscellaneous personnel, how computed.

any member who enters the system at an earlier age.

Same; for uniformed personnel,

(c) The normal rates of contribution for uniformed personnel shall be so fixed as to provide an annuity which, together with the pension provided by the city, shall produce as nearly as may be a retirement allowance at the age of sixty years, of one and one-third per cent of the final compensation multiplied by the number of years of service of the retiring employee. The normal rate established for age fifty-eight shall be the rate for any member who has attained a greater age before entrance into the retirement system and the normal contribution established for age twenty-two shall be the rate for any member who enters the system at an earlier age.

how computed.

Board certifies rate of deductions.

(d) Subject to the provisions of this chapter, the board shall adopt rules and regulations governing the making of deductions from the compensation of employees and shall certify to the proper officials in each city the normal rate of contribution for each member provided for in paragraphs (b) and (c) of this section. The proper officials in each city shall apply such rate of contribution to so much of the compensation of a member as does not exceed three hundred dollars per month, and shall certify to the board on each and every payroll the total amount to be contributed and shall furnish immediately to the board a copy of each and every payroll; and each of said amounts shall be forwarded immediately to the board and the board shall credit the deduction shown on such payroll to individual accounts of the members represented on such payrolls.

Rates applied to compensation not over \$300.

Deduction credited.

Members deemed to consent to contribution.

(e) Every member shall be deemed to consent and agree to the contribution made and provided for herein, and shall receipt in full for his salary or compensation. Payment less said contributions shall be a full and complete discharge of all claims and

demands whatsoever for the service rendered by such person during the period covered by such payment, except his claim to the benefits to which he may be entitled under the provisions of this chapter.

(f) Any member may elect to contribute in excess of the contributions provided for in this section in accordance with rules to be established by the board for the purpose of providing additional benefits, but the exercise of this privilege shall not place on the member city or cities any additional financial obligation. The board shall have authority to fix the rate of interest to be paid or allowed upon the additional contributions and from time to time make any necessary changes in said rate. Refunds of additional contributions shall be governed by the same rules as those covering normal contributions unless the board shall establish separate rules therefor.

Additional  
contribu-  
tions.

Interest.

Refunds.

[Am. Rem. Supp. 1947, § 9592-142.]

SEC. 10. Section 41.44.140, R.C.W., as derived from section 14, chapter 71, Laws of 1947, is amended to read as follows:

Amendment.

Retirement of a member for service shall be made by the board as follows:

Service  
retirement.

(a) Each member included in the miscellaneous personnel in service on the effective date, who, on or before such effective date, has attained the age of sixty-five years or over shall be compulsorily retired forthwith: *Provided*, That there shall be no compulsory retirements for a period of two years immediately following the effective date, but any member having attained the age of sixty-five may voluntarily retire at any time after attaining such age. Members included in the miscellaneous personnel attaining age sixty-five after effective date shall be retired on the first day of the calendar month next succeeding the month in which the member shall have attained sixty-five, but none of such members shall be subject to compulsory retirement until

Compulsory  
retirement  
of miscella-  
neous  
personnel.

two years after the effective date. The legislative authority of the city shall have the privilege at all times of extending time for retirement to attainment by such member of age sixty-seven.

Voluntary retirement of miscellaneous personnel.

(b) Any member included in the miscellaneous personnel may retire by filing with the board a written application duly attested, setting forth on what date he desires to be retired, such application to be made at least thirty days prior to date of retirement: *Provided*, That said member, at the time specified for his retirement, shall have twenty years of creditable service, and shall have attained the age of sixty years, or shall have thirty years of creditable service regardless of attained age: *Provided further*, That during the two years immediately following the effective date voluntary service retirement of such members under sixty-two years of age shall not be granted.

Compulsory retirement of uniformed personnel.

(c) Each member included in the uniformed personnel in service on the effective date who on or before such effective date has attained the age of sixty years or over shall be compulsorily retired forthwith: *Provided*, That there shall be no compulsory service retirements for a period of two years immediately following the effective date, but any such member having attained the age of sixty years may voluntarily retire at any time after attaining such age. Members included in the uniformed personnel attaining age sixty after the effective date shall be retired on the first day of the calendar month next succeeding the month in which the member shall have attained the age of sixty, but none of such members shall be subject to compulsory retirement until two years after the effective date. The legislative authority shall have the privilege at all times of extending time for retirement to attainment by such member of age sixty-four.

Voluntary retirement of uniformed personnel.

(d) Any member included in the uniformed personnel may retire by filing with the board a written

application duly attested, setting forth on what date he desires to be retired, such application to be made at least thirty days prior to date of retirement: *Provided*, That said members, at the time specified for retirement, shall have twenty-five years of creditable service and shall have attained the age of fifty-five years, or shall have thirty years of creditable service regardless of attained age: *Provided further*, That during the two years immediately following the effective date voluntary service retirement of such members under age sixty shall not be granted.

(e) After the retirement of any employee, any member city, by unanimous vote of its legislative body and with the consent of the board, may reemploy or retain such employee in its service to fill a supervisory or key position.

Reemployment of retired personnel.

[Am. Rem. Supp. 1947, § 9592-143.]

SEC. 11. Section 41.44.150, R.C.W., as derived from section 5, chapter 171, Laws of 1949, is amended to read as follows:

Amendment.

(a) A member, upon retirement for service, shall receive a retirement allowance subject to the provisions of paragraph (b) of this section, which shall consist of:

Retirement allowance.

(1) An annuity which shall be the actuarial equivalent of his accumulated normal contributions at the time of his retirement; and

Annuity.

(2) A pension provided by the contributions of the city, equal to the annuity purchased by the accumulated normal contributions of the member;

Pension.

(3) For any member having credit for prior service an additional pension, provided by the contributions of the city, as set forth in 41.44.120 at the rate selected by the city employing the member;

Prior service pension.

(4) Any member who has ten or more years of creditable service and who is retired by reason of attaining the age of sixty-five or over if included in the miscellaneous personnel or the age of sixty or over if included in the uniformed personnel, and

Minimum amount of pension.

whose retirement allowance is calculated to be less than forty dollars per month, shall receive such additional pension, provided by the contributions of the city, as will make his total retirement allowance equal to forty dollars per month. An annuity purchased by accumulated additional contributions in such case shall be paid in addition to the minimum guaranteed as hereinafter provided.

Minimum paid in addition to additional contribution annuity.

(b) If the retirement allowance of the member as provided in this section, is in excess of one-half of his final compensation, the pension of the member, purchased by the contributions of the city, shall be reduced to such an amount as shall make the member's retirement allowance equal to one-half of his final compensation.

Maximum amount of compensation.

(c) A member, upon retirement from service, shall receive in addition to the retirement allowance provided in this section, an additional annuity which shall be the actuarial equivalent of any accumulated additional contributions which he has to his credit at the time of his retirement.

Additional annuity based on accumulated additional contributions.

[Am. Rem. Supp. 1949, § 9592-144.]  
 [R.C.W. 41.44.120 appears as sec. 8, *supra*.]

SEC. 12. Section 41.44.160, R.C.W., as derived from section 6, chapter 171, Laws of 1949, is amended to read as follows:

Amendment.

Any member who has at least five years of creditable service within the fifteen years immediately preceding retirement and has not attained the age of sixty-five years, or who attains or has attained the age of sixty-five years prior to two years after the effective date, may be retired by the board for permanent and total disability, either ordinary or accidental, upon examination as follows:

Disability retirement.

Any member while in service, or while physically or mentally incapacitated for the performance of duty, if such incapacity has been continuous from discontinuance of city service, shall be examined by such medical authority as the board shall employ,

Medical examination.



upon the application of the head of the office or department in which the member is employed with approval of the legislative body, or upon application of said member, or a person acting in his behalf, stating that said member is permanently and totally incapacitated, either physically or mentally, for the performance of duty and ought to be retired. If examination shows, to the satisfaction of the board, that the member should be retired, he shall be retired forthwith: *Provided*, That no such application shall be considered or granted upon the application of a member unless said member or someone in his behalf, in case of the incapacity of a member, shall have filed the application within a period of one year from and after the discontinuance of service of said member: *Provided*, The board shall retire the said member for disability forthwith: *Provided*, That the disability retirement allowance shall be effective on the first of the month following that in which the member last received salary or wages in city service.

Retired forthwith.

Application; time for filing.

Allowance; effective when.

The board shall secure such medical services and advice as it may deem necessary to carry out the purpose of this section and 41.44.180.

Board to secure medical services.

The provisions of this section shall not be applicable to employees pensioned for total and permanent disability, as defined in and pursuant to state or federal law, other than those pensioned on account of military service, except as to the amount of retirement allowance provided for herein may exceed the pension provided by state or federal law; nor shall the provisions of this section in so far as it provides for permanent and total disability from accident in course of employment apply to any member who is within and entitled to the benefits of the state workmen's compensation act and medical aid act.

Disability allowance not payable under certain conditions.

[Am. Rem. Supp. 1949, § 9592-145.]

[R.C.W. 41.44.180 is Rem. Supp. 1947, § 9592-147.]

SEC. 13. Section 41.44.170, R.C.W., as derived from section 17, chapter 71, Laws of 1947, is amended to read as follows:

Amendment. Allowance on disability retirement. On retirement for permanent and total disability a member shall receive a retirement allowance which shall consist of:

Annuity. (1) An annuity which shall be the actuarial equivalent of his accumulated normal contributions; and

Pension. (2) A pension provided by the contributions of the city which, together with his annuity provided by his accumulated normal contributions, shall make the retirement allowance equal to one and one-fourth per cent of his final compensation multiplied by the number of years of service credited to him, if such retirement allowance exceeds forty dollars per month; otherwise he shall receive a retirement allowance of forty dollars per month.

Minimum disability allowance. Line of duty disability; minimum allowance. (3) If it appears to the satisfaction of the board that disability was incurred in line of duty and the retirement allowance to be provided under subsection (1) and (2) of this section is less than sixty dollars per month, then there shall be provided by contributions of the city such additional pension as shall make the retirement allowance equal to sixty dollars per month.

Maximum disability allowance. (4) No disability retirement allowance shall exceed fifty per cent of final compensation, anything herein to the contrary notwithstanding.

On death of recipient; payment of accumulated contribution less annuity payments. (5) Upon the death of a member while in receipt of a disability retirement allowance, his accumulated contributions, as they were at the date of his retirement, less any annuity payments made to him, shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board.

(6) If disability is due to intemperance, willful misconduct, or violation of law, on the part of the member, the board, in its discretion, may pay to said member, in one lump sum his accumulated contribution, in lieu of a retirement allowance, and such payment shall constitute full satisfaction of all obligations of the city to such member.

Payment where disability due to misconduct.

(7) In addition to the annuity and pension provided for in subdivisions (1) and (2) of this section, a member shall receive an annuity which shall be the actuarial equivalent of his accumulated additional contributions.

Annuity based on additional contributions.

[Am. Rem. Supp. 1947, § 9592-146.]

SEC. 14. Section 41.44.190, R.C.W., as derived from section 19, chapter 71, Laws of 1947, is amended to read as follows:

Amendment.

(a) Should service of a member be discontinued except by death or retirement, he shall be paid six months after the day of discontinuance such part of his accumulated contributions as he shall demand. Six months after the date of such discontinuance, unless on leave of absence regularly granted, his rights to all benefits as a member shall cease, without notice, and his accumulated contributions shall be returned to him in any event or held for his account if for any reason the return of the same is prevented: *Provided*, That the board may in its discretion, grant the privilege of withdrawal at any time following such discontinuance. The board may establish rules and regulations to govern withdrawal and redeposit of contributions.

Discontinuance of service other than by death or retirement; effect.

(b) Should a former member, within five years after discontinuance of service, return to service in the same city in which he was employed he may restore to the fund in such manner as may be agreed upon by such person and the board, his withdrawn normal accumulated contributions as they were at the time of his separation from service and upon

Member re-employed may restore contributions.

completion of such reposit all his rights and privileges existing at the time of discontinuance of service shall be restored and his obligations as a member shall begin again. The rate of contribution of such returning member shall be the same as it was at the time he separated from service.

Accumulated contributions; payment on death before retirement.

(c) Upon the death of any person who has not been retired, pursuant to the provisions hereof, there shall be paid to his estate, or to such persons having an insurable interest in his life as he shall have nominated by written designation duly executed and filed with the board, his accumulated contributions less any payments therefrom already made to him. Such payment may be made in one lump sum or may be paid in installments over a period of not to exceed five years, as may be designated by the member or his beneficiary, with such rate of interest as may be determined by the board.

Former member re-employed by another city.

(d) If a former member shall, within one year from date of discontinuance of service, be employed by another city participating in this retirement system he shall have the privilege of repositing and the matching contributions deposited by the city or cities in which he was formerly employed shall again be held for the benefit of such member. If such repositing member possessed a prior service certificate the city employing him at time of retirement shall accept the liability evidenced by such certificate. Reinstatement of a prior service certificate shall be effective only upon a showing that normal contributions are on deposit in the retirement fund, to the credit of the member, covering all current service.

[Am. Rem. Supp. 1947, § 9592-148.]

Amendment.

SEC. 15. Section 41.44.250, R.C.W., as derived from section 25, chapter 71, Laws of 1947, is amended to read as follows:

The payment of any retirement allowance to a member who has been retired from service shall be suspended during the time that the beneficiary is in receipt of compensation for service to any city or town that is a member of the statewide city employees' retirement system, except as to the amount by which such retirement allowance may exceed such compensation for the same period. It is the intent of this section to prevent any retired person from being able to receive both his retirement allowance and compensation for service to any city or town that is a member of the statewide city employees' retirement system: *Provided*, That nothing in this section shall prevent county or state welfare departments from furnishing to any retired employee under the terms of this chapter the hospital, medical, dental and other benefits granted to pensioners under the provisions of title 74.

Retirement allowance suspended while beneficiary receives compensation for service from a member city.

[Am. Rem. Supp. 1947, § 9592-154.]

Passed the House March 8, 1951.

Passed the Senate March 8, 1951.

Approved by the Governor March 20, 1951.



## AUTHENTICATION

---

I, Earl Coe, Secretary of State of the State of Washington, do hereby certify that I have caused to be carefully compared the foregoing published laws passed by the Thirty-Second Legislative Session of the State of Washington, held from January 8, 1951, until March 8, 1951, inclusive, with the original enrolled laws, now on file in this office, and find the same to be a full, true and correct copy of said originals with the exception of such corrections in spelling and use of words bracketed, thus [ ], in each case as provided by law.

*In Testimony Whereof*, I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Dated at Olympia, Washington, this 16th day of August, 1951.



A handwritten signature in black ink, appearing to read "Earl Coe".

EARL COE

*Secretary of State.*





**JOINT RESOLUTIONS OF THE SENATE AND HOUSE**  
(Only those resolutions proposing amendments to the State Constitution  
are printed herein)

SUBSTITUTE SENATE JOINT RESOLUTION NO. 7.

**\*Ballot Title**

**Shall Article II of the Constitution be amended by adding a new section to provide that no act approved by the people shall be amended or repealed by the legislature within two years following such approval except by a vote of two-thirds of all members of the legislature or by a direct vote of the people at any general or special election thereon?**

*Be It Resolved*, By the Senate and the House of Representatives of the State of Washington in legislative session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1952, there shall be submitted to the qualified voters of this state for their approval and ratification or rejection an amendment to the Constitution of the State of Washington, by adding to Article II thereof a new section reading as follows:

No act, law, or bill subject to referendum shall take effect until ninety days after the adjournment of the session at which it was enacted. No act, law, or bill approved by a majority of the electors voting thereon shall be amended or repealed by the legislature within a period of two years following such enactment: *Provided*, That any such act, law or bill may be amended within two years after such enactment at any regular or special session of the legislature by a vote of two-thirds of all the members elected to each house with full compliance with section 12, Article III, of the Washington Constitution, and no amendatory law adopted in accordance with this provision shall be subject to referendum. But such enactment may be amended or repealed at any general, regular or special election by direct vote of the people thereon. These provisions supersede the provisions of subsection (c) of section 1 of this article as amended by the seventh amendment to the constitution of this state.

*Be It Further Resolved*, That the secretary of state shall cause the foregoing amendment to be published for at least three months next preceding the election in a weekly newspaper in every county wherein a newspaper is published throughout the state.

Passed the Senate February 1, 1951.

Passed the House March 6, 1951.

---

\* As prepared by Smith Troy, Attorney General.

## HOUSE JOINT RESOLUTION NO. 6.

**\*Ballot Title**

**Shall Article IV of the Constitution be amended by adding a new section to provide that judges of the supreme court and superior courts shall retire at the age of seventy-five but permitting the legislature to prescribe a lesser age or other causes for retirement?**

*Be It Resolved*, By the Senate and House of Representatives of the State of Washington in Legislative Session assembled:

THAT, At the general election to be held on the Tuesday next succeeding the first Monday in November, 1952, there shall be submitted to the qualified voters of this state for their adoption and approval, or rejection, an amendment to Article IV of the Constitution of the State of Washington, by adding thereto a new section to be numbered section 3(a) of Article IV, which shall read as follows:

Section 3(a). A judge of the supreme court or the superior court shall retire from judicial office at the end of the calendar year in which he attains the age of seventy-five years. The legislature may, from time to time, fix a lesser age for mandatory retirement, not earlier than the end of the calendar year in which any such judge attains the age of seventy years, as the legislature deems proper. This provision shall not affect the term to which any such judge shall have been elected or appointed prior to, or at the time of, approval and ratification of this provision. Notwithstanding the limitations of this section, the legislature may by general law authorize or require the retirement of judges for physical or mental disability, or any cause rendering judges incapable of performing their judicial duties.

*And Be It Further Resolved*, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House February 8, 1951.

Passed the Senate March 6, 1951.

---

\* As prepared by Smith Troy, Attorney General.

## HOUSE JOINT RESOLUTION NO. 8.

**\*Ballot Title**

**Shall Article VIII, section 6 of the Constitution be amended to permit school districts to become indebted when authorized by popular vote up to an additional five per cent of assessed valuation for capital outlays?**

*Be It Resolved*, By the Senate and House of Representatives of the State of Washington in Legislative Session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1952, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article VIII, section 6 of the Constitution of the State of Washington, to read as follows:

Section 6. No county, city, town, school district, or other municipal corporation shall for any purpose become indebted in any manner to an amount exceeding one and one-half per centum of the taxable property in such county, city, town, school district, or other municipal corporation, without the assent of three-fifths of the voters therein voting at an election to be held for that purpose, nor in cases requiring such assent shall the total indebtedness at any time exceed five per centum on the value of the taxable property therein, to be ascertained by the last assessment for state and county purposes previous to the incurring of such indebtedness, except that in incorporated cities the assessment shall be taken from the last assessment for city purposes: *Provided*, That no part of the indebtedness allowed in this section shall be incurred for any purpose other than strictly county, city, town, school district, or other municipal purposes: *Provided further*, That (a) any city or town, with such assent, may be allowed to become indebted to a larger amount, but not exceeding five per centum additional for supplying such city or town with water, artificial light, and sewers, when the works for supplying such water, light, and sewers shall be owned and controlled by the municipality and (b) any school district with such assent, may be allowed to become indebted to a larger amount but not exceeding five per centum additional for capital outlays.

---

\* As prepared by Smith Troy, Attorney General.

*And Be It Further Resolved*, That the secretary of state shall cause the foregoing constitutional amendment to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House February 8, 1951.

Passed the Senate March 6, 1951.

### SUBSTITUTE HOUSE JOINT RESOLUTION NO. 13.

#### **\*Ballot Title**

**Shall Article IV, section 6 of the Constitution be amended to permit superior courts to have original jurisdiction in all cases where the controversy amounts to one thousand dollars or a lesser sum in excess of the jurisdiction granted inferior courts; and shall Article IV, section 10 of the Constitution be amended to permit justices of the peace to have original jurisdiction where the controversy amounts to less than three hundred dollars or such greater sum not to exceed one thousand dollars?**

*Be It Resolved*, By the Senate and House of Representatives of the State of Washington in Legislative Session assembled:

THAT, At the general election to be held in this state on the Tuesday next succeeding the first Monday in November, 1952, there shall be submitted to the qualified voters of the state for their approval and ratification, or rejection, amendments to Article IV, section 6, and Article IV, section 10, of the Constitution of the State of Washington, so that said sections shall read as follows:

Article IV, section 6. The superior court shall have original jurisdiction in all cases in equity and in all cases at law which involve the title or possession of real property, or the legality of any tax, impost, assessment, toll, or municipal fine, and in all other cases in which the demand or the value of the property in controversy amounts to one thousand dollars, or a lesser sum in excess of the jurisdiction granted to justices of the peace and other inferior courts, and in all criminal cases amounting to felony, and in all cases of misdemeanor not otherwise provided for by law; of actions of forcible entry and detainer; of proceedings in insolvency; of actions to prevent or abate a nuisance; of all matters of probate, of divorce, and for annulment of mar-

---

\* As prepared by Smith Troy, Attorney General.

riage; and for such special cases and proceedings as are not otherwise provided for. The superior court shall also have original jurisdiction in all cases and of all proceedings in which jurisdiction shall not have been by law vested exclusively in some other court; and said court shall have the power of naturalization and to issue papers therefor. They shall have such appellate jurisdiction in cases arising in justices' and other inferior courts in their respective counties as may be prescribed by law. They shall always be open, except on nonjudicial days, and their process shall extend to all parts of the state. Said courts and their judges shall have power to issue writs of mandamus, quo warranto, review, certiorari, prohibition, and writs of habeas corpus, on petition by or on behalf of any person in actual custody in their respective counties. Injunctions and writs of prohibition and of habeas corpus may be issued and served on legal holidays and nonjudicial days.

Article IV, section 10. The legislature shall determine the number of justices of the peace to be elected and shall prescribe by law the powers, duties and jurisdiction of justices of the peace: *Provided*, That such jurisdiction granted by the legislature shall not trench upon the jurisdiction of superior or other courts of record, except that justices of the peace may be made police justices of incorporated cities and towns. Justices of the peace shall have original jurisdiction in cases where the demand or value of the property in controversy is less than three hundred dollars or such greater sum, not to exceed one thousand dollars, as shall be prescribed by the legislature. In incorporated cities or towns having more than five thousand inhabitants, the justices of the peace shall receive such salary as may be provided by law, and shall receive no fees for their own use.

*And Be It Further Resolved*, That the secretary of state shall cause the foregoing constitutional amendments to be published for at least three months next preceding the election in a weekly newspaper in every county in the state in which such a newspaper is published.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.



## **Initiative and Referendum Measures Filed With the Secretary of State and the Disposition Thereof**

- INITIATIVE MEASURE NO. 1 (State Wide Prohibition)—Filed January 2, 1914. Refiled as Initiative Measure No. 3 (q.v.).
- INITIATIVE MEASURE NO. 2 (Eight Hour Law)—Filed January 3, 1914. Refiled as Initiative Measure No. 5 (q.v.).
- INITIATIVE MEASURE NO. 3 (State Wide Prohibition)—Filed January 8, 1914. Submitted to the people November 3, 1914; passed.
- INITIATIVE MEASURE NO. 4 (Drugless Healers)—Filed January 13, 1914. No petition filed.
- INITIATIVE MEASURE NO. 5 (Eight Hour Law)—Filed January 15, 1914. No petition filed. See Initiative Measure No. 13, covering same subject.
- INITIATIVE MEASURE NO. 6 (Blue Sky Law)—Filed January 30, 1914. Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 7 (Abolishing Bureau of Inspection)—Filed January 30, 1914. Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 8 (Abolishing Employment Offices)—Filed January 30, 1914. Submitted to the people November 3, 1914; passed.
- INITIATIVE MEASURE NO. 9 (First Aid to Injured)—Filed January 29, 1914. Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 10 (Convict Labor Road Measure)—Filed January 29, 1914. Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 11 (Fish Code)—Filed January 29, 1914. Petition failed.
- INITIATIVE MEASURE NO. 12 (Abolishing Tax Commission)—Filed January 29, 1914. Petition failed.
- INITIATIVE MEASURE NO. 13 (Eight Hour Law)—Filed February 10, 1914. Submitted to the people November 3, 1914; failed to pass.
- INITIATIVE MEASURE NO. 14 (Reapportionment)—Filed May 13, 1914. No petition filed.
- INITIATIVE MEASURE NO. 15 (Fundamental Reform Act)—Filed May 15, 1914. No petition filed.
- INITIATIVE MEASURE NO. 16 (Reapportionment)—Filed May 20, 1914. No petition filed.
- INITIATIVE MEASURE NO. 17 (State Road Measure)—Filed June 13, 1914. No petition filed.
- INITIATIVE MEASURE NO. 18 (Brewers' Hotel Bill)—Filed December 14, 1914. Submitted to the people November 7, 1914; failed to pass.
- INITIATIVE MEASURE NO. 19 (Non-Partisan Election and Presidential Primary)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 20 (First Aid)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 21 (Home Rule)—Filed February 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 22 (Fisheries Code)—Filed February 11, 1916. No petition filed.

- INITIATIVE MEASURE NO. 23 (Politicians' Code)—Filed March 29, 1916. No petition filed.
- INITIATIVE MEASURE NO. 24 (Brewers' Bill)—Filed April 20, 1916. Submitted to the people November 7, 1916; failed to pass.
- INITIATIVE MEASURE NO. 25 (Repealing Chapter 2, Laws of 1915, known as Initiative Measure No. 3)—Filed May 11, 1916. No petition filed.
- INITIATIVE MEASURE NO. 26 (Making the State a Prohibition District)—Filed October 13, 1916. No petition filed.
- INITIATIVE MEASURE NO. 27 (Repealing Chapter 57, Laws 1915)—Filed October 13, 1916. No petition filed.
- INITIATIVE MEASURE NO. 28 (Non-Partisan Elections)—Filed October 26, 1916. No petition filed.
- INITIATIVE MEASURE NO. 29 (Capitol Removal Bill)—Filed November 27, 1916. No petition filed.
- INITIATIVE MEASURE NO. 30 (Eight Hour Law)—Filed January 9, 1918. No petition filed.
- INITIATIVE MEASURE NO. 31 (Municipal Marketing Measure)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 32 (Picketing Measure)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 33 (Non-Partisan Elections and Presidential Primary)—Filed February 5, 1918. No petition filed.
- INITIATIVE MEASURE NO. 34 (Relating to Salmon Fishing)—Filed February 8, 1918. No petition filed.
- INITIATIVE MEASURE NO. 35 (Repealing Chapter 174, Laws 1919)—Filed October 7, 1920. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 36 (Municipal Marketing Measure)—Filed November 16, 1920. No petition filed.
- INITIATIVE MEASURE NO. 37 (Relating to Ownership of Land by Aliens)—Filed November 19, 1920. No petition filed.
- INITIATIVE MEASURE NO. 38 (Repealing Chapter 209, Laws 1907)—Filed January 11, 1922. No petition filed.
- INITIATIVE MEASURE NO. 39 (Repealing Chapter 138, Laws 1913)—Filed January 11, 1922. No petition filed.
- INITIATIVE MEASURE NO. 40 (Repealing Chapter 174, Laws 1921)—Filed January 18, 1922. Submitted to the people November 7, 1922; passed.
- INITIATIVE MEASURE NO. 41 (Non-Partisan Elections)—Filed January 18, 1922. No petition filed.
- INITIATIVE MEASURE NO. 42 (Workmen's Compensation Measure)—Filed January 24, 1922. Same as Initiative Measure No. 47; no petition filed.
- INITIATIVE MEASURE NO. 43 (Relating to Injunctions in Labor Disputes)—Filed January 24, 1922. No petition filed.
- INITIATIVE MEASURE NO. 44 (Relating to Municipal Ownership)—Filed January 28, 1922. No petition filed.
- INITIATIVE MEASURE NO. 45 (Reapportionment)—Filed February 14, 1922. No petition filed.



- INITIATIVE MEASURE NO. 46 ("30-10" School Plan)—Filed February 21, 1922. Submitted to the people November 7, 1922; failed to pass.
- INITIATIVE MEASURE NO. 47 (Workmen's Compensation Measure)—Filed March 27, 1922. No petition filed.
- INITIATIVE MEASURE NO. 48 (Compulsory School Attendance)—Filed January 7, 1924. No petition filed.
- INITIATIVE MEASURE NO. 49 (Compulsory School Attendance)—Filed January 15, 1924. Submitted to the people November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 50 (Limitation of Taxation)—Filed February 21, 1924. Submitted to the people November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 51 (Pertaining to Salmon Fishing)—Filed April 2, 1924. No petition filed.
- INITIATIVE MEASURE NO. 52 (Electric Power Measure)—Filed April 8, 1924. Submitted to the people November 4, 1924; failed to pass.
- INITIATIVE MEASURE NO. 53 (Relating to Sanipractic)—Filed February 4, 1926. No petition filed.
- INITIATIVE MEASURE NO. 54 (State Commission to license and regulate horse-racing, pool-selling, etc.—Pari-mutuel Measure)—Filed February 5, 1926. No petition filed.
- INITIATIVE MEASURE NO. 55 (Prohibiting use of purse seines, fish traps, fish wheels, etc.)—Filed February 16, 1928. No petition filed.
- INITIATIVE MEASURE NO. 56 (Re-districting state for legislative purposes)—Filed April 24, 1930. Refiled as Initiative Measure No. 57 (q.v.).
- INITIATIVE MEASURE NO. 57 (Re-districting state for legislative purposes)—Filed April 25, 1930. Submitted to the people November 4, 1930; passed.
- INITIATIVE MEASURE NO. 58 (Permanent Registration)—Filed January 9, 1932. Submitted to the people November 8, 1932; passed.
- INITIATIVE MEASURE NO. 59 (Tax Free Homes)—Filed January 9, 1932. No petition filed.
- INITIATIVE MEASURE NO. 60 (Licensing of Mercantile Establishments)—Filed January 9, 1932. No petition filed.
- INITIATIVE MEASURE No. 61 (Relating to Intoxicating Liquors)—Filed January 9, 1932. Submitted to the people November 8, 1932; passed.
- INITIATIVE MEASURE NO. 62 (Creating Department of Game)—Filed January 9, 1932. Submitted to the people November 8, 1932; passed.
- INITIATIVE MEASURE NO. 63 (Exemption of Homes from Taxation)—Filed January 9, 1932. No petition filed.
- INITIATIVE MEASURE NO. 64 (Limits Tax Levy on Real and Personal Property to 40 Mills)—Filed January 9, 1932. Submitted to the people November 8, 1932; passed.
- INITIATIVE MEASURE No. 65 (Cascade Mountain Tunnel)—Filed February 19, 1932. No petition filed.
- INITIATIVE MEASURE NO. 66 (Scientific Birth Control)—Filed February 26, 1932. No petition filed.
- INITIATIVE MEASURE NO. 67 (Abolishes Excise Tax on Butter Substitutes)—Filed March 7, 1932. No petition filed.

- INITIATIVE MEASURE NO. 68 (Unemployment Insurance)—Filed March 21, 1932. No petition filed.
- INITIATIVE MEASURE NO. 69 (Income Tax Measure)—Filed March 22, 1932. Submitted to the people November 8, 1932; passed.
- INITIATIVE MEASURE NO. 70 (Compulsory Military Training Prohibited)—Filed April 4, 1932. No petition filed.
- INITIATIVE MEASURE NO. 71 (Liquor Control)—Filed January 8, 1934. No petition filed.
- INITIATIVE MEASURE NO. 72 (Distribution of Highway Funds)—Filed January 8, 1934. No petition filed.
- INITIATIVE MEASURE NO. 73 (Catching of Fish)—Filed January 8, 1934. No petition filed.
- INITIATIVE MEASURE NO. 74 (Tax Free Homes)—Filed January 8, 1934. No petition filed.
- INITIATIVE MEASURE NO. 75 (Unemployment Insurance)—Filed January 19, 1934. No petition filed.
- INITIATIVE MEASURE NO. 76 (Tax Free Homes)—Filed January 22, 1934. No petition filed.
- INITIATIVE MEASURE NO. 77 (Fish Traps and Fishing Regulations)—Filed February 1, 1934. Submitted to the people November 6, 1934; passed.
- INITIATIVE MEASURE NO. 78 (Distribution of Highway Funds)—Filed February 9, 1934. No petition filed.
- INITIATIVE MEASURE NO. 79 (Liquor Control)—Filed February 20, 1934. No petition filed.
- INITIATIVE MEASURE NO. 80 (Liquor Control)—Filed February 24, 1934. No petition filed.
- INITIATIVE MEASURE NO. 81 (Liquor Control)—Filed February 28, 1934. No petition filed.
- INITIATIVE MEASURE NO. 82 (Fishing Regulations)—Filed March 10, 1934. No petition filed.
- INITIATIVE MEASURE NO. 83 (State Sale of Gasoline)—Filed March 16, 1934. No petition filed.
- INITIATIVE MEASURE NO. 84 (Blanket Primary)—Filed March 17, 1934. No petition filed.
- INITIATIVE MEASURE NO. 85 (State Fire Insurance)—Filed March 17, 1934. No petition filed.
- INITIATIVE MEASURE NO. 86 (State Fire Insurance)—Filed March 21, 1934. No petition filed.
- INITIATIVE MEASURE NO. 87 (Workmen's Compensation)—Filed March 22, 1934. No petition filed.
- INITIATIVE MEASURE NO. 88 (Liquor Control)—Filed March 24, 1934. No petition filed.
- INITIATIVE MEASURE NO. 89 (One Man Grand Jury)—Filed March 30, 1934. No petition filed.
- INITIATIVE MEASURE NO. 90 (Criminal Appeals)—Filed March 30, 1934. No petition filed.

- INITIATIVE MEASURE NO. 91 (Regulating Motor Carriers)—Filed March 31, 1934. No petition filed.
- INITIATIVE MEASURE NO. 92 (Regulating Motor Carriers)—Filed April 9, 1934. No petition filed.
- INITIATIVE MEASURE NO. 93 (Distribution of Highway Funds)—Filed May 10, 1934. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 94 (40-Mill Tax Limit)—Filed May 18, 1934. Submitted to the people November 6, 1934; passed.
- INITIATIVE MEASURE NO. 95 (Liquor Control)—Filed May 26, 1934. No petition filed.
- INITIATIVE MEASURE NO. 96 (Repeal of Business Occupation Tax)—Filed June 4, 1934. No petition filed.
- INITIATIVE MEASURE NO. 97 (Dog Racing)—Filed June 7, 1934. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 98 (Business and Occupation Tax)—Filed January 4, 1936. No petition filed.
- INITIATIVE MEASURE NO. 99 (Distribution of Highway Funds)—Filed January 4, 1936. No petition filed.
- INITIATIVE MEASURE NO. 100 (40-Mill Tax Limit)—Filed January 4, 1936. No petition filed.
- INITIATIVE MEASURE NO. 101 (Civil Service)—Filed January 14, 1936. Submitted to the people November 3, 1936; failed to pass.
- INITIATIVE MEASURE NO. 102 (Creating "State Government Bank" Department)—Filed January 21, 1936. No petition filed.
- INITIATIVE MEASURE NO. 103 (Old Age Pension)—Filed January 17, 1936. No petition filed.
- INITIATIVE MEASURE NO. 104 (Tax on Gasoline)—Filed February 27, 1936. No petition filed.
- INITIATIVE MEASURE NO. 105 (Relating to Gill Nets)—Filed March 3, 1936. No petition filed.
- INITIATIVE MEASURE NO. 106 (Voter's Identification Certificate)—Filed March 3, 1936. No petition filed.
- INITIATIVE MEASURE NO. 107 (Tax on Gasoline)—Filed March 7, 1936. No petition filed.
- INITIATIVE MEASURE NO. 108 (40-Mill Tax Limit)—Filed March 12, 1936. No petition filed.
- INITIATIVE MEASURE NO. 109 (Admission of Sick to Hospitals)—Filed March 14, 1936. No petition filed.
- INITIATIVE MEASURE NO. 110 (Annuity for Crippled and Blind)—Filed March 27, 1936. No petition filed.
- INITIATIVE MEASURE NO. 111 (Admission of Sick to Hospitals)—Filed April 8, 1936. No petition filed.
- INITIATIVE MEASURE NO. 112 (Abolishing Compulsory Military Training)—Filed April 9, 1936. No petition filed.
- INITIATIVE MEASURE NO. 113 (Tax on Gasoline)—Filed April 15, 1936. No petition filed.

- INITIATIVE MEASURE NO. 114 (40-Mill Tax Limit)—Filed April 21, 1936. Submitted to the people November 3, 1936; passed.
- INITIATIVE MEASURE NO. 115 (Old Age Pension)—Filed April 21, 1936. Submitted to the people November 3, 1936; failed to pass.
- INITIATIVE MEASURE NO. 116 (Tax on Gasoline)—Filed April 24, 1936. No petition filed.
- INITIATIVE MEASURE NO. 117 (Production for Use)—Filed May 1, 1936. No petition filed.
- INITIATIVE MEASURE NO. 118 (Liens for Labor)—Filed May 5, 1936. No petition filed.
- INITIATIVE MEASURE NO. 119 (Production for Use)—Filed May 9, 1936. Submitted to the people November 3, 1936; failed to pass.
- INITIATIVE MEASURE NO. 120 (Tax on Gasoline)—Filed May 11, 1936. No petition filed.
- INITIATIVE MEASURE NO. 121 (Beer on Sunday)—Filed May 14, 1936. No petition filed.
- INITIATIVE MEASURE NO. 122 (Pertaining to Bribery and Grafting)—Filed May 21, 1936. No petition filed.
- INITIATIVE MEASURE NO. 123 (Business and Occupation Tax)—Filed January 27, 1938. No petition filed.
- INITIATIVE MEASURE NO. 124 (Distribution of Highway Funds)—Filed February 9, 1938. No petition filed.
- INITIATIVE MEASURE NO. 125 (Tax on Intoxicating Liquors)—Filed February 15, 1938. No petition filed.
- INITIATIVE MEASURE NO. 126 (Non-Partisan School Election)—Filed February 24, 1938. Submitted to the people November 8, 1938; passed.
- INITIATIVE MEASURE NO. 127 (Distribution of Highway Funds)—Filed March 14, 1938. No petition filed.
- INITIATIVE MEASURE NO. 128 (Civil Service)—Filed March 14, 1938. No petition filed.
- INITIATIVE MEASURE NO. 129 (40-Mill Tax Limit)—Filed March 18, 1938. Submitted to the people November 8, 1938; passed.
- INITIATIVE MEASURE NO. 130 (Regulation of Labor Disputes)—Filed April 6, 1938. Submitted to the people November 8, 1938; failed to pass.
- INITIATIVE MEASURE NO. 131 (Civil Service)—Filed April 7, 1938. No petition filed.
- INITIATIVE MEASURE NO. 132 (Old Age Assistance)—Filed April 12, 1938. No petition filed.
- INITIATIVE MEASURE NO. 133 (Relating to Licensing Gambling)—Filed April 15, 1938. No petition filed.
- INITIATIVE MEASURE NO. 134 (Old Age Assistance)—Filed April 19, 1938. No petition filed.
- INITIATIVE MEASURE NO. 135 (40-Mill Tax Limit)—Filed May 14, 1938. Insufficient number of signatures on petition; failed.
- INITIATIVE MEASURE NO. 136 (Relating to Retail Beer and Wine Licenses)—Filed June 3, 1938. No petition filed.

- INITIATIVE MEASURE NO. 137 (Relating to Gambling)—Filed June 9, 1938. No petition filed.
- INITIATIVE MEASURE NO. 138 (Relating to Gambling)—Filed June 13, 1938. No petition filed.
- INITIATIVE MEASURE NO. 139 (P. U. D. Bonds)—Filed January 5, 1940. Submitted to the people November 5, 1940; failed to pass.
- INITIATIVE MEASURE NO. 140 (Liquor Control)—Filed January 9, 1940. No petition filed.
- INITIATIVE MEASURE NO. 141 (Old Age Pension)—Filed January 11, 1940. Submitted to the people November 5, 1940; passed.
- INITIATIVE MEASURE NO. 142 (Chain Store Tax)—Filed January 16, 1940. No petition filed.
- INITIATIVE MEASURE NO. 143 (Relating to State Sale of Gas and Oil)—Filed February 2, 1940. No petition filed.
- INITIATIVE MEASURE NO. 144 (Unicameral Legislature)—Filed February 23, 1940. Withdrawn. Re filed as Initiative Measure No. 147 (q.v.).
- INITIATIVE MEASURE NO. 145 (Government Re-organization)—Filed March 18, 1940. No petition filed.
- INITIATIVE MEASURE NO. 146 (Relating to Sabbath Breaking)—Filed March 22, 1940. No petition filed.
- INITIATIVE MEASURE NO. 147 (Unicameral Legislature)—Filed April 9, 1940. No petition filed.
- INITIATIVE MEASURE NO. 148 (Liquor Control)—Filed May 18, 1940. No petition filed.
- INITIATIVE MEASURE NO. 149 (Anti-Subversive Activities)—Filed May 23, 1940. No petition filed.
- INITIATIVE MEASURE NO. 150 (Intoxicating Liquor Sold by the Drink)—Filed January 3, 1942. No petition filed.
- INITIATIVE MEASURE NO. 151 (Old Age Assistance)—Filed January 3, 1942. Submitted to the people November 3, 1942; failed to pass.
- INITIATIVE MEASURE NO. 152 (Creating State Elective Offices of Director of Labor and Industries, Director of Social Security and Director of Agriculture)—Filed January 27, 1942. No petition filed.
- INITIATIVE MEASURE NO. 153 (Re-constitution of Board of State Land Commissioners)—Filed February 24, 1942. No petition filed.
- INITIATIVE MEASURE NO. 154 (After Discharge Benefits to Persons in the Armed Forces)—Filed April 28, 1942. No petition filed.
- INITIATIVE MEASURE NO. 155 (Washington Employment Peace Act)—Filed January 10, 1944. No petition filed.
- INITIATIVE MEASURE NO. 156 (Liberalization of Old Age Assistance Laws)—Filed February 19, 1944. Re filed as Initiative Measure No. 157.
- INITIATIVE MEASURE NO. 157 (Liberalization of Old Age Assistance Laws)—Filed March 3, 1944. Submitted to the people November 7, 1944; failed to pass.
- INITIATIVE MEASURE NO. 158 (Liberalization of Old Age Assistance Laws by the Townsend Clubs of Washington)—Filed March 28, 1944. Submitted to the people November 7, 1944; failed to pass.

- INITIATIVE MEASURE NO. 159 (Increase of Injured Workmen's Compensation)—Filed January 5, 1946. Insufficient signatures presented July 10, 1946, and measure not certified to General Election Ballot.
- INITIATIVE MEASURE NO. 160 (Increase of Injured Workmen's Compensation)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 161 (Changing Form of General Election Ballot to conform with Primary Election Ballot)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 162 (Prohibiting the Governor from employing members of the Legislature during the term for which he shall have been elected)—Filed January 5, 1946. No petition filed.
- INITIATIVE MEASURE NO. 163 (Prohibiting the sale of beer or wine by any person other than the State of Washington)—Filed January 9, 1946. Insufficient signatures presented July 6, 1946, and measure not certified to General Election Ballot.
- INITIATIVE MEASURE NO. 164 (Prohibiting the sale of fortified wines)—Filed February 25, 1946. No petition filed.
- INITIATIVE MEASURE NO. 165 (Providing for the sale of liquor by the drink)—Filed March 1, 1946. Insufficient signatures presented July 8, 1946, and measure not certified to the General Election Ballot.
- INITIATIVE MEASURE NO. 166 (Relating to Public Utility Districts; requiring approval of voters as prerequisite to acquisition of any operating electrical utility properties, etc.)—Filed April 24, 1946. Signature petitions filed June 29, 1946, and found sufficient. Measure rejected by voters at November 5, 1946, State General Election.
- INITIATIVE MEASURE NO. 167 (Providing Liquor by the Drink at Licensed Establishments)—Filed January 2, 1948. Insufficient valid signatures presented July 6, 1948, and measure not certified to State General Election Ballot.
- INITIATIVE MEASURE NO. 168 (Providing Liquor by the Drink for Consumption on Premises Where Sold)—Filed January 2, 1948. No signature petitions filed for canvassing.
- INITIATIVE MEASURE NO. 169 (Providing Bonus to Veterans of World War II)—Filed January 2, 1948. Signature petitions filed July 9, 1948, and found sufficient. Measure approved into law at November 2, 1948, State General Election and became identified as Chapter 4, Laws of 1949. However, State Supreme Court ruled measure unconstitutional February 4, 1949. As consequence similar measure passed into law by 1949 Legislature (Chapter 180, Laws of 1949).
- INITIATIVE MEASURE NO. 170 (Relating to Liberalization of Social Security Laws)—Filed January 13, 1948. Because sponsor desired changes in text of proposed law, measure re-filed as Initiative Measure No. 172.
- INITIATIVE MEASURE NO. 171 (Providing Liquor by the Drink with certain restrictions)—Filed January 19, 1948. Signature petitions filed July 7, 1948, and found sufficient. Measure certified to November 2, 1948, State General Election Ballot and approved into law. Act now identified as Chapter 5, Laws of 1949.
- INITIATIVE MEASURE NO. 172 (Relating to Liberalization of Social Security Laws)—Filed February 26, 1948. Signature petitions filed July 9, 1948,

- and found sufficient. Measure certified to November 2, 1948, State General Election Ballot and approved into law. Act now identified as Chapter 6, Laws of 1949.
- INITIATIVE MEASURE NO. 173 (Providing for the observance of Daylight Saving Time in the State of Washington)—Filed May 20, 1948. No signature petitions presented for canvassing.
- INITIATIVE MEASURE NO. 174 (Making application to Congress to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to expedite and insure participation of the United States in a world federal government)—Filed January 16, 1950. No signature petitions presented for canvassing.
- INITIATIVE MEASURE NO. 175 (Establishing a Department of Youth Protection to operate the Washington State Training School and the State School for Girls under non-partisan control)—Filed March 31, 1950. No signature petitions presented for canvassing. Essential provisions of this measure enacted by the 1951 Legislature (Chapter 234, Laws of 1951).
- INITIATIVE MEASURE NO. 176 (Increasing to sixty-five dollars monthly the minimum grant for certain categories of public assistance, otherwise extending the social security program, and making an appropriation)—Filed April 20, 1950. Submitted to the people November 7, 1950; failed to pass.
- INITIATIVE MEASURE NO. 177—Filed May 1, 1950. Refiled May 5, 1950, as Initiative Measure No. 178.
- INITIATIVE MEASURE NO. 178 (Modifying the Citizens' Security Act of 1948 (Initiative Measure No. 172) and transferring the public assistance medical program to the State Department of Health)—Filed May 5, 1950. Submitted to the people November 7, 1950; passed. Measure now identified as Chapter 1, Laws of 1951.
- INITIATIVE MEASURE NO. 179 (Liberalizing unemployment compensation benefits and repealing that portion of the Unemployment Compensation Act providing for employer experience rating)—Filed May 5, 1950. No signature petitions presented for canvassing.

---

#### Referendum Measures

- REFERENDUM MEASURE NO. 1 (Teachers' Retirement Fund)—Filed March 11, 1913. Submitted to the people November 3, 1914; failed to pass.
- REFERENDUM MEASURE NO. 2 (Quincy Valley Irrigation Measure)—Filed March 25, 1913. Submitted to the people November 3, 1914; failed to pass.
- REFERENDUM MEASURE NO. 3 (Chapter 54, Laws of 1915, Relating to Initiative and Referendum)—Filed March 18, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 4 (Chapter 55, Laws of 1915, Recall of Elective Public Officers)—Filed March 18, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 5 (Chapter 52, Laws 1915, Party Conventions Act)—Filed March 25, 1915. Submitted to the people November 7, 1916; failed to pass.

- REFERENDUM MEASURE NO. 6 (Chapter 181, Laws 1915, Anti-Picketing)—Filed March 25, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 7 (Chapter 178, Laws 1915, Certificate of Necessity Act)—Filed March 25, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 8 (Chapter 46, Laws 1915, Port Commission)—Filed March 25, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 9 (Chapter 49, Laws 1915, Budget System)—Filed March 25, 1915. Submitted to the people November 7, 1916; failed to pass.
- REFERENDUM MEASURE NO. 10 (Chapter 19, Laws 1917, Bone Dry Law)—Filed February 20, 1917. Submitted to the people November 5, 1918; passed.
- REFERENDUM MEASURE NO. 11 (Chapter 167, Laws 1917, Capitol Building Fund Bonds)—Filed April 23, 1917. No petition filed.
- REFERENDUM MEASURE NO. 12A (Chapter 77, Laws 1919, Salary of Judges)—Filed April 14, 1919. No petition filed.
- REFERENDUM MEASURE NO. 12B (Chapter 59, Laws 1921, Certificate of Necessity)—Filed March 26, 1921. Submitted to the people November 7, 1922; failed to pass.
- REFERENDUM MEASURE NO. 13A (Chapter 112, Laws 1919, Death Penalty)—Filed April 14, 1919. No petition filed.
- REFERENDUM MEASURE NO. 13B (Chapter 175, Laws 1921, Physical Examination of School Children)—Filed April 4, 1921. Submitted to the people November 7, 1922; failed to pass.
- REFERENDUM MEASURE NO. 14A (Senate Joint Resolution No. 1, Laws 1919, Intoxicating Liquor)—Filed March 20, 1919. Insufficient number of signatures on petition; failed.
- REFERENDUM MEASURE NO. 14B (Chapter 177, Laws 1921, Primary Nominations and Registration)—Filed April 9, 1921. Submitted to the people November 7, 1922; failed to pass.
- REFERENDUM MEASURE NO. 15 (Chapter 176, Laws 1921, Party Conventions)—Filed April 9, 1921. Submitted to the people November 7, 1922; failed to pass.
- REFERENDUM MEASURE NO. 16 (Chapter 22, Laws 1923, Butter Substitutes)—Filed March 22, 1923. Submitted to the people November 4, 1924; failed to pass.
- REFERENDUM MEASURE NO. 17 (Chapter 115, Laws 1929, Creating Department of Highways)—Filed April 27, 1929. No petition filed.
- REFERENDUM MEASURE NO. 18 (Chapter 51, Laws 1933, Cities and Towns; Electric Energy)—Filed April 7, 1933. Submitted to the people November 6, 1934; passed.
- REFERENDUM MEASURE NO. 19 (Chapter 55, Laws 1933, Horse Racing)—Filed April 3, 1933. No petition filed.
- REFERENDUM MEASURE NO. 20 (Chapter 118, Laws 1935, Regulating Pilots)—Filed February 8, 1935. No petition filed.



- REFERENDUM MEASURE NO. 21 (Chapter 26, Laws 1935, Blanket Primary Ballot)—Filed April 8, 1935. No petition filed.
- REFERENDUM MEASURE NO. 22 (Chapter 209, Laws 1941, Industrial Insurance)—Filed April 3, 1941. Submitted to the people November 3, 1942; passed.
- REFERENDUM MEASURE NO. 23 (Chapter 158, Laws 1941, Providing for Legal Advisor for Grand Juries)—Filed April 16, 1941. Submitted to the people November 3, 1942; failed to pass.
- REFERENDUM MEASURE NO. 24 (Chapter 191, Laws 1941, Prosecuting Attorneys; Providing that they shall no longer give advice to Grand Juries)—Filed April 16, 1941. Submitted to the people November 3, 1942; failed to pass.
- REFERENDUM MEASURE NO. 25 (Chapter 15, Laws 1943, Relating to Public Utility Districts)—Filed March 18, 1943. Submitted to the people November 7, 1944; failed to pass.
- REFERENDUM MEASURE NO. 26 (Chapter 37, Laws 1945, Relating to appointment of State Game Commissioners by the Governor)—Filed April 3, 1945. Signature petitions filed June 6, 1945, and found sufficient. Submitted to the people November 5, 1946. Law rejected.
- REFERENDUM MEASURE NO. 27 (Chapter 202, Laws 1945, Relating to the creation of a State Timber Resources Board)—Filed April 3, 1945. Signature petitions filed June 6, 1945 and found sufficient. Submitted to the people November 5, 1946. Law rejected.
- REFERENDUM MEASURE NO. 28 (Portion of Chapter 235, Laws of 1949, Relating to accident and health insurance covering employees eligible for unemployment compensation)—Filed March 30, 1949. Signature petitions filed June 8, 1949 and found sufficient. Submitted to the people November 7, 1950. Law rejected.
- REFERENDUM MEASURE NO. 29 (Portion of Chapter 190, Laws of 1949 amending State Insurance Code)—Filed April 2, 1949. No signature petitions presented for canvassing.

#### **Initiative Measures to the Legislature**

- INITIATIVE TO THE LEGISLATURE NO. 1 (District Power Measure)—Filed October 25, 1928. Submitted to the people November 4, 1930; passed.
- INITIATIVE TO THE LEGISLATURE NO. 2 (Blanket Primary Ballot)—Filed August 21, 1934. Passed by the Legislature February 21, 1935.
- INITIATIVE TO THE LEGISLATURE NO. 3 (Tax Free Homes)—Filed August 25, 1934. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 4 (Unemployment Insurance)—Filed September 5, 1934. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 5 (Prohibiting Fishing with Purse Seines)—Filed November 20, 1934. Insufficient number of signatures on petition; failed.
- INITIATIVE TO THE LEGISLATURE NO. 6 (Legal Holiday on Saturday)—Filed August 17, 1938. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 7 (Pension for Blind)—Filed October 7, 1938. Re filed as Initiative to the Legislature No. 8 (q.v.).

- INITIATIVE TO THE LEGISLATURE NO. 8 (Pension for Blind)—Filed October 10, 1938. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 9 (Relating to Intoxicating Liquors)—Filed December 8, 1938. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 10 (Unicameral Legislature)—Filed May 23, 1940. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 11 (Re-apportionment of State Legislative Districts)—Filed July 8, 1942. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 12 (Public Power Resources)—Filed August 29, 1942. Passed by the Legislature February 17, 1943. Act invalidated through Referendum Measure No. 25.
- INITIATIVE TO THE LEGISLATURE NO. 13 (Same as Initiative 163)—Filed August 23, 1946. Signature petitions filed January 3, 1947, and found sufficient. Certified to 1947 Legislature which took no final action. Measure submitted to the people November 2, 1948, State General Election. Voted down.
- INITIATIVE TO THE LEGISLATURE NO. 14 (Re-apportionment of State Legislative Districts)—Filed September 19, 1946. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 15 (Establishing a Civil Service System for the employees of the State of Washington)—Filed October 16, 1946. No petition filed.
- INITIATIVE TO THE LEGISLATURE NO. 16 (Providing for the Election of State Game Commissioners)—Filed September 8, 1948. No signature petitions presented.
- INITIATIVE TO THE LEGISLATURE NO. 17 (Regulating Legislative Committee Hearings)—Filed October 16, 1948. No signature petitions filed.

#### Referendum Bills

- REFERENDUM BILL NO. 1 (Chapter 99, Laws 1919, State System Trunk Line Highways)—Filed March 13, 1919. Submitted to the people November 2, 1920; failed to pass.
- REFERENDUM BILL NO. 2 (Chapter 1, Laws Extraordinary Session, 1920, Soldiers' Equalized Compensation)—Filed March 25, 1920. Submitted to the people November 2, 1920; passed.
- REFERENDUM BILL NO. 3 (Chapter 87, Laws 1923, Electric Power Bill)—Filed March 22, 1923. Submitted to the people November 4, 1924; failed to pass.
- REFERENDUM BILL NO. 4 (Chapter 164, Laws 1935, Flood Control; Creating Sinking Fund)—Filed March 22, 1935. Submitted to the people November 3, 1936; failed to pass.
- REFERENDUM BILL NO. 5 (Chapter 83, Laws 1939, 40-Mill Tax Limit)—Filed March 10, 1939. Submitted to the people November 5, 1940; passed.
- REFERENDUM BILL NO. 6 (Chapter 176, Laws of 1941, Taxation of Real and Personal Property)—Filed March 22, 1941. Submitted to the people November 3, 1942; passed.
- REFERENDUM BILL NO. 7 (Chapter 229, Laws of 1949—\$40,000,000.00 Bond Issue to Give State Assistance in Construction of Public School Plant Facilities)—Filed March 22, 1949. Submitted to the people November 7, 1950; passed.

- REFERENDUM BILL NO. 8 (Chapter 230, Laws of 1949—\$20,000,000.00 Bond Issue to Provide Funds for Buildings at State Operated Institutions)—Filed March 22, 1949. Submitted to the people November 7, 1950; passed.
- REFERENDUM BILL NO. 9 (Chapter 231, Laws of 1949—\$20,000,000.00 Bond Issue to Provide Funds for Buildings at State Institutions of Higher Learning)—Filed March 22, 1949. Submitted to the people November 7, 1950; failed to pass.

#### Constitutional Amendments

- No. 1. To Section 5 of Article XVI. Re: Permanent School Fund. Adopted November, 1894.
- No. 2. To Section 1 of Article VI. Re: Qualification of Electors. Adopted November, 1896.
- No. 3. To Section 2 of Article VII. Re: Uniform Rates of Taxation. Adopted November, 1900.
- No. 4. To Section 11 of Article I. Re: Religious Freedom. Adopted November, 1904.
- No. 5. To Section 1 of Article VI. Re: Equal Suffrage. Adopted November, 1910.
- No. 6. To Section 10 of Article III. Re: Succession in Office of Governor. Adopted November, 1910.
- No. 7. To Section 1 of Article II. Re: Initiative and Referendum. Adopted November, 1912.
- No. 8. To Sections 33 and 34 of Article I. Re: Recall. Adopted November, 1912.
- No. 9. To Section 16 of Article I. Re: Taking of Private Property. Adopted November, 1922.
- No. 10. To Section 22 of Article I. Re: Right of Appeal. Adopted November, 1922.
- No. 11. To Section 4 of Article VIII. Re: Appropriation. Adopted November, 1922.
- No. 12. To Section 5 of Article XI. Re: Consolidation of County Offices. Adopted November, 1924.
- No. 13. To Section 15 of Article II. Re: Vacancies in the Legislature. Adopted November, 1930.
- No. 14. To Article VII. Re: Revenue and Taxation. Adopted November, 1930.
- No. 15. To Section 1 of Article XV. Re: Harbors and Harbor Areas. Adopted November, 1932.
- No. 16. To Section 11, Article XII. Re: Double Liability of Stockholders. Adopted November, 1940.
- No. 17. To Section 2, Article VII. Re: 40-Mill Tax Limit. Adopted November, 1944.
- No. 18. To Article II, creating a Section 40. Re: Restriction of motor vehicle license fees and excise taxes on motor fuels to highway purposes only. Adopted November, 1944.
- No. 19. To Article VII, creating a Section 3. Re: State to tax the United States and its instrumentalities to the extent that the laws of the United States will allow. Adopted November, 1946.
- No. 20. To Section 1 of Article XXVII. Re: Legislature to fix the salaries of state elective officials. Adopted November, 1948.

- 
- No. 21. To Section 4 of Article XI. Re: Permit counties to adopt "Home Rule" charters. Adopted November, 1948.
- No. 22. Repealing Section 7 of Article XI. Re: County elective officials. (These officials can now hold same office more than two terms in succession.) Adopted November, 1948.
- No. 23. To Article XI, creating a Section 16. Re: Permit the formation, under a charter, of combined city and county municipal corporations having a population of 300,000 or more. Adopted November, 1948.
- No. 24. To Article II, Section 33. Permits ownership of land by Canadians who are citizens of provinces wherein citizens of the State of Washington may own land. (All provinces of Canada authorize such ownership.) Adopted November, 1950.

## AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 1.08.010 .....	repealed	157	19 442
Section 1.08.020 .....	repealed	157	19 442
Section 1.08.030 .....	repealed	157	19 442
Section 1.08.040 .....	amended	157	16 440
Section 1.08.050 .....	amended	157	17 441
Section 1.08.060 .....	repealed	157	19 442
Section 2.08.060 .....	amended	125	1 317
Section 2.12.030 .....	amended	79	1 219
Section 2.12.060 .....	amended	79	2 220
Section 2.32.070 .....	amended	51	1 140
Section 2.32.210 .....	amended	210	1 621
Section 2.32.220 .....	amended	210	2 622
Section 2.32.230 .....	amended	210	3 623
Section 2.36.150 .....	amended	51	2 141
Section 2.40.010 .....	amended	51	3 141
Section 3.04.020 .....	repealed	156	17 435
Section 3.04.090 .....	amended	156	14 434
Section 3.04.130 .....	amended	156	15 434
Section 3.12.020 .....	repealed	156	17 435
Section 3.12.030 .....	repealed	156	17 435
Section 3.12.040 .....	repealed	156	17 435
Section 3.12.050 .....	repealed	156	17 435
Section 3.12.060 .....	repealed	156	17 435
Section 3.12.070 .....	repealed	156	17 435
Section 3.12.070 .....	amended	74	1 210
Section 8.04.090 .....	amended	177	1 485
Section 8.04.130 .....	amended	177	4 487
Section 10.01.060 .....	amended	52	1 147
Section 10.28.230 .....	repealed	90	3 234
Section 11.08.100 .....	repealed	138	4 340
Section 11.08.110 .....	repealed	138	4 340
Section 11.52.010 .....	amended	264	1 828
Section 11.52.020 .....	amended	264	2 830
Section 11.64.030 .....	amended	197	5 591
Section 11.64.040 .....	amended	197	6 591
Section 11.64.010 .....	repealed	197	7 592
Section 11.64.020 .....	repealed	197	7 592
Section 11.64.050 .....	repealed	197	7 592
Chapter 11.84 .....	repealed	226	14 701
Section 11.88.100 .....	amended	242	1 764
Section 11.92.140 .....	repealed	218	2 647
Section 13.04.040 .....	amended	270	1 883
Section 14.08.300 .....	amended	114	1 280
Section 15.76.010 .....	repealed	60	9 188
Section 15.76.020 .....	repealed	60	9 188
Section 16.28.010 .....	amended	31	10 63
Section 16.48.150 .....	amended	160	1 445
Section 17.04.240 .....	amended	107	1 267
Section 17.08.070 .....	amended	213	1 628
Section 17.20.010 .....	amended	61	1 188
Section 17.20.020 .....	amended	61	2 188
Section 17.20.030 .....	amended	61	3 189
Section 17.20.040 .....	amended	61	4 189
Section 18.15.020 .....	amended	16	1 31
Section 18.15.040 .....	amended	16	2 32
Section 18.15.050 .....	amended	16	3 34
Section 18.15.080 .....	amended	16	4 35
Section 18.18.010 .....	amended	180	1 505
Section 18.18.050 .....	amended	180	2 507
Section 18.18.060 .....	amended	180	3 508

# AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 18.18.070 .....	amended	180	4 508
Section 18.18.090 .....	amended	180	5 508
Section 18.18.120 .....	amended	180	6 509
Section 18.18.140 .....	amended	180	7 509
Section 18.18.190 .....	amended	180	8 510
Section 18.18.210 .....	amended	180	9 510
Section 18.32.030 .....	amended	130	1 325
Section 18.32.100 .....	amended	130	2 327
Section 18.32.160 .....	amended	130	3 328
Section 18.32.180 .....	amended	130	4 328
Chapter 18.46 .....	repealed	168	16 464
Section 18.85.010 .....	amended	222	1 651
Section 18.85.030 .....	amended	222	2 652
Section 18.85.040 .....	amended	222	3 652
Section 18.85.050 .....	amended	222	4 653
Section 18.85.070 .....	amended	222	5 653
Section 18.85.080 .....	amended	222	6 653
Section 18.85.090 .....	amended	222	7 654
Section 18.85.100 .....	amended	222	8 654
Section 18.85.110 .....	amended	222	9 655
Section 18.85.120 .....	amended	222	10 655
Section 18.85.130 .....	amended	222	11 657
Section 18.85.140 .....	amended	222	12 657
Section 18.85.150 .....	amended	222	13 658
Section 18.85.160 .....	repealed	222	28 668
Section 18.85.170 .....	amended	222	14 658
Section 18.85.180 .....	amended	222	15 658
Section 18.85.230 .....	amended	222	16 659
Section 18.85.250 .....	repealed	222	28 668
Section 18.85.260 .....	repealed	222	28 668
Section 18.85.270 .....	repealed	222	28 668
Section 18.85.280 .....	repealed	222	28 668
Section 18.85.290 .....	amended	222	17 662
Section 18.85.300 .....	amended	222	18 663
Section 18.85.310 .....	amended	222	19 663
Section 18.85.340 .....	amended	222	20 664
Section 20.08.050 .....	amended	244	1 768
Section 21.04.040 .....	amended	230	1 725
Section 21.04.070 .....	amended	230	2 727
Section 21.08.040 .....	amended	64	1 195
Section 21.08.060 .....	amended	64	2 195
Section 21.08.070 .....	amended	64	4 197
Section 21.08.080 .....	amended	64	6 198
Section 22.08.090 .....	amended	171	1 469
Section 22.20.040 .....	amended	110	1 271
Section 26.36.010 .....	amended	251	1 789
Section 26.36.040 .....	amended	251	2 789
Section 26.36.050 .....	repealed	251	3 790
Section 28.13.010 .....	amended	92	1 236
Section 28.13.050 .....	amended	92	2 236
Section 28.41.080 .....	amended	181	1 511
Section 28.41.090 .....	amended	181	2 512
Section 28.57.070 .....	amended	87	1 229
Section 28.59.220 .....	amended	257	2 810
Section 28.63.080 .....	amended	27	1 52
Section 28.77.340 .....	amended	97	1 243
Section 29.09. 09 (old number, see footnote in text)...	repealed	101	9 253
Section 29.09. 11 (old number, see footnote in text)...	repealed	101	9 253
Section 29.13.020 .....	amended	101	1 248
Section 29.13.030 .....	amended	101	2 249
		257	3 811

# AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 29.13.040 .....	amended	101	4 251
	amended	257	4 812
Section 29.13.050 .....	amended	257	6 813
Section 29.21.010 .....	amended	257	7 813
Section 29.21.060 .....	amended	101	5 251
Section 29.24.110 .....	amended	101	3 250
Section 29.27.040 .....	amended	101	6 252
Section 29.45.120 .....	amended	67	1 201
Section 29.62.050 .....	amended	193	1 579
Section 29.62.060 .....	amended	193	2 580
Section 29.62.070 .....	amended	193	3 580
Section 30.52.030 .....	amended	23	1 47
Section 35.13.020 .....	amended	248	6 786
Section 35.17.110 .....	amended	46	1 112
Section 35.21.200 .....	amended	162	1 446
Section 35.21.280 .....	amended	35	1 81
Section 35.22.350 .....	amended	21	1 42
Section 35.23.040 .....	amended	71	1 206
Section 35.23.070 .....	amended	71	2 207
Section 35.23.220 .....	amended	85	1 226
Section 35.23.350 .....	repealed	211	2 625
Section 35.23.360 .....	repealed	211	2 625
Section 35.24.270 .....	repealed	211	2 625
Section 35.24.280 .....	repealed	211	2 625
Section 35.27.020 .....	amended	109	1 270
Section 35.27.360 .....	repealed	211	2 625
Section 35.37.060 .....	amended	65	1 199
Section 35.39.040 .....	amended	275	1 930
Section 35.61.210 .....	amended	179	1 504
Section 36.16.100 .....	amended	100	1 247
Section 36.18.010 .....	amended	51	4 141
Section 36.18.020 .....	amended	51	5 142
Section 36.18.040 .....	amended	51	6 144
Section 36.32.030 .....	amended	89	1 233
Section 36.33.180 .....	amended	161	1 446
Section 36.34.180 .....	amended	41	1 90
Section 36.38.010 .....	amended	34	1 79
Section 36.62.250 .....	repealed	256	6 810
Section 36.63.200 .....	amended	108	1 270
Section 40.12.010 .....	amended	145	1 378
Section 40.12.040 .....	amended	145	2 378
Section 40.12.050 .....	amended	145	3 378
Section 40.12.060 .....	amended	145	4 380
Section 40.12.080 .....	amended	145	5 380
Section 41.16.060 .....	amended	72	1 208
Section 41.24.160 .....	amended	103	2 256
Section 41.24.170 .....	amended	103	1 255
Section 41.24.220 .....	amended	103	3 257
Section 41.24.230 .....	amended	103	4 257
Section 41.40.010 .....	amended	50	1 119
Section 41.40.120 .....	amended	50	2 123
Section 41.40.150 .....	amended	50	3 124
Section 41.40.160 .....	amended	50	4 126
Section 41.40.180 .....	amended	81	1 222
Section 41.40.190 .....	amended	50	5 127
Section 41.40.200 .....	amended	50	6 128
Section 41.40.230 .....	amended	50	7 129
Section 41.40.270 .....	amended	141	1 371
Section 41.40.290 .....	amended	50	8 129
	amended	141	2 372
Section 41.40.310 .....	amended	50	9 130
Section 41.40.320 .....	amended	50	10 131

# AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 41.40.330 .....	amended	50	11 132
Section 41.40.360 .....	amended	50	12 134
Section 41.40.410 .....	amended	50	13 136
Section 41.44.030 .....	amended	275	2 932
Section 41.44.060 .....	amended	275	3 935
Section 41.44.080 .....	amended	275	4 935
Section 41.44.090 .....	amended	275	5 937
Section 41.44.100 .....	amended	275	6 939
Section 41.44.110 .....	amended	275	7 941
Section 41.44.120 .....	amended	275	8 943
Section 41.44.130 .....	amended	275	9 945
Section 41.44.140 .....	amended	275	10 947
Section 41.44.150 .....	amended	275	11 949
Section 41.44.160 .....	amended	275	12 950
Section 41.44.170 .....	amended	275	13 952
Section 41.44.190 .....	amended	275	14 953
Section 41.44.250 .....	amended	275	15 954
Section 42.04.060 .....	amended	100	3 247
Section 42.28.090 .....	amended	51	7 146
Section 43.01.090 .....	amended	131	1 329
Section 43.03.080 .....	amended	99	1 246
Section 43.20.080 .....	amended	106	1 259
Section 43.20.090 .....	amended	106	3 261
Section 43.21.010 .....	amended	57	1 167
Section 43.21.120 .....	amended	57	2 167
Section 43.21.130 .....	amended	57	3 168
Section 43.21.140 .....	amended	57	4 169
Section 43.23.010 .....	amended	170	1 468
Section 43.43.120 .....	amended	140	1 363
Section 43.43.130 .....	amended	140	2 364
Section 43.43.220 .....	amended	140	3 365
Section 43.43.250 .....	amended	140	4 366
Section 43.43.260 .....	amended	140	5 367
Section 43.43.270 .....	amended	140	6 368
Section 43.43.280 .....	amended	140	7 369
Section 43.43.300 .....	amended	140	9 370
Section 43.43.310 .....	amended	140	8 370
Section 43.53.010 .....	amended	260	1 823
Sections 43.75.010-43.75.050, incl.....	repealed	17	1 36
Section 43.78.070 .....	amended	151	1 418
Section 44.20.050 .....	amended	157	18 441
Section 44.24.060 .....	amended	142	1 374
Section 46.04.170 .....	repealed	102	3 255
Section 46.04.210 .....	repealed	102	3 255
Section 46.08.120 .....	amended	241	1 763
Section 46.12.040 .....	amended	269	1 851
Section 46.12.060 .....	amended	269	2 851
Section 46.12.080 .....	amended	269	3 853
Section 46.12.170 .....	amended	269	4 853
Section 46.12.180 .....	amended	269	5 854
Section 46.16.050 .....	repealed	150	18 417
Section 46.16.060 .....	amended	150	17 417
Section 46.16.070 .....	amended	269	8 856
Section 46.16.090 .....	amended	269	12 858
Section 46.16.120 .....	amended	269	13 859
Section 46.16.130 .....	amended	269	15 860
Section 46.16.140 .....	amended	269	17 862
Section 46.16.250 .....	repealed	150	18 417
Section 46.16.270 .....	amended	269	6 855
Section 46.36.030 .....	amended	56	2 163
Section 46.40.070 .....	amended	76	8 213
Section 46.44.020 .....	amended	269	20 863



## AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 46.44.030 .....	269	21	864
Section 46.44.040 .....	269	24	865
Section 46.44.090 .....	269	33	872
		28	5
		28	6
		28	7
		28	8
Section 46.48.020 .....	28	9	57
	28	10	57
	28	11	58
	28	12	58
	28	13	58
	28	1	53
Section 46.48.040 .....	28	2	53
	28	3	54
	28	4	54
Section 46.48.170 .....	102	1	254
Section 46.48.200 .....	102	3	255
Section 46.48.210 .....	102	3	255
Section 46.48.220 .....	102	3	255
Section 46.48.230 .....	102	3	255
Section 46.48.240 .....	102	3	255
Section 46.48.250 .....	102	3	255
Section 46.48.310 to 46.48.340, incl. ....	36	1	82
Section 46.60.230 .....	56	3	164
Chapter 46.72 .....	150	18	417
Section 47.16.100 .....	273	2	915
Section 47.16.140 .....	8	1	24
Section 47.20.010 .....	273	3	916
Section 47.20.160 .....	273	4	917
Section 47.20.180 .....	273	5	918
Section 47.20.320 .....	273	6	918
Section 47.20.340 .....	273	7	919
Section 47.20.370 .....	273	8	919
Section 47.20.390 .....	273	9	920
Section 47.20.430 .....	273	10	921
Section 47.20.540 .....	273	11	921
Section 47.24.050 .....	54	1	160
Section 47.36.150 .....	188	1	550
Section 47.52.010 .....	167	2	452
Section 47.52.020 .....	167	4	452
	167	5	453
Section 47.52.070 .....	167	10	456
Section 47.52.080 .....	167	11	457
Section 47.60.100 .....	121	14	311
	259	3	817
Section 47.60.140 .....	259	1	816
Section 47.64.050 .....	82	1	223
Section 47.64.060 .....	82	2	223
Section 47.64.070 .....	259	2	817
Section 48.20.010-48.20.330 incl. ....	229	34	724
Section 48.20.370 .....	229	34	724
Section 48.23.360 .....	190	1	552
Section 48.27.020 .....	194	1	581
Section 49.28.070 .....	84	1	225
Section 50.04.070 .....	215	1	630
Section 50.04.180 .....	265	6	841
Section 50.04.200 .....	265	7	841
Section 50.04.260 .....	265	1	833
Section 50.04.320 .....	265	3	837
Section 50.04.330 .....	265	4	838

# AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 50.04.340 .....	amended	265	5 840
Section 50.04.350 .....	amended	265	2 837
Section 50.12.080 .....	amended	215	2 630
Section 50.12.110 .....	amended	215	3 631
Section 50.20.010 .....	amended	265	9 842
		215	11 638
Section 50.20.050 .....	amended	215	12 639
Section 50.20.060 .....	amended	215	13 639
Section 50.20.070 .....	amended	265	10 843
Section 50.20.080 .....	amended	215	14 639
Section 50.20.120 .....	amended	265	11 844
Section 50.20.130 .....	amended	215	15 639
Section 50.20.140 .....	amended	215	4 632
Section 50.20.150 .....	amended	215	5 633
Section 50.20.160 .....	amended	215	6 633
Section 50.20.180 .....	amended	215	7 634
Section 50.20.190 .....	amended	215	8 635
Section 50.24.160 .....	amended	215	9 636
		265	8 841
Section 50.28.010 .....	amended	215	16 640
Section 50.28.050 .....	amended	215	17 640
Section 50.32.020 .....	amended	215	10 637
Section 51.08.140 .....	amended	236	1 744
Section 51.16.020 .....	amended	236	2 744
Section 51.16.050 .....	amended	198	1 592
Section 51.16.080 .....	amended	236	3 745
Section 51.16.110 .....	amended	236	4 746
Section 51.16.170 .....	amended	214	1 629
Section 51.32.050 .....	amended	115	1 282
		236	5 746
Section 51.32.060 .....	amended	115	2 284
Section 51.32.080 .....	amended	115	4 287
Section 51.32.090 .....	amended	115	3 285
Section 51.32.160 .....	amended	115	5 289
Section 51.36.020 .....	amended	236	6 749
Section 51.44.070 .....	amended	236	7 750
Section 51.52.010 .....	amended	225	1 681
Section 51.52.020 .....	amended	225	2 683
Section 51.52.030 .....	amended	225	3 683
Section 51.52.040 .....	amended	225	4 683
Section 51.52.050 .....	amended	225	5 684
Section 51.52.060 .....	amended	225	6 684
Section 51.52.070 .....	amended	225	7 685
Section 51.52.080 .....	amended	225	8 686
Section 51.52.090 .....	amended	225	9 686
Section 51.52.100 .....	amended	225	11 688
Section 51.52.110 .....	amended	225	14 690
Section 51.52.120 renumbered as sec. 51.52.130 and	amended	225	17 693
Section 51.52.130 renumbered as sec. 51.52.120 and	amended	225	16 693
Section 51.52.140 .....	amended	225	19 695
Section 51.52.150 .....	amended	225	20 695
Section 53.12.030 .....	amended	69	1 204
Section 53.12.040 .....	amended	69	2 204
Section 53.12.160 .....	amended	68	1 202
Section 53.12.170 .....	repealed	68	4 204
Section 53.36.020 .....	amended	133	1 331
Section 54.04.060 .....	amended	207	1 613
Section 54.04.070 .....	amended	207	2 614
Section 54.04.080 .....	amended	207	3 615
Section 54.12.080 .....	amended	207	4 616
Section 54.16.120 .....	amended	209	1 619

## AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 54.16.130 .....	amended	209	2 619
Section 56.08.040 .....	amended	129	1 323
Section 56.12.040 .....	repealed	129	4 325
Section 56.16.020 .....	amended	129	2 324
Section 56.16.030 .....	amended	129	3 324
Section 56.16.120 .....	amended	107	3 268
Section 57.16.030 .....	amended	112	1 274
Section 57.16.040 .....	amended	112	2 275
Section 57.20.100 .....	amended	62	1 190
Section 57.28.040 .....	amended	112	3 276
Section 58.16.020 .....	amended	195	1 582
Section 58.16.040 .....	amended	203	1 607
Section 58.16.060 .....	amended	195	2 582
Section 58.16.090 .....	amended	195	3 583
Section 58.16.100 .....	amended	224	1 678
Section 66.24.300 .....	amended	93	1 237
Section 66.44.190 .....	amended	120	1 303
Section 67.08.140 .....	amended	48	1 115
Section 70.30.110 .....	repealed	204	2 610
Section 70.30.140 .....	repealed	204	2 610
Section 70.32.020 .....	amended	204	1 609
Section 70.34.110 .....	repealed	204	2 610
Section 70.34.120 .....	repealed	204	2 610
Section 70.58.010 .....	amended	106	4 262
Section 70.58.020 .....	amended	106	5 263
Section 70.58.040 .....	amended	106	8 266
Section 70.58.080 .....	amended	106	6 264
Section 70.58.090 .....	amended	106	7 264
Section 70.58.130 .....	amended	106	2 261
Section 70.66.010- 70.66.160 incl. ....	repealed	183	56 530
Chapter 70.78 .....	repealed	174	12 480
Section 70.86.010- 70.86.100 incl. ....	repealed	223	28 678
Chapter 71.04 .....	repealed	139	69 362
Section 71.04.120 .....	amended	137	1 337
Section 71.12.020- 71.12.160 incl. ....	repealed	139	69 362
Section 71.12.210- 71.12.450 incl. ....	repealed	223	28 678
Section 72.04.030 .....	repealed	10	1 25
Section 72.08.340 .....	repealed	152	3 420
Section 72.12.120 .....	repealed	152	1 419
Section 73.04.110 .....	amended	206	1 612
Section 73.16.010 .....	amended	29	1 59
Section 73.32.030 .....	amended	7	1 23
Section 74.08.010 .....	amended	122	1 312
		1	3 4
Section 74.08.030 .....	amended	1	5 7
		165	1 449
Section 74.08.040 .....	amended	1	6 8
Section 74.08.140 } .....			
Section 74.08.150 } .....			
Section 74.08.160 } .....			
Section 74.08.170 } .....	amended	1	7 9
Section 74.08.180 } .....			
Section 74.08.190 } .....			
Section 74.08.200 } .....			
Section 74.08.250 .....	amended	1	8 13
Section 74.20.010 to 74.20.050, incl. ....	repealed	11	1 26
Section 74.32.010 .....	amended	117	20 299
Section 75.04.090 .....	amended	271	1 894
Section 75.08.230 .....	amended	271	2 895
Section 75.12.060 .....	amended	271	3 896
Section 75.12.080 .....	amended	271	4 896

# AMENDMENTS, REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 75.28.060 .....	amended	271	5 896
Section 75.28.080 .....	amended	271	6 897
Section 75.28.090 .....	amended	271	7 897
Section 75.28.100 .....	amended	271	8 897
Section 75.28.110 .....	amended	271	9 899
Section 75.28.120 .....	amended	271	10 899
Section 75.28.130 .....	amended	271	11 899
Section 75.28.140 .....	amended	271	12 900
Section 75.28.150 .....	amended	271	13 900
Section 75.28.160 .....	amended	271	14 900
Section 75.28.170 .....	amended	271	15 901
Section 75.28.180 .....	amended	271	16 901
Section 75.28.190 .....	amended	271	17 901
Section 75.28.200 .....	amended	271	18 901
Section 75.28.210 .....	amended	271	19 902
Section 75.28.220 .....	amended	271	20 902
Section 75.28.230 .....	amended	271	21 902
Section 75.28.240 .....	amended	271	22 903
Section 75.28.250 .....	amended	271	23 903
Section 75.28.260 .....	amended	271	24 903
Section 75.28.270 .....	amended	271	25 904
Section 75.28.280 .....	amended	271	26 904
Section 75.28.290 .....	amended	271	27 904
Section 75.28.300 .....	amended	271	28 904
Section 75.28.320 .....	amended	271	29 905
Section 75.28.330 .....	amended	271	30 905
Section 75.28.340 .....	repealed	271	47 913
Section 75.28.350 .....	amended	271	31 905
Section 75.28.360 .....	amended	271	32 906
Section 75.28.370 .....	amended	271	33 906
Section 75.32.030 .....	amended	271	34 907
Section 75.32.050 .....	repealed	271	47 913
Section 75.32.070 .....	amended	271	35 907
Section 75.32.080 .....	amended	271	36 907
Section 75.32.100 .....	amended	271	37 908
Section 75.36.050 .....	amended	271	38 908
Section 76.04.010 .....	amended	58	1 172
Section 76.04.150 .....	amended	58	2 172
Section 76.04.230 .....	amended	58	3 173
Section 76.04.250 .....	amended	58	4 175
Section 76.04.260 .....	amended	58	5 177
Section 76.04.270 .....	amended	58	6 179
Section 76.04.320 .....	amended	58	7 179
Section 76.04.330 .....	repealed	58	10 183
Section 76.04.360 .....	amended	58	8 180
Section 76.04.370 .....	amended	235	1 742
Section 76.04.380 .....	amended	58	9 181
Section 76.12.030 .....	amended	91	1 235
Section 76.12.110 .....	amended	149	1 410
Section 77.16.150 .....	amended	126	1 319
Section 78.48.070 .....	repealed	49	5 119
Section 78.48.080 .....	amended	49	1 117
Section 79.20.010 .....	amended	271	39 909
Section 79.20.030 .....	amended	271	40 909
Section 79.20.040 .....	repealed	271	47 913
Section 79.20.060 .....	repealed	271	47 913
Section 80.08.070 .....	amended	227	1 701
Section 80.40.010 .....	amended	252	1 791
Section 81.04.250 .....	amended	75	1 210
Section 81.36.140 .....	amended	191	1 554
Section 81.52.320 .....	amended	111	1 272

## AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 81.88.010 .....	repealed	94	1 238
Section 81.88.020 .....	amended	94	2 238
Section 82.08.050 .....	amended	44	1 101
Section 82.08.060 .....	amended	44	2 102
Section 82.08.070 .....	amended	44	3 103
Section 82.08.130 .....	repealed	44	5 104
Section 82.36.020 .....	amended	269	43 878
Section 82.36.100 .....	amended	267	1 848
Section 82.36.280 .....	amended	263	1 827
Section 84.08.160 .....	amended	116	1 290
Section 84.28.040 .....	amended	172	1 470
Section 84.28.050 .....	amended	172	2 471
Section 84.28.060 .....	amended	172	3 472
Section 84.52.050 .....	amended	255	1 803
Section 84.64.100 .....	amended	220	1 648
Section 85.04.400 .....	amended	30	1 60
Section 85.16.060 .....	amended	63	1 19
Section 85.16.200 .....	amended	63	2 192
Chapter 86.20 .....	repealed	240	1 759
Chapter 86.28 .....	repealed	240	1 759
Section 87.01.060 .....	amended	212	1 625
Section 87.08.100 .....	amended	189	1 551
Chapter 87.54 .....	repealed	237	16 756
Section 87.68.110 .....	amended	158	1 443
Section 87.76.040 .....	amended	202	1 607
Section 89.08.030 .....	amended	216	3 643
Section 89.08.040 .....	amended	216	4 644
Section 89.08.170 .....	amended	216	1 642
Section 89.08.180 .....	amended	216	2 643
Section 89.12.050 .....	amended	200	1 599
Section 89.12.070 .....	amended	200	2 604
Section 89.12.100 .....	amended	200	3 605
Section 89.12.130 .....	amended	200	4 605
Section 90.04.040 .....	amended	57	5 169

## ADDITIONS TO REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Chapter 2.08 .....	125	8	318
Chapter 8.04 .....	177	2	486
Chapter 8.04 .....	177	3	487
Chapter 9.95 .....	238	1	756
Chapter 14.08 .....	114	2	280
Chapter 14.08 .....	114	3	281
Chapter 18.29 .....	236	5	809
Chapter 18.85 .....	section added	222	21 664
		222	22 665
		222	23 665
		222	24 666
		222	25 667
		222	26 667
Chapter 21.08 .....	64	3	196
Chapter 21.08 .....	64	5	197
Chapter 28.63 .....	257	1	810
Chapter 29.10 .....	250	1	788
Chapter 29.10 .....	208	1	618
Chapter 29.13 .....	257	5	813
Chapter 30.24 .....	218	1	646
Title 33 .....	105	1	259
Chapter 35.02 .....	86	1	228
Chapter 35.17 .....	47	1	114
Chapter 35.33 .....	154	1	426
Chapter 36.62 .....	section added	256	1 807
		256	2 808
		256	3 808
		256	4 809
Chapter 36.86 .....	143	1	375
Chapter 40.12 .....	145	6	380
Chapter 41.40 .....	50	14	137
Chapter 41.40 .....	50	15	138
Chapter 41.40 .....	50	16	139
Chapter 41.40 .....	50	17	139
Chapter 43.43 .....	140	10	370
Chapter 46.04 .....	56	1	163
Chapter 46.16 .....	269	7	856
Chapter 46.16 .....	269	14	860
Chapter 46.16 .....	269	16	861
Chapter 46.44 .....	269	30	869
Chapter 46.44 .....	269	31	870
Chapter 46.44 .....	269	32	871
Chapter 46.64 .....	175	1	480
Chapter 47.52 .....	sections added	167	1 451
		167	3 451
		167	6 453
		167	7 454
		167	8 455
Chapter 47.60 .....	sections added	167	9 455
		259	4 817
		229	1 704
Chapter 48.20 .....	sections added	229	2 705
		229	3 706
		229	4 706
		229	5 707
		229	6 707
		229	7 708
		229	7 708

# ADDITIONS TO REVISED CODE OF WASHINGTON

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
	229	8	709
	229	9	710
	229	10	711
	229	11	711
	229	12	712
	229	13	712
	229	14	713
	229	15	713
	229	16	714
	229	17	714
	229	18	715
	229	19	715
Chapter 48.20 .....	229	20	716
.....sections added	229	21	716
	229	22	718
	229	23	719
	229	24	720
	229	25	720
	229	26	721
	229	27	721
	229	28	722
	229	29	722
	229	30	722
	229	31	722
	229	32	723
	229	33	723
Chapter 50.20 .....	265	12	845
Chapter 50.36 .....	265	13	845
	225	10	686
Chapter 51.52 .....	225	12	689
.....sections added	225	13	690
	225	15	691
	225	18	694
	225	21	695
Chapter 52.16 .....	107	2	268
Chapter 53.12 .....	68	2	202
Chapter 53.12 .....	68	3	203
Chapter 53.12 .....	69	3	205
Chapter 53.12 .....	69	4	205
Chapter 54.08 .....	207	5	616
Chapter 57.20 .....	107	4	269
Chapter 67.08 .....	48	2	115
Chapter 73.32 .....	231	1	728
Chapter 75.08 .....	271	42	911
	271	43	911
Chapter 75.28 .....	271	44	912
Chapter 75.32 .....	271	45	912
Chapter 77.16 .....	126	2	320
	126	3	320
Chapter 77.20 .....	262	1	826
Chapter 79.20 .....	271	41	910
Chapter 81.08 .....	227	2	703
Chapter 81.52 .....	111	2	273
	219	1	647
Chapter 81.72 .....	219	2	647
	219	3	648
Chapter 82.12 .....	37	1	83
Chapter 85.16 .....	63	3	193
Chapter 85.16 .....	63	4	194
Chapter 87.01 .....	159	1	444





INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1907:	Ch.	Sec.	Page
Ch. 56, sec. 1.....(RCW 2.32.070 amended).....	51	1	140
Ch. 56, sec. 1.....(RCW 2.40.010 amended).....	51	3	141
Ch. 56, sec. 1.....(RCW 36.18.010 amended).....	51	4	141
Ch. 56, sec. 1.....(RCW 36.18.020 amended).....	51	5	142
Ch. 56, sec. 1.....(RCW 36.18.040 amended).....	51	6	144
Ch. 56, sec. 1.....(RCW 42.28.090 amended).....	51	7	146
Ch. 83, sec. 3.....(RCW 70.58.020 amended).....	106	5	263
Ch. 83, sec. 12.....(RCW 70.58.080 amended).....	106	6	264
Ch. 241, sec. 4.....(RCW 35.23.040 amended).....	71	1	206
Ch. 241, sec. 7.....(RCW 35.23.070 amended).....	71	2	207
Ch. 241, sec. 52.....(RCW 35.23.350 repealed)			
(RCW 35.23.360 repealed).....	211	2	625
Ch. 245, sec. 2.....(RCW 35.13.020 amended).....	248	6	786
 LAWS 1909:			
Ch. 120, sec. 4.....(RCW 35.23.040 amended).....	71	1	206
Ch. 171, sec. 1.....(RCW 85.04.450 amended).....	30	1	60
Ch. 222, secs. 3, 5.....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 249, sec. 57.....(RCW 10.01.060 amended).....	52	1	147
 LAWS 1911:			
Ch. 31, sec. 1.....(RCW 35.37.060 amended).....	65	1	199
Ch. 37, sec. 1.....(RCW 49.28.070 amended).....	84	1	225
Ch. 125, sec. 18.....(RCW 76.04.330 repealed).....	58	10	183
 LAWS 1913:			
Ch. 41, secs. 1, 2, 3, 4.....(RCW 3.12.020-3.12.070 incl. repealed)	156	17	435
Ch. 62, sec. 2.....(RCW 53.12.040 amended).....	69	2	204
Ch. 107 .....(RCW 43.75.010-43.75.050 incl., repealed).....	17	1	36
Ch. 110, secs. 1, 2.....(RCW 3.12.020-3.12.070 incl., re- pealed).....	156	17	435
Ch. 162, sec. 1.....(RCW 36.34.180 amended).....	41	1	90
Ch. 172, sec. 10.....(RCW 70.30.110 repealed).....	204	2	610
Ch. 172, sec. 11.....(RCW 70.30.140 repealed).....	204	2	610
 LAWS 1915:			
Ch. 27, sec. 1.....(RCW 44.20.050 amended).....	157	18	441
Ch. 80, sec. 2.....(RCW 70.30.140 repealed).....	204	2	610
Ch. 81, secs. 1-8 inc.....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 105 .....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 109 .....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 132, sec. 1.....(RCW 81.88.010 repealed).....	94	1	238
Ch. 132, sec. 2.....(RCW 81.88.020 amended).....	94	2	238
Ch. 157, sec. 1.....(Uncodified)—amended.....	134	1	332
Ch. 180, sec. 1.....(RCW 70.58.010 amended).....	106	4	262
Ch. 180, sec. 2.....(RCW 70.58.020 amended).....	106	5	263
Ch. 180, sec. 9.....(RCW 43.20.080 amended).....	106	1	259
Ch. 180, sec. 10.....(RCW 70.58.040 amended).....	106	8	266
Ch. 184, sec. 31.....(RCW 35.24.270, 35.24.280 repealed)..	211	2	625
 LAWS 1917:			
Ch. 7, sec. 1.....(RCW 29.62.050 amended).....	193	1	579
Ch. 7, sec. 1.....(RCW 29.62.060 amended).....	193	2	580
Ch. 7, sec. 1.....(RCW 29.62.070 amended).....	193	3	580

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1917—CONTINUED:	Ch.	Sec.	Page
Ch. 105, sec. 4.....(RCW 76.04.370 amended).....	235	1	742
Ch. 105, sec. 6.....(RCW 76.04.010 amended).....	58	1	172
Ch. 156, sec. 88.....(RCW 11.64.010, 11.64.020, 11.64.050 repealed).....	197	7	592
Ch. 156, sec. 89.....(RCW 11.64.030 amended).....	197	5	591
Ch. 156, sec. 90.....(RCW 11.64.040 amended).....	197	6	591
Ch. 156, sec. 91.....(RCW 11.64.010, 11.64.020, 11.64.050 repealed).....	197	7	592
Ch. 156, sec. 103.....(RCW 11.52.010 amended).....	264	1	828
Ch. 156, sec. 104.....(RCW 11.52.020 amended).....	264	6	830
LAWS 1919:			
Ch. 35, sec. 1.....(RCW 70.30.110 repealed).....	204	2	610
Ch. 90, sec. 15.....(RCW 25.59.220 amended).....	257	2	810
Ch. 148, sec. 1.....(RCW 16.28.010 amended).....	31	10	63
Ch. 156, sec. 1.....(RCW 28.63.080 amended).....	27	1	52
Ch. 163, sec. 12.....(RCW 29.09.09 [old number] re- pealed; see footnote to section). . . . .	101	9	253
Ch. 180, sec. 14.....(RCW 87.08.100 amended).....	189	1	551
LAWS 1921:			
Ch. 7, sec. 60.....(RCW 72.04.030 repealed).....	10	1	25
Ch. 7, sec. 61.....(RCW 43.21.010 amended).....	57	1	167
Ch. 7, sec. 66.....(RCW 43.21.120 amended).....	57	2	167
Ch. 7, sec. 72.....(RCW 43.21.130 amended).....	57	3	168
Ch. 7, sec. 83.....(RCW 43.23.010 amended).....	170	1	468
Ch. 39, sec. 2.....(RCW 53.12.030 amended).....	69	1	204
Ch. 43, sec. 1.....(RCW 13.04.040 amended).....	270	1	883
Ch. 48.....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 158, sec. 2.....(RCW 71.04.120 amended).....	137	1	337
LAWS 1923:			
Ch. 16, sec. 1.....(RCW 18.32.030 amended).....	130	1	325
Ch. 16, sec. 3.....(RCW 18.32.100 amended).....	130	2	327
Ch. 16, sec. 17.....(RCW 18.32.180 amended).....	130	4	328
Ch. 44, sec. 1.....(RCW 28.77.340 amended).....	97	1	243
Ch. 53, sec. 5.....(RCW 53.12.040 amended).....	69	2	204
Ch. 53, sec. 7.....(RCW 29.09.11 [old number] re- pealed; see footnote to section). . . . .	101	9	253
Ch. 113, sec. 1.....(RCW 11.08.100 repealed).....	138	4	340
Ch. 113, sec. 2.....(RCW 11.08.110 repealed).....	138	4	340
Ch. 138, sec. 4.....(RCW 87.01.060 amended).....	212	1	625
Ch. 145.....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 184, sec. 8.....(RCW 76.04.230 amended).....	58	7	179
LAWS 1925:			
Ch. 43, sec. 1.....(RCW 76.04.360 amended).....	58	8	180
LAWS EX. SESS. 1925:			
Ch. 98, sec. 1.....(RCW 8.04.090 amended).....	177	1	485
Ch. 98, sec. 3.....(RCW 8.04.130 amended).....	177	4	487
Ch. 130, sec. 120.....(RCW 84.64.100 amended).....	220	1	648
LAWS 1927:			
Ch. 135, sec. 1.....(RCW 2.08.060 amended).....	125	1	317
Ch. 171, sec. 1.....(RCW 2.36.150 amended).....	51	2	141
Ch. 255, sec. 142.....(RCW 79.20.010 amended).....	271	39	909
Ch. 255, sec. 144.....(RCW 79.20.030 amended).....	271	40	909
Ch. 255, sec. 145.....(RCW 79.20.040 repealed).....	271	47	913
Ch. 255, sec. 147.....(RCW 79.20.060 repealed).....	271	47	913

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1929:	Ch.	Sec.	Page
Ch. 114, sec. 18.....(RCW 57.20.100 amended).....	62	1	190
Ch. 122, sec. 8.....(RCW 90.04.040 amended).....	57	5	169
Ch. 125, sec. 5.....(RCW 17.04.240 amended).....	107	1	267
Ch. 132, sec. 4.....(RCW 51.16.170 amended).....	214	1	629
Ch. 203, sec. 3.....(RCW 30.52.030 amended).....	23	1	47
 LAWS 1931:			
Ch. 1, sec. 6.....(RCW 54.16.120 amended).....	209	1	619
Ch. 1, sec. 6.....(RCW 54.16.130 amended).....	209	2	619
Ch. 1, sec. 8.....(RCW 54.04.070 amended).....	207	2	614
Ch. 1, sec. 8.....(RCW 54.04.080 amended).....	207	3	615
Ch. 40, sec. 3.....(RCW 84.28.020 amended).....	172	1	470
Ch. 40, sec. 4.....(RCW 84.28.050 amended).....	172	2	471
Ch. 40, sec. 5.....(RCW 84.28.060 amended).....	172	3	472
Ch. 77 .....(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed).....	139	69	362
Ch. 116, sec. 1.....(RCW 51.52.150 amended).....	225	20	695
Ch. 125 .....(RCW 70.66.010 to 70.66.160 incl., repealed) .....	183	56	530
Ch. 139, sec. 7.....(RCW 36.62.250 repealed).....	256	6	810
 LAWS 1933:			
Ch. 58, sec. 5.....(RCW 82.36.020 amended).....	269	43	878
Ch. 71 .....(Uncodified)—repealed .....	9	1	25
Ch. 97, sec. 3.....(RCW 43.78.070 amended).....	151	1	418
Ch. 118, sec. 2.....(RCW 76.12.110 amended).....	149	1	410
Ch. 150 .....(RCW ch. 86.28 repealed).....	240	1	759
Ch. 151, sec. 6.....(RCW 80.08.070 amended).....	227	1	701
Ch. 154, sec. 6.....(RCW 22.20.040 amended).....	110	1	271
Ch. 165, sec. 4.....(RCW 81.04.250 amended).....	75	1	210
Ch. 184, sec. 22.....(RCW 67.08.140 amended).....	48	1	115
 LAWS EX. SESS. 1933:			
Ch. 49, sec. 1.....(RCW 66.44.190 amended).....	120	1	303
 LAWS 1935:			
Ch. 37, sec. 1.....(RCW 35.22.350 amended).....	21	1	42
Ch. 86, sec. 11.....(RCW 70.34.110 repealed).....	204	2	610
Ch. 86, sec. 12.....(RCW 70.34.120 repealed).....	204	2	610
Ch. 112, sec. 4.....(RCW 18.32.100 amended).....	130	2	327
Ch. 112, sec. 6(f).....(RCW 18.32.030 amended).....	130	1	325
Ch. 112, sec. 17.....(RCW 18.32.160 amended).....	130	3	328
Ch. 112, sec. 24.....(RCW 18.32.180 amended).....	130	4	328
Ch. 126, sec. 1.....(RCW 76.12.030 amended).....	91	1	235
Ch. 133, sec. 1.....(RCW 53.12.160 amended).....	68	1	202
Ch. 133, secs. 2-7 inc.....(RCW 53.12.170 repealed).....	68	4	204
Ch. 157, sec. 1.....(RCW 22.08.090 amended).....	171	1	469
Ch. 180, sec. 21.....(RCW 82.08.050 amended).....	44	1	101
Ch. 180, sec. 22.....(RCW 82.08.060 amended).....	44	2	102
Ch. 180, sec. 23.....(RCW 82.08.070 amended).....	44	3	103
Ch. 180, sec. 28.....(RCW 82.08.130 repealed).....	44	5	104
 LAWS 1937:			
Ch. 30, sec. 21.....(RCW 80.08.070 amended).....	227	1	701
Ch. 53, sec. 64.....(RCW 47.36.150 amended).....	188	1	550
Ch. 139, sec. 1.....(RCW 43.03.080 amended).....	99	1	246
Ch. 152, sec. 3.....(RCW 76.04.270 amended).....	58	6	179
Ch. 178, sec. 4.....(RCW 21.08.040 amended).....	64	1	195

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1937—CONTINUED:

	Ch.	Sec.	Page
Ch. 178, sec. 6.....(RCW 21.08.080 amended).....	64	6	198
Ch. 178, sec. 8.....(RCW 21.08.060 amended).....	64	2	195
Ch. 178, sec. 9.....(RCW 21.08.070 amended).....	64	4	197
Ch. 184.....(RCW ch. 46.72 repealed).....	150	18	417
Ch. 186, sec. 2.....(RCW 58.16.020 amended).....	195	1	582
Ch. 186, sec. 4.....(RCW 58.16.040 amended).....	203	1	607
Ch. 186, sec. 7.....(RCW 58.16.060 amended).....	195	2	582
Ch. 186, sec. 10.....(RCW 58.16.090 amended).....	195	3	583
Ch. 186, sec. 11.....(RCW 58.16.100 amended).....	224	1	678
Ch. 188, sec. 16.....(RCW 46.16.060 amended).....	150	17	417
.....(RCW 46.16.140 amended and			
Ch. 188, sec. 25..... divided).....	269	17	862
Ch. 188, secs. 30, 31.....(RCW 46.16.050, 46.16.250 repealed)..	150	18	417
Ch. 188, sec. 77.....(RCW 46.08.120 amended).....	241	1	763
Ch. 189, sec. 1.....(RCW 46.04.170, 46.04.210 repealed)..	102	3	255
Ch. 189, sec. 20.....(RCW 46.40.070 amended).....	76	8	213
Ch. 189, sec. 34.....(RCW 46.36.030 amended).....	56	2	163
Ch. 189, sec. 48.....(RCW 46.44.020 amended).....	269	20	863
Ch. 189, sec. 58.....(RCW 46.48.200 repealed).....	102	3	255
Ch. 189, secs. 61, 62, 63.....(RCW 46.48.230-46.48.250 incl.,			
..... repealed).....	102	3	255
Ch. 189, sec. 66.....(RCW 46.48.040 divided and			
..... amended).....	28	1	53
Ch. 190, sec. 10.....(RCW 47.16.100 amended).....	273	2	915
Ch. 194, sec. 3.....(RCW 17.08.070 amended).....	213	1	628
Ch. 202, sec. 3.....(RCW 22.20.040 amended).....	110	1	271
Ch. 207, sec. 2.....(RCW 47.20.160 amended).....	273	4	917
Ch. 207, sec. 4.....(RCW 47.20.180 amended).....	273	5	918
Ch. 207, sec. 8.....(RCW 47.20.320 amended).....	273	6	918
Ch. 207, sec. 11.....(RCW 47.20.390 amended).....	273	9	920
Ch. 207, sec. 18.....(RCW 47.20.540 amended).....	273	11	921
Ch. 209, sec. 2.....(RCW 36.33.180 amended).....	161	1	446
Ch. 215, sec. 2.....(RCW 18.18.010 amended).....	180	1	505
Ch. 215, sec. 3(a).....(RCW 18.18.050 amended).....	180	2	507
Ch. 215, sec. 3(d).....(RCW 18.18.060 amended).....	180	3	508
Ch. 215, sec. 3(e).....(RCW 18.18.070 amended).....	180	4	508
Ch. 215, sec. 3(f).....(RCW 18.18.190 amended).....	180	8	510
Ch. 215, sec. 3(g).....(RCW 18.18.210 amended).....	180	9	510
Ch. 215, sec. 3(h).....(RCW 18.18.210 amended).....	180	9	510
Ch. 215, sec. 10.....(RCW 18.18.090 amended).....	180	5	508
Ch. 215, sec. 10(b).....(RCW 18.18.140 amended).....	180	7	509
Ch. 215, sec. 11.....(RCW 18.18.140 amended).....	180	7	509
Ch. 215, sec. 14.....(RCW 18.18.120 amended).....	180	6	509
Ch. 215, sec. 17(b).....(RCW 18.18.210 amended).....	180	9	510
Ch. 217, sec. 2.....(RCW 66.24.300 amended).....	93	1	237
Ch. 229, sec. 3.....(RCW 2.12.030 amended).....	79	1	219
Ch. 229, sec. 6.....(RCW 2.12.060 amended).....	79	2	220

LAWS 1939:

Ch. 58, sec. 1.....(RCW 76.04.370 amended).....	235	1	742
Ch. 72, sec. 2.....(RCW 71.04.120 amended).....	137	1	337
Ch. 105, secs. 1-5 inc.....(RCW 35.23.220 amended).....	85	1	226
Ch. 128, sec. 2.....(RCW 57.16.030 amended).....	112	1	274
Ch. 128, sec. 2.....(RCW 57.16.040 amended).....	112	2	275
Ch. 151.....(Uncodified)—repealed.....	19	1	37
Ch. 162, sec. 1.....(RCW 26.36.010 amended).....	251	1	789
Ch. 162, sec. 2.....(RCW 26.36.040 amended).....	251	2	789
Ch. 162, sec. 3.....(RCW 26.36.050 repealed).....	251	3	790
Ch. 177, sec. 5(a).....(RCW 82.36.100 amended).....	267	1	848

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1939—CONTINUED:	Ch.	Sec.	Page
Ch. 187, sec. 5.....(RCW 89.08.170 amended).....	216	1	642
Ch. 187, sec. 5.....(RCW 89.08.180 amended).....	216	2	643
Ch. 197, sec. 17.....(RCW 20.08.050 amended).....	244	1	768
Ch. 206, sec. 47.....(RCW 84.64.100 amended).....	220	1	648
Ch. 216, sec. 30.....(RCW 74.20.010-74.20.050 incl., repealed) .....	11	1	26
 LAWS 1941:			
Ch. 25, sec. 1.....(RCW 35.21.200 amended).....	162	1	446
Ch. 48, sec. 2.....(RCW 15.76.020 repealed).....	60	9	188
Ch. 48, sec. 3.....(RCW 15.76.030 and 15.76.040 incl., repealed) .....	60	9	188
Ch. 55, sec. 4.....(RCW 57.28.040 amended).....	112	3	276
Ch. 63, sec. 1.....(RCW 76.04.250 amended).....	58	4	175
Ch. 63, sec. 1.....(RCW 76.04.260 amended).....	58	5	177
Ch. 76, sec. 4.....(RCW 82.08.060 amended).....	44	2	102
Ch. 76, sec. 5.....(RCW 82.08.070 amended).....	44	3	103
Ch. 92, sec. 2.....(RCW 18.32.100 amended).....	130	2	327
Ch. 92, sec. 3.....(RCW 18.32.030 amended).....	130	1	325
Ch. 109, sec. 1.....(RCW 40.12.010 amended).....	145	1	378
Ch. 109, sec. 3.....(RCW 40.12.040 amended).....	145	2	378
Ch. 109, sec. 4.....(RCW 40.12.050 amended).....	145	3	378
Ch. 109, sec. 5.....(RCW 40.12.060 amended).....	145	4	380
Ch. 109, sec. 8.....(RCW 40.12.080 amended).....	145	5	380
Ch. 110, sec. 2.....(RCW 36.34.180 amended).....	41	1	90
Ch. 113, sec. 1.....(RCW 36.16.100 amended).....	100	1	247
Ch. 113, sec. 1.....(RCW 42.04.060 amended).....	100	3	247
Ch. 149, sec. 1.....(RCW 1.08.010 repealed).....	157	19	442
Ch. 149, sec. 2.....(RCW 1.08.020 repealed).....	157	19	442
Ch. 149, sec. 3.....(RCW 1.08.040 amended).....	157	16	440
Ch. 149, sec. 4.....(RCW 1.08.050 amended).....	157	17	441
Ch. 149, sec. 5.....(RCW 1.08.050 amended).....	157	17	441
.....(RCW 1.08.020 repealed).....	157	19	442
Ch. 161, sec. 3.....(RCW 81.52.320 amended).....	111	1	272
Ch. 169, sec. 1.....(RCW 51.44.070 amended).....	236	7	750
Ch. 176, sec. 1.....(RCW 84.52.050 amended).....	255	1	803
Ch. 177.....(repealed).....	178	17	502
Ch. 204, secs. 1-7 inc.....(RCW ch. 86.28 repealed).....	240	1	759
Ch. 206, sec. 3.....(RCW 11.92.140 repealed).....	218	2	647
Ch. 210, sec. 4.....(RCW 56.16.120 amended).....	107	3	268
Ch. 210, sec. 16.....(RCW 56.16.020 amended).....	129	2	324
Ch. 210, sec. 25.....(RCW 56.12.040 repealed).....	129	4	325
Ch. 228, sec. 2.....(RCW 43.01.090 amended).....	131	1	329
Ch. 229.....(RCW ch. 11.84 repealed).....	226	14	701
Ch. 245, sec. 5.....(RCW 54.04.060 amended).....	207	1	613
Ch. 245, sec. 6.....(RCW 54.12.080 amended).....	207	4	616
Ch. 252.....(RCW 18.85.160, 18.85.250- 18.85.280 incl., repealed) .....	222	28	668
Ch. 252, sec. 1.....(RCW 18.85.180 amended).....	222	15	659
Ch. 252, sec. 2.....(RCW 18.85.010 amended).....	222	1	651
.....(RCW 18.85.130 amended).....	222	11	657
Ch. 252, sec. 3.....(RCW 18.85.110 amended).....	222	9	655
Ch. 252, sec. 4.....(RCW 18.85.040 amended).....	222	3	652
Ch. 252, sec. 6.....(RCW 18.85.100 amended).....	222	8	654
Ch. 252, sec. 12.....(RCW 18.85.140 amended).....	222	12	657
Ch. 252, sec. 13.....(RCW 18.85.070 amended).....	222	5	653
Ch. 252, sec. 14.....(RCW 18.85.080 amended).....	222	6	653
Ch. 252, sec. 15.....(RCW 18.85.090 amended).....	222	7	654
Ch. 252, sec. 20.....(RCW 18.85.290 amended).....	222	17	662
Ch. 252, sec. 23.....(RCW 18.85.340 amended).....	222	20	664

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1943:	Ch.	Sec.	Page
Ch. 6 .....	178	17	502
Ch. 24 .....	178	17	502
Ch. 25, sec. 4.....(RCW 35.17.110 amended).....	46	1	112
Ch. 30, sec. 1.....(RCW 43.21.140 amended).....	57	4	169
Ch. 74, sec. 3.....(RCW 56.08.040 amended).....	129	1	323
Ch. 80, sec. 1.....(RCW 35.21.280 amended).....	35	1	81
Ch. 84, sec. 5.....(RCW 82.36.280 amended).....	263	1	827
Ch. 85, sec. 1.....(Uncodified)—amended .....	144	1	376
Ch. 85, sec. 2.....(Uncodified)—amended .....	144	2	377
Ch. 85, sec. 3.....(Uncodified)—amended .....	144	3	377
Ch. 92, sec. 2.....(RCW 35.39.040 amended).....	275	1	930
Ch. 118, sec. 3.....(RCW 18.85.300 amended).....	222	18	663
Ch. 120, secs. 1, 2.....(RCW 28.13.010 amended).....	92	1	236
Ch. 141, sec. 1.....(RCW 73.16.010 amended).....	29	1	59
Ch. 161 .....	174	12	480
Ch. 162, sec. 2.....(RCW 70.32.020 amended).....	204	1	609
Ch. 166, sec. 2.....(RCW 53.36.020 amended).....	133	1	331
Ch. 176, sec. 4.....(RCW 70.58.130 amended).....	106	2	261
Ch. 186, sec. 2.....(RCW 51.36.020 amended).....	236	6	749
Ch. 188, sec. 1.....(RCW 2.36.150 amended).....	51	2	141
Ch. 214 .....	168	16	464
Ch. 231, sec. 3.....(RCW 21.04.040 amended).....	230	1	725
Ch. 239, sec. 6.....(RCW 47.20.010 amended).....	273	3	916
Ch. 239, sec. 8.....(RCW 47.20.340 amended).....	273	7	919
Ch. 239, sec. 9.....(RCW 47.20.430 amended).....	273	10	921
Ch. 252, sec. 2.....(RCW 1.08.060 repealed).....	157	19	442
Ch. 264, sec. 5.....(RCW 35.61.210 amended).....	179	1	504
Ch. 269, sec. 1.....(RCW 36.38.010 amended).....	34	1	79
Ch. 275, sec. 5.....(RCW 89.12.050 amended).....	200	1	599
Ch. 275, sec. 7.....(RCW 89.12.070 amended).....	200	2	604
Ch. 275, sec. 10.....(RCW 89.12.100 amended).....	200	3	605
Ch. 275, sec. 15.....(RCW 89.12.130 amended).....	200	4	605
 LAWS 1945:			
Ch. 11, sec. 1 .....	58	2	172
Ch. 19, sec. 1 .....	79	1	219
Ch. 20, sec. 1 .....	125	1	317
Ch. 24, sec. 1 .....	210	1	621
Ch. 24, sec. 2 .....	210	2	622
Ch. 24, sec. 3 .....	210	3	623
Ch. 25, sec. 1 .....	102	3	255
Ch. 35, sec. 8 .....	215	1	630
Ch. 35, sec. 19 .....	265	6	841
Ch. 35, sec. 21 .....	265	7	841
Ch. 35, sec. 27 .....	265	1	833
Ch. 35, sec. 36 .....	265	2	837
Ch. 35, sec. 47 .....	215	2	630
Ch. 35, sec. 50 .....	215	3	631
Ch. 35, sec. 82 .....	215	4	632
Ch. 35, sec. 83 .....	215	5	633
Ch. 35, sec. 84 .....	215	6	633
Ch. 35, sec. 86 .....	215	7	634
Ch. 35, sec. 104 .....	215	9	636
	265	8	841
Ch. 35, sec. 118 .....	215	10	637
Ch. 38, sec. 1 .....	263	1	827
Ch. 66, sec. 2 .....	204	1	609
Ch. 76 .....	36	1	82
incl., repealed) .....			

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1945—CONTINUED:

	Ch.	Sec.	Page
Ch. 99, sec. 1 .....	(RCW 76.04.380 amended) .....	58	9 181
Ch. 100, sec. 1 .....	(RCW 74.32.010 amended) .....	117	20 299
Ch. 102, sec. 1 .....	(RCW 76.04.230 amended) .....	58	3 173
Ch. 111, sec. 1 .....	(RCW 18.85.030 amended) .....	222	2 652
Ch. 111, sec. 1 .....	(RCW 18.85.050 amended) .....	222	4 653
Ch. 111, sec. 2 .....	(RCW 18.85.170 amended) .....	222	14 658
Ch. 111, sec. 4 .....	(RCW 18.85.160 repealed) .....	222	28 668
Ch. 111, sec. 9 .....	(RCW 18.85.250-18.85.280 incl., repealed) .....	222	28 668
Ch. 120, sec. 2 .....	(RCW 17.20.020 amended) .....	61	2 188
Ch. 120, sec. 2 .....	(RCW 17.20.030 amended) .....	61	3 189
Ch. 120, sec. 2 .....	(RCW 17.20.040 amended) .....	61	4 189
Ch. 140, sec. 11 .....	(RCW 56.16.030 amended) .....	129	3 324
Ch. 141, sec. 6 .....	(RCW 28.41.080 amended) .....	181	1 511
Ch. 141, sec. 6 .....	(RCW 28.41.090 amended) .....	181	2 512
Ch. 157, sec. 1 .....	(RCW 70.58.090 amended) .....	106	7 264
Ch. 158, sec. 1 .....	(RCW 43.20.090 amended) .....	106	3 261
Ch. 182, sec. 13 .....	(RCW 14.08.300 amended) .....	114	1 280
Ch. 185, sec. 1 .....	(Uncodified) amended .....	73	1 209
Ch. 186, sec. 1 .....	(RCW 29.45.120 amended) .....	67	1 201
Ch. 222, sec. 5 .....	(RCW 78.48.080 amended) .....	49	1 117
Ch. 222, sec. 7 .....	(RCW 78.48.070 repealed) .....	49	5 119
Ch. 261, sec. 16 .....	(RCW 41.24.160 amended) .....	103	2 256
Ch. 261, sec. 17 .....	(RCW 41.24.170 amended) .....	103	1 255
Ch. 261, sec. 23 .....	(RCW 41.24.230 amended) .....	103	4 257

LAWS 1947:

Ch. 34, sec. 1 .....	(RCW 15.76.010 repealed) .....	60	9 188
Ch. 36, sec. 6 .....	(RCW 44.24.060 amended) .....	142	1 374
Ch. 71, sec. 3 .....	(RCW 41.44.030 amended) .....	275	2 932
Ch. 71, sec. 6 .....	(RCW 41.44.060 amended) .....	275	3 935
Ch. 71, sec. 12 .....	(RCW 41.44.120 amended) .....	275	8 943
Ch. 71, sec. 13 .....	(RCW 41.44.130 amended) .....	275	9 945
Ch. 71, sec. 14 .....	(RCW 41.44.140 amended) .....	275	10 947
Ch. 71, sec. 17 .....	(RCW 41.44.170 amended) .....	275	13 952
Ch. 71, sec. 19 .....	(RCW 41.44.190 amended) .....	275	14 953
Ch. 71, sec. 25 .....	(RCW 41.44.250 amended) .....	275	15 954
Ch. 79, secs. 20.01-20.33 incl.,	(RCW 48.20.010-48.20.330 incl., repealed) .....	229	34 724
Ch. 79, sec. 20.37 .....	(RCW 48.20.370 repealed) .....	229	34 724
Ch. 79, sec. 23.36 .....	(RCW 48.23.360 amended) .....	190	1 552
Ch. 79, sec. 27.02 .....	(RCW 48.27.020 amended) .....	194	1 581
Ch. 91, sec. 6 .....	(RCW 41.16.060 amended) .....	72	1 208
Ch. 117, sec. 1 .....	(RCW 35.61.210 amended) .....	179	1 504
Ch. 145, sec. 1 .....	(RCW 11.88.100 amended) .....	242	1 764
Ch. 164, sec. 1 .....	(RCW 46.12.040 amended) .....	269	1 851
Ch. 164, sec. 3 .....	(RCW 46.12.060 amended) .....	269	2 851
Ch. 164, sec. 3 .....	(RCW 46.12.080 amended) .....	269	3 853
Ch. 164, sec. 5 .....	(RCW 46.12.170 amended) .....	269	4 853
Ch. 164, sec. 6 .....	(RCW 46.12.180 amended) .....	269	5 854
Ch. 164, sec. 13 .....	(RCW 46.16.270 amended) .....	269	6 855
Ch. 179 .....	(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed) .....	139	69 362
Ch. 189, sec. 3 .....	(RCW 21.04.070 amended) .....	230	2 727
Ch. 197, secs. 1, 2, 3 .....	(RCW 72.08.120, 72.08.340 repealed) .....	152	3 420
Ch. 202, sec. 1 .....	(RCW 47.52.010 amended) .....	167	2 452
Ch. 202, sec. 2 .....	(RCW 47.52.020 amended) .....	167	4 452
Ch. 202, sec. 6 .....	(RCW 47.52.070 amended) .....	167	10 456

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1947—CONTINUED:

	Ch.	Sec.	Page
Ch. 202, sec. 7	167	11	457
Ch. 203, sec. 1	222	10	655
Ch. 203, sec. 2	222	13	658
Ch. 203, sec. 2	222	28	668
Ch. 203, sec. 3	222	16	659
Ch. 203, sec. 18	222	19	663
Ch. 214, sec. 1	252	1	791
Ch. 215, sec. 18	215	8	635
Ch. 232, sec. 1	273	8	919
Ch. 236, sec. 1	107	3	268
Ch. 246, sec. 1	115	1	282
Ch. 246, sec. 1	115	2	284
Ch. 246, sec. 1	115	3	285
Ch. 246, sec. 1	115	4	287
Ch. 246, sec. 1	115	5	289
Ch. 246, sec. 3	225	16	693
51.52.120 and amended)			
Ch. 247, sec. 1	198	1	592
Ch. 250, sec. 1	140	1	363
Ch. 250, sec. 2	140	2	364
Ch. 250, sec. 11	140	3	365
Ch. 250, sec. 14	140	4	366
Ch. 250, sec. 15	140	5	367
Ch. 250, sec. 16	140	6	368
Ch. 250, sec. 17	140	7	369
Ch. 250, sec. 19	140	9	370
Ch. 250, sec. 20	140	8	370
Ch. 265, sec. 1	158	1	443
Ch. 266, sec. 19	87	1	229
Ch. 267, sec. 8	102	3	255
Ch. 273	223	28	678
incl., repealed)			
Ch. 275, sec. 54	126	1	319
Ch. 282, sec. 1	157	17	441
Ch. 282, sec. 1	157	19	442
Ch. 282, sec. 2	157	19	442

LAWS 1949:

Ch. 6, sec. 3	1	3	4
Ch. 6, sec. 3(a)	1	4	5
Ch. 6, sec. 4	1	5	7
Ch. 6, sec. 5	1	6	8
Ch. 6, sec. 15	1	7	9
Ch. 6, sec. 16	1	8	13
Ch. 26, sec. 4	63	1	191
Ch. 26, sec. 15	63	2	192
Ch. 41, sec. 1	202	1	607
Ch. 51, sec. 1	16	1	31
Ch. 51, sec. 2	16	2	32
Ch. 51, sec. 4	16	3	34
Ch. 51, sec. 5	16	4	35
Ch. 65, sec. 1	116	1	290
Ch. 88	178	17	502
repealed			
Ch. 98, sec. 12	160	1	445
Ch. 101, sec. 1	102	1	254
Ch. 102, sec. 1	264	1	828
Ch. 102, sec. 2	264	6	830
Ch. 106, sec. 1	216	3	643
Ch. 106, sec. 1	216	4	644



INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1949—CONTINUED:

	Ch.	Sec.	Page
Ch. 107, sec. 1	(RCW 75.32.030 amended)	271	34 907
Ch. 107, sec. 1	(RCW 75.32.070 amended)	271	35 907
Ch. 107, sec. 1	(RCW 75.32.080 amended)	271	36 907
Ch. 107, sec. 1	(RCW 75.32.050 repealed)	271	47 913
Ch. 107, sec. 3	(RCW 75.32.100 amended)	271	37 908
Ch. 112, sec. 1	(RCW 75.04.090 amended)	271	1 894
Ch. 112, sec. 25	(RCW 75.08.230 amended)	271	2 895
Ch. 112, sec. 31	(RCW 75.12.060 amended)	271	3 896
Ch. 112, sec. 32	(RCW 75.12.080 amended)	271	4 896
Ch. 112, sec. 66	(RCW 75.28.080 amended)	271	6 897
Ch. 112, sec. 67	(RCW 75.28.090 amended)	271	7 897
Ch. 112, sec. 68	(RCW 75.28.100 amended)	271	8 897
Ch. 112, sec. 69	(RCW 75.28.110 amended)	271	9 899
Ch. 112, sec. 69	(RCW 75.28.120 amended)	271	10 899
Ch. 112, sec. 69	(RCW 75.28.130 amended)	271	11 899
Ch. 112, sec. 69	(RCW 75.28.140 amended)	271	12 900
Ch. 112, sec. 69	(RCW 75.28.150 amended)	271	13 900
Ch. 112, sec. 69	(RCW 75.28.160 amended)	271	14 900
Ch. 112, sec. 69	(RCW 75.28.170 amended)	271	15 901
Ch. 112, sec. 69	(RCW 75.28.180 amended)	271	16 901
Ch. 112, sec. 69	(RCW 75.28.190 amended)	271	17 901
Ch. 112, sec. 69	(RCW 75.28.200 amended)	271	18 901
Ch. 112, sec. 69	(RCW 75.28.210 amended)	271	19 902
Ch. 112, sec. 69	(RCW 75.28.220 amended)	271	20 902
Ch. 112, sec. 69	(RCW 75.28.230 amended)	271	21 902
Ch. 112, sec. 69	(RCW 75.28.240 amended)	271	22 903
Ch. 112, sec. 69	(RCW 75.28.250 amended)	271	23 903
Ch. 112, sec. 69	(RCW 75.28.260 amended)	271	24 903
Ch. 112, sec. 69	(RCW 75.28.270 amended)	271	25 904
Ch. 112, sec. 70	(RCW 75.28.280 amended)	271	26 904
Ch. 112, sec. 71	(RCW 75.28.290 amended)	271	27 904
Ch. 112, sec. 72	(RCW 75.28.300 amended)	271	28 904
Ch. 112, sec. 72	(RCW 75.28.320 amended)	271	29 905
Ch. 112, sec. 72	(RCW 75.28.330 amended)	271	30 905
Ch. 112, sec. 72	(RCW 75.28.350 amended)	271	31 905
Ch. 112, sec. 72	(RCW 75.28.360 amended)	271	32 906
Ch. 112, sec. 72	(RCW 75.28.370 amended)	271	33 906
Ch. 112, sec. 72	(RCW 75.28.340 repealed)	271	47 913
Ch. 112, sec. 74	(RCW 75.28.060 amended)	271	5 896
Ch. 112, sec. 76	(RCW 75.36.050 amended)	271	38 908
Ch. 117, sec. 1	(RCW 43.53.010 amended)	260	1 823
Ch. 145, sec. 2	(RCW 41.24.220 amended)	103	3 257
Ch. 148, sec. 4	(RCW 47.64.050 amended)	82	1 223
Ch. 148, sec. 5	(RCW 47.64.060 amended)	82	2 223
Ch. 148, sec. 6	(RCW 47.64.070 amended)	259	2 817
Ch. 161, sec. 1	(RCW 29.13.020 amended)	101	1 248
Ch. 161, sec. 2	(RCW 29.13.030 amended)	101	2 249
Ch. 161, sec. 2	(RCW 29.13.030 amended)	257	3 811
Ch. 161, sec. 3	(RCW 29.21.010 amended)	257	7 813
Ch. 161, sec. 4	(RCW 29.24.110 amended)	101	3 250
Ch. 161, sec. 5	(RCW 29.13.040 amended)	101	4 251
Ch. 161, sec. 5	(RCW 29.13.040 amended)	257	4 812
Ch. 161, sec. 6	(RCW 29.21.060 amended)	101	5 251
Ch. 161, sec. 7	(RCW 29.27.040 amended)	101	6 252
Ch. 161, sec. 9	(RCW 29.13.050 amended)	257	6 813
Ch. 161, sec. 11	(RCW 29.27.080 amended)	101	7 252
Ch. 169, sec. 1	(RCW 81.36.140 amended)	191	1 554
Ch. 171, sec. 1	(RCW 41.44.080 amended)	275	4 935
Ch. 171, sec. 2	(RCW 41.44.090 amended)	275	5 937

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1949—CONTINUED:

	Ch.	Sec.	Page
Ch. 171, sec. 3 .....	(RCW 41.44.100 amended) .....	275	6 939
Ch. 171, sec. 4 .....	(RCW 41.44.110 amended) .....	275	7 941
Ch. 171, sec. 5 .....	(RCW 41.44.150 amended) .....	275	11 949
Ch. 171, sec. 6 .....	(RCW 41.44.160 amended) .....	275	12 950
Ch. 178, sec. 1 .....	(RCW 73.04.110 amended) .....	206	1 612
Ch. 179, sec. 5 .....	(RCW 47.60.140 amended) .....	259	1 816
Ch. 179, sec. 8 .....	(RCW 47.60.100 amended) .....	259	3 817
Ch. 179, sec. 8 .....	(RCW 47.60.100 amended) .....	121	14 311
Ch. 180, sec. 2 .....	(RCW 73.32.030 amended) .....	7	1 23
Ch. 186, sec. 1 .....	(RCW 28.13.050 amended) .....	92	2 236
Ch. 189, sec. 1 .....	(RCW 2.12.060 amended) .....	79	2 220
Ch. 196, sec. 6 .....	(RCW 46.48.020 divided and amended) .....	28	5 54
Ch. 196, sec. 7 .....	(RCW 46.60.230 amended) .....	56	3 164
Ch. 198, secs. 1-19 incl. ....	(RCW ch. 71.04; 71.12.020- 71.12.160 incl., repealed) .....	139	69 362
Ch. 198, secs. 26-50 incl. ....	(RCW 71.12.210-71.12.450 incl., repealed) .....	223	28 678
Ch. 212, sec. 3 .....	(RCW 28.41.080 amended) .....	181	1 511
Ch. 212, sec. 3 .....	(RCW 28.41.090 amended) .....	181	2 512
Ch. 214, sec. 4 .....	(RCW 50.04.320 amended) .....	265	3 837
Ch. 214, sec. 5 .....	(RCW 50.04.330 amended) .....	265	4 838
Ch. 214, sec. 6 .....	(RCW 50.04.340 amended) .....	265	5 840
Ch. 214, sec. 9 .....	(RCW 50.20.010 amended) .....	265	9 842
Ch. 214, sec. 9 .....	(RCW 50.20.010 amended) .....	215	11 638
Ch. 214, sec. 12 .....	(RCW 50.20.050 amended) .....	215	12 639
Ch. 214, sec. 13 .....	(RCW 50.20.060 amended) .....	215	13 639
Ch. 214, sec. 14 .....	(RCW 50.20.070 amended) .....	265	10 843
Ch. 214, sec. 15 .....	(RCW 50.20.080 amended) .....	215	14 639
Ch. 214, sec. 16 .....	(RCW 50.20.120 amended) .....	265	11 844
Ch. 214, sec. 17 .....	(RCW 50.20.130 amended) .....	215	15 639
Ch. 219, sec. 1 .....	(RCW 51.32.050 amended) .....	115	1 282
Ch. 219, sec. 1 .....	(RCW 51.32.060 amended) .....	115	2 284
Ch. 219, sec. 1 .....	(RCW 51.32.090 amended) .....	115	3 285
Ch. 219, sec. 1 .....	(RCW 51.32.080 amended) .....	115	4 287
Ch. 219, sec. 1 .....	(RCW 51.32.160 amended) .....	115	5 289
Ch. 219, sec. 1 .....	(RCW 51.52.060 amended) .....	225	6 684
Ch. 219, sec. 1 .....	(RCW 51.32.050 amended) .....	236	5 746
Ch. 219, sec. 2 .....	(RCW 51.52.010 amended) .....	225	1 681
Ch. 219, sec. 3 .....	(RCW 51.52.020 amended) .....	225	2 683
Ch. 219, sec. 3 .....	(RCW 51.52.030 amended) .....	225	3 683
Ch. 219, sec. 4 .....	(RCW 51.52.040 amended) .....	225	4 683
Ch. 219, sec. 6 .....	(RCW 51.52.050 amended) .....	225	5 683
Ch. 219, sec. 6 .....	(RCW 51.52.060 amended) .....	225	6 685
Ch. 219, sec. 6 .....	(RCW 51.52.070 amended) .....	225	7 685
Ch. 219, sec. 6 .....	(RCW 51.52.080 amended) .....	225	8 686
Ch. 219, sec. 6 .....	(RCW 51.52.090 amended) .....	225	9 686
Ch. 219, sec. 6 .....	(RCW 51.52.100 amended) .....	225	11 688
Ch. 219, sec. 6 .....	(RCW 51.52.110 amended) .....	225	14 690
Ch. 219, sec. 6 .....	(RCW 51.52.120 renumbered 51.52.130 and amended) .....	225	17 693
Ch. 219, sec. 6 .....	(RCW 51.52.140 amended) .....	225	19 695
Ch. 220, sec. 6 .....	(RCW 47.24.050 amended) .....	54	1 160
Ch. 220, sec. 7 .....	(RCW 82.36.020 amended) .....	269	43 878
Ch. 220, sec. 8 .....	(RCW 46.16.060 amended) .....	150	17 417
Ch. 220, sec. 9 .....	(RCW 46.16.120 amended) .....	269	13 859
Ch. 220, sec. 11 .....	(RCW 46.16.130 amended) .....	269	15 860
Ch. 221, sec. 1 .....	(RCW 46.44.030 amended) .....	269	21 864
Ch. 221, sec. 2 .....	(RCW 46.44.040 amended) .....	269	25 865

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF  
SESSION LAWS AFFECTED

LAWS 1949—CONTINUED:

	Ch.	Sec.	Page
Ch. 221, sec. 7 .....	(RCW 46.44.090 amended) .....	269	33 872
Ch. 225, sec. 4 .....	(RCW 47.16.140 amended) .....	8	1 24
Ch. 228, sec. 6 .....	(RCW 82.08.050 amended) .....	44	1 101
Ch. 235, sec. 2 .....	(RCW 50.28.010 amended) .....	215	16 640
Ch. 235, sec. 4 .....	(RCW 50.28.050 amended) .....	215	17 640
Ch. 237, secs. 1, 2, 3, 4 .....	(RCW 2.08.060 amended) .....	125	1 317
Ch. 240, sec. 1 .....	(RCW 41.40.010 amended) .....	50	1 119
Ch. 240, sec. 7 .....	(RCW 41.40.120 amended) .....	50	2 123
Ch. 240, sec. 10 .....	(RCW 41.40.150 amended) .....	50	3 124
Ch. 240, sec. 11 .....	(RCW 41.40.160 amended) .....	50	4 126
Ch. 240, sec. 13 .....	(RCW 41.40.180 amended) .....	81	1 222
Ch. 240, sec. 14 .....	(RCW 41.40.190 amended) .....	50	5 127
Ch. 240, sec. 15 .....	(RCW 41.40.200 amended) .....	50	6 128
Ch. 240, sec. 17 .....	(RCW 41.40.230 amended) .....	50	7 129
Ch. 240, sec. 19 .....	(RCW 41.40.270 amended) .....	141	1 371
Ch. 240, sec. 20 .....	(RCW 41.40.290 amended) .....	50	8 129
Ch. 240, sec. 20 .....	(RCW 41.40.290 amended) .....	141	2 372
Ch. 240, sec. 22 .....	(RCW 41.40.310 amended) .....	50	9 130
Ch. 240, sec. 23 .....	(RCW 41.40.320 amended) .....	50	10 131
Ch. 240, sec. 24 .....	(RCW 41.40.330 amended) .....	50	11 132
Ch. 240, sec. 25 .....	(RCW 41.40.360 amended) .....	50	12 134
Ch. 240, sec. 27 .....	(RCW 41.40.410 amended) .....	50	13 136

LAWS EX. SESS. 1950:

Ch. 11, sec. 1 .....	(RCW 84.52.050 amended) .....	255	1 803
Ch. 15, sec. 1 .....	(RCW 46.16.070 amended) .....	269	8 856
Ch. 15, sec. 1 .....	(RCW 46.16.090 amended) .....	269	12 858
Ch. 16, sec. 1 .....	(RCW 1.04.010 amended) .....	5	2 18

LAWS 1951:

Ch. 1, sec. 3 .....	(RCW 74.08.010 amended) .....	122	1 312
Ch. 1, sec. 5 .....	(RCW 74.08.030 amended) .....	165	1 449

**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY LAWS OF 1951\***

	Ch.	Sec.	Page
Section 42-3, Supp. '45 .....	210	1	621
Section 42-3a, Supp. '45 .....	210	2	622
Section 42-3b, Supp. '45 .....	210	3	623
Section 48 .....	156	14	434
Section 152-36, Supp. '41 .....	157	19	442
Section 152-37, Supp. '41 .....	157	19	442
Section 152-38, Supp. '41 .....	157	16	440
Section 152-39, Supp. '41 .....	157	17	441
Section 152-40, Supp. '47 .....	157	17	441
Section 152-40, Supp. '47 .....	157	19	442
Section 152-40a, Supp. '47 .....	157	19	442
Section 152-41, Supp. '43 .....	157	19	442
Section 497 .....	51	1	140
	51	3	141
	51	5	142
	51	6	144
Section 894 .....	177	1	485
Section 897 .....	177	4	487
Section 1363-1 .....	138	4	340
Section 1363-2 .....	138	4	340
Section 1458 .....	197	7	592
Section 1459 .....	197	5	591
Section 1460 .....	197	6	591
Section 1461 .....	197	7	592
Section 1473, Supp. '49 .....	264	5	830
Section 1474, Supp. '49 .....	264	9	832
Section 1573, Supp. '47 .....	242	1	766
Section 1583-1, Supp. '43 .....	218	2	647
Section 1700-1, Supp. ....	251	1	789
Section 1700-4, Supp. ....	251	2	789
Section 1700-5, Supp. ....	251	3	790
Section 1987-3 .....	270	1	883
Sections 2252-10 to 2252-15, incl., Supp. '47 .....	223	28	678
Section 2309 .....	52	1	147
Section 2722-42, Supp. '45 .....	114	1	280
Section 2753-6a, Supp. '47 .....	60	9	188
Section 2753-6c, Supp. ....	60	9	188
Section 2753-6d, Supp. '41 .....	60	9	188
Section 2753-6e, Supp. '41 .....	60	9	188
Section 2753-8, Supp. '41 .....	60	9	188
Section 2774-2 .....	107	1	267
Section 2778-14 .....	213	1	628
Section 2787-31, Supp. '45 .....	61	1	188
	61	2	188
	61	3	189
	61	4	189
Section 3055-17, Supp. '49 .....	160	1	445
Section 3156 .....	31	10	63
Section 3292-3 .....	23	1	47
Section 4022, Supp. '41 .....	41	1	90
Section 4038 .....	89	1	233
Section 4039 .....	89	1	233
Section 4040 .....	89	1	233
Section 4041 .....	89	1	233
Section 4105 .....	51	4	141
Section 4159 .....	100	1	247
Section 4229, Supp. '43 .....	51	2	141

\* Consult footnotes to Session Law sections, *supra*.

**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\***

	Ch.	Sec.	Page
Section 4291 .....	30	1	60
Section 4459-23, Supp. '49 .....	63	1	191
Section 4459-34, Supp. '49 .....	63	2	192
Sections 45.20.01-45.20.33, incl., Supp. '47 .....	229	34	724
Section 45.20.37, Supp. '47 .....	229	34	724
Section 45.23.36, Supp. '47 .....	190	1	552
Section 45.27.02, Supp. '47 .....	194	1	581
Section 4679-25, Supp. '43 .....	92	1	236
Section 4679-26(a) Supp. '43 .....	92	1	236
Section 4693-38, Supp. '47 .....	87	1	229
Section 4843 .....	27	1	52
Section 4901-3, Supp. '49 .....	92	2	236
Section 4940-6, Supp. '49 .....	181	1	511
Section 4940-6, Supp. '49 .....	181	2	512
Section 5032 .....	257	2	810
Section 5100, Supp. ....	120	1	303
Section 5101 .....	120	1	303
Section 5144, Supp. '49 .....	101	1	248
Section 5146-1, Supp. '49 .....	257	6	813
Section 5148-3 .....	101	7	252
Section 5148-3a, Supp. '49 .....	257	3	811
Section 5150, Supp. '49 .....	101	9	253
Section 5150, Supp. '49 .....	101	2	249
Section 5153-1, Supp. '49 .....	101	4	251
Section 5157 .....	101	9	253
Section 5166, Supp. '45 .....	67	1	201
Section 5166-4, Supp. '49 .....	101	5	251
Section 5172, Supp. '49 .....	101	6	252
Section 5179-1, Supp. '49 .....	257	7	813
Section 5179-2, Supp. '49 .....	101	3	250
Section 5315 .....	193	1	579
	193	2	580
	193	3	580
Sections 5440-30 to 5440-37, incl., Supp. '43 .....	174	12	480
Section 5505-1, Supp. '43 .....	57	4	169
Section 5646-11 Supp. ....	161	1	446
Section 5646-14, Supp. '43 .....	275	1	930
Section 5646-15, Supp. '43 .....	275	1	930
Section 5780-60, Supp. '49 .....	271	34	907
Section 5780-60, Supp. '49 .....	271	35	907
Section 5780-60, Supp. '49 .....	271	36	908
Section 5780-60, Supp. '49 .....	271	47	913
Section 5780-62, Supp. '49 .....	271	37	908
Section 5780-100, Supp. '49 .....	271	1	894
Section 5780-223, Supp. '49 .....	271	2	895
Section 5780-305, Supp. '49 .....	271	3	896
Section 5780-306, Supp. '49 .....	271	4	896
Section 5780-504, Supp. '49 .....	271	6	897
Section 5780-505, Supp. '49 .....	271	7	897
Section 5780-506, Supp. '49 .....	271	8	897
Section 5780-507, Supp. '49 .....	271	9	899
Section 5780-507, Supp. '49 .....	271	10	899
Section 5780-507, Supp. '49 .....	271	11	899
Section 5780-507, Supp. '49 .....	271	12	900
Section 5780-507, Supp. '49 .....	271	13	900
Section 5780-507, Supp. '49 .....	271	14	900
Section 5780-507, Supp. '49 .....	271	15	901
Section 5780-507, Supp. '49 .....	271	16	901
Section 5780-507, Supp. '49 .....	271	17	901

\* Consult footnotes to Session Law sections, *supra*.

**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\***

	Ch.	Sec.	Page
Section 5780-507, Supp. '49.....	271	18	901
Section 5780-507, Supp. '49.....	271	19	902
Section 5780-507, Supp. '49.....	271	20	902
Section 5780-507, Supp. '49.....	271	21	902
Section 5780-507 Supp. '49.....	271	22	903
Section 5780-507 Supp. '49.....	271	23	903
Section 5780-507 Supp. '49.....	271	24	903
Section 5780-507 Supp. '49.....	271	25	904
Section 5780-508, Supp. '49.....	271	26	904
Section 5780-509, Supp. '49.....	271	27	904
Section 5780-510, Supp. '49.....	271	28	904
Section 5780-510, Supp. '49.....	271	29	905
Section 5780-510, Supp. '49.....	271	30	905
Section 5780-510, Supp. '49.....	271	31	905
Section 5780-510, Supp. '49.....	271	32	906
Section 5780-510, Supp. '49.....	271	33	906
Section 5780-510, Supp. '49.....	271	47	913
Section 5780-512, Supp. '49.....	271	5	896
Section 5780-602, Supp. '49.....	271	38	908
Section 5781 .....	58	1	172
Section 5784 .....	58	1	172
Section 5788, Supp. '45.....	58	2	172
Section 5792-1, Supp. '45.....	58	3	173
Section 5794, Supp. '41.....	58	4	175
Section 5794, Supp. '41.....	58	5	177
Section 5794, Supp. '41.....	58	6	179
Section 5797 .....	58	7	179
Section 5798 .....	58	10	183
Section 5805 .....	58	8	180
Section 5806, Supp. '45.....	58	9	181
Section 5807, Supp. ....	235	1	742
Section 5809 .....	58	1	172
Section 5812-6 Supp. ....	149	1	410
Section 5812-3b Supp. ....	91	1	235
Section 5853-4, Supp. '43.....	230	1	725
Section 5853-22, Supp. '43.....	230	2	727
Section 5853-34, Supp. ....	64	1	195
Section 5853-36, Supp. ....	64	6	198
Section 5853-38, Supp. ....	64	2	195
Section 5853-39, Supp. ....	64	4	197
Section 5992-63, Supp. '47.....	126	1	319
Section 6011-4, Supp. '43.....	106	2	261
Section 6019 .....	106	4	262
Section 6020 .....	106	5	263
Section 6029 .....	106	6	264
Section 6030, Supp. '45.....	106	7	264
Section 6034 .....	106	1	259
Section 6036 .....	106	8	266
Section 6037, Supp. '45.....	106	3	261
Section 6090-14 .....	256	6	810
Section 6113-2, Supp. '45.....	204	1	610
Section 6123 .....	204	2	610
Section 6124 .....	204	2	610
Section 6130-11 Supp. ....	204	2	610
Section 6130-12 Supp. ....	204	2	610
Sections 6130-47 to 6130-51, incl., Supp. '43.....	168	16	464
Sections 6294-1 to 6294-17, incl.....	183	56	530
Section 6312-3, Supp. '47.....	269	1	851

\* Consult footnotes to Session Law sections, *supra*.

TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\*

	Ch.	Sec.	Page
Section 6312-5, Supp. '47.....	269	2	851
Section 6312-5, Supp. '47.....	269	3	853
Section 6312-7, Supp. '47.....	269	4	853
Section 6312-9, Supp. '47.....	269	5	854
Section 6312-16, Supp. '49.....	150	17	417
Section 6312-18, Supp. '49.....	269	13	859
Section 6312-18a, Supp. '49.....	269	15	860
Section 6312-25 .....	269	18	862
Section 6312-25 .....	269	19	862
Section 6312-30 .....	150	18	417
Section 6312-31 .....	150	18	417
Sections 6312-37, Supp. '47.....	269	6	855
Sections 6312-77 .....	241	1	763
Section 6360-1 .....	102	3	255
Section 6360-20 .....	76	8	213
Section 6360-34 .....	56	2	163
Section 6360-48 .....	269	20	863
Section 6360-49, Supp. '49.....	269	22	864
Section 6360-49, Supp. '49.....	269	23	864
Section 6360-49, Supp. '49.....	269	24	865
Section 6360-50, Supp. '49.....	269	26	865
Section 6360-50, Supp. '49.....	269	27	866
Section 6360-50, Supp. '49.....	269	28	867
Section 6360-50, Supp. '49.....	269	29	868
Section 6360-50-1, Supp. '49.....	206	1	612
Section 6360-55, Supp. '49.....	269	34	872
Section 6360-55, Supp. '49.....	269	35	873
Section 6360-55, Supp. '49.....	269	36	873
Section 6360-55, Supp. '49.....	269	37	874
Section 6360-55, Supp. '49.....	269	38	874
Section 6360-55, Supp. '49.....	269	39	875
Section 6360-55, Supp. '49.....	269	40	876
Section 6360-55, Supp. '49.....	269	41	877
Section 6360-58 .....	102	3	255
Section 6360-58a, Supp. '47.....	102	3	255
Section 6360-60, Supp. '45.....	102	3	255
Section 6360-61 .....	102	3	255
Section 6360-62 .....	102	3	255
Section 6630-63 .....	102	3	255
Section 6360-63a, Supp. '49.....	102	1	254
	28	5	54
	28	6	55
	28	7	55
	28	8	56
Section 6360-64, Supp. '49.....	28	9	57
	28	10	57
	28	11	58
	28	12	58
	28	13	58
	28	1	53
Section 6360-66 .....	28	2	53
	28	3	54
	28	4	54
Section 6360-98, Supp. '49.....	56	3	164
Section 6362-81, Supp. '47.....	140	1	363
Section 6362-82, Supp. '47.....	140	2	364
Section 6362-91, Supp. '47.....	140	3	365
Section 6362-94, Supp. '47.....	140	4	366

\* Consult footnotes to Session Law sections, *supra*.

TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\*

	Ch.	Sec.	Page
Section 6362-95, Supp. '47.....	140	5	367
Section 6362-96, Supp. '47.....	140	6	368
Section 6362-97, Supp. '47.....	140	7	369
Section 6362-99, Supp. '47.....	140	9	370
Section 6362-100, Supp. '47.....	140	8	370
Sections 6382-61 to 6382-72, incl. ....	150	18	417
Sections 6397-50 to 6397-53, incl., Supp. '45 .....	36	1	82
Section 6400-64 .....	188	1	550
Section 6401-10 .....	273	2	915
Section 6401-14, Supp. '49.....	8	1	24
Section 6402-2, Supp. '43.....	273	3	916
Section 6402-3, Supp. '43.....	273	4	917
Section 6402-4 .....	273	5	918
Section 6402-8 .....	273	6	918
Section 6402- 9, Supp. '43.....	273	7	919
Section 6402-10, Supp. '47.....	273	8	919
Section 6402-11 .....	273	9	920
Section 6402-12, Supp. '43.....	273	10	921
Section 6402-18, Supp. '49.....	273	11	921
Section 6402-60, Supp. '47.....	167	2	452
Section 6402-61, Supp. '47.....	167	4	452
Section 6402-65, Supp. '47.....	167	10	457
Section 6402-66, Supp. '47.....	167	11	457
Section 6450-25f, Supp. '45.....	49	1	117
Section 6450-25h, Supp. '45.....	49	5	119
Section 6450-63, Supp. '49.....	54	1	160
Section 6524-25, Supp. '49.....	82	1	223
Section 6524-26, Supp. '49.....	82	2	223
Section 6524-27, Supp. '49.....	259	2	817
Section 6584-34, Supp. '49.....	259	1	816
Section 6584-37, Supp. '49.....	259	3	817
Section 6584-37, Supp. '49.....	121	14	311
Section 6741- 5, Supp. '47.....	179	1	504
Section 6741-10, Supp. '43.....	179	1	504
Section 6930, Supp. '47.....	139	69	362
Section 6930a, Supp. '47.....	139	69	362
Section 6930b, Supp. '47.....	139	69	362
Section 6930c, Supp. '47.....	139	69	362
Section 6930-1 .....	139	69	362
Section 6930-4 .....	139	69	362
Section 6930-6, Supp. '47.....	139	69	362
Section 6930-7 .....	139	69	362
Section 6930-8 .....	139	69	362
Section 6931 .....	139	69	362
Section 6932 .....	139	69	362
Sections 6933-6936, incl., Supp. ....	139	69	362
Section 6934, Supp. ....	137	1	337
Section 6937 .....	139	69	362
Section 6938 .....	139	69	362
Sections 6941-6946 .....	139	69	362
Section 6952 .....	139	69	362
Section 6953 .....	139	69	362
Sections 6953-4 to 6953-14, incl., Supp. ....	139	69	362
Sections 6953-16 to 6953-19, incl., Supp. '49 .....	139	69	362
Sections 6953-26 to 6953-51, incl., Supp. '49 .....	223	28	678
Section 6991, Supp. ....	171	1	470
Section 7306-24b, Supp. ....	93	1	237
Section 7358 .....	57	3	168

\* Consult footnotes to Session Law sections, *supra*.



**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\***

	Ch.	Sec.	Page
Section 7399 .....	57	5	169
Section 7419 .....	212	1	625
Section 7456 .....	189	1	551
Section 7505-13, Supp. '49.....	202	1	607
Section 7525-24, Supp. '43.....	200	1	599
Section 7525-26, Supp. '43.....	200	2	604
Section 7525-29, Supp. '43.....	200	3	605
Section 7525-34, Supp. '43.....	200	4	605
Section 7525-43, Supp. '47.....	158	1	443
Sections 7531-7542, incl. ....	237	16	756
Section 7545 .....	156	17	435
Section 7553 .....	156	15	434
Section 7563 .....	156	17	435
Section 7564 .....	156	17	435
Section 7564 .....	74	1	210
Section 7565 .....	156	17	435
Section 7566 .....	156	17	435
Section 7651 .....	84	1	225
Section 7676a, Supp. '47.....	236	2	745
Section 7676c, Supp. '47.....	236	4	746
Section 7676e, Supp. '47.....	198	1	592
Section 7676e, Supp. '47.....	236	3	745
	115	1	282
	115	2	284
Section 7679, Supp. '49.....	115	3	285
	115	4	287
	115	5	289
Section 7682 .....	214	1	629
Section 7679-1, Supp. '41.....	236	1	744
Section 7679, Supp. '49.....	225	6	685
Section 7679, Supp. '49.....	236	5	746
Section 7679(e), Supp. '49.....	236	7	751
Section 7697, Supp. '49.....	225	5	684
Section 7697, Supp. '49.....	225	6	684
Section 7697, Supp. '49.....	225	7	685
Section 7697, Supp. '49.....	225	8	686
Section 7697, Supp. '49.....	225	9	686
Section 7697, Supp. '49.....	225	11	688
Section 7697, Supp. '49.....	225	14	690
Section 7697, Supp. '49.....	225	17	693
Section 7697, Supp. '49.....	225	19	695
Section 7697-1 .....	225	20	695
Section 7697-3, Supp. '47.....	225	16	693
Section 7714, Supp. '43.....	236	6	749
Section 7797-142 .....	271	39	909
Section 7797-144 .....	271	40	909
Section 7797-145 .....	271	47	913
Section 7797-147 .....	271	47	913
Section 7846-1 .....	97	1	243
Section 8200 .....	157	18	441
Section 8207-6, Supp. '47.....	142	1	374
Section 8276-22, Supp. ....	48	1	115
Section 8277-2, Supp. '49.....	16	1	31
Section 8277-3, Supp. '49.....	16	2	32
Section 8277-6, Supp. '49.....	16	3	34
Section 8277-13, Supp. '49.....	16	4	35
Section 8278-2, Supp. ....	180	1	505
Section 8278-3, Supp. ....	180	2	507

\* Consult footnotes to Session Law sections, *supra*.

TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\*

	Ch.	Sec.	Page
Section 8278-3, Supp. ....	180	3	508
Section 8278-3, Supp. ....	180	4	508
Section 8278-3(f) .....	180	8	510
Section 8278-3(g) .....	180	9	510
Section 8278-3(h) .....	180	9	510
Section 8278-10(a), Supp. ....	180	5	508
Section 8278-10(b), Supp. ....	180	7	509
Section 8278-11, Supp. ....	180	7	509
Section 8278-12, Supp. ....	180	5	508
Section 8278-14 .....	180	6	509
Section 8278-17(b) .....	180	9	510
Section 8293-3, Supp. ....	244	1	768
Section 8327-5, Supp. '49 .....	269	43	878
Section 8327-5a, Supp. ....	267	1	848
Section 8327-18, Supp. '45 .....	263	1	827
Section 8340-25, Supp. '43 .....	222	1	651
Section 8340-26, Supp. '41 .....	222	9	655
Section 8340-27, Supp. '41 .....	222	3	651
Section 8340-28, Supp. '43 .....	222	2	652
Section 8340-28, Supp. '43 .....	222	4	652
Section 8340-29, Supp. '41 .....	222	8	654
Section 8340-33, Supp. '45 .....	222	14	658
Section 8340-34, Supp. '47 .....	222	10	655
Section 8340-34, Supp. '47 .....	222	12	657
Section 8340-34, Supp. '47 .....	222	13	658
Section 8340-35, Supp. '47 .....	222	13	658
Section 8340-35, Supp. '47 .....	222	11	657
	222	12	657
Section 8340-35, Supp. '47 .....	222	28	668
Section 8340-36, Supp. '45 .....	222	5	653
Section 8340-37, Supp. '41 .....	222	6	653
Section 8340-38, Supp. '41 .....	222	7	654
Section 8340-39, Supp. '47 .....	222	10	655
Section 8340-40, Supp. '43 .....	222	18	663
Section 8340-41, Supp. '47 .....	222	15	659
Section 8340-41, Supp. '47 .....	222	19	663
Section 8340-42, Supp. '47 .....	222	16	659
Section 8340-43, Supp. '45 .....	222	17	662
Section 8340-43, Supp. '45 .....	222	28	668
Section 8340-46, Supp. '41 .....	222	20	664
Section 8340-48, Supp. '41 .....	222	8	654
Section 8358a, Supp. '45 .....	117	20	299
Section 8370-21, Supp. '49 .....	44	1	102
Section 8370-22, Supp. '41 .....	44	2	102
Section 8370-23, Supp. '41 .....	44	3	103
Section 8370-28, Supp. ....	44	5	104
Section 8370-44a, Supp. '43 .....	35	1	81
Section 8897 .....	248	6	786
Section 8935 .....	109	1	270
Section 8966-5, Supp. ....	21	1	42
Section 9008 .....	71	1	206
Section 9009 .....	71	1	206
Section 9012 .....	71	2	207
Section 9017, Supp. ....	85	1	226
Section 9025, Supp. ....	85	1	226
Section 9026, Supp. ....	85	1	226
Section 9027, Supp. ....	85	1	226
Section 9031, Supp. ....	85	1	226

\* Consult footnotes to Session Law sections, *supra*.

TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\*

	Ch.	Sec.	Page
Section 9055	211	2	625
Section 9103, Supp. '43	46	1	113
Section 9145	211	2	625
Section 9185, Supp. '47	211	2	625
Section 9213-3	162	1	446
Section 9304-2, Supp.	195	1	582
Section 9304-4, Supp.	203	1	307
Section 9304-7, Supp.	195	2	582
Section 9304-10, Supp.	195	3	583
Section 9304-11, Supp.	224	1	678
Section 9425-22, Supp. '43	129	1	323
Section 9425-25, Supp. '41	129	2	324
Section 9425-26, Supp. '45	129	3	324
Sections 9425-34, 9425-52, Supp. '41	129	4	325
Section 9425-50, Supp. '47	107	3	268
Section 9425-52, Supp. '41	129	4	325
Section 9488, Supp. '47	252	1	791
Section 9540	65	1	199
Section 9541	65	1	199
Section 9578-30, Supp. '45	103	2	256
Section 9578-31, Supp. '45	103	1	255
Section 9578-36, Supp. '45	103	3	257
Section 9578-37, Supp. '45	103	4	257
Section 9578-45, Supp. '47	72	1	208
Section 9592-132, Supp. '47	275	2	932
Section 9592-135, Supp. '47	275	3	935
Section 9592-137, Supp. '49	275	4	935
Section 9592-138, Supp. '49	275	5	937
Section 9592-139, Supp. '49	275	6	939
Section 9592-140, Supp. '49	275	7	941
Section 9592-141, Supp. '47	275	8	943
Section 9592-142, Supp. '47	275	9	945
Section 9592-143, Supp. '47	275	10	947
Section 9592-144, Supp. '49	275	11	949
Section 9592-145, Supp. '49	275	12	950
Section 9592-146, Supp. '47	275	13	952
Section 9592-148, Supp. '47	275	14	953
Section 9592-154, Supp. '47	275	15	954
Sections 9663-1 to 9663-21, incl., Supp.	240	1	759
Sections 9663f-1 to 9663f-7, incl.,	240	1	759
Sections 9687-1 to 9687-11, incl.	9	1	25
Section 9690	69	2	204
Section 9691A-1, Supp. '41	68	1	202
Section 9691A-2, Supp.	68	4	204
Section 9691A-3, Supp.	68	4	204
Section 9691A-4, Supp.	68	4	204
Section 9691A-5, Supp.	68	4	204
Section 9691A-6, Supp.	68	4	204
Section 9691A-7, Supp.	68	4	204
Section 9692, Supp. '43	133	1	331
Section 9703	69	1	204
Section 9907	51	7	146
Section 9963-1, Supp. '41	100	1	247
Section 9963-1, Supp. '41	100	3	247
Section 9964	94	1	238
Section 9965	94	2	238
Section 9998-33c, Supp. '49	1	3	4
Section 9998-33d, Supp. '49	1	5	7
Section 9998-33e, Supp. '49	1	6	8

\* Consult footnotes to Session Law sections, *supra*.

**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\***

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Section 9998-33o, Supp. '49.....	1	7	9
Section 9998-33p, Supp. '49.....	1	8	13
Section 9998-147, Supp. '45.....	215	1	630
Section 9998-158, Supp. '45.....	265	6	841
Section 9998-160, Supp. '45.....	265	7	841
Section 9998-165, Supp. '45.....	265	1	833
Section 9998-171, Supp. '49.....	265	3	837
Section 9998-172, Supp. '49.....	265	4	838
Section 9998-173, Supp. '49.....	265	5	840
Section 9998-174, Supp. '45.....	265	2	837
Section 9998-185, Supp. '45.....	215	2	630
Section 9998-188, Supp. '45.....	215	3	631
Section 9998-206, Supp. '49.....	265	9	842
Section 9998-206, Supp. '49.....	215	11	639
Section 9998-211, Supp. '49.....	215	12	639
Section 9998-212, Supp. '49.....	215	13	639
Section 9998-213, Supp. '49.....	265	10	843
Section 9998-214, Supp. '49.....	215	14	639
Section 9998-218, Supp. '49.....	265	11	844
Section 9998-219, Supp. '49.....	215	15	639
Section 9998-220, Supp. '45.....	215	4	632
Section 9998-221, Supp. '45.....	215	5	633
Section 9998-222, Supp. '45.....	215	6	633
Section 9998-224, Supp. '45.....	215	7	634
Section 9998-225, Supp. '45.....	215	8	635
Section 9998-242, Supp. '45.....	215	9	636
Section 9998-242, Supp. '45.....	265	8	841
Section 9998-246a, Supp. '49.....	215	16	640
Section 9998-246c, Supp. '49.....	215	17	640
Section 9998-256, Supp. '45.....	215	10	637
Sections 10007-130a to 10007-134a, incl., Supp. ....	11	1	26
Section 10031, Supp. '41 .....	130	2	327
Section 10031-6, Supp. ....	130	1	325
Section 10031-17, Supp. ....	130	3	328
Section 10031-24, Supp. ....	130	4	328
Section 10031-25, Supp. '41 .....	130	1	325
Section 10197 .....	108	1	270
Section 10319-5, Supp. '47 .....	152	3	420
Section 10327-2, Supp. ....	151	1	418
Section 10439-6, Supp. ....	227	1	701
Section 10441, Supp. ....	75	1	210
Section 10511-3, Supp. '41 .....	111	1	272
Section 10540, Supp. '49 .....	191	1	554
Section 10726-5, Supp. ....	216	1	642
Section 10726-5f, Supp. ....	216	2	643
Section 10747b, Supp. '49 .....	7	1	23
Section 10753, Supp. '43 .....	29	1	59
Section 10818 .....	10	1	25
Section 10819 .....	57	1	167
Section 10824 .....	57	2	167
Section 10830 .....	57	3	168
Section 10837-1, Supp. '49 .....	225	1	681
Section 10837-2, Supp. '49 .....	225	2	683
Section 10837-2, Supp. '49 .....	225	3	683
Section 10837-3, Supp. '49 .....	225	4	683
Section 10841 .....	170	1	468
Section 10890-1, Supp. ....	99	1	246
Sections 10960 to 10964, incl.....	17	1	36
Section 10964-20, Supp. '41 .....	145	1	378

\* Consult footnotes to Session Law sections, *supra*.

TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY THE LAWS OF 1951\*

	Ch.	Sec.	Page
Section 10964-22, Supp. '41 .....	145	2	378
Section 10964-23, Supp. '41 .....	145	3	378
Section 10964-24, Supp. '41 .....	145	4	380
Section 10964-27, Supp. '41 .....	145	5	380
Section 10964-31, Supp. '41 .....	131	1	329
Section 10964-115-1, Supp. '49 .....	260	1	823
Section 11045-1 .....	†125	1	317
Section 11045-1a, Supp. ....	†125	1	317
Section 11045-1d, Supp. '49 .....	†125	1	317
Section 11054-3, Supp. '45 .....	79	1	219
Section 11054-6, Supp. '49 .....	79	2	220
Section 11072-1, Supp. '49 .....	50	1	123
Section 11072-13, Supp. '49 .....	50	2	123
Section 11072-16, Supp. '49 .....	50	3	124
Section 11072-17, Supp. '49 .....	50	4	126
Section 11072-19, Supp. '49 .....	81	1	222
Section 11072-20, Supp. '49 .....	50	5	127
Section 11072-21, Supp. '49 .....	50	6	128
Section 11072-24, Supp. '49 .....	50	7	129
Section 11072-28, Supp. '49 .....	141	1	371
Section 11072-30, Supp. '49 .....	50	8	129
Section 11072-30, Supp. '49 .....	141	2	372
Section 11072-32, Supp. '49 .....	50	9	131
Section 11072-33, Supp. '49 .....	50	10	131
Section 11072-34, Supp. '49 .....	50	11	132
Section 11072-37, Supp. '49 .....	50	12	134
Section 11072-42, Supp. '49 .....	50	13	136
Section 11106-1, Supp. '49 .....	116	1	290
Section 11219-3 .....	172	1	470
Section 11219-4 .....	172	2	471
Section 11219-5 .....	172	3	472
Section 11238-1e, Supp. '45 .....	255	1	803
Section 11241-10, Supp. '43 .....	34	1	79
Section 11281, Supp. ....	220	1	648
Sections 11548 to 11548-26, incl., Supp. '41 .....	226	14	701
Section 11548-27, Supp. '43 .....	226	14	701
Section 11548-28, Supp. '41 .....	226	14	701
Section 11569-6, Supp. ....	110	1	271
Section 11588, Supp. ....	112	1	274
	112	2	275
Section 11595 .....	62	1	190
Section 11604-4, Supp. '41 .....	112	3	276
Section 11609, Supp. '41 .....	207	1	613
Section 11610, Supp. '45 .....	209	1	619
	209	2	620
	207	2	614
Section 11612 .....	207	3	615
	207	4	616
Section 11616-5, Supp. '41 .....	207	4	616

\* Consult footnotes to Session Law sections, *supra*.

† See footnote to ch. 125, sec. 7, p. 318, *supra*.



# GENERAL INDEX—REGULAR SESSION, 1951

(Index to Laws 1950, Extraordinary Session, appears *supra*, this volume)  
 (Index to Laws 1951, Extraordinary Session, appears *infra*, this volume)

## A

### ACTIONS:

Duty of support, enforcement of (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, *infra*, this Index)

	Ch.	Sec.	Page
Real estate brokers or salesmen, compensation for services as, proof of license required.....	222	8	654
State operated ferries against, rights of action granted.....	259	8	818
claim, filed with authority, shall be.....	259	10	819
damages, recoverable, limitation on.....	259	9	818
seamen, suits by authorized.....	259	6	818
shippers or passengers excepted.....	259	9	818
venue .....	259	12	819
Taxes, enforcement or collection, right of accorded to other states, when.....	166	1	450

### ADAMS COUNTY:

Highway construction bonds (see HIGHWAYS, *infra*, this Index)

ADMISSION TAX (see TAXATION, *infra*, this Index)

ADOPTION (see MINORS, *infra*, this Index)

ADULTERATION (see FILLED DAIRY PRODUCTS ACT, *infra*, this Index)

ADVISORY NURSING HOME COUNCIL (see HEALTH, DEPARTMENT OF, *infra*, this Index)

AGATE PASS BRIDGE (see HIGHWAYS, *infra*, this Index)

### AGRICULTURE, DEPARTMENT OF:

Brand fund, proceeds of sale of impounded animals, transfer to.....	31	7	62
Brand inspector, animals running at large, notice of impounding, duty to publish.....	31	4	61
ownership of impounded animals, ascertained by.....	31	3	61
Cash buyer, bond required, when.....	244	1	768
license .....	244	1	768
fee .....	244	1	768
Commercial applicators (see Insecticides and herbicides, <i>infra</i> , this title)			
Commodity inspection fees .....	171	1	469
adjustment of .....	171	1	469
disposition of .....	171	1	469
Community livestock sales, animals running at large, impoundment .....	31	3	61
sale .....	31	6	62
Crop dusting (see Insecticides and herbicides, <i>infra</i> , this title)			
Custom slaughtering, license .....	245	1	769
fee .....	245	1	769
Director, cash buyer's license, issuance of.....	244	1	768
charge of department, vested in.....	170	1	468
class A fairs allocated by.....	60	3	185

AGRICULTURE, DEPARTMENT OF.

AGRICULTURE, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Director,			
commodity inspection fees fixed by.....	171	1	469
ex-officio member of fair commission.....	60	7	187
filled dairy products act, duties under (see FILLED DAIRY PRODUCTS ACT, <i>infra</i> , this Index)			
grain and hay inspection fund, use by.....	171	1	470
impounded animals,			
transfer of proceeds of sale.....	31	7	62
insecticides and herbicides (see Insecticides and herbicides, <i>infra</i> , this title)			
member of state soil conservation committee, shall be.....	216	3	643
permits for use of pesticides, issued by.....	127	1	321
pesticides, classified as detrimental by.....	127	1	321
regulatory division,			
assistants appointed by.....	170	2	468
state fair fund,			
rules and regulations for proration of.....	60	8	187
weed extermination areas, methods and rules.....	213	1	628
youth shows,			
additional, designated by.....	60	2	185
allotments for, by.....	60	6	186
Divisions, enumerated	170	1	468
	213	1	628
Estray fund,			
proceeds of sale of impounded animals, deposited in.....	31	7	62
Fairs,			
class A, number of and prerequisites for.....	60	3	185
state fair fund, participation in.....	60	6	186
class B, number of and prerequisites for.....	60	4	185
state fair fund, participation in.....	60	6	186
class C, number of and prerequisites for.....	60	5	186
state aid, prerequisites for.....	60	8	187
state fair fund, participation in.....	60	6	186
classified	60	1	185
fair commission,			
created	60	7	187
director, ex-officio member of.....	60	7	187
duties of	60	7	187
members	60	7	187
compensation	60	7	187
terms	60	7	187
4-H club participation.....	60	1	185
requisite for class B fairs.....	60	4	186
requisite for class C fairs.....	60	5	186
junior dairy show, created.....	60	2	185
Smith-Hughes students, participation.....	60	1	185
requisite for class B fairs.....	60	4	186
requisite for class C fairs.....	60	5	186
special youth shows,			
allotments for	60	6	186
created and classified.....	60	2	185
state fair fund,			
allotments for fairs and youth shows from.....	60	6	186
amounts	60	6	186
surplus of	60	6	186
regulations for use of.....	60	8	187
youth shows (see special youth shows, <i>supra</i> , this title)			
Washington state 4-H fair, created.....	60	2	185
Washington state junior dairy show, created.....	60	2	185
Washington state junior poultry exposition, created.....	60	2	185
Grain and hay inspection fund, established.....	171	1	469
uses	171	1	469



## ALCOHOLIC BEVERAGE CONTROL.

### AGRICULTURE, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Insecticides and herbicides,			
commercial applicators,			
defined .....	61	1	188
licenses .....	61	4	189
expiration .....	61	4	190
fee .....	61	4	189
revocation .....	61	4	190
rules and regulations applicable to .....	61	2	189
director of agriculture,			
commercial applicators, licensed by .....	61	4	189
duties .....	61	2	188
hearings held by .....	61	3	189
notice of .....	61	3	189
tree farms,			
liquid herbicides, use of .....	61	5	190
Junior livestock show created .....	60	2	185
Regulatory division, established .....	170	3	468
officers,			
authority as peace officers .....	170	2	468
powers .....	170	3	468
Sale of impounded animals,			
conducted, how .....	31	7	62
director to transfer proceeds to brand fund .....	31	7	62
Washington junior dairy show created .....	60	2	185
Washington junior poultry exposition, created .....	60	2	185
Washington Rural Rehabilitation Corporation,			
director of agriculture,			
application to receive property of .....	169	1	465
contracts, made by .....	169	2	465
immunity from liability .....	169	5	467
powers,			
acquisition of certain property .....	169	4	466
delegation of .....	169	4	467
settlement of claims .....	169	4	466
funds of, appropriated to .....	169	3	466
Washington state 4-H fair .....	60	2	185
Youth shows (see Fairs, <i>supra</i> , this title)			

AID TO THE BLIND (see CITIZENS' PUBLIC ASSISTANCE ACT OF 1950, *infra*, this Index)

AID TO DEPENDENT CHILDREN (see CITIZENS' PUBLIC ASSISTANCE ACT OF 1950, *infra*, this Index)

### AIRPORTS:

Airport districts,			
board of airport district commissioners,			
establishment of .....	114	2	280
hearing on .....	114	2	280
petition for .....	114	2	280
members .....	114	3	281
compensation, expenses .....	114	3	281
election of .....	114	3	281
terms .....	114	3	281
vacancies .....	114	3	281
county commissioners as governing body .....	114	1	280
County property, lease of for airport purposes .....	41	1	91
Flight strips, construction by director of highways .....	273	29	928

ALCOHOLIC BEVERAGE CONTROL (see INTOXICATING LIQUOR, *infra*, this Index)

ALIENS.

ALIENS:

Mental illness (see MENTAL ILLNESS HOSPITALIZATION ACT, *infra*, this Index)

ALTA LAKE STATE PARK (see STATE PARKS AND RECREATION COMMISSION, *infra*, this Index)

ANIMALS:

	Ch.	Sec.	Page
Estrays,			
animal, defined .....	31	10	63
Hides of meat food animals,			
person, defined .....	160	2	445
possession of brands of another, unlawful, when.....	160	1	445
transport on public highways, certificate required.....	160	1	445
Horses, mules and asses, running at large,			
impounding,			
brand inspector, duties of.....	31	3	61
community livestock salesyard at.....	31	4	61
cost of, borne by owner.....	31	3	61
notice of .....	31	5	62
sheriff's duty to impound.....	31	4	61
public nuisance, declared to be.....	31	2	61
sale of impounded animals.....	31	6	62
law enforcement officers may not purchase.....	31	8	62
laws governing .....	31	7	62
proceeds, disposition of.....	31	7	62
unlawful to allow.....	31	1	61
exception, animals on state or federal lands.....	31	1	61
violations, penalties .....	31	9	62

ANNEXATION (see CITIES AND TOWNS, *infra*, this Index)

ANNUITIES (see INSURANCE; also RETIREMENT, *infra*, this Index)

APPROPRIATIONS: (see also "APPROPRIATIONS" in Index to 1950 Ex. Sess., *supra*, this volume; also in Index to 1951, Ex. Sess., *infra*, this volume)

Capitol buildings and grounds, from,			
public records committee for .....	145	4	380
Citizens' public assistance act of 1950.....	1	9	14
County tuberculosis hospitalization fund.....	14	1	29
Federal old age and survivors insurance.....	184	8	539
Fisheries, director of.....	163	1	448
Health, director of .....	117	18	299
Highways .....	121	15	312
bridge, Pasco to Kennewick.....	121	15	312
capital outlay .....	273	14	923
cities and towns, ch. 181, laws of 1939.....	273	19	925
Columbia Basin settlement roads.....	121	15	312
counties, ch. 181, laws of 1939.....	273	20	925
federal aid road acts projects.....	273	17	924
highway equipment fund .....	273	18	925
joint fact finding committee on highways and streets.....	273	21	925
lands, acquisition and improvement.....	273	14	923
location study,			
North Bend to Milton.....	273	27	927
mine to market roads.....	49	2	118
motor vehicle fund reimbursement, Agate Pass Bridge.....	121	15	312
primary and secondary highways, generally.....	273	13	923
routes through cities and towns.....	273	13	923
primary state highway No. 1, reconstruction of.....	121	15	312
purposes of secs. 46 and 47, ch. 269, laws 1951 (H.B. 506).....	273	22	925

ATTORNEY GENERAL.

APPROPRIATIONS—CONTINUED:

Highways,

	Ch.	Sec.	Page
reconnaissance surveys,			
bridge across Sinclair Inlet.....	273	28	927
primary state highway No. 18 to primary No. 7.....	273	25	926
primary state highway No. 10, to secondary No. 10D.....	273	26	927
primary state highway No. 9, to secondary No. 9C.....	273	23	926
roads within state parks.....	273	16	924
salaries, wages and operations.....	273	12	922
Snoqualmie Pass construction.....	121	15	312
state historical road No. 1.....	273	15	923
Insurance commissioner.....	117	19	299
Interstate Compact Commission.....	113	4	279
Legislative expenditures.....	2	1	15
Legislative interim committee, state institutions.....	268	4	850
Legislative printing.....	3	1	16
Motor vehicle excises, distribution to cities, deficiency.....	228	1	703
Old age and survivors insurance (OASI) contribution fund.....	184	8	539
Permanent statute law committee.....	157	20	442
Revised Code of Washington, publication of unannotated edition.....	155	8	429
Social Security, Department of (see also Citizens' Public Assistance Act of 1950, <i>supra</i> , this title),			
blind, division of.....	164	1	448
contingent receipts fund.....	243	4	767
State capitol committee.....	22	8	46
State census board.....	96	4	242
State department of health,			
deficiency.....	12	1	26
regulation of nursing homes.....	117	18	299
State fire marshal (see Insurance Commissioner, <i>supra</i> , this title)			
State treasurer,			
deficiency to carry out provisions of RCW 82.44.....	228	1	703
Subsistence of legislators.....	4	1	17
Tax commission,			
property assessment manual,			
revision and issuance of.....	38	1	86
Temporary code publication committee.....	155	8	429
Temporary publication of session laws.....	55	1	162
Toll bridge authority.....	259	18	822
	}	259	19
	}	259	17
Toll bridge authority revolving fund.....	259	17	822

ASSOCIATION OF COUNTY COMMISSIONERS:

Representation on advisory nursing home council, entitled to.....	117	11	296
---	-----	----	-----

ASSOCIATION OF WASHINGTON CITIES:

Representation on advisory nursing home council, entitled to.....	117	11	296
---	-----	----	-----

ATTORNEY GENERAL:

Board of Industrial insurance appeals,			
legal adviser of.....	225	19	695
Committee for disposition of obsolete public records, member is..	145	2	378
Eminent domain,			
certificate of state's requirement filed by.....	177	1	485
Health, department of,			
duty to represent.....	117	17	299
Labor and Industries, department of,			
legal adviser of.....	225	19	695
Oil and gas conservation committee,			
legal adviser of.....	146	9	385
Public records, committee,			
member of.....	145	2	378

## ATTORNEY GENERAL.

### ATTORNEY GENERAL—CONTINUED:

	Ch.	Sec.	Page
Social security, department of, duty to represent.....	270	15	893
Subversive activities act, discharge of public employee, report of circumstances shall be made to.....	254	15	801
hearing of persons discharged from public employment, rules for, shall prescribe.....	254	15	800
report and recommendation, shall submit to legislature.....	254	9	798
Supervisor of forestry, bond approved by.....	58	8	181
Temporary code revision committee, member is .....	155	1	427
Warehouse, operation without license, penalty, action to recover brought by.....	110	1	272
<b>AUDITOR</b> (see COUNTY AUDITOR or STATE AUDITOR, <i>infra</i> , this Index)			
<b>AUBURN GENERAL DEPOT:</b>			
Concurrent jurisdiction over, ceded to United States.....	40	1	88
perimeter roads and railroads not included.....	40	1	90
Description of .....	40	1	88
Process, service of, right reserved to state.....	40	1	88
<b>AUTOMOBILE DEALERS</b> (see MOTOR VEHICLES, <i>infra</i> , this Index)			
<b>AUTOMOBILES</b> (see MOTOR VEHICLES, <i>infra</i> , this Index)			

## B

**BANKHEAD-JONES FARM TENANT ACT** (see AGRICULTURE,  
DEPARTMENT OF, subtitle, Washington Rural Rehabilitation  
Corporation, *supra*, this Index)

**BANKS AND BANKING:** (see also SAVINGS AND LOAN ASSO-  
CIATIONS, *infra*, this Index)

<b>Banks,</b>			
funds received by supervisor from liquidations may be in- vested in .....	105	1	259
<b>Demand items received by banks,</b>			
dishonor or refusal of payment.....	23	1	47
revocation of credit .....	23	1	47
<b>Deposit in joint tenancy</b> .....			
survivorship .....	18	1	36
evidence of intention as to.....	18	1	37
<b>Guardians, acting as,</b>			
bond, not required .....	242	1	765
for wards of veterans' administration.....	53	4	149
<b>Supervisor of banking,</b>			
investment of funds from liquidations.....	105	1	259
<b>BARBERS:</b>			
Employees, license or permit required.....	16	1	32
<b>Licenses and permits to practice,</b>			
applicant, qualifications of.....	16	2	33
application for .....	16	2	33
examination for .....	16	3	34
grade required for license or permit.....	16	3	34
notification of .....	16	2	33
subject matter .....	16	3	34
fee .....	16	2	33

## BEDDING AND UPHOLSTERED FURNITURE.

### BARBERS—CONTINUED:

	Ch.	Sec.	Page
Licenses and permits to practice,			
posting of .....	16	4	35
reexamination .....	16	3	35
unlawful to practice without.....	16	1	31
Licenses, director of,			
duty to determine time and place of examination.....	16	3	34
Permits,			
conditions of practice under.....	16	3	34
granted, when .....	16	3	34
number of, per shop.....	16	1	32
posting of .....	16	4	35
Student barber certificate.....	16	1	32
posting of .....	16	4	35

### BARTHEN, LENORE:

Governor to deed land to.....	59	1	183
-------------------------------	----	---	-----

### BASEBALL:

Organized professional baseball, contracts with minors,			
act,			
evasion of, prohibited.....	78	7	218
provisions of, not applicable, when.....	78	4	217
purpose of .....	78	1	216
violation of, penalty for.....	78	8	218
agent, defined .....	78	2	217
contract,			
approval of,			
effect .....	78	4	217
granted, when .....	78	5	217
not given, effect of.....	78	6	218
defined .....	78	2	216
disapproval, effect of.....	78	6	218
parties to, examination of, by prosecuting attorney.....	78	5	217
void, when .....	78	3	217
definitions .....	78	2	216
minor,			
defined .....	78	2	216
removal of to evade act, prohibited.....	78	7	218
organized professional baseball,			
defined .....	78	2	216
parent, defined .....	78	2	217
prosecuting attorney,			
contract, approval required.....	78	4	217
defined .....	78	2	217
powers and duties.....	78	5	217

### BEAUTY CULTURE (see HAIRDRESSING AND BEAUTY CULTURE *infra*, this Index)

### BEAVERS (see GAME, DEPARTMENT OF, *infra*, this Index)

### BEDDING AND UPHOLSTERED FURNITURE:

Act,			
administration of .....	183	2	519
monies received under, paid to treasurer.....	183	45	527
sales out of state, excluded from.....	183	14	521
violations of .....	183	50	528
Annually, defined .....	183	1	515
Auctioneer,			
defined .....	183	1	518
fee .....	183	41	526
Batt, batting, felt, use of.....	183	36	525

## BEDDING AND UPHOLSTERED FURNITURE.

BEDDING AND UPHOLSTERED FURNITURE—CONTINUED:	Ch.	Sec.	Page
Bedding, defined .....	183	1	516
Board of health,			
grades, specifications, tolerances, established by.....	183	38	525
Branch business,			
certificate required for each.....	183	10	520
defined .....	183	1	518
Certificate,			
branch .....	183	10	520
defined .....	183	1	515
fee schedule .....	183	41	526
fumigators and sterilizers.....	183	32	524
furniture and bedding manufacturers.....	183	5	519
repairers and renovators.....	183	7	519
required .....	183	4	519
retail furniture and bedding dealers.....	183	8	520
supply dealers .....	183	9	520
unlawful to operate without.....	183	3	519
wholesale furniture dealers,			
required, when .....	183	6	519
Contagious disease,			
items exposed to .....	183	33	524
Definitions .....	183	1	515
Department, defined .....	183	1	515
Department of health,			
reciprocity with other states.....	183	12	520
records of monies, kept by.....	183	45	527
registration numbers,			
assignment of .....	183	5	519
procedure for .....	183	13	521
Director, defined .....	183	1	515
Director of health,			
access to premises, right of.....	183	46	527
administration of act, duty of.....	183	2	519
destruction of articles, when detrimental to public health....	183	47	528
tags, information required.....	183	48	528
Feathers and down.....	183	24	523
Fees (see Registration Fees, <i>infra</i> , this title),			
Filling material,			
defined .....	183	1	516
described, how .....	183	20	522
foreign matter to be excluded from.....	183	37	525
labels for, required.....	183	23	523
feathers and down.....	183	24	523
secondhand, received from out of state, compliance with act..	183	15	521
Filthy articles, sale prohibited.....	183	31	524
Firm name,			
business done under more than one,			
registration for each required.....	183	11	520
Fumigation,			
articles to be kept apart from unprocessed .....	183	34	525
required, when .....	183	18	522
Fumigator,			
certificate for, required.....	183	32	524
fee .....	183	41	526
defined .....	183	1	517
Furniture and bedding advisory council,			
created .....	183	52	528
members of .....	183	52	528
apportionment of .....	183	53	529
meetings .....	183	53	529
powers .....	183	54	529

## BEDDING AND UPHOLSTERED FURNITURE.

### BEDDING AND UPHOLSTERED FURNITURE—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Furniture and bedding advisory council,			
members of,			
removal .....	183	54	529
terms of .....	183	52	528
vacancies .....	183	52	529
Hospitals,			
articles from, sterilized when.....	183	33	524
Identification tags,			
required when .....	183	39	526
Jails,			
articles from, sterilized when.....	183	33	524
Labels,			
article, description of, prescribed on.....	183	21	522
bed pillows, finished size stated on.....	183	22	523
decorative pillows .....	183	22	523
false advertising, unlawful.....	183	35	525
fancy cushions .....	183	22	523
feathers and down.....	183	24	523
material for, quality of.....	183	27	524
registration number to be shown on.....	183	20	522
removal or tampering with prohibited.....	183	30	524
required, when .....	183	17	621
specifications for .....	183	19	522
stamp used in lieu of, when.....	183	22	523
statements on,			
misleading, prohibited .....	183	29	524
stickers or marks not to cover.....	183	28	524
Manufacture,			
certificate required .....	183	4	519
fee .....	183	41	526
registration number .....	183	5	519
Manufacturer, defined .....	183	1	517
Out of state,			
articles received from.....	183	15	521
" .....	183	16	521
sales to .....	183	14	521
Owner's own material,			
defined .....	183	1	519
label of, when required.....	183	25	523
offering of .....	183	26	524
Person, defined .....	183	1	515
Premises, equipment, cleanliness required.....	183	40	526
Registration fees,			
delinquent, penalty for.....	183	44	527
payable, when .....	183	42	526
proration of, when .....	183	43	527
reduction of .....	183	41	526
renewal .....	183	44	527
schedule of .....	183	41	526
Registration numbers .....	183	5	519
Renovator,			
certificate required, when.....	183	4	519
" .....	183	7	519
defined .....	183	1	517
Repairer,			
certificate required .....	183	4	519
" .....	183	7	519
defined .....	183	1	517
Retailer,			
certificate required .....	183	8	520
defined .....	183	1	517

## BEDDING AND UPHOLSTERED FURNITURE.

### BEDDING AND UPHOLSTERED FURNITURE—CONTINUED:

	Ch.	Sec.	Page
Sales,			
filthy articles, prohibited.....	183	31	524
furnishings of own household,			
certificate not required.....	183	8	520
out of state, excluded from act.....	183	14	521
presumption of intent to sell.....	183	17	522
prohibited unless labeled.....	183	17	521
Secondhand, defined .....	183	1	516
Secondhand articles,			
fumigation before sale .....	183	18	522
out-of-state, received from.....	183	15	521
sterilization before sale.....	183	18	522
Sell, defined .....	183	1	515
Slip cover, defined.....	183	1	518
Sterilization,			
articles to be kept apart from unprocessed.....	183	34	525
required, when .....	183	18	522
	183	33	524
Sterilizer,			
certificate for, required.....	183	32	524
defined .....	183	1	517
Supply dealer,			
certificate, required when.....	183	9	520
defined .....	183	1	517
Supply depot, defined.....	183	1	518
Transient repairer or renovator, defined.....	183	1	517
Unlabeled items,			
foreign made,			
compliance with act required.....	183	16	521
Upholstered furniture, defined.....	183	1	515
Vermin, premises to be free of.....	183	40	526
Violations,			
failure to produce item on demand of director.....	183	49	528
false advertising .....	183	35	525
misdemeanor .....	183	50	528
separate, when .....	183	51	528
Wholesaler, defined .....	183	1	517

BEER (see INTOXICATING LIQUORS, *infra*, this Index)

BENCH MARKS (see PUBLIC LANDS, subtitle, Surveys and Maps, *infra*, this Index)

#### BENTON COUNTY:

School District No. 400 (see SCHOOL DISTRICTS, *infra*, this Index)

#### BICYCLES:

Defined .....	76	1	212
Equipment required for.....	76	8	213
Riders of, rights and duties.....	76	2	212
	76	3	213
	76	4	213
certain acts prohibited.....	76	5	213
	76	6	213
	76	7	213
Violation of act by person under age of 16 not negligence <i>per se</i> ..	76	9	214

#### BIRDS:

Willow goldfinch, official state bird..... 249 3 787

BIRTH RECORDS (see VITAL STATISTICS, *infra*, this Index)



## BOILERS AND UNFIRED PRESSURE VESSELS ACT.

### BLIND PERSONS: (see also CITIZENS PUBLIC ASSISTANCE ACT OF 1950, *infra*, this Index)

	Ch.	Sec.	Page
Social Security, Department of,			
amount of assistance to blind, determined by.....	122	1	313
division for the blind, appropriation.....	164	1	448

### BOARD OF HEALTH (see STATE BOARD OF HEALTH, *infra*, this Index)

### BOARD OF PRISON TERMS AND PAROLES (see PRISON TERMS AND PAROLES, BOARD OF, *infra*, this Index)

### BOILERS AND UNFIRED PRESSURE VESSELS ACT:

Act, provisions of not applicable to.....	32	8	66
Air tanks,	32	9	67
certain tanks exempt from act.....	32	8	67
Appeals,			
board .....	32	36	77
director .....	32	36	77
Board of boiler rules,			
boiler construction code, adoption of.....	32	3	65
chairman of .....	32	1	64
compensation .....	32	2	64
composition of .....	32	1	63
created .....	32	1	63
expenses of .....	32	2	64
inspectors, examinations for conducted by.....	32	18	71
meetings .....	32	1	64
members,			
appointment of .....	32	1	63
removal .....	32	1	63
rules and regulations,			
formulation .....	32	3	64
promulgation .....	32	4	65
terms .....	32	1	63
vacancies .....	32	1	64
Boiler construction code of the American Society of Mechanical Engineers,			
adoption authorized .....	32	3	65
Boilers,			
certain boilers exempt from act.....	32	8	66
exempt from inspection provisions.....	32	9	67
Bonds, official,			
inspectors .....	32	35	76
Chief inspector,			
appointment .....	32	10	68
collection of payments.....	32	28	73
duties,			
enforcement of rules and regulations.....	32	11	68
furnish rules and regulations.....	32	11	69
issue, suspend, revoke inspection certificates.....	32	11	68
maintain records .....	32	11	68
prosecute violations .....	32	11	68
examination for .....	32	18	71
qualifications of .....	32	10	68
removal .....	32	10	68
suspension of certificate of.....	32	30	74
vacancy filled by.....	32	10	68
City ordinance,			
standards equal to or higher than act, effect.....	32	8	67

**BOILERS AND UNFIRED PRESSURE VESSELS ACT.**

**BOILERS AND UNFIRED PRESSURE VESSELS ACT—CONTINUED:**

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Commissions,			
lost or destroyed .....	32	21	71
suspension or revocation of.....	32	19	71
appeal .....	32	20	71
grounds for .....	32	19	71
reinstatement .....	32	19	71
Deputy inspectors,			
bond .....	32	35	76
employment of .....	32	12	69
examination .....	32	18	71
qualifications of .....	32	12	69
Domestic hot water tanks,			
certain tanks exempt from act.....	32	8	66
exempt from inspection.....	32	9	67
Examinations,			
conduct of .....	32	18	71
failure to pass.....	32	18	71
Exemptions from provisions of act.....	32	8	66
	32	9	67
Federal regulations,			
boilers and vessels under, exempt.....	32	8	66
Fees,			
inspections,			
generally .....	32	32	75
second hand equipment .....	32	33	76
shop .....	32	33	76
receipt for .....	32	34	76
remittance of .....	32	34	76
Grace periods .....	32	23	72
Hot water tanks (see Domestic hot water tanks, <i>supra</i> , this title)			
Hydrostatic test .....	32	26	73
fee for .....	32	32	76
Inspection certificate,			
invalid, when .....	32	29	74
issued by .....	32	28	74
posting of .....	32	28	74
reinstatement of .....	32	30	75
suspension of .....	32	30	74
time valid .....	32	28	74
unlawful to operate without, when.....	32	31	75
Inspection fees (see Fees, <i>supra</i> , this title)	32	32	75
Inspections,			
conducted by .....	32	25	73
exemptions from .....	32	9	67
fees for .....	32	32	75
free access to premises during.....	32	17	70
low pressure heating boilers.....	32	22	72
payment for by owner.....	32	28	73
power boilers .....	32	22	72
rules for, modification of.....	32	24	73
unfired pressure vessels.....	32	22	72
Insurance,			
termination of coverage, effect.....	32	29	74
Labor and Industries, Department of,			
director,			
appeal from orders of.....	32	36	77
chief inspector, appointed by.....	32	10	68
duties of, prescribed by.....	32	11	68
Penalties .....	32	31	75
Premises,			
access to, inspectors' right of.....	32	17	70

BONDS.

BOILERS AND UNFIRED PRESSURE VESSELS ACT—CONTINUED:

	Ch.	Sec.	Page
Railroads subject to Interstate Commerce Act, boilers and vessels exempt.....	32	8	66
Rules and Regulations, amendments to .....	32	5	65
board to promulgate.....	32	4	65
effect of .....	32	5	65
boilers and vessels in use prior to adoption of.....	32	7	66
boiler construction code of American Society, adoption authorized .....	32	3	65
enforcement of .....	32	11	68
installations, conformity, effective dates for.....	32	6	66
special types .....	32	6	66
modification of .....	32	24	73
sales of boilers and vessels not prevented by.....	32	7	66
Second hand, defined.....	32	33	76
Special inspectors, appointments as, by chief.....	32	13	69
commissions .....	32	13	69
compensation .....	32	14	70
duties .....	32	15	70
examination of .....	32	18	71
expenses .....	32	14	70
report of, employer to make.....	32	16	70
qualifications .....	32	13	69
Unfired pressure vessels, certain vessels exempt from act.....	32	8	66
exempt from inspection provisions.....	32	9	66
Violations of act.....	32	31	75

BONDS:

Agate Pass bridge.....	121	13	311
Bridge, tunnel or ferry districts.....	199	11	596
Cities and towns, ballot form for elections.....	65	1	199
County road improvement districts.....	192	19	569
Forest development fund, sums within pledged for payment of.....	149	1	410
Guardians .....	242	1	764
Highway, Columbia basin project.....	121	12	311
construction .....	121	2	305
Irrigation districts, dissolution, bondholders, rights of upon.....	237	2	751
Local utility assessment district, issuance authorized .....	209	1	619
	209	2	620
Municipal corporations, general obligation bonds, excess tax levy for.....	255	1	805
issuance authorized .....	255	1	805
School districts, signatures, delegation of authority to affix.....	88	1	231
	88	2	231
Sewer districts .....	129	1	323
State capitol committee.....	22	1	43
Toll bridge authority, legal investment for state funds.....	259	3	817
University of Washington, construction of teaching hospital.....	118	1	301
Washington toll bridge authority, issued by, legal investment for state funds, are.....	259	3	817
Water districts .....	112	1	274

BONUS.

BONUS (see VETERANS, *infra*, this Index)

BOTTLE CLUBS (see INTOXICATING LIQUOR, *infra*, this Index)

BOXING AND WRESTLING:

	Ch.	Sec.	Page
Contestants to be examined by physician.....	48	2	116
License for, required.....	48	1	115
failure to obtain, penalty for.....	48	1	115
State athletic commission, powers,			
control over boxing and wrestling.....	48	2	115
issuance and revocation of licenses.....	48	2	115
rules and regulations of,			
licenses issued pursuant to.....	48	2	116
school matches, excepted from.....	48	2	116

BRAKES (see MOTOR VEHICLES, *infra*, this Index)

BRANDS (see AGRICULTURE, DEPARTMENT OF, *infra*, this Index)

BRIDGE, TUNNEL OR FERRY DISTRICTS (see TOLL BRIDGE AUTHORITY, *infra*, this Index)

BRIDGES:

Crossing state boundaries, compacts for patrol of, governor may enter.....	253	1	792
---	-----	---	-----

BUDGET, DIRECTOR OF (see DIRECTOR OF BUDGET, *infra*, this Index)

C

CANAL COMMISSION:

Abolished .....	9	1	25
-----------------	---	---	----

CAPITOL BUILDING BOND REDEMPTION FUND (see STATE CAPITOL COMMITTEE, *infra*, this Index)

CAPITOL BUILDING BONDS (see STATE CAPITOL COMMITTEE, *infra*, this Index)

CAPITOL BUILDING CONSTRUCTION FUND (see STATE CAPITOL COMMITTEE, *infra*, this Index)

CAPITOL BUILDINGS AND GROUNDS (see PUBLIC INSTITUTIONS, DEPARTMENT OF; also STATE CAPITOL COMMITTEE, *infra*, this Index)

CAPITOL COMMITTEE, STATE (see STATE CAPITOL COMMITTEE, *infra*, this Index)

CASCADE TUNNEL:

Location study authorized.....	273	24	926
--------------------------------	-----	----	-----

CENSUS (see STATE CENSUS BOARD, *infra*, this Index)

CENTRAL OPERATING FUND (see SOCIAL SECURITY, DEPARTMENT OF, *infra*, this Index)

CHILD CARE (see SOCIAL SECURITY, DEPARTMENT OF, *infra*, this Index)

CHILDREN (see MINORS, *infra*, this Index)

    Handicapped (see PUBLIC INSTRUCTION, SUPERINTENDENT OF, *infra* this Index)

CITIES AND TOWNS.

CHILDREN AND YOUTH SERVICES (see PUBLIC INSTITUTIONS,  
DEPARTMENT OF, *infra*, this Index)

CITIES AND TOWNS:

Admission tax (see TAXATION, *infra*, this Index)

Annexation of territory to,

	Ch.	Sec.	Page
election,			
cost of, chargeable against city.....	248	6	786
petition for,			
approval of .....	248	6	786
filing of .....	248	6	786
fourth class city, to,			
unplatted land, consent of owner.....	109	1	271
water, sewer and fire protection district territory,			
contracts relative to, notwithstanding act.....	248	4	785
entire district annexed,			
credit for equipment.....	248	1	782
district funds, use of.....	248	1	783
district officers, functions.....	248	1	782
district property inures to city.....	248	1	782
indebtedness of district,			
assumption by city.....	248	1	782
liability of property owners, until.....	248	1	782
taxes, uncollected, inure to city.....	248	1	783
funds of, use by city, when.....	248	1	783
population of, upon,			
added to city.....	248	5	785
basis for distribution of state funds,			
time for change of.....	248	5	786
count of .....	248	5	785
method of determining.....	248	5	785
portion only, of district annexed,			
district facilities within annexed area used exclu-			
sively for that area, effect.....	248	2	783
district facilities within area not annexed used exclu-			
sively for that area, effect.....	248	2	784
no facilities exclusively used.....	248	3	784
creditors, rights preserved.....	248	3	784
property owners, rights preserved.....	248	3	784
repair of facilities outside city.....	248	3	784
road districts included within,			
collection of taxes.....	248	5	786
taxes of, uncollected, inure to city, when.....	248	1	783
Appointive officials,			
residential qualifications .....	162	1	447
Bids, calls for (see Public Works and Purchase of Supplies, <i>infra</i> , this title)			
Bond election ballots.....	65	1	199
Budget and budget law,			
civil defense emergency matters.....	178	8	497
electrical system employees, wage adjustments.....	154	1	426
transportation commission .....	80	1	221
Census (see Population, <i>infra</i> , this title)			
City health officer,			
nursing homes, regulation of (see HEALTH, DEPARTMENT OF, <i>infra</i> , this Index)			
City or town clerk (see also ELECTIONS, <i>infra</i> , this Index)			
cancelled registrations, shall notify secretary of state of.....	208	1	618
Civil defense (see WASHINGTON CIVIL DEFENSE ACT OF 1951, <i>infra</i> , this Index)			

## CITIES AND TOWNS.

### CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Civil service commission, persons charged as subversive, hearing procedure for, shall provide .....	254	15	800
Clerk, cancelled voters registrations, annual certificate of, shall file .....	208	1	618
Commission form of government, mayors and commissioners, salaries, cities to 30,000 population.....	46	1	113
cities 7,000 to 14,000 operating public utilities.....	47	1	114
Comprehensive building code, cities having, inspection of maternity homes, responsibility of .....	168	12	463
Elections (see ELECTIONS, <i>infra</i> , this Index)			
Electrical generation facilities outside county, contribution to support of county government.....	104	1	258
contracts authorized .....	104	1	258
Electrical generating, transmission and/or distribution proper- ties (see also First Class, <i>infra</i> , this title)			
payment to taxing districts on acquisition of.....	217	1	645
how made .....	217	3	645
school districts having bonded indebtedness.....	217	2	645
Employees (see also STATEWIDE CITY EMPLOYEES RETIRE- MENT SYSTEM, <i>infra</i> , this Index)			
residential qualifications of.....	162	1	447
charter provisions not affected.....	162	1	447
retirement (see RETIREMENT, <i>infra</i> , this Index)			
subversive activities (see SUBVERSIVE ACTIVITIES, <i>infra</i> , this Index)			
veterans preference in appointment.....	29	1	59
Firemen, excluded from provisions of statewide city employees re- tirement system act, when.....	275	3	935
miscellaneous personnel group, included in, when.....	275	2	934
	275	3	935
Firemen's relief and pension system (see FIREMEN'S RELIEF AND PENSIONS, <i>infra</i> , this Index)			
Fireworks (see FIREWORKS, <i>infra</i> , this Index)			
First class, acquisition of public utility district property, when.....	272	1	914
budget law, cities having 140,000 to 150,000 population, adjustment of public utility labor contracts.....	21	1	42
civil defense emergency matters.....	178	8	497
elections (see ELECTIONS, <i>infra</i> , this Index)			
employees of public utilities, contracts with city.....	21	1	42
budget law, application of.....	21	1	42
health officer as local registrar of vital statistics.....	106	5	263
removal of .....	106	5	263
incorporation as (see Incorporation as First Class City, <i>infra</i> , this title)			
navigable river channel improvements, joint participation in.....	33	1	78
board for, created.....	33	2	78
contracts for .....	33	2	78
policemen, excluded from provisions of statewide city employees retirement system act.....	275	3	935
population over 100,000, acquisition of public utility district distribution property.	272	1	914
public utilities .....	21	1	42
labor contracts with employees of.....	21	1	42

CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
First class,			
transportation systems,			
commission, budgetary powers vested in.....	80	1	221
vital statistics,			
health officer as local registrar.....	106	5	263
fees, may charge.....	106	3	262
fees, paid to.....	106	8	266
report of deaths.....	250	1	788
primary registration district.....	106	4	263
Flood control (see CONSERVATION AND DEVELOPMENT, <i>infra</i> , this Index)			
Fourth Class,			
annexation of unplatted lands to.....	109	1	271
elections (see ELECTIONS, <i>infra</i> , this Index)			
public works and purchase of supplies (see that sub-title, <i>infra</i> , this title)			
competitive bidding requirements (see Public Works and Purchase of Supplies, <i>infra</i> , this title)			
Funds (see PUBLIC FUNDS, <i>infra</i> , this Index)			
Governing body,			
plats and subdivisions of land,			
approval of before sale.....	195	1	582
land adjacent to city or town,			
notice of proposed plat, subdivision or dedication....	203	1	608
public interest inquired into.....	195	2	582
recording of,			
approval, condition precedent to.....	195	3	583
Incorporation of city or town,			
voters to select form of government.....	86	1	228
Incorporation of unincorporated areas as First Class Cities,			
authorized .....	153	1	420
certificate of .....	153	4	423
form .....	153	4	423
incorporation complete upon filing.....	153	4	425
charter,			
amendments to .....	153	4	425
to adopt .....	153	4	425
election,			
ballot form .....	153	3	423
first officials under.....	153	3	423
framing of .....	153	3	422
organic law .....	153	4	423
county commissioners, duties of,			
boundaries fixed by.....	153	2	421
certificate of .....	153	4	423
election, called by.....	153	2	421
hearing on .....	153	2	421
notice of .....	153	2	421
petition for, filed with.....	153	2	420
resolution declaring .....	153	3	422
election to incorporate,			
ballot form .....	153	2	422
conduct and manner of.....	153	2	421
propositions .....	153	2	421
qualifications of electors.....	153	2	422
freeholders,			
duties .....	153	3	422
election of .....	153	2	422
} .....	153	3	422
} .....	153	2	422
number of .....	153	2	422

## CITIES AND TOWNS.

### CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Incorporation of unincorporated areas as First Class Cities,			
officers,	153	3	423
election of .....			
petition .....	153	2	420
boundaries,			
defined by county commissioners.....	153	2	421
contents of .....	153	2	421
hearing upon .....	153	2	421
population,			
determination of .....	153	2	421
Justices of the peace (see COURTS, <i>infra</i> , this Index)			
Maternity homes,			
inspection .....	168	12	463
Motor vehicle excise taxes,			
transfer and distribution to deficiency appropriation for.....	228	1	703
Motor vehicle fuel excise tax,			
distribution of proceeds to.....	269	43	879
Nursing homes, regulation of (see HEALTH, DEPARTMENT OF, <i>infra</i> , this Index)			
Office hours for public offices.....	100	2	247
Officers,			
appointive,			
residential qualifications .....	162	1	447
election and terms in second class cities.....	71	1	206
Pesticide poisons,			
right to regulate, preserved.....	127	1	321
right to use, preserved.....	127	1	321
Planning commission (see also PLATS, SUBDIVISIONS AND DEDICATIONS, <i>infra</i> , this Index)			
plats and subdivisions of land,			
approval of before sale.....	195	1	582
land adjacent to city or town,			
notice of proposed plat, subdivision or dedication....	203	1	608
public interest inquired into.....	195	2	582
recording of,			
approval, condition precedent to.....	195	3	583
Plats, subdivisions and dedications (see Governing body, also Planning commission, <i>supra</i> , this title; see also PLATS, SUB- DIVISIONS AND DEDICATIONS, <i>infra</i> , this Index)			
Police,			
impounding of vehicles,			
non compliance with gross weight license fee require- ment, for .....	269	16	861
Police judges,			
population over 20,000,			
salaries .....	156	4	431
Population,			
annexation, effect of.....	248	5	785
state census board to determine.....	96	2	241
Public records of,			
procedure for destruction.....	145	5	380
Public utilities,			
contributions to county where located,			
authorization for .....	104	1	258
Public works and purchase of supplies (2nd, 3rd and 4th class cities and towns),			
public works,			
bids, when required.....	211	1	623
call for,			
manner of .....	211	1	624
notice .....	211	1	624



CITIES AND TOWNS.

CITIES AND TOWNS—CONTINUED:

Public works and purchase of supplies, public works,			
bids, when required,	Ch.	Sec.	Page
rejection of .....	211	1	624
civil defense emergency matters.....	178	8	497
supplies, purchase of,			
bids for, when required.....	211	1	624
Records,			
destruction of by clerk, when.....	145	5	380
Retirement systems (see also STATEWIDE CITY EMPLOYEES' RETIREMENT SYSTEM, <i>infra</i> , this Index)			
funds,			
investment of,			
federal and other government securities.....	275	1	930
limitation on .....	275	1	931
municipal securities .....	275	1	930
open-end companies .....	275	1	931
qualifications of .....	275	1	931
Second class,			
competitive bidding requirements (see Public Works and Purchase of Supplies, <i>infra</i> , this title)			
elections,			
terms of officers other than commissioners.....	71	1	206
employees of electrical system,			
adjustment of working conditions of.....	154	1	426
limitation on .....	154	1	426
officers,			
salaries,			
councilmen .....	85	1	227
fixing of, by council.....	85	1	226
increasing of, prohibited.....	85	1	227
mayor .....	85	1	227
payment of, when.....	85	1	227
public works (see Public Works and Purchases of Supplies, <i>supra</i> , this title)			
supplies, purchase of (see Public Works and Purchases of Supplies, <i>supra</i> , this title)			
Speed limits (see MOTOR VEHICLES, sub-title, Speed Limits, <i>infra</i> , this Index)			
Streets,			
limited access facilities (see also HIGHWAYS, <i>infra</i> , this Index)			
connection with .....	167	10	456
highway authority,			
powers .....	{ 167	4	453
validation .....	167	5	453
validation .....	167	12	457
maintenance, construction, repair or engineering assistance..	54	1	161
agencies authorized to do work on.....	54	1	161
funds for .....	54	1	161
signs or signals, destruction of, penalty for.....	188	1	550
special permits for movement of vehicles (see MOTOR VE- HICLES, subtitle, Size, Weight and Load Requirements, <i>infra</i> , this Index)			
speed limits (see MOTOR VEHICLES, subtitle, Speed limits, <i>infra</i> , this Index)			
verticle clearance impaired,			
liability to injury resulting from.....	269	20	863
Streets forming part of state highway route,			
traffic signal installation,			
approval of Director of Highways required.....	56	3	166
Subdivisions (see Planning commission, <i>supra</i> , this title)			
Taxation (see TAXATION, <i>infra</i> , this Index)			

## CITIES AND TOWNS.

### CITIES AND TOWNS—CONTINUED:

	Ch.	Sec.	Page
Third Class,			
competitive bidding requirements (see Public Works and Purchase of Supplies, <i>supra</i> , this title)			
employees of electrical systems,	Ch.	Sec.	Page
adjustment of working conditions of.....	154	1	426
public works (see Public Works and Purchase of Supplies, <i>supra</i> , this title)			
supplies, purchase of (See Public Works and Purchase of Supplies, <i>supra</i> , this title)			
Toll facility aid districts, participation in (see TOLL BRIDGE AUTHORITY, subtitle, Toll facility aid districts, <i>infra</i> , this Index)			
Traffic control devices,			
damage to, penalty .....	188	1	550
Transportation systems,			
commission,			
fiscal management vested in, when.....	80	1	221
Vehicles operated by,			
special permit fees,			
not liable for.....	269	39	876
Vital statistics (see VITAL STATISTICS, <i>infra</i> , this Index)			
Water systems,			
acquisition of facilities for.....	252	1	791
methods available for.....	252	1	791
out of state,			
acquisition and operation of.....	39	1	87
joint operation with out of state municipalities.....	39	1	87
powers .....	39	2	87
powers relative to.....	252	1	791
water,			
sale of,			
rates to be reasonable.....	252	1	792
Zoning requirements, real estate offices shall comply with.....	222	15	659

### CITIZENS' PUBLIC ASSISTANCE ACT OF 1950:

Aid,			
blind, for the .....	1	6	8
income which may be disregarded as a resource.....	122	1	313
provisions applicable .....	1	8	13
dependent children, to.....	1	6	8
provisions applicable .....	1	8	13
Applicant, defined .....	1	3	4
	122	1	313
Appropriation .....	1	9	14
Assignment of resources.....	1	4	7
reinvestment .....	1	4	7
Blind persons (see Aid, <i>supra</i> , this title)			
Council of medical service.....	1	7	10
County health department.....	1	7	11
Definitions .....	1	3	4
	122	1	313
Dental services,			
responsibility of department of health.....	1	7	9
Department, defined .....	1	3	4
	122	1	313
Department of Health,			
auxiliary services .....	1	7	10
dental services, responsibility for.....	1	7	9
disease prevention .....	1	7	10
funds, medical service program.....	1	7	12

CITIZENS' PUBLIC ASSISTANCE ACT OF 1950.

CITIZENS' PUBLIC ASSISTANCE ACT OF 1950—CONTINUED:

	Ch.	Sec.	Page
Department of Health,			
doctors and dentists,			
selection of, allowed.....	1	7	10
medical services,			
procurement of .....	1	7	11
responsibility for .....	1	7	9
public facilities, use of.....	1	7	10
records and equipment, transfer to.....	1	7	12
rehabilitation, services .....	1	7	10
unemployables, evaluation of.....	1	7	10
Doctors and dentists,			
selection of, allowed.....	1	7	10
Emergency general assistance.....	1	8	13
Exemption of property as resource.....	1	4	5
transfer of .....	1	4	7
Funds, medical service program.....	1	7	11
General assistance .....	1	8	13
eligibility for .....	1	8	13
rules and regulations.....	1	8	13
unemployable persons .....	1	6	9
provisions applicable to.....	1	8	13
Grants, basis of.....	1	6	8
Home, defined .....	1	4	5
Household unit,			
as basis for standards of assistance.....	1	6	9
Income,			
chargeable against recipient.....	1	4	6
defined .....	1	3	4
aid to blind, \$50.00 per month to be disregarded.....	122	1	313
Intent of act, declaration of.....	1	1	3
Living cost studies.....	1	6	8
basis for standards of assistance.....	1	6	9
unemployed employable persons.....	1	6	9
Local health officer.....	1	7	12
Medical service districts.....	1	7	12
Medical services,			
choice of practitioner.....	1	7	10
community standards .....	1	7	9
intent of act regarding.....	1	7	9
responsibility of department of health.....	1	7	9
Need, defined .....	1	3	4
	122	1	313
Old age assistance,			
standards for .....	1	6	8
qualifications of recipients.....	1	5	7
	165	1	449
Personal property and belongings.....	1	4	6
Prevention of disease.....	1	7	10
Property, when deemed resource.....	1	4	5
home .....	1	4	5
personal property and belongings.....	1	4	6
Public assistance,			
provisions applicable .....	1	8	13
Recipient, defined .....	1	3	4
qualifications for old age assistance.....	122	1	313
.....	1	5	7
Rehabilitation services .....	1	7	10
Resources,			
defined .....	1	3	4
	122	1	313

CITIZENS' PUBLIC ASSISTANCE ACT OF 1950.

CITIZENS' PUBLIC ASSISTANCE ACT OF 1950—CONTINUED:

	Ch.	Sec.	Page
Resources,			
exemptions .....	1	3	5
transfer of .....	122	1	313
Rules and regulations,			
board of health,			
establishment of .....	1	7	10
filed with secretary of state.....	1	7	10
department of social security,			
ceiling values fixed by.....	1	4	6
Social Security, department of,			
medical and dental services,			
eligibility for determined by.....	1	7	9
records and equipment, transfer of.....	1	7	12
rules and regulations,			
ceiling values .....	1	4	6
general assistance .....	1	8	13
standards of assistance.....	1	6	8
Standards of assistance.....	1	6	8
annual revision of.....	1	6	8
living cost studies.....	1	6	9
statistics, use of.....	1	6	9
State Board of Health,			
council of medical service to advise.....	1	7	10
Statistics, use of in ascertaining standards.....	1	6	9
Total dollar value, minimum of.....	1	6	8
Transfer of resources.....	1	4	7
reinvestment .....	1	4	7
Unemployable persons .....	1	6	8
evaluation of .....	1	7	10
defined .....	1	8	14
provisions applicable .....	1	8	14
Unemployable employable persons.....	1	6	9
defined .....	1	8	14
provisions applicable .....	1	8	14
standards of assistance.....	1	6	9
Value, defined .....	1	4	7
CIVIL DEFENSE ACT (see WASHINGTON CIVIL DEFENSE ACT OF 1951, <i>infra</i> , this Index)			
CLARK-McNARY FUND:			
Proceeds of sale of land to Port Orchard credited to.....	95	3	240
CLERK OF SUPREME COURT (see COURTS, <i>infra</i> , this Index)			
CODE (see REVISED CODE OF WASHINGTON, <i>infra</i> , this Index)			
CODE REVISER (see REVISED CODE OF WASHINGTON, <i>infra</i> , this Index)			
COLUMBIA BASIN PROJECT ACT (see IRRIGATION AND RECLAMATION DISTRICTS, <i>infra</i> , this Index)			
COLUMBIA BASIN PROJECTS (see HIGHWAYS, <i>infra</i> , this Index)			
COLUMBIA RIVER:			
Division and use of waters of (see INTERSTATE COMPACT COMMISSION, <i>infra</i> , this Index)			
COMMERCIAL APPLICATORS (see AGRICULTURE, DEPARTMENT OF, <i>supra</i> , this Index)			

## CONSERVATION AND DEVELOPMENT.

COMMISSION FORM OF GOVERNMENT (see CITIES AND TOWNS, *supra*, this Index)

COMMON CARRIERS (see titles PUBLIC SERVICE COMMISSION, RAILROADS, AND TOLL BRIDGE AUTHORITY, *infra*, this Index)

COMMUNITY LIVESTOCK SALES (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)

CONDEMNATION (see EMINENT DOMAIN, *infra*, this Index)

	Ch.	Sec.	Page
CONDITIONAL SALES CONTRACTS:			
"Evidence of indebtedness" not included within meaning of term.	227	2	703
Motor vehicles,			
payment in full, duty to assign certificate of ownership.....	269	4	854
Railroad equipment .....	191	1	555
CONSERVATION AND DEVELOPMENT:			
Department,			
organization of .....	57	1	167
Director (see also Division of water resources, <i>infra</i> , this title)			
assistants, appointment of.....	57	1	167
irrigation districts,			
consent to dissolution where bonds held in state reclamation revolving fund.....	237	15	756
member of state soil conservation committee, shall be.....	216	3	643
oil and gas conservation committee, member is.....	146	4	383
sale of certain lands to Port Orchard.....	95	1	240
proceeds of, deposited to Clark-McNary fund.....	95	3	240
supervisor of water resources, appointment of.....	57	2	167
Division of water resources,			
powers and duties of director,			
capacities of sources, determination of.....	57	3	168
diversion, regulation of.....	57	3	168
inspection of works.....	57	3	168
oaths, may administer.....	57	3	169
official seal, shall be kept.....	57	3	168
public waters, supervision of.....	57	3	168
records shall be kept.....	57	3	168
reports to governor.....	57	3	168
stream gaging fund .....	57	4	169
deposits .....	57	4	169
Disbursements .....	57	4	169
trust fund .....	57	4	169
supervisor of water resources,			
appointment of .....	57	2	167
assistant director of department, is.....	57	2	167
engineers and assistants,			
appointment of .....	57	2	167
fees,			
appropriation application,			
examination of .....	57	5	169
assignments, recording of.....	57	5	171
change of diversion point.....	57	5	171
copies .....	57	5	171
blue prints .....	57	5	171
certified .....	57	5	171
extensions of time.....	57	5	171
filing and recording,			
appropriation permits .....	57	5	170
other instruments .....	57	5	170
protests .....	57	5	171

## CONSERVATION AND DEVELOPMENT.

### CONSERVATION AND DEVELOPMENT—CONTINUED:

	Ch.	Sec.	Page
Division of water resources, supervisor of water resources, fees,			
inspection of works.....	57	5	171
plans and specifications, examination of .....	57	5	171
Flood control, division of, created .....	240	3	759
supervisor of, office of, created.....	240	3	759
local flood control engineer, designation as .....	240	5	760
flood control projects, plans for, approval of.....	240	6	760
maintenance fund, monies transferable to.....	240	9	760
municipalities authorized to establish, when.....	240	9	760
purposes of .....	240	9	761
state, participation in .....	240	4	759
appropriations for .....	240	7	760
employment and allocations of.....	240	8	760
cost of, agreement for.....	240	12	762
limitation on .....	240	12	762
procedure to acquire.....	240	10	761
soil conservation districts excepted.....	240	10	761
projects, types authorized.....	240	11	761
public interest, requirement of.....	240	7	760
policy of .....	240	2	759
warrants and vouchers.....	240	13	762
Forest development fund, appropriations from, purposes.....	149	1	410
created .....	149	1	410
liens against, what are.....	149	1	410
state forest lands, proceeds from, deposited in.....	91	1	235
sums required to be retained in.....	149	1	410
transfer of funds to.....	149	2	411
use .....	149	1	410
withdrawals .....	149	1	410
Forests, fire protection, assessments, clerical expense included in.....	58	8	181
collection of, by county treasurer.....	58	8	181
correction of .....	58	8	181
districts for .....	58	8	180
lien for, status of.....	58	8	180
payment of, indicating effort to suppress fire.....	58	9	182
placement on tax rolls.....	58	8	180
certificate of clearance, application for .....	58	3	173
cancellation, grounds for .....	58	3	175
conclusive evidence of abatements.....	58	3	175
contents of .....	58	3	174
destruction of second growth.....	58	3	174
fraction of area, coverage of.....	58	3	174
issuance of .....	58	3	174
owner, continuing responsibility, when.....	58	3	174

CONSERVATION AND DEVELOPMENT.

CONSERVATION AND DEVELOPMENT—CONTINUED:

Forests,

fire protection,

	Ch.	Sec.	Page
closed season operations, conditions of.....	58	4	175
boilers .....	58	5	178
common carriers, railroad trains.....	58	5	177
speeder patrols .....	58	5	178
electric engines .....	58	5	175
clearing .....	58	7	179
equipment .....	58	4	175
watchman .....	58	7	179
loading engines, gasoline, diesel or electric.....	58	4	176
other gasoline or diesel engines.....	58	4	176
penalties .....	58	6	179
portable power saw.....	58	4	176
skidding engines, gasoline, diesel or electric.....	58	4	176
spark-emitting engines .....	58	4	175
clearing .....	58	7	179
equipment .....	58	4	175
watchman .....	58	7	179
spark-emitting logging locomotives.....	58	5	177
speeder or other follow up patrol.....	58	5	178
steam logging engines or boilers.....	58	5	178
tractor .....	58	4	176
truck hauling forest products.....	58	4	176
yarding engines, gasoline, diesel or electric.....	58	4	176
contract for .....	58	3	175
director,			
defined .....	58	1	172
patrol and assessment districts, created by.....	58	8	180
rules for burning prescribed by.....	58	2	173
fire fighting,			
in logging operation.....	58	9	182
owner's responsibility for.....	58	3	174
contract for .....	58	3	175
fire hazards,			
abatement of,			
where certificate of clearance not issued.....	235	1	743
cost of upon refusal of owner, lien.....	235	1	743
summary abatement by supervisor.....	235	1	743
certificate of clearance.....	58	3	174
what is .....	235	1	742
fire in logging operation.....	58	9	182
fire patrol assessments (see Assessments, <i>supra</i> , this sub- title)			
fire warden,			
permits, issuance and revocation.....	58	2	173
lien,			
for assessments .....	58	8	181
foreclosure of, by prosecuting attorney.....	58	9	182
for summary abatement of hazard.....	235	1	743
permit to burn inflammable material,			
issued by whom.....	58	2	173
revocation of .....	58	2	173
unlawful to burn inflammable material, without penalty .....	58	2	173
slash (see fire hazards, <i>supra</i> , this title)			
snags,			
lands west of Cascades.....	13	2	27
falling of to be concurrent with logging.....	13	2	27
exception .....	13	2	27
number of, falling.....	13	3	27

CONSERVATION AND DEVELOPMENT.

CONSERVATION AND DEVELOPMENT—CONTINUED:

Forests,

fire protection,

snags,

lands west of Cascades,

supervisor,

number to be felled determined by.....

Ch. Sec. Page

13 4 28

violations .....

13 5 28

lien .....

13 5 28

spark-emitting engines,

operators,

snags, stubs, to be removed by.....

58 7 179

watchman, maintained by.....

58 7 179

spark-emitting logging locomotives,

unlawful to operate, when.....

58 5 177

supervisor,

assessments corrected by.....

58 8 181

bond of .....

58 8 181

approval by attorney general.....

58 8 181

certificate of clearance issued by.....

58 3 173

defined .....

58 1 172

fire hazards, summary abatement.....

235 1 743

inspections of area by.....

58 3 173

liens filed by.....

58 9 182

permits issued by.....

58 2 173

revocation of .....

58 2 173

speeder patrols, designated by.....

58 5 178

uncontrolled fire,

abatement of nuisance by.....

58 9 182

cost of, charged to owner.....

58 9 182

lien for .....

58 9 182

owner to control.....

58 9 182

refusal of .....

58 9 182

public nuisance, declared,

abatement of, by supervisor.....

58 9 182

forest camps (see PUBLIC INSTITUTIONS, DEPARTMENT

OF, *infra*, this Index)

forest development fund (see that subtitle, *supra*, this title)

forest fire service, defined.....

58 1 172

forest land, defined.....

58 1 172

forest material, defined.....

58 1 172

insects and diseases,

act,

administration of .....

233 3 730

agent, defined .....

233 2 730

board,

defined .....

233 2 730

infestation control districts, dissolution of, when.....

233 12 733

control fund,

appropriations to .....

233 10 733

created .....

233 8 732

monies placed in.....

233 9 733

state treasurer to keep accounting of.....

233 8 732

unexpended balance of, continued use of.....

233 9 733

use of .....

233 8 733

county assessor,

lien for destruction of insects reported to.....

233 7 732

placement of, on assessment roll.....

233 7 732

declared a public nuisance.....

233 1 730

infestation control districts,

creation of, declaration of.....

233 5 731

dissolution of, when.....

233 12 733

lien for expense of control of.....

233 7 732

amount of, maximum.....

233 7 732



## CORPORATIONS.

## CONSERVATION AND DEVELOPMENT—CONTINUED:

## Forests,

insects and diseases,			
lien for expense of control of	Ch.	Sec.	Page
collection of .....	233	7	732
owner,			
defined .....	233	1	730
destruction of insects and diseases by .....	233	4	730
failure of .....	233	4	731
notice to destroy insects, sent to .....	233	5	731
compliance with in good faith,			
exemptions allowable .....	233	11	733
failure to comply with,			
duty of supervisor .....	233	6	731
supervisor,			
defined .....	233	2	730
destruction and control of insects,			
expense of,			
certified statement of, prepared by .....	233	7	732
lien for .....	233	7	732
amount of, maximum .....	233	7	732
collection of .....	233	7	732
lands levied on .....	233	7	732
infestation control district declared by .....	233	5	731
boundaries of .....	233	5	731
dissolution of, when .....	233	12	733
notice to owners to destroy insects, served by .....	233	5	731
contents of .....	233	5	731
owner's failure to comply with, duty of .....	233	6	731
service of, manner of .....	233	5	731
standards for control, set by .....	233	11	733
timber land, defined .....	233	2	730
rangers,			
permits, issuance and revocation .....	58	2	172
snags (see Fire protection, <i>supra</i> , this title)			
state forest board,			
acquisition of lands from counties .....	91	1	235
forest development fund,			
appropriations for board use .....	149	1	410
Klickitat county,			
reconveyance of agricultural land in .....	73	1	209
state forest lands,			
acquisition and use .....	91	1	235
proceeds from, disposition .....	91	1	235
uncontrolled fires (see Fire protection, <i>supra</i> , this title)			
State forest board (see Forests, <i>supra</i> , this title)			
State forest land (see Forests, <i>supra</i> , this title)			
Waters (see Division of Water Resources, <i>supra</i> , this title; also title WATERS, <i>infra</i> , this Index)			

## CONTEMPT:

Board of industrial insurance appeals,			
disobedience to order of, punishable as .....	225	11	689
Legislative budget committee,			
disobedience to order of, punishable as .....	43	9	97
Limited access highway hearings .....	167	7	455
Oil and gas conservation committee,			
disobedience to order of, punishable as .....	146	8	385
Partnership, winding up,			
failure to file inventory .....	197	4	590

## CORPORATIONS:

Subversive, found to be, dissolution .....	254	5	796
--	-----	---	-----

COUNTIES.

COUNTIES: (see also COUNTIES in index to 1950 Ex. Sess., *supra*, this volume; also to 1951 Ex. Sess., *infra*, this volume)

	Ch.	Sec.	Page
Admissions tax (see TAXATION, <i>infra</i> , this Index)			
Annexation of territory to cities and towns,			
population, effect on.....	248	5	785
Budget (see also Hospitals, <i>infra</i> , this title)			
civil defense emergency matters (see WASHINGTON CIVIL DEFENSE ACT OF 1951, <i>infra</i> , this Index)			
county road improvement district, counties having provision for guaranty fund.....	192	23	571
Civil defense (see WASHINGTON CIVIL DEFENSE ACT OF 1951, <i>infra</i> , this Index)			
Civil service commission,			
persons charged as subversive, hearing procedure for, shall provide .....	254	15	800
Class A counties,			
procedure for disorganization of townships, act providing for does not apply to.....	173	10	476
County commissioners (see COUNTY COMMISSIONERS, BOARD OF, <i>infra</i> , this Index)			
County finance committee,			
excess or inactive funds invested by.....	161	1	446
County health officer,			
nursing homes, regulation of (see HEALTH, DEPARTMENT OF, <i>infra</i> , this Index)			
County hospital fund (see Hospitals, <i>infra</i> , this title)			
County roads,			
special permits for movement of vehicles (see MOTOR VEHICLES, subtitle, Size, weight and load requirements, <i>infra</i> , this Index)			
vertical clearance impaired,			
liability for injury resulting from.....	269	20	863
County tuberculosis hospitalization fund,			
appropriation .....	14	1	29
payment to from state tuberculosis equalization fund.....	204	1	609
County welfare departments,			
persons retired under statewide city employee's retirement system, not precluded from furnishing aid to.....	275	15	955
Current expense fund,			
compensating tax collection fees,			
deposited in .....	37	1	84
tax judgment sales excesses,			
deposited in, when.....	220	1	650
Detention home personnel (see COURTS, subtitle, juvenile Courts, <i>infra</i> , this Index)			
Employees,			
sick leaves and vacations.....	187	1	549
subversive activities (see SUBVERSIVE ACTIVITIES, <i>infra</i> , this Index)			
veterans preference in appointment.....	29	1	59
Fairs,			
class B .....	60	4	185
class C .....	60	5	186
state aid for, condition precedent to.....	60	8	187
Fireworks (see FIREWORKS, <i>infra</i> , this Index)			
Flood control (see CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index)			
Foreclosure of tax liens,			
property classified as forest lands.....	91	1	235
Funds (see PUBLIC FUNDS, <i>infra</i> , this Index)			
Health officer as local registrar of vital statistics (see VITAL STATISTICS, <i>infra</i> , this Index)			

COUNTIES.

COUNTIES—CONTINUED:

	Ch.	Sec.	Page
Hospitals,			
budget,			
submission to director of health, when.....	256	2	808
supplemental, when .....	256	3	808
county hospital fund,			
monies deposited in.....	256	1	807
payments to from department,			
amount of .....	256	4	809
reimbursement of .....	256	4	809
receipts and disbursements from,			
report of by auditor.....	256	1	808
dental hygienists, employment of, when.....	256	5	809
funds available for, estimate of, time for.....	256	2	808
mentally ill persons, facilities for.....	139	28	350
Indigent persons,			
remains, disposal of by commissioners.....	258	1	815
Jail reports .....	108	1	270
Lands (see Property, <i>infra</i> , this title)			
Lease (see Property, <i>infra</i> , this title)			
Limited access roads (see Roads, <i>infra</i> , this title)			
Mental illness hospitalization act,			
court costs chargeable to, when.....	139	51	358
detention costs chargeable to, when.....	139	51	358
Motor vehicle fuel excise tax,			
distribution of proceeds to.....	269	43	879
Navigable river channel improvement,			
port districts and first class cities,			
cooperation with .....	33	1	78
	33	2	78
Nursing homes, regulation of (see HEALTH, DEPARTMENT OF, <i>infra</i> , this Index)			
Office hours for public offices.....	100	1	247
Pesticide poisons,			
right to regulate, preserved.....	127	1	321
right to use, preserved.....	127	1	321
Planning commission (see Plats, subdivisions and dedications, <i>infra</i> , this title)			
Plats, subdivisions and dedications,			
approval required .....	195	1	582
	203	1	607
areas adjacent to cities, rights of.....	203	1	608
auditor, refusal to accept for filing.....	195	3	583
authorized plat, subdivision or dedication, known as when..	195	2	583
director of highways,			
lands adjacent to highway, submitted to.....	203	1	608
filed without approval,			
mandamus to remove,			
liability for costs of action.....	195	3	583
prosecuting attorney, mandate to remove plat.....	195	3	583
public use, inquiry as to.....	195	2	582
unapproved, duty to refuse filing.....	195	3	583
Population of unincorporated areas,			
annexation of territory to city, effect.....	248	5	785
Probation officers (see COURTS, subtitle, Juvenile courts, <i>infra</i> , this Index)			
Property,			
lease of, authorized.....	41	1	90
assignment, commissioners consent to.....	41	1	92
forfeiture of, when.....	41	1	91

COUNTIES.

COUNTIES—CONTINUED:

	Ch.	Sec.	Page
Property,			
lease of authorized,			
forfeiture of, when,			
industrial purposes,			
buildings to become county property, when.....	41	1	92
plans for, filed by lessee.....	41	1	91
readjustment of rental.....	41	1	91
arbitration, when .....	41	1	92
terms,			
airport purposes .....	41	1	91
general purposes .....	41	1	90
renewal .....	41	1	90
industrial etc., purposes.....	41	1	90
Records,			
destruction of by auditor, when.....	145	5	380
Road district taxes,			
annexion of territory to city or town, effect.....	248	5	786
Road fund,			
proceeds from work on city streets, deposit in.....	54	1	161
Road improvement districts (see COUNTY ROAD IMPROVEMENT DISTRICTS, <i>infra</i> , this Index)			
Road signs, destruction of,			
penalty for .....	188	1	550
Roads (see also HIGHWAYS, <i>infra</i> , this Index)			
limited access,			
highway authority,			
powers .....	167	4	453
validation .....	167	5	453
logs obstructing .....	167	10	456
validation .....	167	12	457
logs obstructing .....	143	1	375
Sheriff (see COUNTY SHERIFF, <i>infra</i> , this Index)			
Sick leave for employees.....	187	1	549
Superintendent of schools (see COUNTY SUPERINTENDENT OF SCHOOLS, <i>infra</i> , this Index)			
Tax on admissions (see TAXATION, <i>infra</i> , this Index)			
Toll facility aid districts, participation in (see TOLL BRIDGE AUTHORITY, subtitle, Toll facility aid districts, <i>infra</i> , this Index)			
Townships (see TOWNSHIPS, <i>infra</i> , this Index)			
Traffic control devices,			
damage to, penalty.....	188	1	550
Vacations for employees.....	187	1	549
Vehicles operated by,			
special permit fees, not liable for.....	269	39	876
Vital statistics (see VITAL STATISTICS, <i>infra</i> , this Index)			
Welfare, department of,			
assistance rendered state hospitals, when.....	139	41	354
Zoning requirements, real estate offices shall comply with.....	222	15	659
COUNTY AIRPORT DISTRICTS (see AIRPORTS, <i>supra</i> , this Index)			
COUNTY ASSESSOR (see also COUNTY ASSESSOR in Index to 1951 Ex. Sess., <i>infra</i> , this volume)			
Forest insects and disease control,			
lien for, placed on assessment roll.....	233	7	732
Instruments setting forth boundaries of taxing districts,			
officer accepting for filing shall forward two copies to.....	116	1	290
Irrigation districts, duties upon dissolution of (see IRRIGATION DISTRICTS, <i>infra</i> , this Index)			
Plats, subdivisions or dedications, copies of,			
filed with, shall be.....	195	2	583
prerequisite to sale of land, is.....	195	1	582

COUNTY AUDITOR.

COUNTY ASSESSOR—CONTINUED:	Ch.	Sec.	Page
Property assessment manual, furnished to, free.....	38	1	86
Reforestation lands, classification or removal, copy of order and list, filed with, shall be.....	172	1	471
	172	2	472
School district organization, certificate of county superintendent, filed with, shall be.....	87	1	229
<b>COUNTY AUDITOR (see also COUNTY AUDITOR in Index to 1950 Ex. Sess., <i>supra</i>, this volume)</b>			
Compensating tax on motor vehicles, collecting agent for, designated as.....	37	1	83
collection fee, deposited in current expense fund.....	37	1	84
remittance to state treasurer.....	37	1	84
Conditional sales of railroad equipment, filed for record.....	191	1	556
County hospital fund, monthly report of, shall furnish.....	256	1	808
County road improvement district bonds, attested by, shall be.....	192	20	569
Diking districts, district cost, certification to.....	45	17	111
minutes approving compensation of commissioner, filed with roll,	30	1	60
certified to and filed with, shall be.....	45	8	108
duty to correct in accordance with judgment.....	45	14	110
	45	15	110
<b>Elections,</b>			
city, town and district elections, class A counties, candidates, certified list of, forwarded to, when.....	101	5	252
fourth class towns, list of nominees forwarded, shall be .....	101	6	252
conduct of .....	101	4	251
notice of, given by.....	101	7	253
special, called by.....	101	1	248
cancelled registrations, annual statement of, shall file with secretary of state.....	208	1	618
fourth class towns, certified list of candidates, forwarded to, when .....	101	3	250
incorporation as first class city for, freeholders, declaration of candidacy, filed with, shall be .....	153	2	422
certificates of election to.....	153	3	422
Fees for official services, schedule of.....	51	4	141
	51	4	142
<b>Improvement districts (see IMPROVEMENT DISTRICTS, <i>infra</i>, this Index)</b>			
refund of assessments by.....	63	3	193
<b>Irrigation districts, duties upon dissolution of (see IRRIGATION DISTRICTS, <i>infra</i>, this Index)</b>			
Lien for industrial insurance premiums, statement of, filed with.....	214	1	629
Jail reports, filed with, shall be.....	108	1	270
Justice court district committee, member of, is.....	156	8	432
<b>Justices of the peace,</b>			
candidate for, certificate of qualifications, shall file with, when	156	11	433
records of, delivered to auditor, when.....	156	15	434
salaries, warrants for, shall draw.....	156	5	431
Office hours of.....	100	1	247

## COUNTY AUDITOR.

### COUNTY AUDITOR—CONTINUED:

	Ch.	Sec.	Page
Plats, subdivisions or dedications, filed with, shall be.....	195	2	583
unapproved plat, shall not accept.....	195	3	583
filed, mandate to remove from record.....	195	3	583
costs, taxed against.....	195	3	583
Public records, obsolete, destruction by authorized, when.....	145	5	380
P.U.D. elections, powers and duties.....	207	1	613
Reforestation lands, reclassification, order of, and list of lands, recorded in audi- tor's office, shall be.....	} 172	2	472
	{ 172	3	473
School district organizations, certificate of county superintendent filed with, shall be.....	87	1	229
Sewer districts, disbursement of monies.....	107	3	268
Special elections, duty to call, cities and towns in class A counties.....	101	1	248
Townships, duties upon disorganization (see TOWNSHIPS, <i>infra</i> , this Index)			
Voting machines, examination and test of, statement of result, filed with, shall be.....	193	3	581

### COUNTY CLERK:

Fees for official services, schedule of.....	51	5	142
diking districts appeals.....	45	13	109
Fireworks, permits to sell issued by.....	174	5	478
fees collected for, disposition of.....	174	5	478
Irrigation districts, duties upon dissolution of (see IRRIGATION DISTRICTS, <i>infra</i> , this Index)			
Mental hospitalization act, duties under (see MENTAL HOS- PITALIZATION ACT, <i>infra</i> , this Index)			
Notice of appeal from decision of director of social security, cause shall be docketed upon receipt.....	270	10	891

### COUNTY COMMISSIONERS, ASSOCIATION OF:

Representation on advisory nursing home council, entitled to....	117	11	296
--	-----	----	-----

### COUNTY COMMISSIONERS, BOARD OF: (see also COUNTY COM- MISSIONERS in index to 1950 Ex. Sess., *supra*, this volume; also see index to 1951 Ex. Sess., *infra*, this volume)

Admissions tax, ordinance levying, enacted by.....	34	1	79
Airport districts, governing body of.....	114	1	280
petition to establish, filed with.....	114	2	280
Annexation of territory to cities and towns, petition for, filed with.....	248	6	786
population of, determined by.....	248	5	785
state funds, allocation based upon.....	248	5	785
County and precinct offices, office hours, shall prescribe.....	100	1	247
County hospital budget.....	256	2	808
County road improvement districts (see COUNTY ROAD IM- PROVEMENT DISTRICTS, <i>infra</i> , this Index)			
Diking, drainage and sewage improvement districts, assessments, segregation of, hearing on protest of.....	63	4	194
Incorporation of unincorporated areas as 1st class cities (see CITIES AND TOWNS, <i>supra</i> , this Index)			
Indigents, remains of, disposal by.....	258	1	815
Irrigation districts, duties upon dissolution (see IRRIGATION DISTRICTS, <i>infra</i> , this Index)			

COUNTY ROAD IMPROVEMENT DISTRICTS.

COUNTY COMMISSIONERS, BOARD OF—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Justice court districts, establishment .....	156	8	432
necessities of office, duty to provide.....	156	9	432
Justices of the peace, first class cities, in, salaries, power to raise.....	156	4	431
increase in number, appointment to fill.....	156	7	432
reduction in number.....	156	1	430
vacancies, appointment to fill.....	156	7	432
Lease of county property, duties concerning (see COUNTIES, subtitle, Property, <i>supra</i> , this Index)			
Logs, obstructing roads and ditches, confiscation and sale.....	143	1	375
Plats, subdivisions and dedications (see COUNTIES, <i>supra</i> , this Index)			
Probation officers, compensation, power to fix.....	270	1	884
Property, lease of, duties concerning (see COUNTIES, subtitle, Property, <i>supra</i> , this Index)			
Public utility districts, special election for formation of, duty to call.....	207	5	617
Sewer districts, levies for .....	107	3	268
Streets forming part of state highways, repair of, by.....	54	1	161
Terms of office.....	89	1	233
Townships, duties upon disorganization (see TOWNSHIPS, <i>infra</i> , this Index)			
Weed extermination areas, rules and methods, publication of....	213	1	628

COUNTY ENGINEER:

County road improvement district construction, duties.....	192	32	576
Improvement districts, duties .....	63	4	194
Local flood control engineer, ex-officio, duties as.....	240	5	760

COUNTY HEALTH OFFICER:

Local registrar of vital statistics (see VITAL STATISTICS, *infra*,  
  this Index)

COUNTY PROSECUTING ATTORNEYS (see PROSECUTING AT-  
  TORNEYS, *infra*, this Index)

COUNTY ROAD IMPROVEMENT DISTRICTS:

Actions, limitation of (see Limitation of actions, <i>infra</i> , this title)			
Area, district to embrace all property specially benefited.....	192	8	563
limited .....	192	1	557
Assessment roll, amended roll, new notice of hearing.....	192	9	565
objections to .....	192	9	565
appeal from decision on.....	192	10	565
{ .....	192	11	566
confirmation of .....	192	10	565
confirmed roll, incontestible except on appeal.....	192	11	566
injunction .....	192	11	566

COUNTY ROAD IMPROVEMENT DISTRICTS.

COUNTY ROAD IMPROVEMENT DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Assessment roll,			
hearing .....	192	9	564
notice of .....	192	9	564
mailing .....	192	9	564
publication .....	192	9	564
resolution directing .....	192	9	564
modification of .....	192	9	565
objection to .....	192	9	565
decision upon .....	192	10	565
appeal .....	192	10	565
sufficiency, standards .....	192	37	578
setting aside .....	192	9	565
Assessments,			
bonds issued,			
payable, when .....	192	26	573
interest upon .....	192	26	573
payment after 30 days.....	192	28	574
interest .....	192	28	574
payment within 30 days.....	192	27	574
resolution regulating payment.....	192	26	573
installment payments .....	192	26	573
interest on .....	192	26	573
collection,			
limitation of actions for.....	192	29	574
manner .....	192	26	573
estimates of, not binding.....	192	7	563
liability for claims of bond or warrant holders.....	192	24	572
lien for .....	192	12	566
commences when .....	192	12	566
foreclosure and redemption, laws applicable.....	192	14	567
interest, applies to.....	192	14	567
priority .....	192	14	567
municipal corporations, liability for lands of.....	192	36	577
notices and ballots.....	192	36	578
notice of .....	192	27	574
payment,			
delinquencies, interest and penalties.....	192	14	567
installments .....	192	14	567
.....	192	26	573
marked on roll.....	192	15	567
specification of time for.....	192	14	567
.....	192	26	573
property acquired by enforcement proceedings,			
sale by county.....	192	18	568
trust, held in.....	192	17	568
discharge .....	192	17	568
tax exempt .....	192	17	568
sale of .....	192	18	568
reassessment .....	192	10	565
special benefit, based on.....	192	1	557
limited to .....	192	8	563
state and public lands, liability for.....	192	36	577
notices affecting, sent to commissioner.....	192	36	578
Bonds and warrants,			
bonds,			
assessments on (see Assessments, <i>supra</i> , this title)			
contractor, issuance to authorized.....	192	21	570
holders or owners, rights of.....	192	24	572
foreclosure in own name.....	192	25	573
joinder of parties.....	192	25	573



COUNTY ROAD IMPROVEMENT DISTRICTS.

COUNTY ROAD IMPROVEMENT DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Bonds and warrants,			
bonds,			
remedies limited .....	192	24	572
interest, rate of.....	192	20	569
issuance to contractor.....	192	21	570
liability limited,			
statute to appear on bond.....	192	24	572
maturity dates .....	192	20	569
numbered, how .....	192	20	569
payable, where .....	192	20	569
reference to improvement and resolution.....	192	20	570
sale,			
bids required .....	192	21	570
notice of .....	192	21	570
par, not less than.....	192	21	570
proceeds, disposition of.....	192	21	570
signed and sealed.....	192	20	569
county liability limited.....	192	24	572
county road improvement guaranty fund (see that subtitle, <i>infra</i> , this title)			
guaranty fund (see County Road Improvement guaranty fund, <i>infra</i> , this title)			
holders and owners, rights of.....	192	24	572
issuance of, authorized.....	192	19	569
amount .....	192	19	569
when .....	192	19	569
warrants (see also County road improvement guaranty fund, <i>infra</i> , this title)			
costs and expense, issuance for.....	192	33	576
acceptance .....	192	33	577
county road improvement fund payable from.....	192	33	576
interest, to bear.....	192	33	576
priority of .....	192	33	576
redeemable, how .....	192	33	576
Boundaries,			
changes by board.....	192	6	561
Class A counties, authorized to establish.....	192	1	556
Construction standards .....	192	32	576
Contractor, issuance of bonds to.....	192	21	570
Cost and expense, items included,			
advertising expense .....	192	30	575
construction expense .....	192	30	575
engineering expense .....	192	30	575
legal expense .....	192	30	575
other expense .....	192	30	575
proportionate share, increase.....	192	6	562
County commissioners, board of,			
assessment roll,			
confirmation of,			
proceedings conclusive, when.....	192	11	566
correction of .....	192	9	565
decision on,			
appeal from, superior court.....	192	10	565
hearing on .....	192	9	564
objections to, filing.....	192	9	565
bonds,			
issuance of, authorized.....	192	19	569
limitation on .....	192	19	569
sale of .....	192	21	570
notice of .....	192	21	570
proceeds of .....	192	21	570

COUNTY ROAD IMPROVEMENT DISTRICTS.

COUNTY ROAD IMPROVEMENT DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
County commissioners, board of,			
construction, supervision of.....	192	32	576
hearing on formation of district,			
inquiry, substance of.....	192	6	562
improvements,			
contracts for,			
conformity with county road work laws.....	192	32	576
resolution,			
property specially benefited to be included in.....	192	8	563
petition filed with.....	192	5	560
resolution adopted on,			
contents of .....	192	5	560
notice of .....	192	5	561
publication of .....	192	5	561
sufficiency of, determined by.....	192	5	560
reassessments, manner of making.....	192	10	565
resolution creating district,			
form of .....	192	6	562
warrants, issued by, when.....	192	33	576
County lands, assessable.....	192	36	577
notices and ballots.....	192	36	578
signatures and ballots,			
officers empowered to execute.....	192	36	578
County liability on bonds and warrants.....	192	24	572
County road fund,			
eminent domain judgment, payment from.....	192	31	576
maintenance of improvements, liable for.....	192	35	577
use of, determined by board.....	192	34	577
County road improvement district fund,			
assessments deposited in.....	192	16	567
bond sale proceeds, deposit in.....	192	21	570
county road fund, reimbursement of for bond redemption....	192	31	576
use .....	192	16	567
warrants, payable out of.....	192	33	576
County road improvement guaranty fund,			
bonds and warrants, guaranteed issues, no preference as to..	192	23	571
purchase authorized .....	192	23	571
county not liable for loss to.....	192	24	572
deposit, annual .....	192	22	570
amount .....	192	22	570
deposited in,			
interest from deposits and investments.....	192	23	571
surplus of fund guaranteed.....	192	23	571
establishment authorized .....	192	22	570
investment of .....	192	22	570
interest paid into fund.....	192	23	571
legal investment for.....	192	22	570
name of .....	192	22	570
payment on account of bond or warrant,			
county subrogated to rights of holder.....	192	23	571
proceeds or assessments, part of fund.....	192	23	571
purposes of .....	192	22	570
rules and regulations.....	192	23	571
tax delinquent property,			
certificate of delinquency,			
county may foreclose.....	192	23	572
costs .....	192	23	572
purchase authorized .....	192	23	571
purchase authorized .....	192	23	572
sale by county,			
proceeds to fund.....	192	23	572
subrogated to county's rights, when.....	192	23	572

## COUNTY ROAD IMPROVEMENT DISTRICTS.

### COUNTY ROAD IMPROVEMENT DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
County road improvement guaranty fund,			
warrants, disbursement by.....	192	23	571
budget to provide for.....	192	23	571
interest, to bear.....	192	23	571
County road work laws,			
applicability .....	192	32	576
County treasurer,			
district treasurer, designation as.....	192	13	567
warrants,			
acceptance by, against improvement fund, when.....	192	33	577
Diagram or plans, effect of.....	192	7	563
District, extent of,			
area .....	192	1	557
buildings to frontage ratio.....	192	1	557
Eminent domain (see Property, <i>infra</i> , this title)			
First class counties, authorized to establish.....	192	1	556
Foreclosure,			
assessment lien, by bond holder.....	192	25	573
certificate of delinquency.....	192	23	572
foreclosure and redemption, laws applicable.....	192	14	567
Formation,			
buildings to frontage ratio.....	192	1	557
county commissioners (resolution), initiated by,			
election rules .....	192	4	559
resolution of intention,			
contents .....	192	3	558
notice of adoption of.....	192	3	558
ballot mailed with.....	192	3	559
election rules mailed with.....	192	3	559
publication .....	192	3	558
election for,			
ballots .....	192	3	559
return date .....	192	3	559
sufficiency, standards .....	192	37	578
result, finding of is conclusive.....	192	6	563
rules of election.....	192	4	559
mailing of .....	192	3	559
methods authorized, petition or resolution.....	192	2	557
name of district .....	192	6	562
petition, initiated by,			
petition,			
contents .....	192	5	560
sufficiency, determination of .....	192	5	560
at public hearing.....	192	6	562
finding of, conclusive.....	192	6	563
standards for determining.....	192	37	578
termination for insufficiency.....	192	6	562
resolution of intention.....	192	5	560
notice of adoption of.....	192	5	561
publication of .....	192	5	561
public hearing,			
boundary change .....	192	6	561
feasibility and benefit,			
inquiry as to.....	192	6	562
plans, modification of.....	192	6	561
proceedings initiated by resolution,			
continuance for return of ballots.....	192	6	562
sufficiency of petition.....	192	6	562
termination for insufficiency.....	192	6	562

COUNTY ROAD IMPROVEMENT DISTRICTS.

COUNTY ROAD IMPROVEMENT DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Formation,			
resolution creating district.....	192	6	562
adoption gives jurisdiction to proceed.....	192	6	562
termination of proceedings,			
petition found insufficient.....	192	6	562
Guaranty fund (see County road improvement guaranty fund, <i>supra</i> , this title)			
Improvements, maintenance by county.....	192	35	577
Injunction .....	192	11	566
Lien (see Assessments, <i>supra</i> , this title)			
Limitation of actions,			
assessment, collection of.....	192	29	574
deeds, cancellation of.....	192	29	575
property, recovery of.....	192	29	575
Local improvement district law,			
applicability of .....	192	8	563
appeal provisions .....	192	10	565
lien foreclosure .....	192	14	567
reassessment .....	192	10	565
Municipal corporation lands, assessable.....	192	36	578
notices and ballots .....	192	36	578
signatures and ballots,			
officers empowered to execute.....	192	36	578
Primary or arterial county roads excluded from act.....	192	1	557
Property,			
acquisition, methods authorized.....	192	31	575
eminent domain,			
judgment, payment of.....	192	31	576
county road funds, use of.....	192	31	576
reimbursement of .....	192	31	576
procedure .....	192	31	576
sale of,			
proceeds, disposition .....	192	18	569
title to, taken in name of county.....	192	31	576
Purposes .....	192	1	557
Redemption from liability of assessment (see also Foreclosure and redemption, <i>supra</i> , this title)			
after 30 days of receipt of notice.....	192	28	574
within 30 days of notice of assessment.....	192	27	574
School district lands, assessable.....	192	36	577
notices and ballots.....	192	36	578
signatures and ballots,			
officers empowered to execute.....	192	36	578
State lands, assessable .....	192	36	577
notices and ballots.....	192	36	578
signatures and ballots,			
officers empowered to execute.....	192	36	578
Tax delinquent property (see County road improvement guar- anty fund, <i>supra</i> , this title)			
Warrants (see Bonds and Warrants, and County road improve- ment guaranty fund, <i>supra</i> , this title)			

COUNTY SHERIFF: (see also COUNTY SHERIFF in index to 1951  
    Ex. Sess., *infra*, this volume)

Animals running at large, duty to impound.....	}	31	2	61
Fees .....		31	3	61
Fees .....		51	6	144
Impounding of vehicles,				
non-compliance with gross weight licensee fee re- quirement, for .....		269	16	861
Jail reports, filing of.....		108	1	270

COURTS.

	Ch.	Sec.	Page
<b>COUNTY SHERIFF—CONTINUED:</b>			
Ocean beach highway traffic control.....	271	46	912
Persons apprehended in mental illness proceedings, inventory of personal effects, shall make.....	139	25	349
State hospital parolees, emergency apprehension of.....	139	43	355
<b>COUNTY SUPERINTENDENT OF SCHOOLS:</b>			
Boundary changes ordered by.....	87	1	229
Revenues required by each district, shall compute annually.....	181	1	511
<b>COUNTY TREASURER (see also COUNTY TREASURER in index to 1951 Ex. Sess., <i>infra</i>, this volume)</b>			
County hospital fund, payments from .....	256	1	808
County road improvement district, assessments, duty to collect.....	192	28	574
notice of assessment, duty to publish.....	192	27	574
payment, duty to mark roll.....	192	15	567
treasurer of, is .....	192	13	567
warrants, acceptance of for what purpose.....	192	33	577
Diking district assessments, collections, shall credit to funds of district.....	45	17	111
Fisheries code violations, fines, disposition of.....	271	2	895
Forest pest or disease eradication, disposition of monies collected as assessment for.....	233	7	732
Improvement districts, duties .....	63	4	194
Inactive or excess funds, reported to county finance committee.....	161	1	446
Irrigation districts, assessments paid to for board of control fund and board of control reserve fund, disposition.....	158	1	443
assessments, segregation of, duty to amend roll, upon.....	205	5	611
dissolution, ex officio treasurer of district, shall be.....	237	14	755
assessments, shall collect.....	237	14	755
School district organization, certificate of county superintendent, filed with, shall be.....	87	1	229
Taxation, admissions tax, remitted to.....	34	1	79
fire patrol assessments, transmittal of .....	58	8	181
road district taxes, disposition on annexation of territory.....	248	5	786
tax judgment sales, duties concerning.....	220	1	648
Townships, disorganization of, excess funds upon, shall credit to school districts.....	173	9	476
<b>COUNTY TUBERCULOSIS HOSPITALIZATION FUND (see COUNTIES, <i>supra</i>, this Index)</b>			
<b>COUNTY WELFARE DEPARTMENT:</b>			
Placement of discharged or paroled state hospital patients, duty to assist in .....	139	41	354
<b>COURT REPORTERS (see COURTS, <i>infra</i>, this Index)</b>			
<b>COURTS:</b>			
Commitment of persons to institutions of veterans administra- tion or other federal agencies, jurisdiction is continuing.....	53	18	157

## COURTS.

### COURTS—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Court reporters,			
appointment,			
district population under 25,000, authorized.....	210	2	622
two or more districts, each under 25,000, authorized.....	210	3	623
compensation,			
district population less than 25,000.....	210	2	622
districts comprising more than one county,			
salary apportionment .....	210	1	621
schedule of .....	210	1	621
statement as voucher.....	210	1	622
two or more districts, each under 25,000.....	210	3	623
salary apportionment .....	210	3	623
expenses,			
districts comprising more than one county,			
apportionment .....	210	1	622
entitled to .....	210	1	622
mileage, entitled to.....	210	1	622
statement as voucher.....	210	1	622
Diking districts, appeal from assessment,			
trial, preference over other civil actions.....	45	13	110
Eminent domain by pipeline, common carriers of petroleum products,			
trial preference .....	94	1	239
Grand jury,			
judges of superior court, call for issued by.....	90	1	234
session, length of .....	90	2	234
Judges retirement fund,			
appropriation from general fund.....	79	2	220
benefits,			
judges .....	79	1	219
widows .....	79	1	219
other grants in aid, effect.....	79	1	219
contributions of judges and state.....	79	2	220
amounts .....	79	2	220
procedure .....	79	2	220
solvency guaranteed .....	79	2	220
Jurors,			
excused from service, when.....	51	2	141
fees,			
coroner's jury, service on.....	51	2	141
justice court, attendance upon.....	51	2	141
persons excused at own request.....	51	2	141
superior court, attendance upon.....	51	2	141
Jury,			
waiver of trial by.....	52	1	147
Justice court districts,			
cities under 5,000 population,			
inclusion .....	156	8	432
formation of .....	156	8	432
justice court district committee,			
candidates for justice,			
qualifications, determination of.....	156	11	433
created .....	156	8	432
meetings .....	156	8	432
members .....	156	8	432
justices of,			
number per district.....	156	10	433
occupation, may engage in other.....	156	11	433
office facilities furnished to.....	156	9	432
office, kept where.....	156	14	434
process, issued where.....	156	14	434
qualifications .....	156	11	433

COURTS—CONTINUED:

COURTS.

	Ch.	Sec.	Page
Justice court districts,			
justices of,			
records delivered to, when.....	156	13	433
salary .....	156	12	433
term of office.....	156	10	433
termination of office, disposition of records.....	156	15	434
venue in criminal actions.....	156	16	435
Justices of the peace (see also Justice Court districts, <i>supra</i> , this title)			
fisheries code violations,			
fines, disposition of.....	271	2	895
in cities,			
attorneys, shall be.....	{ 74	1	210
	156	2	430
election of,			
population, 5,000 or more.....	156	6	431
number,			
based on population.....	156	1	430
increase authorized,			
appointee, term .....	156	7	432
appointment to fill.....	156	7	432
reduction of .....	156	1	430
police judge, justice acting as,			
city more than 20,000,			
salary, charge apportioned how.....	156	4	431
population 5,000 or more,			
election .....	156	6	431
term of office.....	156	6	431
salaries,			
payment procedure .....	156	5	431
population 5,000 but less than 20,000.....	156	3	431
private practice authorized.....	156	3	431
population more than 20,000.....	156	4	431
full time devoted to duties.....	156	4	431
police judge, acting as,			
apportionment of charge.....	156	4	431
vacancy, appointment to fill.....	156	7	432
appointee, term of office.....	156	7	432
office, where kept.....	156	14	434
salaries,			
payment procedure .....	156	5	431
termination of office, disposition of records.....	156	15	434
Juvenile courts,			
children and youth services institutions,			
admission by juvenile court commitment.....	234	15	739
counties or judicial districts, population 20,000 or more,			
detention home personnel.....	270	1	884
probation officers,			
appointment of .....	270	1	883
compensation .....	270	1	883
powers and duties.....	270	1	883
handicapped children, removal of child from jurisdiction of,			
court order required.....	92	1	236
juvenile court law, children and youth services act, construed as supplemental to.....	234	20	742
persons under jurisdiction of,			
psychopathic delinquency petition concerning, court order required .....	223	16	674
probation officers,			
appointment .....	270	1	883
compensation .....	270	1	883
powers and duties.....	270	1	883

COURTS.

COURTS—CONTINUED:	Ch.	Sec.	Page
Liability for taxes imposed by another state, shall enforce, when.	166	1	450
Mental illness, hearings not open to public.....	139	33	352
Minors, relinquishment of, proceedings not open to public.....	251	1	789
exceptions .....	251	1	789
Police judges, cities over 20,000 population, salaries .....	156	4	431
Probate, homesteads, awards in lieu of (see PROBATE, <i>infra</i> , this Index)			
Probation officers (see Juvenile courts, <i>supra</i> , this title)			
Psychopathic delinquency hearing, when and where court may convene for.....	223	17	674
Reporters (see Court reporters, <i>supra</i> , this title)			
Superior courts, clerks, fees of .....	51	5	142
diking district appeals.....	45	13	109
judges, additional judges, appointment by governor.....	125	8	318
term of office.....	125	8	318
Pierce county, one judge appointed, other elected.....	125	8	318
election of .....	125	2	317
grand jury, session, length of.....	90	2	234
summoned by .....	90	1	234
number of, .....	125	3	317
.....	125	4	317
allocation by counties.....	125	5	317
.....	125	6	318
.....	125	7	318
retirement (see Judges retirement, <i>supra</i> , this title)			
uniform reciprocal enforcement of support act, proceedings under, jurisdiction of, vested in.....	196	9	586
Supreme court, chief justice, board of industrial insurance appeals, removal of member for cause, shall appoint tribunal to hear.....	225	4	683
Washington public service commission, removal of member for cause, shall appoint tribunal to hear.....	260	1	824
clerk, fees .....	51	1	140
retirement (see Judges retirement, <i>supra</i> , this title)			
Suspension of certificate of vehicle license registration, certificate shall be forwarded to director of licenses.....	269	19	863
.....	269	29	869
Uniform reciprocal enforcement of support act (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i> , this Index)			
Vehicle operator's driver's license, suspension for violation of posted limitations on highways, license shall be forwarded to director of licenses.....	269	29	869



CRIMES AND CRIMINAL PROCEDURE.

COURTS—CONTINUED:

	Ch.	Sec.	Page
Witness fees,	51	3	141
attendance in court per day.....	51	3	141
mileage .....	51	3	141

COWLITZ COUNTY:

State lands reserved from sale.....	134	1	332
-------------------------------------	-----	---	-----

CRIMES AND CRIMINAL PROCEDURE: (see also PRISON TERMS AND PAROLES, BOARD OF; WASHINGTON STATE PENITENTIARY; WASHINGTON STATE REFORMATORY, ETC., *infra*, this Index)

Criminal procedure,

extradition (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, *infra*, this Index)

motor vehicles,

speed limit violations,

required allegations ..... 28 13 58

prerequisites for conviction of..... 52 1 147

sexual psychopathic and psychopathic delinquent persons, procedure relating to commitment and release of (see SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, *infra*, this Index)

traffic violations, citation..... 175 1 481

veterans administration, transfer to of custody of persons confined pursuant to felony or misdemeanor,

order of committing court required..... 53 18 159

waiver of jury trial..... 52 1 147

Felonies,

subversive activities (see SUBVERSIVE ACTIVITIES ACT, *infra*, this Index)

Gross misdemeanors,

civil defense act, rules, regulations or orders issued under,

second offense is..... 178 18 502

compensating tax on motor vehicles,

false statement as to value, is..... 37 1 84

escape of inmates of custodial schools, assisting is..... 182 1 514

filled dairy products act,

second offense is..... 20 4 40

fireworks, unlawful sale or manufacture..... 174 11 480

fisheries,

discharge of explosive for purpose of taking fish or shellfish ..... 271 4 896

fixed appliance to take salmon..... 271 3 896

gear, use by other than licensee..... 271 5 896

irrigation and reclamation districts,

fraudulent misrepresentation in conveyance of land..... 200 2 604

minor child, leaving in unattended parked vehicle while

entering tavern, is..... 270 17 894

minor children, adoption or relinquishment..... 251 1 789

motor vehicle dealers,

acts by, declared to be..... 150 11 414

oil and gas conservation act,

violations of, are..... 146 58 406

organized baseball, contracts with minors,

violations of act are..... 78 8 218

oyster seed, importation without authority..... 271 42 911

real estate brokers and salesman's regulatory act,

violations of, are..... 222 20 664

Misdemeanors,

animals, running at large,

permitting ..... 31 1 61

purchase by law enforcement officer of impounded animal 31 1 61

## CRIMES AND CRIMINAL PROCEDURE.

### CRIMES AND CRIMINAL PROCEDURE—CONTINUED:

	Ch.	Sec.	Page
Misdemeanors,			
barbering (see BARBERS, <i>supra</i> , this Index)	76	9	214
bicycles, illegal operation of.....	32	3	175
boilers and unfired pressure vessels, unlawful operation is.....	48	1	115
boxing, sparring or wrestling matches, conducting without license, is.....	178	18	502
civil defense act, rules, regulations or orders issued under, violation is.....	102	2	254
explosives and flammable materials, rules and regulations concerning transport of, violation of, is.....	20	4	40
filled dairy products act, violation is.....	174	11	48
fireworks, unlawful use.....	13	6	28
forestry, failure to remove snags.....	58	2	173
forests, illegal burning in certain areas.....	58	6	179
operations during closed season.....	183	50	528
furniture and bedding act.....	126	3	320
game fish, importation of.....	160	1	445
hides of meat food animals, transport or possession.....	188	1	550
highway signs, vandalism.....	269	29	869
highways, violation of posted limitations.....	84	1	226
hours of employment for female employees, penalty for violation.....	120	1	304
intoxicating liquors, bottle club without license.....	120	1	303
sale, University and environs.....	31	9	61
law enforcement officer, purchase of impounded animal is.....	168	13	463
maternity home, operating or maintaining without license.....	269	3	853
motor vehicles, different motor installed, failure to forward certificate....	269	16	861
gross weight license expired.....	269	26	865
gross weight violations.....	269	27	866
	269	28	867
	269	29	868
	269	20	863
height limitations, operation in excess of.....	269	18	867
operation with maximum gross weight in excess of license penalty.....	269	19	862
special permits, misrepresentation in obtaining.....	269	41	877
special permits, misrepresentation in obtaining.....	269	12	859
specialty licensed vehicle, unlawful operation of.....	28	6	55
speed limits.....	28	7	56
	28	9	57
	117	16	299
nursing home, operation without license, is.....			
railroads, common carriers, first aid kits, drinking water and cups.....	66	3	200
forest lands in or near.....	58	6	179
track motor cars.....	42	5	94
logging and industrial, grade crossings, report and fee.....	111	1	273
retail sales tax, violations by buyer or seller, are.....	44	1	102

DENTISTRY.

	Ch.	Sec.	Page
CRIMINALLY INSANE:			
Hospitalization charges of, liability for.....	139	62	360
CROP DUSTING (see AGRICULTURE, DEPARTMENT OF, subtitle Insecticides and herbicides, <i>supra</i> , this Index)			
CUSTODIAL INSTITUTIONS (see also PUBLIC INSTITUTIONS, DE- PARTMENT OF, <i>infra</i> , this Index)			
Inmates of, procuring escape of, penalty for.....	182	1	514
CUSTOM SLAUGHTERING:			
License required .....	245	1	769

**D**

DAIRIES AND DAIRYING:			
Filled dairy products (see FILLED DAIRY PRODUCTS ACT, <i>infra</i> , this Index)			
DEALERS, MOTOR VEHICLE (see MOTOR VEHICLES, <i>infra</i> , this Index)			
DEATH RECORDS (see VITAL STATISTICS, <i>infra</i> , this Index)			
DEDICATIONS (see PLATS, SUBDIVISIONS, AND DEDICATIONS, <i>infra</i> , this Index)			
DEFENSE PROJECTS INSURANCE RATING PLANS (see INDUS- TRIAL INSURANCE, subtitle, Labor and industries, department of, <i>infra</i> , this Index)			
DENTAL HYGIENISTS (see DENTISTRY, <i>infra</i> , this Index)			

DENTISTRY:

Dental hygienists,				
operations authorized .....	{	130	1	326
		256	5	809
Director of licenses,				
application for license filed with.....		130	2	327
license fee, portion of set aside by.....		130	4	328
Exceptions from operation of act,				
artificial restorations on prescriptions.....		130	1	326
clinicians at meetings.....		130	1	326
emergency relief by physicians and surgeons.....		130	1	325
extractions by qualified physicians and surgeons.....		130	1	327
non-resident practitioner at conventions.....		130	1	327
practice in federal service.....		130	1	326
removal of calcareous deposits by dental hygienists.....		130	1	326
roentgen, rays, use of.....		130	1	326
schools and students.....		130	1	326
students .....		130	1	327
License to practice,				
application for .....		130	2	327
citizenship requirements .....		130	2	327
filing of .....		130	2	327
signature and testimonials .....		130	2	327
citizenship, full, must be acquired 6 years after issuance.....		130	3	328
fees,				
amount of .....		130	4	328
enforcement, use of portion for.....		130	4	328
payment .....		130	4	328
failure to make.....		130	4	328
time for .....		130	4	328
forfeiture on failure to pay renewal fee.....		130	4	328
reinstatement .....		130	4	328

## DETENTION HOMES.

DETENTION HOMES (see COURTS, subtitle, Juvenile Courts, *supra*, this Index)

DIKING DISTRICTS: (see also DIKING, DRAINAGE AND SEWAGE IMPROVEMENT DISTRICTS, *infra*, this Index)

	Ch.	Sec.	Page
Commissioners, board of,			
salaries,			
amount of .....	30	1	60
approval .....	30	1	60
certification of .....	30	1	60
Revenue based on continuous base benefits,			
act,			
exclusive, when .....	45	19	112
prerequisites to operation.....	45	2	105
finding as to existence of.....	45	4	106
purpose of, state's interest.....	45	1	104
appeal from decision on roll, to superior court,			
bond .....	45	13	109
objections to roll, filing is prerequisite to.....	45	6	107
petition for .....	45	11	109
contents .....	45	11	109
filing fee .....	45	13	109
time for .....	45	11	109
transcript filed by commission, when.....	45	12	109
trial, preference over other actions.....	45	13	110
issues .....	45	14	110
appeal to Supreme Court.....	45	15	110
base benefits,			
determined by commissioners.....	45	2	105
roll, serves as base of benefits.....	45	9	108
valuation for .....	45	4	106
commissioners, board of,			
powers and duties,			
authority, general grant of.....	45	2	105
costs for ensuing year,			
estimate and certification of.....	45	17	111
emergency expenditures .....	45	18	111
prerequisites to operation of act,			
finding of existence.....	45	4	105
rolls,			
additional or supplemental.....	45	7	107
adoption .....	45	7	107
certification and filing.....	45	8	108
hearing as to.....	45	7	107
notice .....	45	7	107
revision or setting aside.....	45	7	107
hearing as to.....	45	6	106
matters considered .....	45	6	106
notice .....	45	5	106
mailing .....	45	5	106
publication .....	45	5	106
revision or setting aside.....	45	6	107
omitted property .....	47	7	107
preparation of .....	45	3	105
transcript on appeal, filing.....	45	12	109
declaration of interest.....	45	1	104
disaster (see emergency, <i>infra</i> , this title)			
district costs for ensuing year,			
estimate of .....	45	17	111
certification to county auditor.....	45	17	111
levy, basis for.....	45	17	111
elections (see ELECTIONS, <i>infra</i> , this Index)			

## DIKING IMPROVEMENT DISTRICTS.

### DIKING DISTRICTS—CONTINUED:

Revenue based on continuous base benefits,

	Ch.	Sec.	Page
emergency,	47	18	111
additional indebtedness authorized for.....	45	6	107
hearing .....	45	6	106
review of roll on.....	45	2	105
improvements protecting land and buildings.....	45	10	108
injunction .....	45	16	110
millage levy,	45	17	111
assessments for benefits, constitutes.....	45	17	111
collection .....	45	17	111
delinquencies .....	45	17	111
foreclosure .....	45	4	105
notice .....	45	5	106
mailing of .....	45	5	106
publication of .....	45	4	106
property, valuation of.....	45	19	112
revenue, limitation on means of raising.....	45		
roll,			
additional roll (see omitted property, <i>infra</i> , this subtitle)			
base benefit, as.....	45	9	108
certification of .....	45	8	108
conclusive, when adopted.....	45	10	108
contents of .....	45	3	105
contest of,			
appeal .....	45	10	108
injunction .....	45	10	108
grounds for .....	45	10	109
corrections of .....	45	6	107
filing .....	45	8	108
hearing on .....	45	4	105
notice of .....	45	4	105
" .....	45	5	106
objections to .....	45	6	107
appeal petition, to be included in.....	45	11	109
time for .....	45	6	107
deemed waived, when.....	45	6	107
omitted property,			
additional roll,			
certification, effect .....	45	8	108
corrections by board.....	45	7	107
hearing on .....	45	7	107
notice of .....	45	7	107
preparation of .....	45	3	105
superior court,			
appeal to .....	45	11	109
bond, approved by.....	45	13	109
judgment .....	45	14	110
petition filed in.....	45	11	109
filing fee, clerk to charge.....	45	13	109
trial .....	45	13	110
supreme court,			
appeal to .....	45	15	110
value of property.....	45	4	106
warrants, issuance in emergencies.....	45	18	111

DIKING, DRAINAGE AND SEWAGE IMPROVEMENT DISTRICTS  
(see IMPROVEMENT DISTRICTS, *infra*, this Index)

DIKING IMPROVEMENT DISTRICTS (see IMPROVEMENT DISTRICTS, also ELECTIONS, *infra*, this Index)

DIRECTOR OF BUDGET.

	Ch.	Sec.	Page
DIRECTOR OF BUDGET:			
Committee for disposition of obsolete public records member of, is	145	2	378
Public printer,			
fees for public printing, shall fix.....	151	1	418
working capital, amount, shall determine.....	151	1	419
Social Security, central operating fund,			
expenditures, audited by.....	261	1	825
report .....	261	1	825
DISABILITY ASSISTANCE (see SOCIAL SECURITY, DEPARTMENT OF, <i>infra</i> , this Index)			
DISABILITY INSURANCE (see INSURANCE, <i>infra</i> , this Index)			
DIVISION OF WATER RESOURCES (see CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index)			
DRAINAGE DISTRICTS:			
Elections (see ELECTIONS, <i>infra</i> , this Index)			
DRAINAGE IMPROVEMENT DISTRICTS (see IMPROVEMENT DISTRICTS, also ELECTIONS, <i>infra</i> , this Index)			

E

EASTERN STATE HOSPITAL (see MENTAL ILLNESS HOSPITALIZATION ACT, <i>infra</i> , this Index)			
EDUCATION (see also PUBLIC INSTRUCTION, SUPERINTENDENT OF; and SCHOOL DISTRICTS, <i>infra</i> , this Index)			
Division of children and youth services,			
teacher qualifications .....	234	14	739
ELECTIONS:			
Airport districts, county,			
commissioners, election of.....	114	3	281
Ballots,			
city bond elections.....	65	1	199
names of persons filing or refusing to make non-subversive affidavit shall not be entered upon.....	254	16	801
Candidates for election,			
non-subversive affidavit, shall file.....	254	16	801
Cancelled registrations,			
sworn statement as to.....	208	1	618
form of .....	208	1	618
Canvass,			
city, town and district elections, by whom.....	101	4	251
	257	4	812
Canvassing board,			
recanvass of voting machine returns,			
authorized, when .....	193	1	579
counter compartment opened, when.....	193	1	579
voting machines closed, after.....	193	2	580
errors, correction of.....	193	1	579
notice of recanvass.....	193	2	580
voting and counting mechanism,			
testing of .....	193	3	580
unlocking of, when.....	193	3	580
Cities and towns,			
bonds, issuance of,			
ballot form .....	65	1	199
class A counties, in,			
canvass of returns, by whom.....	101	4	251
	257	4	812

ELECTIONS.

ELECTIONS—CONTINUED:

Cities and towns,

	Ch.	Sec.	Page
class A counties, in,			
city clerk, duties of.....	101	5	252
conducted by whom.....	101	4	251
emergency,	257	4	812
special election in.....	101	1	248
held, when .....	101	1	248
irrigation district elections excluded.....	101	1	248
list of candidates, transmittal by clerk.....	101	5	252
notice of election.....	101	7	252
port district elections excluded.....	101	1	248
public utility district elections excluded.....	101	1	248
recall elections excluded.....	101	1	248
special elections .....	101	1	248
conducted by whom.....	101	1	248
request for .....	101	1	248
time of holding.....	101	1	248
town clerk, duties of.....	101	6	252
"class A county,"			
includes counties of higher classification.....	101	8	253
consolidation of precincts.....	70	1	206
	101	1	249
first class cities,			
declarations of candidacy.....	101	5	251
municipal general election,			
candidates names on ballot.....	257	7	814
primaries,			
ballots .....	257	7	813
candidates .....	257	7	813
non-partisan .....	257	7	813
time for holding.....	257	7	813
charter provisions notwithstanding.....	257	7	813
fourth class towns,			
candidates, how nominated,			
caucus .....	101	3	250
declaration of candidacy.....	101	3	250
filing fees .....	101	3	250
canvass of returns.....	101	4	251
notice of election.....	101	7	252
town clerk, duties of.....	101	3	250
	101	6	252
incorporation of cities or towns (see also Incorporation of areas as first class cities, <i>infra</i> , this title),			
voters to select form of government.....	86	1	228
indebtedness, election to incur,			
conducted, how .....	65	1	199
ballot form .....	65	1	199
marked, how .....	65	1	199
officers, terms commence when.....	257	6	813
other than class A counties, in,			
canvass of returns, by whom.....	101	4	251
	257	4	812
conducted by whom.....	101	4	251
	257	4	812
conjunction with school elections, when.....	257	4	812
consolidation and division of precincts.....	101	2	249
	257	3	811
emergencies,			
special election in.....	257	3	811
held, when .....	101	2	249
	257	3	811

ELECTIONS.

ELECTIONS—CONTINUED:

	Ch.	Sec.	Page
Cities and towns,			
other than class A counties, in,			
polls, open and closed, when.....	65	1	200
special elections .....	101	2	249
time for holding.....	101	2	249
	257	3	811
excluded from,			
charter matters .....	101	2	249
	257	3	811
primaries .....	101	2	249
	257	3	811
recalls .....	101	2	249
	257	3	811
special bond election.....	101	2	249
	257	3	811
second class cities,			
declarations of candidacy.....	101	5	251
municipal general election,			
candidates names on ballot.....	257	7	813
other than commission government, having,			
contests .....	71	2	207
officials,			
terms of .....	71	1	206
police judge .....	71	1	206
time for holding.....	71	1	206
primaries,			
ballots .....	257	7	813
candidates .....	257	7	813
non-partisan .....	257	7	813
time for holding.....	257	7	813
third class cities,			
declarations of candidacy.....	101	5	251
municipal general election,			
candidates names on ballot.....	257	7	813
primaries,			
ballots .....	257	7	813
candidates .....	257	7	813
non-partisan .....	257	7	813
time for holding.....	257	7	813
Clerks of election,			
fees .....	67	1	201
Consolidated election law.....	101	2	250
Consolidation of precincts,			
city, town or district elections.....	70	1	206
	101	1	249
	101	2	249
public utility district special elections.....	207	1	613
school district election.....	257	4	812
Contests,			
second class cities.....	71	2	207
Cost of elections,			
school district, liability.....	257	5	813
Courts,			
judges of superior courts, election of additional.....	125	8	318
Declaration of candidacy,			
unaccompanied by non-subversive affidavit, filing of prohibited .....	254	16	801
Districts,			
candidates .....	101	5	251
filing fees .....	101	5	252
nominations .....	101	5	252
withdrawal of .....	101	5	252



ELECTIONS.

ELECTIONS—CONTINUED:

Districts,

	Ch.	Sec.	Page
class A counties, in,			
canvass of returns, by whom.....	101	4	251
conducted by whom.....	257	4	812
conducted by whom.....	101	4	251
conducted by whom.....	257	4	812
districts excluded .....	101	1	248
notice .....	101	7	252
special elections .....	101	1	248
declarations of candidacy.....	101	5	251
exceptions,			
irrigation districts .....	101	5	251
port districts .....	101	5	251
public utility districts.....	101	5	251
fees .....	101	5	252
filed when .....	101	5	251
withdrawal of .....	101	5	252
nominating petitions,			
port districts .....	101	5	252
public utility districts.....	101	5	252
officers, terms commence when.....	257	6	813
other than class A counties, in,			
canvass of returns, by whom.....	101	4	251
conducted by whom.....	257	4	812
conducted by whom.....	101	4	251
conducted by whom.....	257	4	812
exclusions,			
primaries .....	101	2	249
recalls .....	101	2	249
special bond election.....	101	2	249
notice of election.....	101	7	252
special elections .....	101	2	249
time for holding.....	101	2	249
Fees of election officers.....	67	1	201
Incorporation of areas as first class cities.....	153	1	420
ballots .....	153	2	422
charter, vote on.....	153	3	422
ballot .....	153	3	423
Inspectors of election,			
fees .....	67	1	201
Irrigation districts,			
laws applicable to.....	201	1	606
held, when .....	101	1	248
validation of previous elections.....	201	2	606
Judges of election,			
fees .....	67	1	201
Judges of superior court, election of additional.....	125	8	813
Justices of the peace (see COURTS, <i>supra</i> , this Index)			
Notice of election,			
contents .....	101	7	252
publication .....	101	7	252
sole requirement as to.....	101	7	253
Political parties,			
recanvass of voting machine returns, representatives may attend .....	193	2	580
Polling places,			
location outside precincts, authorized.....	123	1	315
open and closed, time for, cities and towns.....	65	1	200

ELECTIONS.

ELECTIONS—CONTINUED:

Port districts,			
commissioners, election of,			
districts less than county wide,			
first election,	Ch.	Sec.	Page
special election authorized.....	68	1	202
called and held, how.....	68	1	202
general election, held with.....	68	1	202
terms of office.....	68	2	202
districts already organized.....	68	3	203
districts hereafter organized.....	68	2	202
nominating petitions,			
districts less than 1,000 population.....	69	1	204
filing of .....	69	3	205
other port districts.....	69	2	204
withdrawal of nomination.....	69	4	205
Precincts,			
consolidation or division of (see Consolidation of precincts, <i>supra</i> , this title)			
polling places located outside of.....	123	1	315
Public utility districts,			
conducted how .....	207	1	613
emergency,			
special election in.....	207	1	613
precincts, combined or divided.....	207	1	613
formation of,			
special election for.....	207	5	617
ballot form for.....	207	5	617
conducted how .....	207	5	617
county commissioners, duties of.....	207	5	617
notice of .....	207	5	617
general election, defined.....	207	5	617
notice of, given by supervisor.....	207	1	613
offices to be filled, list of, certified.....	207	1	614
polling places .....	207	1	613
supervisor of elections, county,			
powers and duties.....	207	1	613
Registrations cancelled,			
election officer, duty to file statement of.....	208	1	618
form .....	208	1	618
Returns, recanvass of (see Canvassing board, <i>supra</i> , this title)			
Schools districts,			
candidates,			
filing requirements .....	257	2	810
canvassed by whom.....	{ 101	4	251
	{ 257	4	812
conducted by whom.....	{ 101	4	251
	{ 257	4	812
costs, prorated with other municipalities, when.....	257	5	813
directors,			
ballots furnished by.....	257	2	810
clerks, judges and inspectors, power to employ.....	257	1	810
funds and supplies, power to provide.....	257	1	810
organization of, board of, time for.....	257	6	813
terms of office, commence when.....	257	6	813
organization of districts, special election conducted by county superintendent .....	87	1	230

EVIDENCE.

ELECTIONS—CONTINUED:

School districts,			
other than class A counties, in,	Ch.	Sec.	Page
city or town officer, conducted by, when.....	257	4	812
district clerk, duty to canvass returns.....	101	4	251
time for holding.....	257	3	811
uniting or dividing precincts, when.....	257	4	812
voting places,			
determined by district officers.....	257	4	812
polls,			
opening and closing, time for.....	257	2	810
time for holding, other than in class A counties.....	257	3	811
Sewer districts,			
additions and betterments to.....	129	3	324
comprehensive plan, special election for adoption of.....	129	1	323
issuance of bonds for construction of.....	129	2	324
Subversive activities act,			
candidates for election,			
non-subversive affidavit, shall file.....	254	16	801
violators,			
election to public office, filing or standing for, barred			
from .....	254	4	796
voting, barred from.....	254	4	796
Townships disorganization (see TOWNSHIPS, <i>infra</i> , this Index)			
Voting machines (see also Canvassing board, <i>supra</i> , this title)			
names of persons filing or refusing to make non-subversive			
affidavits shall not be entered upon.....	254	16	801
Water districts,			
bond issue .....	112	1	274
additions and betterments.....	112	2	275
local improvement bonds, outstanding, when.....	112	1	275
refunding provision,			
included in proposition.....	112	1	274

EMINENT DOMAIN:

Common carriers of petroleum products, empowered.....	94	2	239
payment prior to taking.....	94	2	239
procedure .....	94	2	239
property acquired, use limited.....	94	2	239
trial preference .....	94	2	239
State, when exercised by,			
immediate possession and use of land,			
appeal to supreme court,			
monies paid into superior court, effect upon.....	177	4	487
appropriation, decree of,			
non-appealable, when .....	177	3	487
certificate of state's requirement.....	177	1	485
attorney general to file.....	177	1	485
copy to state auditor.....	177	1	485
warrant issued .....	177	1	485
filed with court.....	177	1	485
discharge of state's liability.....	177	4	487

ESTRAYS (see ANIMALS, *supra*, this Index)

EVERETT, CITY OF:

Conveyance of land to Everett school district No. 2, authorized..	186	1	546
---	-----	---	-----

EVIDENCE:

Certificate of department of employment security, <i>prima facie</i>			
evidence of amount of payroll, shall be.....	215	2	631
Motor vehicles,			
reckless driving,			
violation of speed limit is <i>prima facie</i> evidence of.....	28	12	58

EVIDENCE.

EVIDENCE—CONTINUED:	Ch.	Sec.	Page
Non-complying code not received as.....	157	14	440
temporary code excepted.....	157	14	440
Official code is <i>prima facie</i> evidence of laws.....	157	16	440
Soil conservation districts, certified copy of certificate of organization as evidence of establishment .....	216	1	642
Temporary edition of code is <i>prima facie</i> evidence of laws.....	155	6	429
Uniform reciprocal enforcement of support act, proceedings under, husband and wife communications privilege does not apply to	196	18	588
<b>EXPLOSIVES:</b>			
Transportation of .....	102	1	254
<b>EXTRADITION (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i>, this Index)</b>			

**F**

<b>FAIRS (see AGRICULTURE, DEPARTMENT OF, <i>supra</i>, this Index)</b>			
<b>FAMILY SUPPORT (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i>, this Index)</b>			
<b>FEDERAL AGENCIES (see UNITED STATES, <i>infra</i>, this Index)</b>			
<b>FEDERAL SOCIAL SECURITY (see SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, <i>infra</i>, this Index)</b>			
<b>FEEBLE MINDED PERSONS (see INSANE, FEEBLE MINDED AND EPILEPTIC PERSONS, <i>supra</i>, this Index)</b>			
<b>FELONIES (see CRIMES AND CRIMINAL PROCEDURE, <i>supra</i>, this Index)</b>			
<b>FERRIES (see TOLL BRIDGE AUTHORITY, <i>infra</i>, this Index)</b>			
<b>FERRY DISTRICTS (see TOLL BRIDGE AUTHORITY, subtitle, Toll facility aid districts, <i>infra</i>, this Index)</b>			
<b>FIDUCIARIES:</b>			
Investment of trust funds in investment companies or trusts, authorized .....	132	1	330
<b>FILLED DAIRY PRODUCTS ACT:</b>			
Act, declaration of intention of.....	20	1	38
Director of agriculture, powers and duties enumerated.....	20	5	41
Enforcement, by director of agriculture.....	20	5	41
injunction, by municipal corporations.....	20	6	41
by private persons.....	20	6	41
Filled dairy products, declared adulterated .....	20	6	41
defined .....	20	2	39
exceptions .....	20	2	39
food products containing, declared adulterated.....	20	6	41
manufacture of, prohibited .....	20	3	40
possession of, prohibited.....	20	3	40
sale of, prohibited.....	20	3	40

FIREWORKS.

FILLED DAIRY PRODUCTS ACT—CONTINUED:

	Ch.	Sec.	Page
Filled dairy products,			
seizure of .....	20	6	41
transportation of, prohibited.....	20	3	40
Injunction, brought by.....	20	6	41
Intention, declaration of.....	20	1	38
Intrastate commerce, defined.....	20	2	39
Municipal corporation,			
enforcement by injunction.....	20	6	41
Oleomargarine, excluded .....	20	2	39
Partial invalidity of act.....	20	7	41
Penalties .....	20	4	40
Person, defined .....	20	2	38
Products excepted from act, enumerated.....	20	2	39
Seizure, filled dairy products.....	20	6	41
Succeeding violations .....	20	4	40
Unlawful acts .....	20	3	40
Violations, penalties for.....	20	4	40
Washington uniform food, drug and cosmetic act, products adulterated for purposes of.....	20	6	41

FIRE DISTRICTS: (see also FIRE PROTECTION DISTRICTS, *infra*, this Index)

Elections (see ELECTIONS, *supra*, this Index)

FIRES, FOREST PROTECTION (see CONSERVATION AND DEVELOPMENT, *supra*, this Index)

FIREMEN'S RELIEF AND PENSIONS:

Municipal firemen's pension fund,			
actuarial examination of pension fund.....	72	1	208
tax levy .....	72	1	208
Regularly organized volunteer fire departments of municipalities, death benefits,			
funeral expenses .....	103	4	257
minor children, no widow.....	103	2	257
parent, dependent upon deceased.....	103	2	257
remarriage, effect of.....	103	2	257
widow .....	103	2	256
disability benefits,			
additional allowances .....	103	3	257
hospitalization .....	103	3	257
pensions,			
member, 65, with 25 years service.....	103	1	255
retirement fee paid for 25 years or part thereof.....	103	1	255
payable, firemen's 65th year.....	103	1	255

FIRE PROTECTION DISTRICTS: (see also FIRE PROTECTION DISTRICTS in index to 1951 Ex. Sess., *infra*, this volume)

Annexation to cities (see CITIES AND TOWNS, <i>supra</i> , this Index)			
Assessments levied in lieu of tax levies.....	107	2	268
Indebtedness outstanding retired by tax levy.....	107	2	268

FIREWORKS:

Dates, sale or use permitted.....	174	4	478
Enforcement, by whom.....	174	8	479
Explosives, certain uses not prohibited.....	174	9	479
blank cartridges .....	174	9	479
signaling purposes, for .....	174	9	479
"Fireworks," defined .....	174	1	476
not included, cap firing devices.....	174	2	477
Local ordinances, effect of.....	174	10	480
may not contravene act.....	174	10	480

## FIREWORKS.

### FIREWORKS—CONTINUED:

	Ch.	Sec.	Page
Public displays,			
bond, may be required, when.....	174	6	479
permits,			
rules, prescribed by state fire marshal.....	174	6	478
Sale at retail,			
dates, when permitted .....	174	4	478
permit required .....	174	5	478
fee .....	174	5	478
disposition of .....	174	5	478
issuance to prohibited,			
person under 18.....	174	5	478
persons within forest reserves.....	174	5	478
transport on highway for purpose of direct sale, prohibited..	174	7	479
Transportation along highways for purpose of direct sale, pro-			
hibited .....	174	7	479
Types authorized, specifications for.....	174	3	477
other types, unlawful to make, sell or use.....	174	3	477
Uses prohibited,			
dates, between certain.....	174	4	478
extrahazardous fire areas, in.....	174	5	478
local ordinance, in contravention of.....	174	10	480
unauthorized types .....	174	3	477
Violations,			
courts, where prosecuted.....	174	8	479
penalties .....	174	11	480
<b>FISCAL AGENCY OF STATE OF WASHINGTON IN NEW YORK CITY:</b>			
Capitol building bonds,			
payable at office of.....	22	3	44
presentation to for registration.....	22	4	44
Highway construction bonds,			
presentation to for registration.....	121	3	306
Public school or institutional building construction fund surpluses,			
deposit with securities purchased from, authorized.....	147	2	407
<b>FISHERIES: (see also FISHERIES in index to 1951 Ex. Sess., <i>infra</i>, this volume)</b>			
Appropriation, director of fisheries.....	163	1	448
Bail money forfeited, disposition of.....	271	2	895
Beach seine license (see Licenses, <i>infra</i> , this title)			
Beam trawl license (see Licenses, <i>infra</i> , this title)			
Boat house operators,			
license and fee.....	271	32	906
branch license required, when.....	271	33	906
Bottom fish pots license (see Licenses, <i>infra</i> , this title)			
Branch license (see Licenses, <i>infra</i> , this title)			
Brokers (see Fish brokers, <i>infra</i> , this title)			
Brush weir license (see Licenses, <i>infra</i> , this title)			
Buyers (see Fish buyers, <i>infra</i> , this title)			
By-products (see Fish by-products, <i>infra</i> , this title)			
Canners (see Fish canneries, <i>infra</i> , this title)			
Catch fees (see Fees, <i>infra</i> , this title)			
Clam and oyster farms,			
catch tax, exempted from.....	271	35	907
employees, exempt from license requirements, when.....	271	6	897
	271	44	912
license fees .....	271	26	904
vessels of, exempt from license requirements, when.....	271	8	898
Clam diggers,			
license and fees.....	271	44	912
persons digging on licensed clam farms.....	271	44	912

FISHERIES.

FISHERIES—CONTINUED:

	Ch.	Sec.	Page
Commercial fishing license, personal.....	271	6	897
(see also ch. 7, Laws of 1951, Ex. Sess., <i>infra</i> , this volume)			
carried on person, shall be.....	271	6	897
oyster or clam farm employees excepted.....	271	6	897
Commercial vessels licenses (see Licenses, <i>infra</i> , this title)			
Confiscated property, disposition of proceeds.....	271	2	895
Curers (see Fish curers, <i>infra</i> , this title)			
Definitions,			
"fish buyer" .....	271	31	906
"original receiver" .....	271	36	908
Dip bag net license (see Licenses, <i>infra</i> , this title)			
Director of Fisheries,			
appropriation, Pacific Marine Fisheries Compact.....	163	1	448
importation of oyster seed,			
inspection made by.....	271	42	911
cost of, borne by owners.....	271	43	911
payment of .....	271	43	911
proration of .....	271	43	911
rules and regulations, power to promulgate.....	271	42	911
unlawful to import or plant without authority first obtained .....	271	42	911
oyster lands,			
lease of,			
examination to determine presence of oysters.....	271	40	910
inspection made by on application for.....	271	40	909
expense of .....	271	40	910
minimum rental set.....	271	40	910
Drag bag seine license (see Licenses, <i>infra</i> , this title)			
Drag seine license (see Licenses, <i>infra</i> , this title)			
Explosives, discharge in waters of state,			
unlawful, when .....	271	4	896
penalty .....	271	4	896
Fees (see also Licenses, <i>infra</i> , this title),			
catch fees .....	271	35	907
amount .....	271	35	907
collected, how .....	271	36	908
original receiver, defined.....	271	36	908
subject of tax.....	271	35	907
exceptions,			
frozen fish or shellfish previously landed in another state .....	271	36	908
shellfish from oyster and clam farms.....	271	35	907
shellfish or fish from Columbia River waters.....	271	35	907
deposit of in state treasury.....	271	2	895
landing fees .....	271	45	912
amount .....	271	45	912
collected, how .....	271	36	908
original receiver, defined.....	271	36	908
subject to tax.....	271	45	912
frozen fish or shellfish previously landed in another state, excepted .....	271	36	908
halibut, excepted .....	271	45	912
payment,			
delinquent fees, interest.....	271	37	908
lien .....	271	37	908
privilege fees .....	271	34	907
fish handled as original receiver.....	271	34	907
{ .....	271	36	908
original receiver, defined.....	271	36	908

## FISHERIES.

### FISHERIES—CONTINUED:

	Ch.	Sec.	Page
Fines,			
deposit of in state treasury.....	271	2	895
fifty per cent to county.....	271	2	895
Fish brokers,			
representatives of, fish buyer's license required, when.....	271	31	906
Fish buyers,			
defined .....	271	31	906
license,			
fee .....	271	31	906
persons required to obtain.....	271	31	905
persons buying for two or more persons deemed wholesale fish dealer .....	271	31	906
Fish by-products, manufacture or preparation of,			
branch license, required, when.....	271	33	906
license, businesses for which required.....	271	30	905
fee .....	271	30	905
privilege fee, duty to pay, when.....	271	34	907
representatives of,			
fish buyer's license, required, when.....	271	31	905
Fish canneries,			
branch license, required, when.....	271	33	906
license, businesses for which required.....	271	29	905
fee .....	271	29	905
privilege fee, duty to pay, when.....	271	34	907
representatives of,			
fish buyer's license, required, when.....	271	31	905
Fish curers,			
privilege fee, duty to pay, when.....	271	34	907
wholesale fish dealer's license, must obtain.....	271	28	905
Fish dealers, retail (see Retail fish dealers, <i>infra</i> , this title)			
Fish dealers, wholesale (see Wholesale fish dealers, <i>infra</i> , this title)			
Fish freezers,			
privilege fee, duty to pay, when.....	271	34	907
wholesale fish dealer's license, must obtain.....	271	28	904
Fish trap, unlawful to use for salmon.....	271	3	896
Fish wheel, unlawful to use for salmon.....	271	3	896
Fishing gear licenses, general provisions (see Licenses, <i>infra</i> , this title)			
Fishing guide licenses (see Licenses, <i>infra</i> , this title) .			
Fixed appliance, unlawful to use for salmon.....	271	3	896
Freezers (see Fish freezers, <i>supra</i> , this title)			
Fyke net license (see Licenses, <i>infra</i> , this title)			
Game fish (see GAME, DEPARTMENT OF, <i>infra</i> , this Index)			
Gear licenses, general provisions (see Licenses, <i>infra</i> , this title)			
Gill net licenses (see Licenses, <i>infra</i> , this title)			
Guide licenses (see Licenses, <i>infra</i> , this title)			
Halibut, landing fee not applicable.....	271	45	912
Hand lines, licenses (see Licenses, <i>infra</i> , this title)			
Jiggers, licenses (see Licenses, <i>infra</i> , this title)			
Lampara net,			
license fee .....	271	16	901
unlawful to use for salmon.....	271	3	896
Licenses,			
beach seine license.....	271	15	901
fee .....	271	15	901
additional fee, excess of 300 feet.....	271	15	901
beam trawl license,			
fee .....	271	18	901
boat house operator's license,			
fees .....	271	32	906



FISHERIES.

FISHERIES—CONTINUED:

Licenses,

	Ch.	Sec.	Page
bottom fish pots licenses,			
fee .....	271	24	903
additional fees in excess of 100 pots.....	271	24	903
branch licenses,			
business for which required.....	271	33	906
fee .....	271	33	906
brush weir license,			
fee .....	271	22	903
by-products,			
fee .....	271	30	905
privilege fee .....	271	34	907
canning license (see Fish canneries, <i>supra</i> , this Index)			
clam diggers license,			
fee .....	271	44	912
clam farm license,			
fee .....	271	26	904
commercial fishing license, personal (see also ch. 7, Laws of 1951, Ex. Sess., <i>infra</i> , this volume)			
fee .....	271		897
possession on licensee required.....	271	6	897
oyster or clam farm employees excepted.....	271	6	897
commercial vessels licenses,			
applications, annual, contents of.....	271	8	898
certificate of registration.....	271	8	898
carried aboard, shall be.....	271	8	898
changes in name, ownership or operator, to be reported...	271	8	898
plates, license .....	271	8	898
oyster and clam farm vessels excepted.....	271	8	898
dip bag net license,			
fee .....	271	14	900
drag bag seine license,			
fee .....	271	15	901
additional fee, excess of 300 feet.....	271	15	901
drag seine license,			
fee .....	271	15	901
additional fee, excess of 300 feet.....	271	15	901
fish buyers license (see Fish buyers, <i>supra</i> , this title)			
fee .....	271	31	906
fish canning license (see Fish canneries, <i>supra</i> , this title)			
fishing gear licenses, general provisions,			
carried, where and by whom.....	271	5	896
non-resident gear, registration as, when.....	271	5	896
non-transferable, are .....	271	5	896
fishing guide license and fees,			
non-residents .....	271	7	897
residents .....	271	7	897
fyke net license,			
fee .....	271	21	902
gill net license,			
fee .....	271	12	900
handlines license,			
fees .....	271	9	899
hooks, number permitted.....	271	9	899
number of, per license.....	271	9	899
jiggers license,			
fee .....	271	9	899
hooks, number permitted.....	271	9	899
number of, per license.....	271	9	899
lampara net license,			
fee .....	271	16	901

## FISHERIES.

### FISHERIES—CONTINUED:

	Ch.	Sec.	Page
Licenses,			
otter trawl license,			
fee .....	271	19	902
oyster farm license,			
fee .....	271	26	904
oyster reserve license,			
fee .....	271	27	904
pole net license,			
fee .....	271	12	900
purse seine license,			
fee .....	271	17	901
reef net license,			
fee .....	271	20	902
ring nets license,			
fee .....	271	23	903
additional fee in excess of 25 .....	271	23	903
round haul net license,			
fee .....	271	16	901
set line license,			
fee .....	271	10	899
hooks, number permitted.....	271	10	899
set net license,			
for each 300 fathoms or less, required.....	271	13	900
fee .....	271	13	900
shellfish pots licenses,			
fee .....	271	25	904
additional fees in excess of 100 pots.....	271	25	904
troll line license,			
fee .....	271	11	899
number per license.....	271	11	900
wholesale fish dealer's license (see Wholesale fish dealers, <i>infra</i> , this title)			
Monies, deposit of in state treasury.....	271	2	895
Nets,			
use of to catch salmon, unlawful, when.....	271	3	896
Ocean beach highways,			
traffic, control of.....	271	46	913
Original receiver, defined.....	271	36	908
Otter trawl license (see Licenses, <i>supra</i> , this title)			
Oyster beds, lease of.....	271	39	909
applicant,			
boundaries to be marked by.....	271	41	910
survey made by.....	271	41	910
application for .....	271	40	909
lands subject to lease.....	271	39	909
rental fixed by director of fisheries.....	271	40	910
terms of lease.....	271	39	909
Oyster farms (see Clam and oyster farms, <i>supra</i> , this title)			
Oyster reserve license (see Licenses, <i>supra</i> , this title)			
Oyster seed, importation of (see Director of Fisheries, <i>supra</i> , this title)			
Pacific Marine Fisheries Compact, appropriation.....	163	1	448
Pole net license (see Licenses, <i>supra</i> , this title)			
Pound net, unlawful to use for salmon.....	271	3	896
Privilege fees (see Fees, <i>supra</i> , this title)			
Property, under department control,			
sale, rental or damages, disposition of proceeds.....	271	2	895
Purse seine license (see Licenses, <i>supra</i> , this title)			
Reef net license (see Licenses, <i>supra</i> , this title)			
Resident, defined .....	271	1	894

## FURNITURE AND BEDDING ADVISORY COUNCIL.

### FISHERIES—CONTINUED:

	Ch.	Sec.	Page
Retail fish dealers,			
branch license required, when.....	271	33	906
fee .....	271	33	906
privilege fees, duty to pay, when.....	271	34	907
Ring nets license (see Licenses, <i>supra</i> , this title)			
Round haul net,			
license fee .....	271	16	901
unlawful to use for salmon.....	271	3	896
Salmon,			
catch fee on.....	271	35	907
methods of catching declared unlawful.....	271	3	896
privilege fee, on.....	271	34	907
Scow fish wheel, unlawful to use for salmon.....	271	3	896
Seizure and forfeiture,			
sale of articles upon.....	271	38	908
notice of .....	271	39	909
proceeds, disposition of.....	271	2	895
	271	38	909
Set line license (see Licenses, <i>supra</i> , this title)			
Set net,			
license per 300 fathoms or less.....	271	13	900
unlawful to use for salmon.....	271	3	896
Shellfish pots license (see Licenses, <i>supra</i> , this title)			
Taxes (see Fees, <i>supra</i> , this title),			
disposition of proceeds.....	271	2	895
Tidal waters,			
beds of, lease of, when.....	271	39	909
Troll lines license (see Licenses, <i>supra</i> , this title)			
Weir, unlawful to use for salmon.....	271	3	896
Wholesale fish dealers,			
branch license required, when.....	271	33	906
buyer purchasing for two or more persons, is.....	271	31	906
license,			
businesses for which required.....	271	28	904
fee .....	271	28	905
fisherman selling catch direct to dealers, required.....	271	28	905
privilege fees, duty to pay, when.....	271	34	907
representatives of,			
fish buyer's license required.....	271	31	905
<b>FLAMMABLE MATERIALS:</b>			
Transportation on highways.....	102	2	254
<b>FLOOD CONTROL (see CONSERVATION AND DEVELOPMENT, <i>supra</i>, this Index)</b>			
<b>FORESTS AND FORESTRY (see CONSERVATION AND DEVELOPMENT, also PUBLIC LANDS, this Index)</b>			
<b>FOREST DEVELOPMENT FUND (see CONSERVATION AND DEVELOPMENT, <i>supra</i>, this Index)</b>			
<b>FOR HIRE VEHICLES:</b>			
Out of state, permits.....	219	1	647
<b>FOSTER HOMES (see SOCIAL SECURITY, DEPARTMENT OF, subtitle, Child Welfare agencies, <i>infra</i>, this title)</b>			
<b>FOUR H CLUBS (see AGRICULTURE, DEPARTMENT OF, (Fairs), <i>supra</i>, this Index)</b>			
<b>FRANKLIN COUNTY:</b>			
Highway construction bonds (see HIGHWAYS, <i>infra</i> , this Index)			
<b>FURNITURE AND BEDDING ADVISORY COUNCIL (see BEDDING AND FURNITURE, <i>supra</i>, this Index)</b>			

GAME, DEPARTMENT OF.

G

GAME, DEPARTMENT OF:

	Ch.	Sec.	Page
Aquatic plants (see Fish, <i>infra</i> , this title)			
Beavers, killing of, by commission, when.....	262	1	826
by owner, when.....	262	1	827
Commission, State Game,			
beavers, killing of, when endangering land.....	262	1	826
domesticated game fish, rules as to importation.....	126	2	320
public shooting grounds, control of.....	77	2	215
Director of game,			
licenses, issuance of,			
fish, fish fry, spawn, or aquatic plants, to plant.....	126	1	319
wild animals or wild birds, to release.....	126	1	319
Fish (see also FISHERIES, <i>supra</i> , this Index)			
domesticated game fish, importation of.....	126	2	320
penalties .....	126	3	320
fish restoration and management projects,			
act of congress, assent to.....	124	1	316
establishment authorized .....	124	1	316
fresh water sport fishing license fees, use of.....	124	2	316
planting within waters of the state,			
fish, fish fry, spawn, aquatic plants.....	126	1	319
penalties .....	126	3	320
Licenses and permits,			
fish, fish fry, spawn, or aquatic plants, to plant.....	126	1	319
inspection required .....	126	1	319
fresh water sport fishing,			
proceeds, use of.....	124	2	316
wild animals and wild birds, to release.....	126	1	319
inspection required .....	126	1	319
Ocean beach highway traffic control.....	271	46	912
Predator control,			
pesticides, use authorized.....	127	1	321
Wild animals and wild birds, release of.....	126	1	319

GAS WELLS (see OIL AND GAS CONSERVATION ACT, *infra*, this Index)

GENERAL ASSISTANCE (see CITIZENS PUBLIC ASSISTANCE ACT OF 1950, *supra*, and SOCIAL SECURITY, DEPARTMENT OF, *infra*, this Index)

GIFT TAX (see TAXATION, *infra*, this Index)

GOVERNOR:

Board of industrial insurance appeals,			
members of, appointed by.....	225	1	681
Board of boiler rules, appointed by.....	32	1	63
Compacts for patrol of state boundaries, may enter.....	253	1	792
Deeds executed to,			
Barthen, Lenore .....	59	1	183
Kennewick, city of, shore lands.....	24	1	49
Port Orchard, city of .....	95	2	240
Sager, Frank T.....	59	2	184
Federal social security coverage for employees of state and political subdivisions,			
agreements with federal security administration authorized..	184	3	532
authority may be delegated.....	184	11	539
O.A.S.I. contribution fund, administered by.....	184	6	538
political subdivisions, plan for coverage,			
approval of governor required.....	184	5	535
refusal to approve, notice and hearing.....	184	5	536

GROSS MISDEMEANORS.

GOVERNOR—CONTINUED:

Federal social security coverage for employees of state and political subdivisions,			
political subdivisions, plan for coverage,	Ch.	Sec.	Page
termination authorized .....	184	5	536
notice and hearing.....	184	5	536
rules and regulations, power to make and publish granted....	184	10	539
Metalliferous mining securities,			
consent to director of licenses to appoint receiver pending court proceedings .....	64	4	197
Oil and gas conservation committee, chairman is.....	146	4	383
Public printer,			
audits of furnished to, shall be.....	151	1	419
machinery, purchase of, approval required.....	151	1	418
salary of, shall fix.....	151	1	418
Washington reports, contract to print, approval required....	151	1	418
working capital, amount, shall determine.....	151	1	419
Public service commission,			
members,			
appointed by .....	260	1	823
vacancy, in case of.....	260	1	824
removal .....	260	1	824
charges filed by.....	260	1	824
Real estate examination commission, shall appoint.....	222	5	653
Spanaway Park, conveyance to state, consideration for, approval required .....	136	1	334
State boundaries,			
compacts for patrol of.....	253	1	792
militia, use of, to patrol.....	253	1	793
State capitol committee bonds,			
signature of, facsimile authorized.....	22	4	44
signed by .....	22	4	44
State census board, member of, shall appoint.....	96	1	241
State council for children and youth, shall appoint.....	234	17	741
State Highway Commission (see HIGHWAYS, <i>infra</i> , this Index)			
State soil conservation committee,			
farmer members, shall appoint.....	216	3	643
Uniform reciprocal enforcement of support act (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i> , this Index)			
State safety council (see WASHINGTON STATE SAFETY COUNCIL, <i>infra</i> , this Index)			
Wages and hours,			
defense production permits, commission empowered to issue, appointment of .....	84	1	225
Washington civil defense act of 1951 (see WASHINGTON CIVIL DEFENSE ACT OF 1951, <i>infra</i> , this Index)			
Washington State safety council (see also WASHINGTON STATE SAFETY COUNCIL, <i>infra</i> , this Index),			
official coordinating committee, chairman of, is.....	247	23	778
GRADE CROSSINGS (see RAILROADS, <i>infra</i> , this Index)			
GRAND JURIES:			
Judges of superior court, call for, issued by.....	90	1	234
session limited by.....	90	2	234
GRANT COUNTY:			
Highway construction bonds (see HIGHWAYS, <i>infra</i> , this Index)			
GROSS MISDEMEANORS (see CRIMES AND CRIMINAL PROCEDURE, <i>supra</i> , this Index)			

## GUARDIANS.

### GUARDIANS: (see also UNIFORM VETERAN'S GUARDIANSHIP ACT, *infra*, this Index)

	Ch.	Sec.	Page
As fiduciaries .....	218	1	646
Bonds of,			
additional bond required when.....	242	1	765
dispensed with, when.....	242	1	765
form of .....	242	1	764
not required, when,			
banks or trust companies.....	242	1	765
estate less than \$500.....	242	1	766
Inventory and report dispensed with, when.....	242	1	765
Investment of guardianship funds,			
guardian as fiduciary.....	218	1	646
guardian as trust.....	218	1	646
guardianship funds as trust funds.....	218	1	646
Investment of trust funds in investment companies or trusts, authorized .....	132	1	330
Guardianship of estate,			
trust, declared to be.....	218	1	646
Guardianship funds,			
trust funds, declared to be.....	218	1	646
Patients involuntarily hospitalized in state hospitals, superintendent as guardian.....	139	49	357

## H

### HAIRDRESSING AND BEAUTY CULTURE:

Beauty Culture (see Practice of beauty culture, <i>infra</i> , this title)			
Beauty culturist, defined.....	180	1	506
Certificate of health.....	180	7	509
Director, defined .....	180	1	507
Examination requirements,			
operator's license, required for.....	180	2	508
owner, may be licensed without.....	180	3	508
persons licensed by another state, none required.....	180	6	509
fee .....	180	6	509
reexamination,			
license lapsed more than 3 years.....	180	7	509
Hairdresser, defined .....	180	1	506
Hairdressing (see Practice of hairdressing, <i>infra</i> , this title)			
Instructor operator, defined.....	180	1	507
services for members of public, limitation.....	180	1	507
Licenses, general provisions (see also Operator, Manager operator, etc., this title)			
application fees, schedule of.....	180	5	508
out of state persons.....	180	6	509
examinations (see Examination requirements, <i>supra</i> , this title)			
lapsed, renewal of.....	180	7	509
fee for .....	180	7	509
reexamination, required when.....	180	7	509
renewal .....	180	7	509
certificate of health, required when.....	180	7	509
fees, schedule of.....	180	7	509
lapsed license .....	180	7	509
fee, additional .....	180	7	509
reexamination, required when.....	180	7	509
Manager operator,			
defined .....	180	1	506
license, application fee for.....	180	5	508

HEALTH, DEPARTMENT OF.

HAIRDRESSING AND BEAUTY CULTURE—CONTINUED:

	Ch.	Sec.	Page
Practice of beauty culture, or beauty culture,			
defined .....	180	1	506
instructor, services for member of public, limitation.....	180	1	507
practice by owner, license required.....	180	3	508
Practice of hairdressing, or hairdressing,			
defined .....	180	1	505
practice by owner, license required.....	180	3	508
Operator,			
defined .....	180	1	506
license, application fee for.....	180	5	508
qualifications required .....	180	2	507
Owner,			
defined .....	180	1	506
licensed without examination.....	180	3	508
application fee .....	180	5	508
practice, may not unless licensed as manager operator or owner operator .....	180	3	508
Owner operator,			
defined .....	180	1	506
license, application fee for.....	180	5	508
School,			
courses of instruction required.....	180	8	510
defined .....	180	1	507
equipment required for.....	180	9	510
license to conduct.....	180	4	508
application fee .....	180	5	508
use of word "school" required, when.....	180	9	510
Shop, defined .....	180	1	507
Student,			
charges for work by, authorized when.....	180	9	511
defined .....	180	1	506

HANDICAPPED CHILDREN (see PUBLIC INSTRUCTION, SUPER-INTENDENT OF, *infra*, this Index)

HEALTH, DEPARTMENT OF: (see also CITIZENS PUBLIC ASSISTANCE ACT OF 1950, *supra*, this Index)

Appropriation .....	12	1	26
Bedding and furniture, powers and duties concerning (see BEDDING AND FURNITURE, <i>supra</i> , this Index)			
Child welfare agencies, powers and duties concerning,			
certificate of approval, shall issue to qualified agencies.....	270	7	889
inspection and investigation of agencies, authorized.....	270	7	889
rules and regulations of state board of health, shall enforce..	270	7	889
delegation of enforcement power to local health au- thorities .....	270	7	889
state board of health,			
rules and regulations, shall promulgate.....	270	7	888
Director of health,			
state tuberculosis equalization fund apportioned, and ex- pended under direction of.....	204	1	609
Institutional Board of Health, abolished.....	10	1	25
Maternity homes, regulation of,			
act,			
declaration of purpose of.....	168	1	458
exempted from operation of,			
hospitals approved by certain medical associations....	168	2	458
institutions operated by religious sect.....	168	15	464
homes in operation on effective date of rules promulgated under,			
reasonable time for compliance with.....	168	8	461

## HEALTH, DEPARTMENT OF.

### HEALTH, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Maternity homes, regulation of,			
appeals from decisions of department to superior court,	168	11	462
finding of fact, departmental, conclusive, when.....	168	11	462
further review authorized, when.....	168	11	462
procedure for taking.....	168	11	462
remand to department, when.....	168	11	462
status quo preserved, pending.....	168	11	462
attorney general,			
prevention of unlicensed operation, duties.....	168	14	463
board, defined.....	168	2	458
see also state board of health, <i>infra</i> , this subtitle)			
compliance with rules or regulations, time for,			
homes in operation on effective date.....	168	8	461
department,			
appeal from decision of.....	168	11	461
transcript, duty to file.....	168	11	462
application for license made to.....	168	4	459
assignment or transfer of license,			
approval required.....	168	5	459
attorney general, legal advisor to.....	168	14	463
construction or alteration plans, submitted to, when.....	168	9	461
denial, suspension or revocation of license,			
appeal from.....	168	11	461
powers.....	168	6	459
defined.....	168	2	458
findings of, conclusive, when.....	168	11	462
fire inspection, request for.....	168	12	462
information received by, disclosure of.....	168	10	461
inspections and investigations, made by.....	168	9	461
regulation, submittal of construction plans.....	168	9	461
fire protection,			
state fire marshal, responsible for.....	168	12	462
enforcement of city building code, when.....	168	12	463
inspections made by.....	168	12	462
cities having building codes, in.....	168	12	463
report to department.....	168	12	462
reinspection.....	168	12	463
standards adopted by.....	168	12	462
hearing procedure (see Licenses, denial, suspension or revocation of, <i>infra</i> , this title)			
information received by department, disclosure.....	168	10	461
injunction.....	168	14	463
inspection and investigation of.....	168	9	461
license to operate,			
application.....	168	4	459
fee.....	168	4	459
not required,			
charitable institutions.....	168	4	459
government operated institutions.....	168	4	459
non-profit institutions.....	168	4	459
assignment or transfer of, approval required.....	168	5	459
denial, suspension or revocation of,			
procedure,			
determination.....	168	6	460
appeal from (see Appeals, <i>supra</i> , this title)			
final, when.....	168	6	460
service of copy.....	168	6	460
hearing.....	168	6	460
notice of.....	168	6	460
procedure.....	168	6	460



HEALTH, DEPARTMENT OF.

HEALTH, DEPARTMENT OF—CONTINUED:

Maternity homes, regulation of, license to operate, denial, supervision or revocation of, procedure,	Ch.	Sec.	Page	
record of proceedings.....	168	6	460	
copies, procurement of.....	168	6	460	
witnesses .....	168	6	460	
expire, when .....	168	5	459	
issuance of .....	168	5	459	
operations without, unlawful.....	168	13	463	
continuing violation, separate offense.....	168	13	463	
posting of .....	168	5	459	
renewal of .....	168	5	459	
renewable annually .....	168	5	459	
fee .....	168	5	459	
required after July 1, 1951.....	168	3	459	
revocation (see denial, suspension or revocation, <i>supra</i> , this subtitle)				
suspension (see denial, suspension or revocation, <i>supra</i> , this subtitle)				
maternity home, defined.....	}	168	2	458
		270	2	885
maternity home operators, consultations with board of health.....	168	7	460	
person, defined .....	168	2	458	
records, examination of.....	168	9	461	
state board of health, rules and regulations, shall adopt.....	168	7	460	
construction or alteration of facilities, submission of plans to department.....	168	9	461	
hearing procedure, in accordance with.....	168	6	460	
homes in operation on effective date, time for compliance with.....	168	8	461	
state hospital association, consultations with board of health.....	168	7	460	
state medical associations, consultations with board of health.....	168	7	460	
state nurses association, consultations with board of health.....	168	7	460	
Washington osteopathic association, consultations with board of health.....	168	7	460	
Nursing homes, regulation of, act,				
appropriations to carry out provisions.....	117	18	299	
declaration of purpose.....	117	1	291	
exempted, institutions operated by certain religious organizations	117	21	300	
local health department, enforcement by .....	117	3	293	
advisory nursing home council, director, council appointed by.....	117	11	296	
meetings .....	117	11	296	
membership .....	117	11	296	
terms of office.....	117	11	296	
vacancies .....	117	11	296	
powers and duties.....	117	12	296	
appeals from decisions of department to superior court, findings of fact, departmental, conclusive, when.....	117	14	297	
further review authorized, when.....	117	14	297	
procedure for taking.....	117	14	297	
remand to department, when.....	117	14	297	
status quo preserved, pending.....	117	14	297	
appropriation, to carry out provisions of act.....	117	18	299	

## HEALTH, DEPARTMENT OF.

### HEALTH, DEPARTMENT OF—CONTINUED:

#### Nursing homes, regulation of,

	Ch.	Sec.	Page
association of Washington cities, representation on advisory nursing home council, entitled to .....	117	11	296
attorney general, prevention of unlicensed operation, duties .....	117	17	299
board (see also state board of health, <i>infra</i> , this title) defined .....	117	2	292
city health department (see Local health department, <i>infra</i> , this title)			
compliance with rules or regulations, time for, homes in operation on effective date .....	117	9	295
convalescent and chronic care, defined .....	117	2	291
county commissioners, association of, representation on advisory nursing home council, entitled to .....	117	11	296
county health department (see Local health department, <i>infra</i> , this title)			
department, appeal from decision of .....	117	14	297
transcript, duty to file .....	117	14	297
application for license made to .....	117	5	293
assignment or transfer of license, approval of, required .....	117	6	294
attorney general, legal advisor to .....	117	17	299
construction or alteration of facilities, submission of plans to, when .....	117	10	295
defined .....	117	2	292
denial, suspension or revocation of license, appeal from .....	117	14	297
powers .....	117	7	294
findings of, conclusive, when .....	117	14	297
fire inspection, request for .....	117	15	298
information received by, disclosure of .....	117	13	297
inspection and investigation, powers of .....	117	10	295
records, power to examine .....	117	10	295
"department" defined .....	117	2	292
department of social security, representation on advisory nursing home council, entitled to .....	117	11	296
director, defined .....	117	2	292
director of health, state, state board of health, advisory nursing home council, appointment of .....	117	11	296
appropriation to .....	117	18	299
local health departments, certificate of approval, issuance and cancellation ..	117	3	293
determination whether entitled to certificate of approval .....	117	3	292
rules and regulations, shall adopt .....	117	8	295
construction or alteration of facilities, requiring submission of plans to department .....	117	10	295
hearing procedure, in accordance with .....	117	7	294
homes in operation on effective date, time for compliance with .....	117	9	295
district health department (see Local health department, <i>infra</i> , this title)			
fire protection (see also state fire marshal, <i>infra</i> , this title) state fire marshal, responsible for .....	117	15	297
appropriation for .....	117	19	299
enforcement of city building code, when .....	117	15	298

HEALTH, DEPARTMENT OF.

HEALTH, DEPARTMENT OF—CONTINUED:

Nursing homes, regulation of,  
fire protection,

	Ch.	Sec.	Page
state fire marshal, responsible for,			
inspections made by.....	117	15	298
cities having building codes, in.....	117	15	298
report to department.....	117	15	298
reinspection .....	117	15	298
standards adopted by.....	117	15	298
information received by department, disclosure.....	117	13	297
injunction .....	117	17	299
inspection and investigation of.....	117	10	295
insurance commissioner,			
appropriation for fire marshal's duties.....	117	19	299
license to operate,			
application for,			
fee .....	117	5	293
information required .....	117	5	293
assignment or transfer,			
department approval required.....	117	6	294
denial, suspension or revocation,			
authority of department.....	117	7	294
grounds for .....	117	7	294
procedure,			
determination .....	117	7	294
appeal from (see appeals, <i>supra</i> , this title)			
final, when .....	117	7	294
service of copy.....	117	7	294
hearing .....	117	7	294
notice of .....	117	7	294
procedure .....	117	7	294
record of proceedings.....	117	7	294
copies, procurement of.....	117	7	294
witnesses .....	117	7	295
expiration, date of .....	117	6	293
fee,			
amount .....	117	5	293
government operated institutions, exempt.....	117	5	293
issuance .....	117	6	293
operation without, unlawful.....	117	16	299
continuing violation, separate offense.....	117	16	299
posting requirements .....	117	6	294
renewable annually .....	117	6	293
renewal,			
applications for .....	117	6	293
filed, when .....	117	6	294
required after July 1, 1951.....	117	4	293
revocation (see denial, suspension or revocation, <i>supra</i> , this subtitle)			
suspension (see denial, suspension or revocation, <i>supra</i> , this subtitle)			
local health departments,			
department, defined as.....	117	2	292
enforcement of act, by,			
application for authority to enforce.....	117	3	292
certificate of approval, powers on receipt of.....	117	3	293
nursing home,			
definition .....	117	2	291
convalescent and chronic care.....	117	2	291
general hospitals excluded.....	117	2	292
mere designation as hospital does not exclude....	117	2	292
licensed, must be, after July 1, 1951.....	117	4	293
operating on effective date of rules or regulations, time for compliance with.....	117	9	295

## HEALTH, DEPARTMENT OF.

### HEALTH, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Nursing homes, regulations of,			
person, defined .....	117	2	292
place of refuge, defined.....	117	20	299
excluded,			
hospitals approved by American College of Surgeons			
or American College of Physicians.....	117	20	299
otherwise licensed institutions.....	117	20	300
state institutions .....	117	20	300
records, examination of.....	117	10	295
religious denominations relying upon prayer for treatment,			
institutions conducted by, exempt.....	117	21	300
state fire marshal (see also fire protection, <i>supra</i> , this title)			
appropriation to carry out duties of.....	117	19	299
representation on advisory nursing home council, en-			
titled to .....	117	11	296
state hospital association,			
representation on advisory nursing home council, en-			
titled to .....	117	11	296
state medical association,			
representation on advisory nursing home council, en-			
titled to .....	117	11	296
state nurses association,			
representation on advisory nursing home council, en-			
titled to .....	117	11	296
State tuberculosis equalization fund, expended by.....	204	1	609
Vital statistics (see VITAL STATISTICS, <i>infra</i> , this Index)			
HEALTH, STATE BOARD OF (see STATE BOARD OF HEALTH,			
<i>infra</i> , this Index)			
HERBICIDES (see AGRICULTURE, DEPARTMENT OF, <i>supra</i> , this			
Index)			
HIDES OF MEAT FOOD ANIMALS:			
Person, defined .....	160	2	445
Possession of brands of another, unlawful, when.....	160	1	445
Transportation of, certificate required.....	160	1	445
HIGHWAYS: ( see also LICENSES, MOTOR VEHICLES, <i>infra</i> , this			
Index)			
Agate Pass bridge, reimbursement of motor vehicle fund for			
(see Highway construction bonds, <i>infra</i> , this title)			
Bicycles, operation upon (see also BICYCLES, <i>supra</i> , this Index)	76	1	212
Bonds (see Highway construction bonds, <i>infra</i> , this title)			
Bridges crossing state boundaries,			
compacts for state of, governor may enter.....	253	1	792
Bridge, tunnel or ferry districts (see TOLL BRIDGE AUTHORITY,			
subtitle, Toll facility aid districts, <i>infra</i> , this Index)			
Chelan-Okanogan highway (P.S.H. No. 10) established.....	273	2	916
Columbia Basin projects (see Highway construction bonds, <i>in-</i>			
<i>fra</i> , this title)			
County road improvement districts (see COUNTY ROAD IMPROVEMENT			
DISTRICTS, <i>supra</i> , this Index)			
County roads, obstructions on (see COUNTIES, <i>supra</i> , this Index)			
Defense roads,			
construction in cooperation with bureau of public roads,			
authorized .....	273	29	928
funds available for.....	273	29	928
property, acquisition for authorized.....	273	29	928
Director of highways (see Highways, department of, <i>infra</i> , this			
title)			

## HIGHWAYS.

HIGHWAYS—CONTINUED:	Ch.	Sec.	Page
East Pacific highway, established.....	273	1	915
Explosives, gasses, poisons, etc., transportation of, upon.....	102	1	254
First priority projects (see Highway construction bonds, <i>infra</i> , this title)			
Flight strips, construction in cooperation with bureau of public roads, authorized .....	273	29	928
funds available for.....	273	29	928
property, acquisition for authorized.....	273	29	928
Grade crossings (see RAILROADS, <i>infra</i> , this Index)			
Highway authorities (see also limited access facilities, <i>supra</i> , this title)			
prior determinations establishing limited access facilities validated .....	167	12	457
Highway bond retirement fund, created .....	121	8	308
transfer of funds to.....	121	8	308
Highway commission (see State highway commission, <i>infra</i> , this title)			
Highway construction bonds, Agate Pass Bridge, early sale of bonds prescribed.....	121	5	307
proceeds, disposition of.....	121	6	307
toll free operation.....	121	12	311
transfer to highway department.....	121	13	311
transfer to highway department.....	121	13	311
appropriation for .....	121	15	312
bonds, advertisement of sale.....	121	5	307
allocation to first priority projects.....	121	12	310
Columbia Basin highways or roads, issued for, repay- ment .....	121	7	308
denominations .....	121	9	309
expense incurred in printing, issuance and sale.....	121	5	307
interest, source of funds for payment of.....	121	6	307
estimate of funds required for payment.....	121	7	307
issuance and sale authorized.....	121	8	308
issuance and sale authorized.....	121	2	305
nature of obligation, limited obligation, are.....	121	2	305
statement to appear on bonds.....	121	4	306
motor vehicle fuel excises, payable from.....	121	4	306
negotiable instruments, are.....	121	3	306
payable, when .....	121	3	305
where .....	121	3	306
prior redemption, excesses used for.....	121	11	310
proceeds of sale, state treasury, deposited in.....	121	6	307
motor vehicle fund, credited to.....	121	6	307
uses authorized .....	121	6	307
projects of first priority, declared to be, farm to market roads, Grant, Franklin and Adams counties .....	121	1	305
Pasco to Kennewick, highway bridge.....	121	1	305
primary state highway No. 1, reconstruction of.....	121	1	304
Snoqualmie pass highway, construction of four traf- fic lanes .....	121	1	304
registration .....	121	3	306
retirement, source of funds for.....	121	7	308
estimate of funds required for.....	121	8	308

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

Highway construction bonds, bonds, sale,			
Agate Pass bridge, bonds allocated to, early sale prescribed.....	Ch. 121	Sec. 5	Page 307
manner and terms of, prescribed by state finance committee .....	121	5	307
public sale required, when.....	121	5	307
advertisement of .....	121	5	307
signatures .....	121	3	306
state funds, legal investment for.....	121	5	307
permanent school fund excepted.....	121	5	307
Columbia Basin highways,			
Grant, Franklin and Adams counties, county arterial highways and farm to market roads,			
allocation of bonds to.....	121	12	310
condition upon .....	121	12	311
construction of roads, county engineering forces by.....	121	12	311
director of highways, supervised by.....	121	12	311
first priority projects, declared to be.....	121	1	305
reimbursement to state, procedure.....	121	7	308
amounts .....	121	9	309
deficits .....	121	10	309
highway bond retirement fund, established .....	121	8	308
transfer of motor vehicle monies to.....	121	8	308
use .....	121	8	308
motor vehicle fuel excise taxes, imposition of tax, legislative agreement to continue.....	121	4	306
percentage of receipts required for repayment, estimate of .....	121	8	308
excess funds, disposition of.....	121	11	310
proceeds pledged to payment of bonds and interest.....	121	4	306
retention of monies credited to Grant, Adams and Frank- lin counties .....	121	9	309
amounts .....	121	10	309
deficit .....	121	10	309
motor vehicle fund, allocation to counties, cities and towns, charge against, when.....	121	7	307
credited with proceeds of bond sales.....	121	6	307
percentage of receipts required for repayment, estimate of .....	121	8	308
portion liable for repayment of bonds.....	121	7	307
state finance committee, Agate Pass bridge, bonds issued for, early sale prescribed.....	121	5	307
Washington toll bridge authority, duty to notify of sale of bonds.....	121	13	311
highway construction bonds, denominations specified by.....	121	5	307
duty to issue.....	121	2	305
excess funds, disposition of.....	121	11	310
expenditures, report of to, by director of highways... farm to market roads, estimates.....	121	9	308
interest and retirement, estimate of monies needed for adjustment of estimate.....	121	8	308
place of payment, provision for.....	121	8	308
prior redemption rights.....	121	3	306
		3	305

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

#### Highway construction bonds,

	Ch.	Sec.	Page
state treasurer,			
retention of funds credited to counties.....	121	9	309
transfer of funds, duty to.....	121	8	308

#### Highways, department of,

##### appropriations,

bridge, Pasco to Kennewick.....	121	15	312
capital outlay .....	273	14	923
cities and towns, ch. 181, Laws of 1939 and amendments..	273	19	925
Columbia Basin settlement roads.....	121	15	312
counties, ch. 181, Laws of 1939 and amendments.....	273	20	925
federal aid road acts projects.....	273	17	924
highway equipment fund.....	273	18	925
joint fact finding committee on highways and streets....	273	21	925
lands, acquisition and improvement.....	273	14	923
location study,			
North Bend to Milton.....	273	27	927
mine to market roads.....	49	2	118
	49	3	118
motor vehicle fund reimbursement, Agate Pass bridge....	121	15	312
primary and secondary highways, and designated routes			
through cities and towns.....	273	13	923
bridges .....	273	13	923
construction and damages.....	273	13	923
emergencies .....	273	13	923
defined .....	273	13	923
engineering .....	273	13	923
engineering supervision .....	273	13	923
extraordinary maintenance .....	273	13	923
federal aid, non-reimbursable.....	273	13	923
ferries .....	273	13	923
improvement .....	273	13	923
location .....	273	13	923
maintenance including road signs.....	273	13	923
maintenance supervision .....	273	13	923
other highway purposes.....	273	13	923
radio .....	273	13	923
reconstruction .....	273	13	923
right-of-way .....	273	13	923
state owned bridges, interest and bond redemption...	273	13	923
toll bridges .....	273	13	923
primary state highway No. 1, reconstruction of.....	121	15	312
purposes of secs. 46 and 47, ch. 269, Laws of 1951			
(H.B. 506) .....	273	22	925
reconnaissance surveys,			
bridge across Sinclair Inlet.....	273	28	927
primary state highway No. 9 to secondary No. 9C....	273	23	926
primary state highway No. 10 to secondary No. 10D..	273	26	927
primary state highway No. 18 to primary No. 7.....	273	25	926
roads within state parks.....	273	16	924
salaries, wages and operations.....	273	12	922
cities and counties, administration of, state aid to...	273	12	922
district offices of department of highways.....	273	12	922
laboratory engineer .....	273	12	922
office of director of highways.....	273	12	922
research and planning engineer, office of.....	273	12	922
traffic engineer .....	273	12	922
Snoqualmie pass construction.....	121	15	312
state historical road No. 1.....	273	15	923

director of highways (see also State highway commission, *infra*, this title)

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

Highways, department of, director of highways,	Ch.	Sec.	Page
bridges, toll, duties relating to.....	259	1	816
Columbia basin road construction, duty to supervise.....	121	12	311
commissioner of public roads of the United States, co- operation with,			
defense roads .....	273	29	928
flight strips .....	273	29	928
cooperation with bureau of public roads, access to military posts, purpose of.....	273	29	928
acquisition of land for, authorized.....	273	29	928
expenditures from funds, reported by.....	121	9	308
expenditures of Columbia Basin monies, separate report to state finance committee.....	121	9	308
ferries, duties relating to.....	259	1	816
highway construction, effects of weight upon.....	269	47	881
agreements for studies.....	269	47	881
license fees imposed for.....	269	48	882
mine to market roads, contributions, authority to receive and use.....	49	1	117
motor vehicles, excess weights, rules and regulations of chief of state patrol, advice in formulating.....	269	30	870
	269	31	871
navigable river channel improvement, consultation with joint board.....	33	2	79
powers and duties transferred to state highway commis- sion .....	247	4	772
effective when .....	247	7	773
Puget sound ferry and toll bridge systems (see TOLL BRIDGE AUTHORITY, WASHINGTON STATE, <i>infra</i> , this Index)			
duties relating to.....	259	1	816
signs or traffic control devices erected by, destruction of, penalty.....	188	1	550
special permits for operation of vehicles exceeding size, weight or load limitations, may issue.....	269	34	872
speed limits (see also MOTOR VEHICLES, <i>infra</i> , this Index)			
business and residential districts, outside cities and towns, maximum speeds, establishment of.....	28	8	56
reduction of, at intersections in cities and towns, approval of, required.....	28	6	55
sixty miles per hour, establishment.....	28	10	57
streets, city or town, construction, repair, maintenance or engineering as- sistance, director may perform on request.....	54	1	161
payment, procedure for.....	54	1	161
test strips, construction authorized.....	269	47	881
toll bridges, duties relating to.....	259	1	816
traffic engineering investigations (see MOTOR VEHICLES, <i>infra</i> , this Index)			
tunnel through Cascades, study of, made by.....	273	24	926
Washington state safety council, executive board, member of is.....	247	19	776
official coordinating committee, member of is.....	247	23	777



## HIGHWAYS.

### HIGHWAYS—CONTINUED:

	Ch.	Sec.	Page
Joint fact finding committee on highways, streets and bridges, appropriations for (see APPROPRIATIONS, subtitle High- ways, this Index)			
continued for biennium.....	269	44	879
license fees on vehicles, additional, use for committee purposes.....	269	48	882
membership, appointments, confirmation .....	269	44	879
composition .....	269	44	879
members, expenses .....	269	45	880
vacancies .....	269	44	880
powers and duties.....	269	45	880
	269	46	880
western interstate committee on highway policy problems, activities of, committee may participate in.....	269	46	880
Limited access facilities, abutting owners, existing highways, rights of, ingress or egress, compensation for right.....	167	11	457
notice and hearing prior to establishment.....	167	6	453
appeal, right of.....	167	9	456
counterproposals, may make .....	167	7	455
appearance, must enter .....	167	7	454
access, abutting owner's right of, manner of acquisition of.....	167	11	457
business property on existing highways, ingress or egress, compensation for right.....	167	11	457
city or town highway authorities, powers.....	167	4	453
	167	5	453
cities or towns, within, consent of governing body required.....	167	4	453
connection with facility, consent of authority required for.....	167	10	456
construction of facility, access rights must first be acquired.....	167	11	457
county highway authorities, powers.....	167	4	453
	167	5	453
county roads, consent of governing body required.....	167	4	453
defined .....	167	2	452
establishment as, existing highways, roads, streets or portions thereof, appeal from decision of authority, consolidation of cases.....	167	9	456
superior court, to.....	167	9	456
supreme court, to.....	167	9	456
who may take .....	167	9	456
minutes or records of authority, designation or establishment to be entered in....	167	10	456
order of highway authority.....	167	8	455
copies served upon parties to hearing.....	167	8	455
final, when .....	167	8	455
appeal from .....	167	9	456
findings, authority must make.....	167	8	455
hearing, contempt, disorderly conduct punishable as for.....	167	7	455
counter proposal or statement, procedure for.....	167	7	454
appearance, proponent must enter.....	167	7	454
notice of .....	167	6	454
presiding authority, who is.....	167	7	454
required .....	167	6	453
testimony to be recorded.....	167	7	454

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

	Ch.	Sec.	Page
Limited access facilities,			
existing highway, defined.....	167	3	452
freeway, defined .....	167	2	452
highway authorities,			
agencies, other, cooperation with authorized.....	167	4	453
consent of, required for connection with facility.....	167	10	456
powers .....	167	4	452
	167	5	453
prior determinations of, validated.....	167	12	457
ingress or egress, abutting owner's right of,			
manner of acquisition of.....	167	11	457
intersections at grade, elimination of.....	167	10	456
connection with facility,			
consent required .....	167	10	456
power to eliminate.....	167	10	456
accomplished how .....	167	10	456
prohibition .....	167	10	456
limited access facility, defined.....	167	2	452
parkway, defined .....	167	2	452
policy, declaration of.....	167	1	451
state highway authorities, powers.....	167	4	452
	167	5	453
use, regulation of .....	167	4	453
validated, prior determinations of establishment.....	167	12	457
Mine to market roads,			
establishment, location and construction,			
appropriations for .....	49	2	118
	49	3	118
contributions,			
federal government, from .....	49	1	117
private entities, from.....	49	1	117
labor, machinery or equipment, consisting of.....	49	1	118
unexpended balances, returned how.....	49	1	117
state officers,			
power to receive and use.....	49	1	117
Navy Yard highway (P.S.H. No. 14), established.....	8	1	24
Ocean beach highways, traffic control,			
who may regulate.....	271	46	912
Posted limitations, violations of,			
penalties .....	269	29	869
Primary state highways,			
establishment of,			
Chelan-Okanogan (P.S.H. No. 10).....	273	2	916
Navy yard highway (P.S.H. No. 14).....	8	1	24
Projects of first priority (see Highway construction bonds, <i>supra</i> , this title)			
Railroad grade crossings (see RAILROADS, <i>infra</i> , this Index)			
Secondary state highways,			
establishment of branches of,			
primary state highway No. 1,			
secondary state highway No. 1A.....	273	3	916
secondary state highway No. 1B.....	273	3	917
primary state highway No. 2,			
secondary state highway No. 2H.....	273	4	917
secondary state highway No. 2I.....	273	4	918
primary state highway No. 3,			
secondary state highway No. 3C.....	273	5	918
secondary state highway No. 3D.....	273	5	918
primary state highway No. 7,			
secondary state highway No. 7B.....	273	6	918
secondary state highway No. 7C.....	273	6	919

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

	Ch.	Sec.	Page
Secondary state highways,			
establishment of branches of,			
primary state highway No. 8,			
secondary state highway No. 8C.....	273	7	919
secondary state highway No. 8D.....	273	7	919
primary state highway No. 9,			
secondary state highway No. 9C.....	273	8	920
secondary state highway No. 9D.....	273	9	920
primary state highway No. 10,			
secondary state highway No. 10A.....	273	9	920
secondary state highway No. 10B.....	273	9	920
primary state highway No. 11,			
secondary state highway No. 11F.....	273	10	921
secondary state highway No. 11G.....	273	10	921
primary state highway No. 21,			
secondary state highway No. 21A.....	273	11	922
secondary state highway No. 21B.....	273	11	922
Signs and signals,			
destruction of, penalty for.....	188	1	550
traffic control signals (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Speed limits (see Highways, department of, <i>supra</i> , this title, also MOTOR VEHICLES, <i>infra</i> , this Index)			
State finance committee (see Highway construction bonds, <i>supra</i> , this title)			
State highway commission,			
created .....	247	2	770
director of highways,			
appointed by commission, shall be.....	247	9	773
chief executive officer of commission is.....	247	9	773
duties as .....	247	9	773
ex-officio member of commission, is.....	247	9	773
vote, without .....	247	9	773
powers and duties of.....	247	9	773
qualifications of .....	247	10	774
resident, need not be.....	247	10	774
salary .....	247	12	774
increase, maximum authorized.....	247	12	774
tenure of office.....	247	11	774
dismissal .....	247	11	774
grounds .....	247	11	774
procedure .....	247	11	774
members,			
appointed by governor, with consent of senate.....	247	2	771
geographical limitation .....	247	3	771
original terms of office.....	247	3	771
political limitation .....	247	3	771
compensation of .....	247	13	774
expenses .....	247	13	774
per diem .....	247	13	774
annual maximum .....	247	13	774
removal of,			
grounds for .....	247	3	771
procedure .....	247	3	771
residence requirements .....	247	2	771
	247	3	771
state officials, elective, may not be.....	247	3	771
membership,			
geographical apportionment .....	247	3	771
number .....	247	2	770

## HIGHWAYS.

### HIGHWAYS—CONTINUED:

State highway commission,			
membership,			
organization,			
meeting, organizational .....	247	6	772
officers, election of .....	247	6	772
when and where held .....	247	6	772
rules and regulations for own government, shall adopt	247	6	772
political party apportionment.....	247	3	771
rules of order,			
meetings shall be noticed.....	247	8	773
quorum .....	247	8	773
resolution or motion, action shall be by.....	247	8	773
state officials, elective, excluded from.....	247	3	771
vacancy in, appointment of successor.....	247	2	771
powers and duties,			
authority, scope of.....	247	4	772
vests when .....	247	7	773
budget, shall prepare .....	247	15	775
governor, submitted to.....	247	15	775
director of highways, where designated member of any board, commission, etc.,			
determination as to who shall serve as such member..	247	5	772
highway development, comprehensive plan for.....	247	15	775
basis for .....	247	15	775
legislature, submitted to, when.....	247	15	775
meetings, where and when held.....	247	6	772
notice of, required.....	247	8	773
policies of procedure, shall lay down.....	247	7	773
powers, general grant of.....	247	7	773
report, biennial, shall prepare.....	247	14	775
content, required .....	247	14	775
legislature, submitted to, when.....	247	14	775
rules and regulations, shall adopt.....	247	6	772
{	247	7	773
} rules of order,			
meetings shall be noticed.....	247	8	773
quorum .....	247	8	773
resolution or motion, action shall be by.....	247	8	773
Taxicabs, use on highways by non-resident operators.....	219	1	647
Test strips, construction of, authorized.....	269	47	881
Toll facility aid districts (see TOLL BRIDGE AUTHORITY, <i>infra</i> , this Index)			
Traffic and traffic violations (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Traffic control signals (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Traffic engineering investigations (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Vertical clearance impaired,			
operator shall exercise due care.....	269	20	863
state and political subdivisions, liability for injury resulting from .....	269	20	863
Washington toll bridge authority (see TOLL BRIDGE AUTHORITY, WASHINGTON STATE, <i>infra</i> , this Index)			

HOMESTEAD AWARD TO SURVIVING SPOUSE (see PROBATE,  
*infra*, this Index)

HORSES (see ANIMALS, *supra*, this Index)

### HOSPITALS:

Maternity hospital,			
placement of infants unlawful, when.....	251	2	789

INDUSTRIAL INSURANCE.

	Ch.	Sec.	Page
<b>HUMANE BUREAU, STATE:</b>			
abolished .....	17	1	36
<b>HUSBAND AND WIFE:</b>			
Privilege of communication inapplicable, when.....	196	18	588

I

**IMPROVEMENT DISTRICTS:**

Maintenance assessments,			
county auditor,			
refunds, duty to make.....	63	3	193
county commissioners, board of,			
hearings to determine special benefit.....	63	1	192
protest to apportionment, hearing on.....	63	2	193
refund for obvious error.....	63	4	194
county engineer,			
duty to apportion.....	63	3	193
county treasurer,			
referral of apportionment to engineer.....	63	4	194
obvious errors,			
correction .....	63	4	194
refund .....	63	3	193
payment under protest.....	63	3	193
petition for refund.....	63	3	193
segregation of assessments,			
apportionment .....	63	4	194
hearing .....	63	4	194
protest .....	63	4	194
special benefits, determination or redetermination of,			
hearing for .....	63	1	192
initiated, how .....	63	1	192
where condition of property changed.....	63	2	192
appraisal .....	63	2	192
report .....	63	2	192
hearing .....	63	2	193

**INDUSTRIAL INSURANCE:**

Accident fund,			
amounts to be paid into, determination of.....	236	2	744
board of industrial accident appeals, expenses payable one-half from .....	225	3	683
chargeable to,			
artificial limbs or eyes, cost of.....	236	6	749
artificial limbs, eyes or teeth,			
cost of repair or replacement.....	236	6	750
eyeglasses, cost of.....	236	6	750
mechanical appliances required after treatment completed	236	6	750
injuries payable from.....	236	6	749
temporary total disability payable from, when.....	115	3	286
transfer from, to reserve fund, when.....	236	7	750
Appeal,			
from decision of board of industrial accident appeals to superior court,			
appeal bond, when required.....	225	14	691
board, findings and decision of shall be <i>prima facie</i> correct	225	15	692
board's official record, certified copies of, board shall serve and file.....	225	14	691
burden of proof, upon whom.....	225	15	692

## INDUSTRIAL INSURANCE.

### INDUSTRIAL INSURANCE—CONTINUED:

#### Appeal,

	Ch.	Sec.	Page
from decision of board of industrial accident appeals to superior court,	225	14	691
department, duty to file notice of appearance.....	225	15	692
hearing <i>de novo</i> .....	225	15	692
additional testimony permitted when.....	225	14	691
issue, appeal deemed at, when.....	225	15	692
judgment of superior court.....	225	15	692
award, amount of.....	225	15	692
referral back to department, when.....	225	15	692
jury trial,			
either party may have.....	225	15	692
instructions .....	225	15	692
verdict, effect .....	225	15	692
notice of appeal,			
filed, when and where.....	225	14	691
practice in civil cases applies.....	225	19	695
record in the case, what constitutes.....	225	14	691
review, scope of.....	225	15	692
stay, appeal operates as, when.....	225	14	691
summary and informal, proceedings are.....	225	15	692
superior court, to, authorized.....	225	5	684
time for .....	225	14	690
venue,			
cases involving injured workmen.....	225	14	691
other cases .....	225	14	691
from order or award of department of labor and industries to board of industrial insurance appeals,			
authorized .....	225	5	684
conference of all parties interested in an appeal.....	225	10	687
basis for final disposition of appeal may be.....	225	10	687
held, when .....	225	10	687
purposes .....	225	10	687
results of conference, record of.....	225	10	687
subsequent course of proceedings, result controls .....	225	10	687
decision and order of board,			
all members shall consider record prior to order.....	225	13	690
concurrence of majority required.....	225	13	690
copies, mailed to whom.....	225	13	690
findings and conclusions, shall contain.....	225	13	690
injured workmen, cases involving, contents of order..	225	13	690
written, shall be .....	225	13	690
denied, deemed to be, when.....	225	9	686
department, duty to transmit record to board.....	225	7	686
granting of .....	225	8	686
within 30 days if not granted, deemed denied.....	225	9	686
extension of time.....	225	9	686
hearing,			
board shall order.....	225	8	686
conducted by whom.....	225	11	688
contempt, acts punishable as, procedure.....	225	11	689
continuances .....	225	12	689
additional evidence, to secure.....	225	12	690
department may appear.....	225	11	688
depositions authorized .....	225	11	688
evidence shall be presented at time of.....	225	12	689
additional evidence, continuance to secure.....	225	12	690
cross examination and rebuttal, rights pre- served .....	225	12	690
failure to present, effect of.....	225	12	689
held, where .....	225	11	688
nature of, <i>de novo</i> and summary.....	225	11	688

INDUSTRIAL INSURANCE.

INDUSTRIAL INSURANCE—CONTINUED:

Appeal,			
from order or award of department of labor and industries to board of industrial insurance appeals,			
hearing,		<i>Ch.</i>	<i>Sec. Page</i>
testimony reported and transcribed.....	225	11	688
witnesses to be sworn.....	225	11	688
notice of appeal,			
contents required .....	225	7	685
objections not specified deemed waived.....	225	7	686
filed, when and where.....	225	6	685
time extended, when.....	225	6	685
issues raised, hearing upon.....	225	12	689
practice in civil cases applies.....	225	19	695
relief allowed without further hearing, when.....	225	8	686
withdrawal of appeal.....	225	6	685
supreme court, to,			
appeal bond, when required.....	225	14	691
judgment of superior court, lies from as in other civil cases .....	225	19	695
practice in civil cases applies.....	225	19	695
stay, appeal operates as, when.....	225	14	691
Attorney general, legal advisor for,			
board of industrial insurance appeals.....	225	19	695
department of labor and industries.....	225	19	695
Attorney's fees,			
appeal to board,			
reasonable fee fixed by board.....	225	16	693
review of amount of.....	225	16	693
services before department.....	225	16	693
fixed by director.....	225	16	693
superior court, on appeal to,			
administrative fund, chargeable for, when.....	225	17	694
fixed by, when.....	225	17	693
powers of .....	225	17	694
review of fee.....	225	16	693
unlawful to accept, when.....	225	18	694
Benefits, schedule of (see Compensation schedule, <i>infra</i> , this title)			
Board of industrial insurance appeals (see also Appeal, <i>supra</i> , this title),			
accident fund,			
board expenses, one-half payable from.....	225	3	683
appeal to superior court,			
certified copies of board's official record, duty to serve and file .....	225	14	691
attorney general is legal advisor.....	225	19	695
chief justice of supreme court,			
special tribunal, appointment of to hear charges of removal of member.....	225	4	683
contempts, certain acts punishable as, procedure.....	225	11	689
duties, delegation of,			
interpretation of testimony or making of final order may not be delegated.....	225	2	683
examiners, powers of .....	225	11	688
expenses, board may incur.....	225	3	683
funds, payable from.....	225	3	683
vouchers, required .....	225	3	683
final order on appeal,			
duty to make is non-delegable.....	225	2	683
medical aid fund,			
board expenses, payable one-half from.....	225	3	683

## INDUSTRIAL INSURANCE.

### INDUSTRIAL INSURANCE—CONTINUED:

#### Board of industrial insurance appeals,

	Ch.	Sec.	Page
membership,			
chairman .....	225	1	682
composition .....	225	1	681
members,			
compensation,			
chairman .....	225	1	682
other members .....	225	1	682
duties, shall devote entire time to.....	225	1	682
governor, appointed by.....	225	1	681
powers and duties,			
acts punishable as for contempt, certification to			
superior court .....	225	11	689
depositions, may take.....	225	11	688
hearings,			
may conduct .....	225	11	688
order, enforcement of.....	225	12	688
powers, general grant of.....	225	11	688
subpoenas, may issue.....	225	11	688
witnesses, examination of.....	225	11	688
qualifications of office .....	225	1	682
reappointment, eligible for, are.....	225	1	682
removal,			
grounds .....	225	4	683
procedure .....	225	4	683
terms of office.....	225	1	682
vacancies in .....	225	1	682
appointments to fill.....	225	1	682
rules and regulations, board may make.....	225	2	683
effect .....	225	2	683
printed, must be.....	225	2	683
testimony, duty to interpret, may not be delegated.....	225	2	683
Claims, occupational diseases,			
filing, time for.....	236	1	744
Compensation, right to and amount of,			
aggravation, diminution or termination of disability.....	115	5	289
child, defined .....	115	6	290
death of workman, benefits payable upon,			
burial expense .....	115	1	282
	236	5	746
children, payment to.....	115	1	283
	236	5	747
child, defined .....	115	6	290
death of surviving spouse, upon.....	115	1	283
	236	5	747
orphans .....	115	1	283
	236	5	747
dependents, payments to.....	115	1	283
	236	5	748
amount .....	115	1	283
	236	5	748
payments cease, when.....	115	1	283
	236	5	748
minor workman, payment to dependent parents on			
death of .....	115	1	283
	236	5	747
orphan children, payments to.....	115	1	283
	236	5	747
parents, payment to.....	115	1	283
	236	5	747



## INDUSTRIAL INSURANCE.

### INDUSTRIAL INSURANCE—CONTINUED:

	Ch.	Sec.	Page
Compensation, right to and amount of,			
death of workman, benefits payable upon,			
permanent total disability, death occurring during	115	1	283
period of .....	236	5	748
maximum monthly payments.....	115	1	273
remarriage, effect of.....	236	5	747
remarriage of widow, lump sum payment upon.....	115	1	273
surviving spouse and children, payments to.....	236	5	747
surviving spouse and children, payments to.....	115	1	283
surviving spouse and children, payments to.....	236	5	747
permanent partial disability,			
disability to member not involving amputation,			
limitation upon .....	115	4	288
further injury, effect of.....	115	4	289
injury resulting in amputation.....	115	4	289
minor hand or arm, injury to,			
amount limitation on.....	115	4	288
parents of unmarried minor workman, payment to.....	115	4	289
payments, schedule of.....	115	4	287
permanent total disability, followed by.....	115	4	288
unspecified disability, how computed.....	115	4	288
amount, limitation on.....	115	4	288
permanent total disability, resulting from injury,			
death of workman during.....	115	1	283
payments to dependents.....	236	5	748
payments to dependents.....	115	1	283
payments to workmen for, schedule of.....	236	5	748
payments to workmen for, schedule of.....	115	2	284
temporary total disability,			
accident fund, payment from, when.....	115	3	286
payments to workmen for, schedule of.....	115	3	285
recovery, effect of.....	115	3	286
wages paid during, effect of.....	115	3	286
Defense projects insurance rating plans.....	144	1	376
Definitions,			
occupational disease .....	236	1	744
child .....	115	6	290
Disability, aggravation, diminution or termination of disability..	115	5	289
Employer,			
building industry, in,			
premiums, computation of.....	198	1	592
index card file concerning employer's doctor and hospital			
preferences,			
duty to maintain.....	236	6	749
maintenance and service employees, employer of subject to			
compensation laws .....	246	1	769
payroll,			
estimate of to accompany notice.....	236	4	746
notice to director of commencement of operations.....	236	4	746
premium liability based on.....	236	4	746
workman seriously injured, transportation to hospital fur-			
nished at employer's expense.....	236	6	749
Extrahazardous employment,			
ferry, wharf or terminal employees of Washington Toll			
bridge authority declared to be in.....	259	2	817
masters and crew members, excepted.....	259	2	817

## INDUSTRIAL INSURANCE.

### INDUSTRIAL INSURANCE—CONTINUED:

	Ch.	Sec.	Page
Extrahazardous employment,			
maintenance and service employees in stores, buildings and establishments, declared to be.....	246	1	769
exclusions .....	246	1	770
churches .....	246	1	770
educational institutions .....	246	1	770
Ferry, wharf or terminal employees of Washington Toll bridge			
authority, coverage extended to.....	259	2	817
masters and crew members, excepted.....	259	2	817
Injured workman,			
artificial substitutes furnished to.....	236	6	749
employer,			
transportation for treatment furnished by.....	236	6	749
Insurance rating plans (see Labor and industries, department of, <i>infra</i> , this title)			
Labor and industries, department of,			
accident fund,			
artificial substitutes purchased from.....	236	6	749
basic premium rate, determination of.....	236	2	744
employer's premium rate, determined by, when.....	236	2	745
rate for .....	236	2	745
eye injuries paid from.....	236	6	750
funds transferred from, to reserve fund, when.....	236	7	750
appeal from decision of (see Appeals, <i>supra</i> , this title)			
attorney general, legal advisor to.....	225	19	695
board hearing, department may appear.....	225	11	688
director,			
aggravation, diminution or termination of disability,			
duties concerning .....	115	5	289
war projects or defense projects, insurance rating plans,			
powers and duties concerning.....	144	1	376
defined .....	225	5	684
index cards, shall furnish to employers.....	236	6	749
contents of .....	236	6	749
insurance rating plans,			
war projects, or defense projects plans authorized.....	144	1	376
effective during emergencies.....	144	2	377
pensions provided in, investment of.....	144	1	376
medical aid fund (see Medical aid fund, <i>infra</i> , this title)			
orders, awards, decisions of (see also Appeals, <i>supra</i> , this title),			
copy served upon person affected.....	225	5	684
statement of time for appeal, final order must contain	225	5	684
record, duty to transmit to board.....	225	7	686
Maintenance and service employees in stores, buildings and establishments,			
extrahazardous work performed by, declared to be.....	246	1	769
compensation laws, subject to.....	246	1	769
Medical aid fund,			
board of industrial accident appeals, expenses payable one-half from .....	225	3	683
mechanical appliances, provided from.....	236	6	750
Occupational disease, defined.....			
Occupational disease, defined.....	236	1	744
Premiums,			
commencement of operations by employer,			
estimated payroll and workman hours, premium based on	236	4	746
computation of, employers in building industry.....	198	1	592
employer,			
payroll report, failure to make.....	214	1	629
lien for, state's priority.....	214	1	629
filing of, time for.....	214	1	629
foreclosure of .....	214	1	630

INSURANCE.

INDUSTRIAL INSURANCE—CONTINUED:

	Ch.	Sec.	Page
Premiums,			
rates, determined when .....	236	2	744
basis for determination.....	236	2	744
several occupations .....	236	3	745
basis for determination of.....	236	3	745
Reserve fund,			
transfer of money to, from accident fund for cases resulting in death or permanent total disability.....	236	7	750
War projects insurance rating plans.....	144	1	376

INFESTATION CONTROL DISTRICT (see CONSERVATION AND DEVELOPMENT, subtitle Forests, *supra*, this Index)

INHERITANCE TAX (see TAXATION, *infra*, this Index)

INSANE, FEEBLE MINDED AND EPILEPTIC PERSONS (see also related topic, MENTAL ILLNESS HOSPITALIZATION ACT, *infra*, this Index)

Non-residents confined or committed to state hospitals, director of public institutions shall return to state of legal residence .....	137	1	337
expense, this state may pay.....	137	1	338
reciprocal agreements, director may enter into.....	137	1	337
Residents of this state confined elsewhere, director may grant permission for return.....	137	1	337
expense, charge against returning state.....	137	1	338
returned directly to institution, may be.....	137	1	337
application for commitment, superintendent shall file, when .....	137	1	337
discharge, superintendent may grant.....	137	1	337
Resident, who is .....	137	1	338
State hospitals, shall not be confined in.....	139	66	361

INSECTICIDES AND HERBICIDES (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)

INSTITUTIONAL BOARD OF HEALTH:

Abolished .....	10	1	25
-----------------	----	---	----

INSURANCE:

Annuities, calculation of non-forfeiture benefits under, calculations on default.....	190	1	553
deferment of payment.....	190	1	554
lump sum in lieu.....	190	1	554
net considerations .....	190	1	553
basis for calculations.....	190	1	553
non-forfeiture benefits .....	190	1	552
operative date .....	190	1	554
present value .....	190	1	552
basis for calculations.....	190	1	553
Contract, repair or replacement of property, cost of, may be provided for in.....	194	1	581
Disability insurance policies, act, effective date of.....	229	33	723
out of state delivery of domestic policy, subject to act, when .....	229	3	706

# INSURANCE.

## INSURANCE—CONTINUED:

### Disability insurance policies, act,

	Ch.	Sec.	Page
policies or provisions excluded from,			
annuity contracts, certain.....	229	1	704
blanket policies .....	229	1	704
endowment contracts, certain.....	229	1	704
group policies .....	229	1	704
liability insurance .....	229	1	704
life insurance contracts, certain.....	229	1	704
reinsurance .....	229	1	704
workmen's compensation insurance.....	229	1	704
age limits (see provisions of policies, <i>infra</i> , this title)			
domestic insurers,			
policies issued for delivery out of state,			
provisions permitted .....	229	31	723
effective date of act.....	229	33	723
foreign insurers, policies of,			
provision permissible .....	229	31	722
format of disability policies,			
charter or by-laws of insurer, inclusion of.....	229	2	706
consecutive order, provisions shall appear in.....	229	29	722
deviation permitted, when.....	229	29	722
exceptions and reductions, shall appear where.....	229	2	705
form number, required.....	229	2	706
text, undue prominence of portion of prohibited.....	229	2	705
text, defined .....	229	2	705
type, specification of.....	229	2	705
insurable interest, rights of persons having.....	229	30	722
"insured," construction of word.....	229	30	722
provisions of policies,			
age limit provisions,			
acceptance of premiums after expiration of.....	229	32	723
misstatement of age, effect of.....	229	32	723
permissive provisions as to.....	229	19	716
consecutive order, shall appear in.....	229	29	722
deviation permitted, when.....	229	29	722
date after which coverage not effective, provision estab- lishing,			
acceptance of premium, effect of.....	229	32	723
delivery out of state, issued for,			
provisions permitted .....	229	31	723
foreign insurers, policies of,			
provisions permissible .....	229	31	722
optional standard provisions,			
general rules as to.....	229	17	714
captions .....	229	17	714
substituted provisions .....	229	17	714
provisions required,			
cancellation .....	229	25	721
change of occupation.....	229	18	715
conformity with state statutes.....	229	26	721
illegal occupation .....	229	27	721
insurance with other insurers.....	229	21	716
} .....	229	22	718
} .....	229	22	718
caption added to, when.....	229	21	717
} .....	229	22	718
intoxicants and narcotics.....	229	28	722
misstatement of age.....	229	19	716
other insurance in this insurer.....	229	20	716
relation of earnings to insurance.....	229	23	719
unpaid premium .....	229	24	720

INTERSTATE COMPACT COMMISSION.

INSURANCE—CONTINUED:

	Ch.	Sec.	Page
Disability insurance policies,			
standard provisions,			
general rules as to.....	229	4	706
captions .....	229	4	707
substituted provisions .....	229	4	706
provisions required,			
change of beneficiary.....	229	16	714
claim forms .....	229	10	711
entire contracts, changes.....	229	5	707
grace periods .....	229	7	708
legal actions .....	229	15	713
notice of claim.....	229	7	710
payment of claims.....	229	13	712
physical examinations and autopsy.....	229	14	713
proofs of loss.....	229	11	711
reinstatement .....	229	7	709
time limit on certain defenses.....	229	6	707
time of payment of claims.....	229	12	712
Insurance Commissioner (see INSURANCE COMMISSIONER, <i>infra</i> , this Index)			
Property, of,			
repair or replacement, cost of, may be insured.....	194	1	581
Uniform disability policy provisions law (see Disability insurance policies, <i>supra</i> , this title)			

INSURANCE COMMISSIONER:

Annuity tables, industrial insurance, duty to prepare.....	236	7	750
Appropriation, nursing home fire protection.....	117	19	299
Defined .....	140	1	364
Rules and Regulations,			
disability insurance,			
delivered out of state,			
uniform disability policy provisions law, compliance with may be compelled by.....	229	3	706
substitute provisions,			
commissioner's approval required.....	229	4	706
	229	17	714
property insurance,			
provision insuring cost of repair or replacement.....	194	1	581

INSURANCE RATING PLANS (see INDUSTRIAL INSURANCE,  
*supra*, this Index)

INTERIM COMMITTEES (see LEGISLATURE, *infra*, this Index)

INTERSTATE COMMERCE COMMISSION (see UNITED STATES,  
*infra*, this Index)

INTERSTATE COMPACT COMMISSION:

Agreement or compact,			
purposes .....	113	1	278
states, between .....	113	1	277
ratification required .....	113	3	279
Appropriation for .....	113	4	279
Columbia river waters,			
compact respecting division, apportionment and use.....	113	1	278
Joint commission,			
membership upon .....	113	1	277
purposes of .....	113	1	277

## INTERSTATE COMPACT COMMISSION.

### INTERSTATE COMPACT COMMISSION—CONTINUED:

	Ch.	Sec.	Page
Legislative council,			
members appointed to commission.....	113	1	277
chairman of, is chairman of commission.....	113	1	277
Legislature,			
compact, ratification by.....	113	3	279
Membership,			
composition .....	113	1	277
members,			
appointment .....	113	1	277
compensation .....	113	2	278
powers .....	113	2	278
terms of office.....	113	2	278
vacancies .....	113	2	278
United States,			
compact, consent of congress to.....	113	1	278
<b>INTOXICATING LIQUORS:</b>			
Bottle club,			
defined .....	120	2	303
license required .....	120	2	304
Children under 12, unlawful to leave unattended in parked automobile while entering tavern.....	271	17	894
Liquor control board,			
revenue stamps on beer,			
refunds,			
stamp taxes paid on beer exported from the state....	93	1	237
tax stamps destroyed.....	93	1	237
unused stamps, returned to board.....	93	1	237
tax, failure to pay when due,			
suspension or cancellation of license.....	93	1	238
use, waiver of as means of collection.....	93	1	238
alternative means,			
bond securing payment.....	93	1	238
Sale prohibited on University of Washington grounds and environs .....	120	1	303
exception, certain veterans' organizations.....	120	1	303
<b>IRRIGATION AND RECLAMATION DISTRICTS (see also IRRIGATION DISTRICTS, <i>infra</i>, this Index)</b>			
Federal reclamation projects,			
contracts with the United States,			
authorized terms of agreement,			
assessments,			
lands not covered by contracts, subject to.....	200	1	603
delivery of water by United States projects works,			
lands conforming to established farm unit specifications, limited to.....	200	1	600
exceptions,			
excess land acquired by operation of law.	200	1	600
United States lands.....	200	1	600
recordable contracts, execution by landowners as condition to receipt of water.....	200	1	600
provisions includable,			
land to conform to unit.....	200	1	601
secretary; power of attorney to sell excess....	200	1	601
cash sale only.....	200	1	602
United States' option to buy excess.....	200	1	602
cash sale only.....	200	1	602
times for execution.....	200	1	600
land acquired by transaction approved by secretary .....	200	1	601
land held not less than 10 years.....	200	1	601
land held Oct. 28, 1947.....	200	1	601

## IRRIGATION DISTRICTS.

### IRRIGATION AND RECLAMATION DISTRICTS—CONTINUED:

Federal reclamation projects,			
contracts with the United States,			
authorized terms of agreement,			
recordable contracts, execution by landowners as con-			
dition to receipt of water,			
sale of land restricted to appraised value, when.....	200	1	602
affidavit of consideration.....	200	1	602
failure to file,			
cancellation of water right.....	200	1	602
waiver of cancellation.....	200	1	603
reinstatement .....	200	1	603
conveyance during limiting period, effect upon			
mortgage or other lien.....	200	1	603
excess consideration,			
cancellation of water right.....	200	1	602
waiver of cancellation.....	200	1	603
reinstatement .....	200	1	603
United States,			
contracts with (see contracts with the United			
States, <i>supra</i> , this title)			
lands of,			
water delivery limitations,			
not applicable to.....			
withdrawal of lands from district.....	200	1	603
fraudulent and unlawful conveyances,			
affidavit; fraudulent misrepresentation as to true con-			
siderations .....			
penalty .....	200	2	604
attorneys fees recoverable, when.....	200	2	604
contract or conveyance during limiting period, excess			
consideration invalid .....			
deferred payments .....	200	2	604
recovery of excess.....	200	2	604
court costs recoverable, when.....	200	2	604
state,			
lands of,			
terms and conditions of sale.....	200	3	605
powers and duties under act.....	200	3	605

### IRRIGATION DISTRICTS:

Assessments,			
board of control fund, for.....	158	1	443
public lands, upon (see Public Lands, <i>infra</i> , this title)			
segregation of .....	205	1	610
hearing on .....	205	2	611
notice of .....	205	3	611
lien divided upon.....	205	1	610
	205	5	612
order of .....	205	4	611
copy filed with county treasurer.....	205	4	611
roll amended to conform to.....	205	5	611
Board of control fund (see United States, districts under contract			
with, <i>infra</i> , this title)			
Board of control reserve fund (see United States, districts under			
contract with, <i>infra</i> , this title)			
Commissioner of public lands,			
petition for inclusion of state lands, served on.....	212	1	625
notice of, served on.....	212	1	625
Directors, powers and duties,			
board of control,			
appropriation of monies to pay cost of.....	158	1	443
compensation .....	189	1	551

## IRRIGATION DISTRICTS.

### IRRIGATION DISTRICTS—Continued:

	Ch.	Sec.	Page
Directors, powers and duties,			
employees,			
compensation fixed by.....	189	1	551
expenses of .....	189	1	551
insurance, group may contract for.....	159	1	444
Dissolution,			
assessments (see County commissioners, also Courts, <i>infra</i> , this title)			
authorization for .....	237	1	751
bondholders,			
auditor's office, filed in.....	237	1	751
consent to dissolution.....	237	1	751
bonds, cancellation of part.....	237	1	751
offer for property and rights of district.....	237	11	754
bid, considered as.....	237	11	754
surplus funds, entitled to, when.....	237	14	755
bonds,			
validity and amount of, determination of.....	237	9	753
claims against district,			
amount, judicial determination of.....	237	9	753
barred, when .....	237	8	753
credit on purchase price, when.....	237	11	754
funds, application of.....	237	9	753
notice to present.....	237	8	753
validity, judicial determination of.....	237	9	753
county assessor,			
roll, duty to prepare.....	237	14	755
county auditor,			
assets, etc., statement of delivered to clerk.....	237	7	752
consent of bondholders, filed with.....	237	1	751
dissolution, duties upon.....	237	14	755
district records delivered to.....	237	6	752
notice of election, shall give .....	237	4	752
order dissolving district, certified copy recorded with.....	237	13	755
records of dissolution proceedings, delivered to .....	237	13	755
transcript of commissioner's proceedings, delivery to clerk	237	7	752
county clerk,			
proceedings for dissolution, docketed by .....	237	8	753
notice of .....	237	8	753
publication of .....	237	8	753
county commissioners,			
clerk, transcript of proceedings of delivered to.....	237	7	752
election on dissolution called by.....	237	4	752
notice, shall direct auditor to give.....	237	4	752
officials shall appoint.....	237	4	752
indebtedness determined by.....	237	14	755
assessments, equalization of .....	237	14	755
funds remaining after distribution of.....	237	14	755
hearing on .....	237	14	755
laws applicable to.....	237	14	755
levy for .....	237	14	755
county treasurer,			
dissolution, duties upon.....	237	14	755
court, superior,			
assessments, order of.....	237	9	753
bonds, validity and amount of, determined by.....	237	9	753



IRRIGATION DISTRICTS.

IRRIGATION DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Dissolution,			
court, superior,			
claims, validity of, determined by.....	237	9	753
judgment,			
appeal from .....	237	9	754
trustee appointed on entry of.....	237	10	754
compensation .....	237	10	754
order of dissolution, when.....	237	13	755
sale, order confirming.....	237	12	754
district bond fund,			
disposition of cash in.....	237	9	753
election,			
ballot form .....	237	5	752
called, how .....	237	5	752
conducted, how .....	237	5	752
county commissioners to call.....	237	4	752
electors, qualifications of.....	237	5	752
notice of, given by auditor.....	237	4	752
adjustment of bonded debt, when called for,			
recital of substance.....	237	5	752
result, declaration of.....	237	6	752
returns of, filed when.....	237	6	752
canvass of .....	237	6	752
petition for dissolution,			
contents, signers of.....	237	3	752
property,			
conveyance of .....	237	12	754
inventory of, delivered to clerk.....	237	7	753
purchase of, by bondholders.....	237	2	751
sale of,			
bids for .....	237	11	754
notice of .....	237	11	754
place of .....	237	11	754
public auction, at.....	237	11	754
purchase price, credits upon.....	237	11	754
sale (see property, <i>supra</i> , this title)			
state reclamation revolving fund,			
bonds held by,			
consent to dissolution by director required.....	237	15	756
surplus funds, distribution of.....	237	14	755
trustee,			
appointed by court.....	237	10	754
bond, amount fixed by court.....	237	10	754
cash funds, disbursement of.....	237	11	754
report of .....	237	12	754
compensation, fixed by court.....	237	10	754
conveyance of rights and property.....	237	12	755
discharge of .....	237	13	755
notice of sale, shall give.....	237	11	754
sale, proceeds of,			
report of .....	237	12	754
Elections (see ELECTIONS, <i>supra</i> , this Index)			
Employees,			
compensation of, fixed by directors.....	189	1	551
insurance, group, may be contracted for.....	159	1	444
Public lands,			
assessments on .....	212	1	626
payment of .....	212	1	627
delinquencies,			
appropriations for, when.....	212	1	627
sale of, for delinquency, prohibited.....	212	1	627

## IRRIGATION DISTRICTS.

### IRRIGATION DISTRICTS—CONTINUED:

Public lands,

	Ch.	Sec.	Page
petition for inclusion within district,	212	1	626
request for .....	212	1	626
hearing .....	212	1	626
notice of .....	212	1	626
objections heard .....	212	1	625
service of, on commissioner.....	212	1	627
water rights of, upon inclusion.....	212	1	607
State association of irrigation districts,			
cooperation and aid to other agencies authorized.....	202	1	607
United States, districts under contract with,			
board of control,			
appropriations for from other funds, authorized.....	158	1	443
assessments to pay costs of, authorized.....	158	1	443
board of control fund,			
deposits in .....	158	1	443
disbursements from .....	158	1	443
board of control reserve fund,			
deposits in .....	158	1	443
disbursements from .....	158	1	443
investments authorized .....	158	1	443

### ISLAND COUNTY:

Additional superior court judge authorized.....	125	6	318
Tidelands of, withdrawn from sale.....	77	1	214

## J

### JAIL REPORTS:

Sheriff to file.....	108	1	270
----------------------	-----	---	-----

### JOINT BANK ACCOUNTS:

Deposits in names of two or more persons, effect of.....	18	1	36
Survivorship .....	18	1	37

### JUDGES (see COURTS, *supra*, this Index)

### JURORS (see COURTS, *supra*, this Index)

### JURY:

Waiver of, when.....	52	1	147
----------------------	----	---	-----

### JUSTICE COURT DISTRICTS (see COURTS, *supra*, this Index)

### JUSTICES OF THE PEACE (see COURTS, *supra*, this Index)

### JUVENILE COURTS (see COURTS, *supra*, this Index)

## K

### KENNEWICK, CITY OF:

Deed of shore lands to.....	24	1	49
-----------------------------	----	---	----

### KLICKITAT COUNTY:

Reconveyance to of agricultural lands.....	73	1	209
--	----	---	-----

LEGISLATIVE BUDGET COMMITTEE.

L

LABOR:

	Ch.	Sec.	Page
Commission to issue defense production permits, appointed by governor.....	84	1	225
duration of .....	84	1	226
duties .....	84	1	225
Female employees, eight hour day, maximum for.....	84	1	225
violation of, penalty.....	84	1	226
State employees, minimum compensation of.....	99	1	246

LABOR AND INDUSTRIES, DEPARTMENT OF: (see also INDUSTRIAL INSURANCE, *supra*, this Index)

Boilers and unfired pressure vessels (see BOILERS AND UNFIRED PRESSURE VESSELS ACT, <i>supra</i> , this Index)			
Director, railroad first aid kits, type approved by.....	60	2	200
Washington state safety council, executive board, member of is.....	247	19	776
official coordinating committee, member of is.....	247	23	778

LAKELAND VILLAGE:

Employees, children and youth services, retention of .....	234	5	736
--	-----	---	-----

LAKE MERRILL:

Shore lands, beds and waters of, reserved from sale.....	134	1	332
---	-----	---	-----

LAND BOUNDARIES (see PLATS, SUBDIVISIONS AND DEDICATIONS OF LAND, also PUBLIC LANDS, subtitle Surveys and Maps, *infra*, this Index)

LAND SURVEYORS, LICENSED: (see also PUBLIC LANDS, subtitle Surveys and Maps, *infra*, this Index)

Oyster lands shall be surveyed by, when.....	271	41	910
--	-----	----	-----

LAW ENFORCEMENT (see also CRIMES AND CRIMINAL PROCEDURE, *supra*, this Index)

Motor vehicles, citation and notice to appear in court.....	175	1	480
speed violations, charge to specify approximate speed of.....	28	13	58
Ocean beach highways, traffic, who may regulate.....	271	46	912

LEGAL NOTICES:

Supplemental publication by radio.....	119	1	301
proof of .....	119	3	302
record of .....	119	2	302

LEGION PARK:

Conveyance of to Everett School District No. 2, authorized.....	186	1	546
---	-----	---	-----

LEGISLATIVE BUDGET COMMITTEE:

Created .....	43	1	95
Legislative auditor, appointed by committee.....	43	11	98
compensation .....	43	11	98
duties .....	43	11	98

LEGISLATIVE BUDGET COMMITTEE.

LEGISLATIVE BUDGET COMMITTEE—CONTINUED:

	Ch.	Sec.	Page
Legislative council,			
cooperation with .....	43	7	97
Members,			
appointed by .....	43	1	95
chairman .....	43	2	95
compensation .....	43	14	99
composition of membership.....	43	1	95
confirmation, by legislature.....	43	1	95
expenses,			
amount .....	43	14	100
paid, how .....	43	15	100
terms of office.....	43	12	99
	43	13	99
vacancies .....	43	12	99
Powers, and duties,			
administer oaths, take depositions.....	43	8	97
appropriations, inquiry as to expenditure.....	43	4	96
examine files of state offices, agencies.....	43	8	97
general grant of powers.....	43	2	95
hearing, may hold.....	43	4	96
legislative auditor, may employ.....	43	11	98
other employees authorized.....	43	11	98
legislative council, shall cooperate with.....	43	7	97
minutes of meetings, shall keep.....	43	6	97
reports,			
from the governor.....	43	5	96
to the legislature.....	43	6	97
rules and regulations, power to make.....	43	2	95
state funds, examination of.....	43	4	96
state government,			
administrative organization and procedures, may study...	43	3	96
subpoenas, issued .....	43	8	97
refusal to answer.....	43	9	97
contempt for .....	43	9	97
witnesses, compel attendance of.....	43	8	97
Witness fees .....	43	10	98
 LEGISLATIVE COUNCIL:			
Chairman,			
member of Interstate Compact Commission, is.....	113	1	277
Cooperation with legislative budget committee.....	43	7	97
Expenses,			
reimbursement, amount of.....	142	1	374
paid, how .....	142	1	374
Members,			
members of Interstate Compact Commission, appointment as.	113	1	277
 LEGISLATIVE DISTRICTS:			
41st and 42nd,			
boundaries defined .....	221	1	650
	221	2	650
 LEGISLATURE : (see also LEGISLATURE in Index to 1950 Ex. Sess., supra, this volume; also in Index to 1951 Ex. Sess., infra, this volume)			
Appropriations,			
expenses .....	2	1	15
subsistence of legislators.....	4	1	17
Code reviser,			
information, shall furnish to members.....	157	13	439
legislation, shall advise and assist members in preparation of.	157	12	439
session laws, headings, side annotations and index, shall make	157	18	441

LICENSES.

LEGISLATURE—CONTINUED:

	Ch.	Sec.	Page
Code, temporary edition, members and certain employees to receive copies without charge.....	155	9	429
Columbia river waters, use, division and appropriation, compact for, ratification of.....	113	3	279
Districts, legislative, 41st and 42nd, boundaries defined.....	221	1	650
	221	2	650
Highway construction bonds, obligation to continue motor vehicle fuel taxes.....	121	4	306
Interim Committee on State institutions, appointments to .....	268	1	849
appropriation for .....	268	4	850
assistants appointed by.....	268	3	850
composition of membership.....	268	1	849
created .....	268	1	849
duties .....	268	2	849
expenses of .....	268	3	850
state officers, shall cooperate with.....	268	3	850
vacancies .....	268	1	849
Joint fact finding committee on highways, streets and bridges, continued .....	269	44	879
duties .....	269	45	880
	269	46	880
Laws, amended or repealed by reference to code numbers, shall be..	157	17	441
Legislative intent, code sections expressly amended constitute ultimate declaration of.....	5	6	20
Senate, consent required, appointment of State Highway Commission members .....	247	2	771
Public service commission, member, consent to appointment of.....	260	1	823
vacancy, nominations submitted to.....	260	1	824
Session laws and initiatives (see also SESSION LAWS, <i>infra</i> , this Index), laws of this session, renumbering in accordance with code numbering system prior to publication.....	5	3	19
matters included .....	157	18	441
publication .....	157	18	441
State lands in irrigation districts, appropriation, duty to make where delinquency exists.....	212	1	627

LICENSES:

- Agricultural products, cash buyers (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)
- Auctioneering (see BEDDING AND UPHOLSTERED FURNITURE, *supra*, this Index)
- Automobile dealers (see MOTOR VEHICLES, *infra*, this Index)
- Barbers (see BARBERS, *supra*, this Index)
- Beauty culture and hairdressing (see HAIRDRESSING AND BEAUTY CULTURE, *supra*, this Index)
- Bedding and furniture, sale of (see BEDDING AND UPHOLSTERED FURNITURE, *supra*, this Index)
- Boilers and unfired pressure vessels (see BOILERS AND UNFIRE PRESSURE VESSELS ACT, *supra*, this Index)
- Bottle clubs (see INTOXICATING LIQUORS, *supra*, this Index)
- Boxing and wrestling (see BOXING AND WRESTLING, *supra*, this Index)
- Custom slaughtering (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)
- Defense production permit (see LABOR, *supra*, this Index)

## LICENSES.

### LICENSES—CONTINUED:

Dentists and dental hygienists (see DENTISTRY, <i>supra</i> , this Index)			
Department of,			
director,			
compensating tax on motor vehicles, designated as collecting agent for, may be.....	Ch. 37	Sec. 1	Page 85
motor vehicle licenses and certificates, may destroy, when	241	1	763
Washington state safety council,			
executive board, member of is.....	247	19	776
official coordinating committee, member of is.....	247	23	777
Fire permit (see CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index)			
Fireworks (see FIREWORKS, <i>supra</i> , this Index)			
Fishing, commercial (see Fisheries, <i>supra</i> , this Index)			
Foster homes (see SOCIAL SECURITY, DEPARTMENT OF, <i>infra</i> , this Index)			
Fumigation (see BEDDING AND UPHOLSTERED FURNITURE, <i>supra</i> , this Index)			
Game fish, importation (see GAME, DEPARTMENT OF, <i>supra</i> , this Index)			
Hairdressers (see HAIRDRESSING AND BEAUTY CULTURE, <i>infra</i> , this Index)			
Hides, sale or transport (see HIDES, <i>supra</i> , this Index)			
Insecticides and herbicides, commercial application of (see AGRICULTURE, DEPARTMENT OF, <i>supra</i> , this Index)			
Manicuring (see HAIRDRESSING AND BEAUTY CULTURE, <i>supra</i> , this Index)			
Maternity homes (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
Motor vehicles (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Nursing homes (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
Pesticide poisons (see PESTICIDE POISONS, <i>infra</i> , this Index)			
Real estate brokers and salesmen (see REAL ESTATE BROKERS AND SALESMEN, <i>infra</i> , this Index)			
Securities, permits for sale of (see SECURITIES, <i>infra</i> , this Index)			
metalliferous mining (see METALLIFEROUS MINING SECURITIES, <i>infra</i> , this Index)			
public service companies (see PUBLIC SERVICE COMMISSION, <i>infra</i> , this Index)			
Sterilizing (see BEDDING AND UPHOLSTERED FURNITURE, <i>supra</i> , this Index)			
Taxicabs out-of-state (see MOTOR VEHICLES, <i>infra</i> , this Index)			
Unfired pressure vessels (see BOILERS AND UNFIRED PRESSURE VESSELS ACT, <i>supra</i> , this Index)			
Warehouses (see WAREHOUSES AND WAREHOUSEMEN, <i>infra</i> , this Index)			
Water rights (see CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index)			
Wrestling contests (see BOXING AND WRESTLING, <i>supra</i> , this Index)			

### LIENS:

Agriculture, director of,			
foreclosure of liens by.....	169	4	466
County road district assessments.....	192	14	567

MENTAL ILLNESS HOSPITALIZATION ACT.

LIENS—CONTINUED:

	Ch.	Sec.	Page
Forestry,			
eradication of forest pests or tree diseases.....	233	7	732
extinguishing or controlling fire.....	58	9	182
fire fighting or hazard abatement.....	235	1	743
fire patrol, assessments for.....	58	8	181
forest development fund, against, bonds constitute.....	149	1	410
Industrial insurance premiums, lien for.....	214	1	629
Oil and gas conservation,			
liens against production,			
combining orders, under.....	146	27	391
unit plan, under.....	146	39	397
LIMITED ACCESS (see HIGHWAYS, <i>supra</i> , this Index)			
LIQUOR CONTROL BOARD (see INTOXICATING LIQUOR, <i>supra</i> , this Index)			
LIVESTOCK:			
Hides,			
certificate of transportation of, required.....	160	1	445
person, defined .....	160	2	445
possession of brands of another, unlawful, when.....	160	1	445
LOCAL IMPROVEMENT DISTRICTS (see COUNTY ROAD IMPROVEMENT DISTRICTS, <i>supra</i> , this Index)			
LOCAL UTILITY DISTRICTS (see PUBLIC UTILITY DISTRICTS, <i>infra</i> , this Index)			
LOGS AND LOGGING (see also CONSERVATION AND DEVELOPMENT, <i>supra</i> , also PUBLIC LANDS, <i>infra</i> , this Index)			
Logs obstructing county road rights of way, remedy.....	143	1	375
LOGGING RAILROADS (see RAILROADS, <i>infra</i> , this Index)			

M

MANICURING (see HAIRDRESSING AND BEAUTY CULTURE, <i>supra</i> , this Index)			
MAPS (see PLATS, SUBDIVISIONS AND DEDICATIONS OF LAND, also PUBLIC LANDS, subtitle Surveys and Maps, <i>infra</i> , this Index)			
MARINE EMPLOYEE COMMISSION (see STATE MARINE EMPLOYEE COMMISSION, <i>infra</i> , this Index)			
MATERNITY HOMES (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
MATTRESSES AND BEDDING (see BEDDING AND UPHOLSTERED FURNITURE, <i>supra</i> , this Index)			
MEDICAL LAKE, TOWN OF:			
Sale of state lands situated in.....	25	1	50
MENTAL ILLNESS HOSPITALIZATION ACT (see also INSANE, FEEBLE MINDED AND EPILEPTIC PERSONS, <i>supra</i> , this Index; also SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>infra</i> , this Index)			
Act,			
construction of, liberal.....	139	1	340
laws not affected by,			
criminally insane .....	139	4	342
insane inmates of penal institutions.....	139	4	342
liberal use of certain provisions of.....	139	14	345
masculine and singular, construction of terms.....	139	2	341

## MENTAL ILLNESS HOSPITALIZATION ACT.

### MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

	Ch.	Sec.	Page
Act,			
partial invalidity of.....	139	70	362
proceedings under, no legal disability pending.....	139	3	341
short title of.....	139	5	342
Aliens .....	139	30	351
Attorney, person filed against may request.....	139	22	348
County hospitals,			
detention wards, set aside in.....	139	28	350
County welfare departments,			
placement of discharged or paroled patients, shall assist in..	139	41	354
Court,			
clerk,			
duties of, when person found mentally ill.....	139	38	353
commissioners, powers and duties preserved.....	139	39	353
continuing jurisdiction of.....	139	27	350
defined .....	139	2	341
detention ward,			
order of medical examination of persons detained in.....	139	28	350
docket, probate, entries in.....	139	38	353
files, shall be closed files.....	139	38	353
finding of mental illness.....	139	20	348
guardians appointed by.....	139	22	348
hospitalization charges, etc.,			
inquiry as to ability to pay.....	139	51	358
order of payment.....	139	51	358
collection without order.....	139	60	360
modification of order.....	139	58	359
department may apply for, when.....	139	59	359
notice .....	139	59	359
hearing upon .....	139	58	359
order declaring inability to pay.....	139	60	360
hospitalization, order of.....	139	20	348
terms of order.....	139	25	349
index of persons found not to be mentally ill.....	139	38	353
involuntary hospitalization,			
application for, filed with.....	139	17	347
modification of orders relative to charges.....	139	58	359
department may apply for.....	139	59	359
hearing on .....	139	58	359
nationality of person found mentally ill,			
examination as to.....	139	30	351
order of apprehension issued by.....	139	18	347
escaped patient .....	139	43	355
paroled patient .....	139	41	354
	139	42	355
physicians, appointment of.....	139	21	348
persons in detention home, medical examination of.....	139	28	350
place of holding hearings.....	139	33	352
property of person filed against, orders concerning.....	139	32	352
Department of public institutions,			
cancellation of hospitalization charges, when.....	139	63	360
contracts with federal government authorized.....	139	65	360
defined .....	139	2	341
forms provided by.....	139	35	352
hospitalization charges,			
cancellation by .....	139	63	360
orders concerning,			
application for modification of, by.....	139	59	359
notice of .....	139	59	359
execution of, charged with.....	139	36	353
rates for .....	139	54	358
changes in, certified by.....	139	55	359



MENTAL ILLNESS HOSPITALIZATION ACT.

MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

	Ch.	Sec.	Page
Department of public institutions,			
orders, department shall execute,	139	36	353
order directing payment of charges.....	139	36	353
order of hospitalization.....	139	42	355
order of return.....	139	68	361
patients, may transfer.....	139	11	344
rules and regulations established by,			
voluntary patients, admission of.....	139	15	346
refusal, where facilities inadequate.....	139	51	358
Detention, cost of, liability for.....	139	28	350
Detention wards .....	139	28	350
medical examination of persons detained in.....	139	41	354
parolees, when parole revoked, temporary detention in.....	139	28	350
sixty day limiting period.....	139	29	350
Eastern state hospital,			
allocation of patients to.....	139	6	342
location of .....	139		
Escape (see Patients, <i>infra</i> , this title)			
Forms, department shall provide.....	139	35	352
Gifts,			
acceptance by superintendent.....	139	10	343
record of .....	139	10	344
use of .....	139	10	343
Guardian ad litem, appointment as, by court.....	139	22	348
Hospitalization charges and transportation costs,			
advance remittances for.....	139	57	359
refunds of, when .....	139	57	359
basis of .....	139	52	358
cancellation of, by department.....	139	63	360
collection by department.....	139	60	360
prosecuting attorney to assist in.....	139	64	360
time limitations against.....	139	61	360
criminally insane, liability for.....	139	62	360
existing responsibility for.....	139	53	358
inquiry as to ability to pay.....	139	51	358
maximum of .....	139	16	346
order and modification of order (see Court, <i>supra</i> , this title)			
patient's and relative's responsibility for.....	139	16	346
existing responsibility to continue.....	139	53	358
payment .....	139	16	346
advance .....	139	56	359
prosecuting attorney, shall assist in collection.....	139	64	360
rate of, change in, notice to parties.....	139	54	358
notice to courts.....	139	55	359
statutes of limitations, do not run against the state.....	139	61	360
suspense account .....	139	57	359
Hospitalization, order directing.....	139	25	349
Idiots, imbeciles, etc.,			
not eligible for state hospitalization.....	139	66	361
"Insane," synonymous with mental illness, when.....	139	4	342
Involuntary hospitalization,			
application and hearing for,			
emergency statement .....	139	18	347
order of apprehension issued.....	139	18	347
execution of, by sheriff.....	139	18	347
apprehension without warrant, when.....	139	18	347
service of .....	139	19	347
endorsement of, by prosecuting attorney.....	139	17	346
filing .....	139	17	346

MENTAL ILLNESS HOSPITALIZATION ACT.

MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

Involuntary hospitalization, application and hearing for, hearings,		Ch.	Sec.	Page
closed .....	139		33	352
jury trial .....	139		23	348
			139	24
medical testimony required.....	139		21	348
nationality of person inquired of, at.....	139		30	351
notice,				
contents .....	139		19	347
service of .....	139		19	347
person alleged ill, upon eliminated when.....	139		19	347
order for .....	139		18	347
place of holding .....	139		33	352
procedure, as probate matter.....	139		39	353
subpoenas for .....	139		34	352
witnesses of person filed against, heard at.....	139		21	348
witness fees .....	139		34	352
written report of.....	139		21	348
immunity granted persons filing, when.....	139		31	352
oath required .....	139		17	346
person eligible to make.....	139		17	346
prosecuting attorney, endorsement of required.....	139		17	346
service of .....	139		19	347
order of hospitalization.....	139		25	349
personal effects, disposition of.....	139		25	349
Legal disability,				
pendency of proceedings does not incur.....	139		3	342
Letters of patients (see Superintendent, <i>infra</i> , this title)				
Liability of persons making applications.....	139		31	352
Medical report,				
form provided by department.....	139		35	352
patient, shall accompany.....	139		37	353
Mental illness, "insane" synonymous with.....	139		4	342
Mentally ill persons (see also Patients, <i>infra</i> , this title),				
defined .....	139		2	341
examination prior to discharge.....	139		3	342
friend or relative care, ordered to.....	139		25	349
minors (see Minors, <i>infra</i> , this title)				
nationality, examination as to.....	139		30	351
non-residents,				
exclusion from state hospitals.....	139		67	361
physicians to examine.....	139		21	348
private facility, hospitalized at.....	139		25	349
property of,				
disposition of on apprehension.....	139		32	352
personal effects, disposition of.....	139		25	349
state hospital, hospitalized at.....	139		25	349
types excluded from state hospitals.....	139		66	361
veterans administration, hospitalized by.....	139		68	361
Minors,				
confinement with adults, prohibited.....	139		46	356
occupational therapy, provided for.....	139		47	356
recreation, provided for.....	139		47	356
wards for sole use of, shall be provided.....	139		47	356
personnel of, qualifications.....	139		47	356
Northern state hospital,				
allocation of patients to.....	139		29	350
location of .....	139		6	342
Nurses for minor wards, qualifications of.....	139		47	356
Occupational therapy .....	139		47	356

MENTAL ILLNESS HOSPITALIZATION ACT.

MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

	Ch.	Sec.	Page
Patients (see also Mentally ill persons, <i>infra</i> , this title),			
best interest of, order to hospital serving.....	139	29	351
transfer .....	139	68	361
change of status, duty of superintendent upon.....	139	44	355
death of .....	139	44	355
mysterious or sudden, report to coroner.....	139	45	355
notice of .....	139	44	355
defined .....	139	2	341
discharge of .....	139	41	354
certificate of .....	139	44	355
competency presumed upon.....	139	3	342
examination prior to.....	139	3	342
notice of .....	139	44	355
donations to, superintendent may receive.....	139	50	357
escape of .....	139	43	355
apprehension .....	139	43	355
notice of .....	139	43	355
funds of, superintendent may disburse.....	139	50	357
guardian of, superintendent is.....	139	49	357
history of, ascertained by superintendent.....	139	40	354
letters of (see Superintendent, <i>infra</i> , this title)			
minors (see Minors, <i>supra</i> , this title)			
parole .....	139	41	354
indigents, clothing and money furnished.....	139	41	354
order of return.....	139	42	355
person found to be unsafe.....	139	42	355
review relative to discharge.....	139	41	354
revocation of .....	139	41	354
payment of costs,			
ability to make, inquiry by court.....	139	51	358
county, responsibility for, when.....	139	51	358
order of .....	139	51	358
records shall accompany.....	139	37	353
transfer to other hospitals.....	139	68	361
treatment including surgery, controlled by superintendent...	139	7	342
Presumption of competency.....	139	3	342
Private detention facilities, powers.....	139	26	350
Prosecuting attorney, shall assist in collections.....	139	64	360
Public institutions, department of (see Department of Public Institutions, <i>supra</i> , this title)			
Records and files,			
closed files, inspection on court order only.....	139	38	353
transfer of, with patient.....	139	37	353
Recreation .....	139	47	356
Resident, defined .....	139	2	341
State hospitals,			
admission of patients, may be refused when.....	139	37	353
counties allotted to.....	139	29	350
exceptions,			
where facilities not available.....	139	29	351
where order to another hospital serves best interest of patient .....	139	29	351
defined .....	139	2	341
employees of,			
jury service and military service,			
exempt from, when.....	139	9	343
established and located.....	139	6	342
gratuities received by staff, use of.....	139	10	344
idiocy, etc., cases excluded from.....	139	66	361
non-residents, excluded from.....	139	67	361

## MENTAL ILLNESS HOSPITALIZATION ACT.

### MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

	Ch.	Sec.	Page
State hospitals,			
patients of (see Patients, <i>supra</i> , this title)			
superintendent of (see Superintendent, <i>infra</i> , this title)			
wards for minors (see Minors, <i>supra</i> , this title)			
Subpoenas .....	139	34	352
Superintendent,			
application as volunteer patient made to.....	139	11	344
change of status of patient, duties upon.....	139	44	355
defined .....	139	2	341
discharge, certificate of, shall issue.....	139	44	355
donations for patients, received by.....	139	50	357
escaped patient, shall cause search for.....	139	43	355
notice of, to court.....	139	43	355
copy to next of kin.....	139	44	355
examination given by, when.....	139	3	342
for competency .....	139	3	342
exempt from jury and military service.....	139	9	343
funds of patients, may receive and disburse.....	139	50	357
gifts, may accept, use.....	139	10	343
deposit of .....	139	10	344
record of .....	139	10	343
guardian of patients involuntarily hospitalized, is.....	139	49	356
powers and duties while so acting.....	139	49	357
history of patients,			
ascertained by .....	139	40	354
hospital,			
internal government, shall control.....	139	7	343
reside in, shall.....	139	7	342
subordinates, shall appoint.....	139	7	343
residence, shall prescribe.....	139	7	343
jury service, exempt from.....	139	9	343
letters of patients,			
materials for, furnished by.....	139	48	356
withheld, may be.....	139	48	356
military service, exempt from, when.....	139	9	343
official seal, provided by.....	139	8	343
affix, duty to, when.....	139	8	343
parole powers, of.....	139	41	354
powers and duties.....	139	7	342
reside in hospital, shall.....	139	7	342
qualifications of .....	139	7	342
surgery of patients, may cause performance of.....	139	7	342
testimony of, by deposition.....	139	9	343
treatment of patients, shall control.....	139	7	342
voluntary patients, detention of authorized, when.....	139	11	344
record, shall forward to department.....	139	12	344
release requested within first 18 days.....	139	13	345
witness, attendance in criminal case.....	139	9	343
Veterans Administration,			
powers of detention over persons committed to.....	139	26	349
transfer of patients to.....	139	68	361
	53.	18	159
Voluntary patient,			
application for admission to hospital.....	139	11	344
detention after notice of request for release.....	139	13	345
eligibility .....	139	14	345
further care, superintendent shall bring involuntary proceedings .....	139	13	345
hospitalization charges,			
maximum .....	139	16	346
payment as requirement for admission.....	139	16	346

## METALLIFEROUS MINING SECURITIES.

### MENTAL ILLNESS HOSPITALIZATION ACT—CONTINUED:

	Ch.	Sec.	Page
Voluntary patient,			
hospitalization charges,			
refusal to pay, rights of department upon.....	139	16	346
responsible for, who is.....	139	16	346
inadequate facilities for, applicant may be refused admission..	139	15	346
legal competency retained.....	139	12	344
liberal use of provisions prescribed.....	139	14	344
limitation, as to duration of confinement.....	139	14	345
number of may be limited.....	139	15	346
record of, furnished department.....	139	12	344
release .....	139	13	345
adults .....	139	13	345
minors .....	139	13	345
notice .....	139	13	345
where given within first 18 days.....	139	13	345
residence required .....	139	14	346
Western state hospital,			
allocation of patients to.....	139	29	350
location of .....	139	6	342
Witnesses,			
fees of .....	139	34	352
subpoenas to compel attendance of.....	139	34	352

MENTALLY ILL: (see also related topic, INSANE, FEEBLE MINDED AND EPILEPTIC PERSONS, *infra*, this Index)

Mental Illness Hospitalization Act (see MENTAL ILLNESS HOSPITALIZATION ACT, *supra*, this Index)

Sexual Psychopaths and Psychopathic Delinquents (see SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, *infra*, this Index)

Veterans (see MENTAL ILLNESS HOSPITALIZATION ACT, *supra*, also UNIFORM VETERANS GUARDIANSHIP ACT, *infra*, this Index)

METROPOLITAN BUILDING TRACT (see UNIVERSITY OF WASHINGTON, *infra*, this Index)

METALLIFEROUS MINING SECURITIES: (see also SECURITIES, *infra*, this Index)

Agent, person acting as, license required.....	64	2	195
Appeal from orders of director of licenses,			
burden of proof.....	64	5	198
notice of .....	64	5	198
transcript certified by director.....	64	5	198
Certificate to sell original issue,			
application for,			
filed with director.....	64	2	196
statements required .....	64	2	196
issued by director.....	64	2	195
revocation of .....	64	2	195
grounds for .....	64	3	196
notice of, to holder.....	64	3	197
term of one year, issued for.....	64	2	195
Director of licenses,			
appeal from orders of.....	64	5	197
notice .....	64	5	198
application to sell, filed with.....	64	2	196
certificates issued by.....	64	2	195
suspension of right to sell for mismanagement.....	64	4	197
notice of .....	64	4	197

## METALLIFEROUS MINING SECURITIES.

### METALLIFEROUS MINING SECURITIES—CONTINUED:

	Ch.	Sec.	Page
Director of licenses,			
temporary permit issued by.....	64	2	196
revocation of .....	64	2	196
transcript on appeal certified by.....	64	5	198
Injunction .....	64	4	197
Licensed brokers or dealers, application of act.....	64	2	196
Mismanagement or fraud of company selling securities,			
appointment of receiver.....	64	4	197
injunction .....	64	4	197
suspension of right to sell.....	64	4	197
notice of .....	64	4	197
Proceeds of offerings,			
use of .....	64	6	198
Prospectus,			
filed with director.....	64	1	195
newspaper advertisement, not regarded as.....	64	1	195
Receiver, appointed by director, when.....	64	4	197
Salesman, person acting as, license required.....	64	2	195
Statutory statement,			
kept at principal place of business, shall be.....	64	1	195
Superior court,			
appeal to .....	64	5	198
bond, when required .....	64	5	198
notice of .....	64	5	198
Temporary selling permit.....	64	2	196
revocation .....	64	2	196
Underwriter, person acting as, license required.....	64	2	195
<b>METROPOLITAN PARK DISTRICTS:</b>			
Tacoma Metropolitan Park District,			
Spanaway Park,			
acceptance of, for the state.....	136	2	336
conveyance of, to state.....	136	1	334
easements excepted .....	136	1	336
legal description of.....	136	1	334
Taxation (see TAXATION, <i>infra</i> , this Index)			
<b>METROPOLITAN TRACT (see UNIVERSITY OF WASHINGTON, <i>infra</i>, this Index)</b>			
<b>MIDWIFERY:</b>			
Placement of infants unlawful, when.....	251	2	789
<b>MILITIA, STATE:</b>			
Boundary protection by, agreements for authorized.....	253	1	792
<b>MINIMUM WAGE LAW:</b>			
Compensation of state employees.....	99	1	246
<b>MINE TO MARKET ROADS (see HIGHWAYS, <i>supra</i>, this Index)</b>			
<b>MINING SECURITIES (see METALLIFEROUS MINING SECURITIES, <i>supra</i>, this Index)</b>			
<b>MINORS:</b>			
Baseball, organized, contracts with (see BASEBALL, <i>supra</i> , this Index)			
Bicycles (see BICYCLES, <i>supra</i> , this Index)			
Care, custody or control, permanent.....	251	1	789
assumption without court order, unlawful.....	251	1	789

MOTOR VEHICLE FUND.

MINORS—CONTINUED:

	Ch.	Sec.	Page
Care, custody or control, permanent,			
relinquishment void without court order, unlawful.....	251	1	789
order of .....	251	2	790
unlawful, when .....	251	1	789
waivers and relinquishments prior to effective date, effect of..	251	1	789
Child welfare agencies (see SOCIAL SECURITY, DEPARTMENT OF, <i>infra</i> , this Index)			
Children and youth services, division of Department of Public Institutions (see PUBLIC INSTITUTIONS, DEPARTMENT OF, <i>infra</i> , this Index)			
Disposal of,			
offer of, as inducement to patronage, prohibited.....	251	2	790
Infants,			
placement in family homes prior to order of relinquishment, prohibited .....	251	2	789
Mental illness hospitalization (see MENTAL ILLNESS HOSPITALIZATION ACT, <i>supra</i> , this Index)			
Mentally ill,			
confinement with adults prohibited.....	139	46	356
Psychopathic delinquents (see SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>infra</i> , this Index)			
Support (see also UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i> , this Index),			
veterans' bonus, proceeds liable for, when.....	231	1	728
Unattended in parked automobile, penalty for, when.....	270	17	894

MISDEMEANORS (see CRIMES AND CRIMINAL PROCEDURES, *supra*, this Index)

MONUMENTATION OF SURVEY POINTS (see PUBLIC LANDS, subtitle Surveys and Maps, *infra*, this Index)

MOTOR VEHICLE EXCISE FUNDS:

Appropriation from, for state census board.....	96	4	242
---	----	---	-----

MOTOR VEHICLE FUEL TAX (see TAXATION, *infra*, this Index)

MOTOR VEHICLE FUND:

Appropriations from,			
cities and towns, to,			
appropriation to, deficiency.....	228	1	703
expended in manner provided by law, to be.....	273	19	925
counties, to,			
expended in manner provided by law, to be.....	273	20	925
highway construction bonds, for.....	121	15	312
highways, to state department of,			
capital outlay, for.....	273	14	923
mine to market roads,			
location, establishment and construction of.....	49	2	118
unexpended balance of contribution received from private party, for.....	49	3	118
primary and secondary highways,			
cities and towns through.....	273	13	923
primary state highways Nos. 2 and 1,			
continuance of study with Seattle and Tacoma for highway between .....	273	27	927
primary state highway No. 9 to secondary state highway No. 9C,			
reconnaissance survey for highway from.....	273	23	926

## MOTOR VEHICLE FUND.

### MOTOR VEHICLE FUND—CONTINUED:

	Ch.	Sec.	Page
Appropriations from,			
highways, to state department of,			
primary state highway No. 10 to secondary state highway No. 10D,	273	26	927
reconnaissance survey for highway from.....			
primary state highway No. 18 to primary state highway No. 7,	273	25	926
reconnaissance survey for highway from.....			
primary state highway No. 21 to secondary state highway No. 21A,	273	28	927
reconnaissance survey for bridge and approach across Sinclair Inlet, from.....			
projects in secs. 46, and 47, ch. 269, L. '51 (H. B. 506) for..	273	22	925
revolving fund .....	273	17	924
salaries, wages and operations.....	273	12	922
state historical road No. 1,			
maintenance and improvement of.....	273	15	923
state parks,			
maintenance and construction of roads within.....	273	16	924
joint fact finding committee on highways, streets and bridges, to,			
expended by, to be.....	273	21	925
Washington state toll bridge authority, to.....	259	17	822
	259	19	822
Highway construction bonds (see HIGHWAYS, subtitle, Highway construction bonds, <i>supra</i> , this Index)			
Highways,			
excess weights, money collected as fees or penalties for, deposited in .....	269	32	872
Mine to market roads,			
appropriations for, from.....	49	2	118
computed, how .....	49	3	118
contributions, deposit in.....	49	2	118
refunds, how paid.....	49	1	117
transfer to of monies in mine to market road fund.....	117	4	119
Motor vehicle fuel excise tax,			
proceeds of, deposited in.....	269	43	879
Streets, cities or towns,			
construction, repair, maintenance or engineering assistance performed by director of highways,			
reimbursement from city's share of fund.....	54	1	161
reimbursement of fund for benefit of state's share.....	54	1	161
MOTOR VEHICLES: (see also HIGHWAYS, <i>supra</i> , and WASHING- TON STATE PATROL, <i>infra</i> , this Index)			
Axles (see Size, weight and load requirements, <i>infra</i> , this title)			
Auto stage,			
fees, additional .....	269	48	881
collected, when .....	269	48	882
use .....	269	48	882
license fees for.....	269	13	859
registration after March 31st, quarterly reduction schedule	269	15	860
limitation .....	269	15	861
schedule of .....	269	13	859
additional fee for vehicle miles operated.....	269	14	860
propelled by diesel oil, etc.....	269	14	860
penalty for failure to make payment.....	269	14	860
operation of,			
length limitation .....	269	22	864
Bicycle rider's rights and duties.....	76	2	212



MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Brakes, vehicles sold after January 1, 1938,			
adjustment .....	56	2	164
brakes, other than foot brake, standards.....	56	2	164
deceleration schedule .....	56	2	164
foot brake requirements.....	56	2	163
service brake requirements.....	56	2	163
stopping distance schedule.....	56	2	164
Busses (see Auto stage, <i>supra</i> , this title)			
Certificate of ownership or registration (see also Licenses, <i>infra</i> , this title),			
application forwarded to director of licenses.....	269	1	851
contract of sale, duties on payment in full.....	269	4	854
destruction by director of licenses,			
authorized, when .....	241	1	763
fee .....	269	1	851
issuance,			
lost or mutilated certificates,			
issuance of duplicate.....	269	5	854
mortgage placed on vehicle, procedure for issuance.....	269	4	853
payment in full, duties of owners.....	269	4	854
motor or serial number altered or obliterated, issuance procedure .....	269	2	852
special motor number, identification number or serial number .....	269	2	852
inspection by state patrol.....	269	2	852
new motor, installation of, procedure for issuance.....	269	3	853
possession of old certificates <i>prima facie</i> evidence of violation .....	269	3	853
suspension, grounds for,			
excess weight fees, failure to pay.....	269	32	872
violation of maximum axle and gross weight provisions..	269	29	868
violations of maximum gross weight and seating capacity licenses .....	269	19	862
Compensating tax (see TAXATION, <i>infra</i> , this Index)			
Contract of sale (see Certificate of ownership or registration, <i>supra</i> , this title)			
Dealer's licenses,			
act, title of.....	150	1	411
appeal,			
record certified by director of licenses.....	150	14	416
application for .....	150	4	411
contents of,			
certificate that applicant is a dealer.....	150	5	412
make of vehicle franchised.....	150	5	412
name and address of business.....	150	5	412
new or used sales made.....	150	5	412
owner's name.....	150	5	412
statement of previous revocations.....	150	5	412
bond .....	150	8	413
dealer,			
defined .....	150	2	411
motor block, new or used installation or renewal, shall notify director of.....	150	11	414
penalty .....	150	11	414
motor or serial number, irregularity concerning, shall notify director of.....	150	11	414
penalty .....	150	11	414
plates,			
loaning of, unlawful.....	150	11	415
sales,			
itemized statement of, furnished by.....	150	16	417
records of, maintained by.....	150	15	416
inspection of .....	150	15	416

## MOTOR VEHICLES.

### MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page.
Dealer's licenses,			
director of licenses,			
bond filed with.....	150	8	413
approval of by attorney general.....	150	8	413
cancellation of, license revoked.....	150	8	414
liability on .....	150	8	413
certificate issued applicant, when.....	150	6	412
dealer convicted of violating act, powers upon.....	150	12	415
fees transmitted to treasurer by.....	150	6	412
subpoenas issued by.....	150	14	416
expiration of .....	150	6	413
fees,			
excise taxes, additional to.....	150	7	413
original license .....	150	7	413
renewal upon .....	150	7	413
transfer to treasurer .....	150	6	412
hearing procedure .....	150	14	415
issuance .....	150	6	412
refusal to issue, grounds for.....	150	13	415
motor block (see dealer, <i>supra</i> , this subtitle)			
motor or serial number (see dealer, <i>supra</i> , this subtitle)			
plates,			
branch offices .....	150	9	414
display of .....	150	10	414
loan of, misdemeanor.....	150	11	415
use, on vehicle transporting commodities.....	150	10	414
revocation, suspension of,			
grounds for .....	150	13	415
bond, exhaustion of.....	150	8	414
sales (see dealer, <i>supra</i> , this subtitle)			
unlawful to operate as dealer without.....	150	3	411
violations,			
hearing on .....	150	14	415
notice of .....	150	14	416
record of, certified by director.....	150	14	416
Deceleration schedule .....	56	2	164
Director of highways (see also HIGHWAYS, <i>supra</i> , this Index)			
contracts with other agencies by.....	269	47	881
nature of .....	269	47	881
speed limits, concurrence in,			
business and residential districts,			
outside cities and towns.....	28	8	56
compliance with, due care not excused by.....	28	11	58
reduction of, intersections.....	28	6	55
sixty miles per hour, increase to, when.....	28	10	57
vehicles weighing less than 10,000 lbs.....	28	10	57
violation of, reckless driving.....	28	12	58
Director of licenses,			
destruction of certain registrations, when.....	241	1	763
limitation on .....	241	1	763
Disabled veterans,			
motor vehicle license without fee or tax, entitled to.....	206	1	612
Explosives, gasses, poisons, etc.,			
transportation of, State patrol's jurisdiction.....	102	1	254
For hire vehicle (see also taxicabs, <i>infra</i> , this title)			
fees, additional .....	269	48	881
collected, when .....	269	48	882
use .....	269	48	882
Fuel (see TAXATION, <i>infra</i> , this Index)			

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Highways,			
posted limitations on, violations,	269	29	869
penalties .....			
Joint fact finding committee (see HIGHWAYS, <i>supra</i> , this Index)			
Licenses (see also Certificates of ownership or registration, <i>supra</i> , this title),			
auto stages (see Auto stage, <i>supra</i> , this title)			
dealer's licenses (see Dealer's licenses, <i>supra</i> , this title)			
destruction by director of licenses, authorized, when,			
applications for licenses.....	241	1	763
copies of licenses issued.....	241	1	763
fees,			
additional, for years 1952, 1953, 1954.....	269	48	882
dealer's license .....	150	7	413
general license fee.....	150	17	417
gross weight license fee (see gross weight fees, <i>infra</i> , this subtitle)			
reduction of for fractional year.....	269	15	860
special permits, reductions not applicable.....	269	15	861
veterans, disabled, no fee or tax.....	206	1	612
for hire vehicles (see Seating capacity fees, <i>infra</i> , this subtitle)			
fractional year, reduction of fees for.....	269	15	860
gross weight license fee,			
purchase for 3 month period.....	269	16	861
special permits, reductions not applicable.....	269	15	861
gross weight fees,			
farm to market vehicles,			
special license for.....	269	12	858
fees .....	269	12	858
insignia .....	269	12	858
operation in violation of act, penalty.....	269	12	859
motor trucks,			
diesel oil, butane, or propane, etc., propelled by,			
fees, how computed.....	269	11	858
schedule of fees.....	269	9	856
operation in excess of maximum gross weight licensed for,			
additional license required.....	269	18	862
penalty .....	269	18	862
misdemeanor, is .....	269	18	862
penalties .....	269	19	862
new maximum gross weight deemed set.....	269	18	862
pole trailers,			
schedule of fees.....	269	10	857
gross weight fees,			
purchase for three month period, vehicle exceeding 20,000 lbs., authorized .....	269	16	861
additional fee .....	269	16	861
certificates and insignia, director to establish rules and regulations relative to.....	269	16	861
succeeding period, time to secure license for.....	269	16	861
violation, penalty .....	269	16	861
impounded, vehicle may be.....	269	16	861
semi-trailers,			
schedule of fees .....	269	10	857
special license, farm to market vehicles.....	269	12	858
trailers,			
schedule of fees.....	269	10	857
truck tractor,			
diesel oil, butane or propane, etc., propelled by,			
fees, how computed.....	269	11	858
schedule of fees.....	269	9	856

## MOTOR VEHICLES.

### MOTOR VEHICLES—CONTINUED:

#### Licenses,

	Ch.	Sec.	Page
license plates, dealers (see Dealer's licenses, <i>supra</i> , this title)	269	6	855
license plates, loss or defacement.....	269	6	855
application for new plates.....	269	6	855
statement as to cause of loss.....	269	6	855
duplicate, issuance of.....	269	6	855
fee .....	269	6	855
loss of but one plate.....	269	6	855
application .....	269	6	855
fee .....	269	6	855
license tabs or windshield emblems, loss or defacement.....	269	6	855
duplicates, issuance of.....	269	6	856
reduction of fees for fractional year.....	269	15	860
gross weight license fee,			
purchase for 3 month period.....	269	16	861
special permits, reductions not applicable.....	269	15	861
seating capacity fees,			
auto stages,			
schedules of fees.....	269	13	859
seating capacity over six,			
additional fees for vehicle miles operated.....	269	14	860
payable, when .....	269	14	860
stages propelled by diesel, propane, butane, etc.,			
fees .....	269	14	860
for hire vehicles,			
schedule of fees.....	269	13	859
seating capacity over six,			
additional fees .....	269	14	860
taxicabs excepted .....	269	13	859
operation in excess of number of passengers licensed for,			
misdemeanor, is .....	269	18	862
penalties .....	269	19	862
operation principally within cities.....	269	18	862
special permits (see size, weight and load requirements, <i>infra</i> , this title)			
three month period, purchase for (see gross weight fees, <i>supra</i> , this subtitle)			
trailers, one or two wheel,			
2,000 lbs., gross weight or less,			
fee .....	269	7	856
rental trailers excepted.....	269	7	856
veterans, disabled,			
motor vehicle license without fee or tax, entitled to.....	206	1	612
Loads (see Size, weight and load requirements, <i>infra</i> , this title)			
Maximum axle and gross weights (see Size, weight and load requirements, <i>infra</i> , this title)			
Misdemeanors (see CRIMES AND CRIMINAL PROCEDURE, <i>supra</i> , this Index)			
Mortgage (see Certificate of ownership or registration, <i>supra</i> , this title)			
Motor or serial number, irregularity concerning (see Certificate of ownership or registration, also Dealer's licenses, <i>supra</i> , this title)			
Motor, replacement (see Certificate of ownership or registration, also Dealer's licenses, <i>supra</i> , this title)			
Motor truck,			
additional fees based on gross weight of.....	269	9	856
empty weight more than 4,000 lbs.....	269	9	856
fees, additional .....	269	48	881
collected, when .....	269	48	882
use .....	269	48	882

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Motor truck,			
gross weight license fee,			
purchase for three month period.....	269	16	861
rules and regulations, regarding issuance and display of certificate and insignia.....	269	16	861
time within which to secure license for additional period.	269	16	861
violation, penalty .....	269	16	861
impounding, when .....	269	16	861
license fee, gross weight based on,			
registration after March 31st; quarterly reduction schedule	269	15	860
limitation .....	269	15	861
operation of, in excess of licensed weight a misdemeanor.....	269	18	862
new maximum gross weight deemed set,			
additional license .....	269	18	862
exception .....	269	18	862
limitation .....	269	18	862
penalties, fine .....	269	19	862
suspension of license.....	269	19	863
owned and operated by farmers,			
special license for, less than 20,000 lbs.....	269	12	858
conditions .....	269	12	858
violation .....	269	12	859
propelled by diesel, butane, steam, etc.,			
fees, how computed.....	269	11	858
two axle,			
maximum gross weight.....	269	26	865
three axle,			
special permit,			
additional gross load allowable on certain highways or sections .....	269	39	875
	269	39	876
One axle vehicle,			
maximum axle and gross weight.....	269	26	865
Operator's licenses (see Vehicle operator's licenses, <i>infra</i> , this title)			
Pole trailer,			
additional fees based on gross weight of.....	269	10	857
empty weight more than 4,000 lbs.....	269	10	857
defined .....	56	1	163
gross weight license fee,			
purchase for 3 month period.....	269	16	861
rules and regulations.....	269	16	861
time within which to secure license for additional period.	269	16	861
violation, penalty .....	269	16	861
impounding, when .....	269	16	861
operation of, in excess of licensed weight, a misdemeanor....	269	18	862
new maximum gross weight deemed set; additional license .....	269	18	862
exception .....	269	18	862
limitation .....	269	18	862
penalties, fine .....	269	19	862
suspension of license.....	269	19	863
two axle,			
maximum gross weight.....	269	26	866
Pole trailer, two axle, and three axle truck tractor, combination of,			
allowable variation in wheel base length.....	269	31	870
weight discrepancies,			
arresting officer may permit vehicle to proceed, when....	269	31	870
operator not relieved of penalties and fees.....	269	31	871
scale weight, <i>prima facie</i> evidence.....	269	31	871
legislative intent .....	269	31	871

## MOTOR VEHICLES.

### MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Pole trailer, two axle and three axle truck tractor, combination of, rules and regulations.....	269	31	871
Private passenger car trailer, under 2,000 lbs., license fee for.....	269	7	856
limitation .....	269	7	856
Reckless driving, violation of speed limit, <i>prima facie</i> evidence of, is.....	28	12	58
Semi-trailer, additional fees based on gross weight of.....	269	10	857
empty weight more than 4,000 lbs.....	269	10	857
converter gear, deemed part of trailer.....	269	23	865
gross weight license fee, purchase for three month period.....	269	16	861
rules and regulations.....	269	16	861
time within which to secure license for additional period.....	269	16	861
violation, penalty .....	269	16	861
impounding, when .....	269	16	861
license, registration after March 31st, quarterly reduction schedule	269	15	860
limitation .....	269	15	861
one-axle, maximum gross weight.....	269	26	865
operation of, in excess of licensed weight, a misdemeanor....	269	18	862
new maximum gross weight deemed set; additional license .....	269	18	862
exception .....	269	18	862
limitation .....	269	18	862
penalties, fine .....	269	19	862
suspension of license.....	269	19	863
two axle, maximum gross weight.....	269	26	866
Size, weight and load requirements, height limitations, impaired vertical clearance, operator shall exercise due care.....	269	20	863
state and political subdivisions, liability for injury resulting from .....	269	20	863
special permits to exceed (see special permits, <i>infra</i> , this subtitle)			
twelve feet six inches, limited to.....	269	20	863
additional four inches authorized, when.....	269	20	863
exceptions, emergency vehicles .....	269	20	863
public utilities, vehicles of.....	269	20	863
highways, posted limitations on, violation, penalty for.....	269	29	869
length limitations, auto stages .....	269	22	864
combination of vehicles.....	269	22	864
exception, transport of structural members by public utility vehicles .....	269	22	864
clearance and marker lamps.....	269	22	864
single vehicle .....	269	22	864
special permits to exceed (see special permits, <i>infra</i> , this subtitle)			
load extension limitations.....	269	24	865
special permits (see special permits, <i>infra</i> , this subtitle)			

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Size, weight and load requirements,			
maximum axle and gross weights,			
allowable variation in wheelbase length (see weight discrepancies, in cargo, <i>infra</i> , this subtitle)			
axle spacing and mounting.....	269	26	866
braking requirements,			
specifications are subject to.....	269	26	866
excess weight (see weight discrepancies in cargo, <i>infra</i> , this subtitle)			
gross load table limitation.....	269	28	867
maximum gross weight including load, on any group of axles,			
table of weights allowable.....	269	28	867
one axle .....	269	26	865
one axle semi-trailer.....	269	26	865
special permits to exceed (see special permits, <i>infra</i> , this subtitle)			
two axle trailer, semi-trailer or pole trailer.....	269	26	866
two axle truck or tractor.....	269	26	866
three axles, any vehicle.....	269	26	866
tires, ratio of weight to.....	269	27	866
tire width, how computed.....	269	27	866
weight allowances (see weight discrepancies in cargo, <i>infra</i> , this subtitle)			
weight discrepancies in cargo,			
allowable variation in wheel base length,			
two axle truck tractor and two axle pole trailer combination .....	269	31	870
arresting officer, discretion to permit vehicle to proceed .....	269	30	869
fully licensed, vehicle shall be.....	269	31	870
discrepancies specified .....	269	30	869
excess weight,			
defined .....	269	31	870
legislative intent, declaration of.....	269	30	872
schedule of payments for.....	269	32	872
suspension of certificate of license registration....	269	32	872
legislative intent, declaration of.....	269	30	870
penalties or fees, operator not relieved of.....	269	31	871
rules and regulations, chief of state patrol may make	269	30	870
scale weight is <i>prima facie</i> evidence of total gross weight .....	269	31	871
posted limitation on highways, penalty for violation.....	269	29	869
special permits for operation of vehicles exceeding size, weight or load limitations,			
application for .....	269	34	872
information required .....	269	36	874
misrepresentation of size or weight, penalty.....	269	41	877
carried in vehicle, shall be.....	269	41	877
city or town,			
permit not required from, when.....	269	40	877
director of highways,			
fees, payable to, when.....	269	40	876
permit, may issue.....	269	34	872
powers .....	269	37	874

MOTOR VEHICLES.  
MOTOR VEHICLES—CONTINUED:

Size, weight and load requirements,  
special permits for operating of vehicles exceeding size,  
weight or load limitations,  
fees,

	Ch.	Sec.	Page
basis for determining,			
mileage .....	269	40	876
weight .....	269	40	876
computed, how .....	269	40	876
county authorities,			
payable to, when.....	269	40	877
government vehicles, fees not applicable to.....	269	39	876
motor vehicle fund,			
deposited in .....	269	38	875
overweight and oversize, oversize fee not assessable..	269	40	876
overweight fee schedule.....	269	38	875
payable to whom,			
director of highways, when.....	269	40	876
political body, when.....	269	40	876
schedule of fees.....	269	38	875
additional gross load allowable on certain high- ways .....	269	39	875
government vehicles, not applicable.....	269	39	876
inspection, shall be open to.....	269	41	877
issued by whom,			
director of highways.....	269	34	872
local authorities .....	269	34	872
local authorities,			
fees, payable to, when.....	269	40	876
county authorities, payable to, when.....	269	40	877
permits, may issue.....	269	34	872
powers .....	269	37	874
maximum gross weight, vehicles must be licensed for....	269	34	873
non-compliance with terms of,			
penalty .....	269	41	877
operation of overlegal vehicle without,			
penalty .....	269	41	877
security against damage.....	269	37	874
undertaking or security.....	269	37	874
weight limitations,			
additional gross load allowable on certain highways or sections .....	269	39	875
state highway or state highway route through cities and towns .....	269	35	873
tolerances .....	269	35	873
width limitations,			
four lane state highway.....	269	36	873
three lane state highway.....	269	36	873
two lane state highway.....	269	36	873
exceptions,			
farm machinery .....	269	36	873
highways carrying less than 100 vehicles per day .....	269	36	873
highways designed for excesses.....	269	36	874
war emergencies .....	269	36	874
withhold permit, director or local authority may.....	269	37	874
units, limitation on,			
combination limited to two vehicles.....	269	23	864
what deemed two vehicles,			
truck tractor- semi-trailer and/or pole trailer combination .....	269	23	864
not deemed separate vehicles,			
additional axle to tractor.....	269	23	865
converter gear .....	269	23	865



MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

Size, weight and load requirements, vehicle weight limitations (see maximum axle and gross weights, <i>supra</i> , this subtitle)			
violations (see CRIMES AND CRIMINAL PROCEDURE, <i>supra</i> , this Index)			
weight discrepancies in cargo (see maximum axle and gross weights, <i>supra</i> , this subtitle)			
Special permits (see Size, weight and load requirements, <i>supra</i> , this title)			
Speed limits, arterial highways,			
increased speed zones in cities and towns,	Ch.	Sec.	Page
designation as .....	28	4	54
intersection with, cities and towns.....	28	6	55
charge of violation, speed specified.....	28	13	58
cities and towns,			
arterial intersections .....	28	6	55
intersections .....	28	6	55
regulations by .....	28	2	53
signs, posting of.....	28	6	55
stop signs .....	28	3	54
schools and playgrounds.....	28	4	54
sixty m.p.h., when.....	28	9	57
compliance with,			
exercise of due care not relieved by.....	28	2	53
director of highways, concurrence in, business and residential districts, outside cities and towns.....	28	11	55
reduction of speed limit at intersection.....	28	8	56
sixty-mile speed limit.....	28	6	55
sixty-mile speed limit.....	28	10	57
outside cities and towns,			
arterial highways .....	28	7	56
business and residential districts.....	28	8	56
fifty m.p.h. elsewhere.....	28	10	57
intersections, view obstructed.....	28	7	56
schools and playgrounds.....	28	9	57
sixty m.p.h., when.....	28	10	57
schools and playgrounds.....	28	9	57
signs,			
cities and towns.....	28	3	54
damage to, penalty.....	188	1	550
reduced speed at intersection.....	28	6	55
schools and playgrounds.....	28	9	57
stop signs .....	28	4	54
outside cities and towns,			
business and residential zones.....	28	8	56
damage to, penalty.....	188	1	550
intersections, view obstructed.....	28	7	56
schools and playgrounds.....	28	9	57
sixty m. p. h., when.....	28	10	57
violation,			
charge, speed to be specified in.....	28	13	58
<i>prima facie</i> evidence of reckless driving.....	28	12	58
Stopping distances .....	56	2	163
Tax, compensating (see TAXATION, <i>infra</i> , this Index)			
Taxicabs,			
non-resident operators,			
entry into state, refusal, when.....	219	2	647
exception, reciprocal agreements.....	219	3	648
permit required for.....	219	1	647

## MOTOR VEHICLES.

### MOTOR VEHICLES—CONTINUED:

Tires (see Size, weight and load requirements, <i>supra</i> , this title)			
Tractors, truck,			
gross weight license fee,	Ch.	Sec.	Page
purchase for three month period.....	269	16	861
rules and regulations relative to display of insignia.....	269	16	861
time within which to secure license for additional period.	269	16	861
violation, penalty .....	269	16	861
impounding, when .....	269	16	861
license,			
registration after March 31st, quarterly reduction schedule	269	15	860
limitation .....	269	15	861
Traffic,			
violations,			
citation and notice to appear in court.....	175	1	481
issued when .....	175	1	481
speed limit violations,			
charge, specifications required.....	28	13	58
written promise to appear.....	175	1	481
Traffic control,			
ocean beach highways, upon.....	271	46	912
Traffic control devices,			
damage to, penalty.....	188	1	550
Traffic control signals,			
city streets forming part of state highway, installation upon,			
approval of Director of Highways required.....	56	3	166
colors and words, meaning of.....	56	3	165
flashing red .....	56	3	166
flashing yellow .....	56	3	166
green or "go".....	56	3	165
red or "stop".....	56	3	165
red or "stop" with green arrow.....	56	3	165
yellow or "caution" following green or "go".....	56	3	165
new or replaced signals, specifications.....	56	3	166
Traffic engineering investigations,			
establishment of speeds,			
over 35 m. p. h.....	28	2	53
sixty m. p. h.....	28	10	57
under 25 m. p. h.....	28	6	55
Trailer (see also pole trailer; also semi-trailer, <i>supra</i> , this title)			
fees, additional .....	269	48	881
collected, when .....	269	48	882
use .....	269	48	882
fees, additional, based on gross weight of.....	269	10	857
empty weight more than 4,000 lbs.....	269	10	857
gross weight license fee,			
purchase for three month period.....	269	16	861
rules and regulations.....	269	16	861
time within which to secure license for additional period.	269	16	861
violation, penalty .....	269	16	861
impounding, when .....	269	16	861
license,			
registration after March 31st, quarterly reduction schedule	269	15	860
limitation .....	269	15	861
operation of, in excess of licensed weight, a misdemeanor....	269	18	862
new maximum gross weight deemed set; additional license	269	18	862
exception .....	269	18	862
limitation .....	269	18	862
penalties, fine .....	269	19	862
suspension of license.....	269	19	863
passenger car trailer, fees.....	269	7	856
pole trailer (see Pole trailer, <i>supra</i> , this title)			

MOTOR VEHICLES.

MOTOR VEHICLES—CONTINUED:

	Ch.	Sec.	Page
Trailer,			
semi-trailer (see Semi-trailer, <i>supra</i> , this title)			
special motor, identification, or serial number.....	269	2	852
three axle,			
special permit,			
additional gross load allowable on certain highways			
or sections .....	269	39	875
	269	39	876
two axle,			
maximum gross weight.....	269	26	866
special permit,			
additional gross load allowable on certain highways			
or sections .....	269	39	875
	269	39	876
where motor or serial number has been tampered with.....	269	2	851
Truck tractor,			
fees, additional .....	269	48	881
collected, when .....	269	48	882
gross weight of, based on.....	269	9	856
empty weight more than 4,000 lbs.....	269	9	856
use .....	269	48	882
propelled by diesel, butane, steam, etc.,			
fees, how computed.....	269	11	858
three axle,			
special permit,			
additional gross load allowable on certain highways			
or sections .....	269	39	875
	269	39	876
two axle,			
maximum gross weight.....	269	26	865
Truck tractor-pole trailer,			
additional axle to tractor,			
not deemed separate vehicle.....	269	23	865
deemed 2 vehicle combination.....	269	23	864
Truck tractor-semi-trailer,			
additional axle to tractor,			
not deemed separate vehicle.....	269	23	865
deemed 2 vehicle combination.....	269	23	864
Truck tractor, three-axle, and two-axle pole trailer combination,			
allowable variation in wheel base length.....	269	31	870
weight discrepancies,			
arresting officer may permit vehicle to proceed, when....	269	31	871
operator not relieved of penalties and fees.....	269	31	871
scale weight,			
<i>prima facie</i> evidence.....	269	31	871
legislative intent .....	269	31	871
rules and regulations.....	269	31	871
Vehicle operator's licenses,			
destruction by director of licenses, authorized when,			
applications for .....	241	1	763
copies of licenses.....	241	1	763
suspension, grounds for,			
violation of posted limitations of highways.....	269	29	869
Veterans, disabled,			
motor vehicle license without fee or tax, entitled to.....	206	1	612
Violations (see CRIMES AND CRIMINAL PROCEDURE, <i>supra</i> , this Index)			
Washington State Patrol,			
commercial motor vehicle safety division,			
abolishment of .....	36	1	82
Weights (see Size, weight and load requirements, <i>supra</i> , this title)			

MOUNT PILCHUCK STATE PARK.

MOUNT PILCHUCK STATE PARK (see STATE PARKS AND RECREATION COMMISSION, *infra*, this Index)

MULES:

Running at large (see ANIMALS, *supra*, this Index)

N

	Ch.	Sec.	Page
NAVIGABLE WATERS:			
Tide waters subject to lease for oyster production.....	271	39	909
NEGLIGENCE (see BICYCLES, <i>supra</i> , this Index)			
NORTHERN STATE HOSPITAL (see MENTAL ILLNESS HOSPITALIZATION ACT, <i>supra</i> , this Index)			
NOTARIES PUBLIC:			
Fees of .....	51	7	146
NOXIOUS WEEDS (see WEED EXTERMINATION AREAS, <i>infra</i> , this Index)			
NUISANCE:			
Animals running at large.....	31	2	61
Fire, uncontrolled .....	58	9	182
NURSES:			
Placement of infants unlawful, when.....	251	2	789
State hospitals,			
minors wards, service in.....	139	47	356
qualifications for .....	139	47	356
NURSING HOMES (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			

O

O.A.S.I. FUND (see SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, <i>infra</i> , this Index)			
OFFICE BUILDING, STATE (see STATE CAPITOL COMMITTEE, <i>infra</i> , this Index)			
OIL AND GAS (see also OIL AND GAS CONSERVATION ACT, <i>infra</i> , this Index)			
Pipeline common carriers of petroleum products,			
eminent domain, power conferred (see EMINENT DOMAIN, <i>supra</i> , this Index)			
public service commission,			
control and regulation by, subject to.....	94	2	238
OIL AND GAS CONSERVATION ACT:			
Act,			
enforcement of .....	146	10	385
liberal construction prescribed.....	146	59	406
short title of.....	146	2	381
violations of,			
gross misdemeanor, penalty for.....	146	58	406
suits in name of state, brought for.....	146	56	405

## OIL AND GAS CONSERVATION ACT.

### OIL AND GAS CONSERVATION ACT—CONTINUED:

	Ch.	Sec.	Page
Appeal,			
application for, applicant limited to grounds specified.....	146	50	402
review by committee (see Oil and gas conservation committee, subtitle hearings, <i>infra</i> , this title)			
Superior Court, to .....	146	52	403
affirmance, effect of.....	146	54	405
application for .....	146	52	403
grounds .....	146	52	403
service upon executive secretary of committee.....	146	52	403
evidence, additional, when allowed by.....	146	54	404
transcript of .....	146	54	404
inquiry, purpose of.....	146	53	403
orders stayed, in discretion of.....	146	55	405
powers of .....	146	53	403
precedence accorded .....	146	53	404
procedure, as in other civil actions.....	146	53	404
Thurston county, filed in.....	146	52	403
transcript of record furnished.....	146	53	403
stipulation .....	146	53	403
Supreme Court, to.....	146	53	404
procedure .....	146	53	404
Attorney general,			
legal advisor to committee, is.....	146	9	385
Blowouts, operation so as to prevent, committee may require....	146	18	388
Bond, conditioned on plugging of wells.....	146	18	388
Carbon products (see Waste, <i>infra</i> , this title)			
Cavings, operation so as to prevent, committee may require.....	146	18	388
Commissioner of public lands,			
consent for inclusion of state lands in unit plan.....	146	48	401
Contempt .....	146	8	385
Cycling operations, unit plan for.....	146	36	396
Declaration of public purpose.....	146	1	381
Directional surveys, making and filing required.....	146	18	388
confidential, when .....	146	28	392
Drilling, permit required.....	146	14	386
Exploratory wells (see wildcat wells, <i>infra</i> , this title)			
Fees,			
permit to drill.....	146	14	386
Field, defined .....	146	3	383
Fires, operations so as to prevent, committee may require.....	146	18	388
Gas,			
limitation of production.....	146	31	393
	146	32	394
Gas allowable,			
defined .....	146	31	393
gas energy, protection of.....	146	31	394
orders establishing,			
effect .....	146	34	395
emergency order .....	146	33	395
effective 30 days.....	146	33	395
hearing .....	146	33	395
issued, when .....	146	33	395
proration .....	146	31	393
single pool .....	146	33	394
publication .....	146	33	395
Integration of separate tracts, authorized.....	146	35	395
Leases,			
ownership, committee may require identification of.....	146	18	388

# OIL AND GAS CONSERVATION ACT.

## OIL AND GAS CONSERVATION ACT—CONTINUED:

	Ch.	Sec.	Page
Lessee (see also Unit plan, <i>infra</i> , this title)			
defined .....	146	3	383
financing, in unit plan operation.....	146	39	397
lien on production.....	146	39	397
Liens against production,			
combining order, under.....	146	27	391
unit plan, under.....	146	39	397
Logs (see Well logs, <i>infra</i> , this title)			
Oil and Gas conservation committee,			
agents, committee may act through.....	146	4	283
appeal to superior court from orders of (see Appeal, <i>supra</i> , this title)			
attorney general, legal advisor for.....	146	9	385
created .....	146	4	383
membership, composition of.....	146	4	383
chairman, governor is.....	146	4	383
deputies, committee may act through.....	146	4	383
enforcement of act, duty of.....	146	10	385
hearings,			
carbon products, manufacture from gas well, on.....	146	16	387
combining orders, hearing on (see Well spacing areas, <i>infra</i> , this title)			
gas allowable, concerning (see Gas allowable, <i>supra</i> , this title)			
general provisions,			
authorized .....	146	5	383
conduct, may establish rules for.....	146	5	383
oaths, may administer.....	146	7	384
subpoena, power of.....	146	7	384
enforcement by superior court.....	146	8	384
self incrimination, privilege not applicable.....	146	7	384
no liability to result from testimony.....	146	7	384
perjury, witness not exempt from.....	146	7	384
pertinent, inquiry must be.....	146	7	384
subpoenaed, may be.....	146	7	384
non-compliance, punishment for.....	146	8	384
oil allowable (see Oil allowable, <i>supra</i> , this title)			
rules, regulations and orders,			
adoption,			
action,			
interested persons,			
called by .....	146	12	385
petition for .....	146	12	385
shall be heard.....	146	11	385
maximum time for.....	146	12	386
notice of .....	146	11	385
when and where held.....	146	11	385
review,			
appeal from decision or denial (see Appeal, <i>supra</i> , this title)			
application for .....	146	50	402
court action, condition precedent to.....	146	50	402
specification of grounds.....	146	50	402
applicant limited to grounds set forth.....	146	50	402
committee, a party.....	146	51	402
decision, effect of rules, regulations or orders conforming to .....	146	50	402
granting or denial, time for.....	146	50	402
persons entitled to seek.....	146	50	402
set for hearing, when.....	146	50	402
unit plan, for (see Unit plan, <i>infra</i> , this title)			

OIL AND GAS CONSERVATION ACT.

OIL AND GAS CONSERVATION ACT—CONTINUED:

Oil and Gas conservation committee,

combining orders, hearing on, well spacing area combining orders, hearing on (see Well spacing areas, <i>infra</i> , this title)	Ch.	Sec.	Page
investigations, authorized generally.....	146	17	387
procedural powers .....	146	7	384
waste, determination of.....	146	17	387
orders, combining orders (see well spacing areas, <i>infra</i> , this title) decisions, based on, effect.....	146	50	402
gas allowable (see gas allowable, <i>supra</i> , this title) generally (see rules and regulations, <i>infra</i> , this subtitle) oil allowable (see Oil allowable, <i>supra</i> , this title) review of (see hearings, <i>supra</i> , this subtitle) unit plan (see unit plan, <i>infra</i> , this title) well spacing areas (see well spacing areas, <i>infra</i> , this title)			
personnel, shall employ.....	146	6	384
place of hearings.....	146	5	383
powers and duties, gas allowable, regulation of (see Gas allowable, <i>supra</i> , this title) general grant of.....	146	10	385
oil allowable, regulation of (see Oil allowable, <i>infra</i> , this title)			
require, committee may, accurate measurements to be kept.....	146	18	388
bond for duty to plug dry or abandoned hole.....	146	18	388
compliance with the law.....	146	18	388
directional surveys, making and filing.....	146	18	388
future production, restrictions of.....	146	20	389
identification of ownership of wells.....	146	18	388
ownership, identification of.....	146	18	388
production, proration of.....	146	20	389
ratios, efficient operation of wells with.....	146	18	388
records to be kept.....	146	18	388
reports, making and filing.....	146	18	388
well logs, making and filing of.....	146	18	388
contents of, confidential.....	146	28	392
regulate, committee may, disposal of salt water and oil field brines.....	146	19	389
operations for production.....	146	19	389
storage, processing and refining.....	146	19	389
treatment of wells.....	146	19	389
ultimate recovery operations.....	146	19	389
review (see hearings, <i>supra</i> , this subtitle) committee a party to.....	146	50	402
rules and regulations, may make.....	146	11	385
unit plans, powers concerning (see Unit plan, <i>infra</i> , this title)			
violations, may enjoin.....	146	56	405
well spacing areas (see also well spacing areas, <i>infra</i> , this title) shall establish .....	146	22	389
wells, classification of.....	146	21	389
prosecuting attorney, duty to represent, when.....	146	9	385
rules and regulations, promulgated by.....	146	11	385
copies of, competent evidence .....	146	13	386
public, furnished to on request, shall be.....	146	13	386
hearing on .....	146	11	385
notice of .....	146	11	385

# OIL AND GAS CONSERVATION ACT.

## OIL AND GAS CONSERVATION ACT—CONTINUED:

	Ch.	Sec.	Page
Oil and Gas conservation committee, rules and regulations, promulgated by,	146	13	386
land commissioner's records, entered in, shall be.....	146	13	386
open to inspection, shall be.....	146	13	386
review of (see hearings, <i>supra</i> , this subtitle)			
written, shall be.....	146	13	386
Oil,			
limitation of production.....	146	29	392
Oil allowable,			
defined .....	146	29	392
orders establishing,			
effect .....	146	34	395
emergency order .....	146	33	395
effective 30 days.....	146	33	395
hearing .....	146	33	395
issued when .....	146	33	395
publication .....	146	33	395
proration .....	146	29	392
discrimination, prevention of.....	146	30	393
pool production, shall not exceed.....	146	29	393
single pool .....	146	33	394
reasonable market demand, determination of.....	146	30	393
standards, promulgation of.....	146	29	392
similar pools or areas, application to.....	146	29	393
Orders (see oil and gas conservation committee, <i>supra</i> , this title)			
Permits,			
carbon black, manufacture from gas well.....	146	16	387
to drill well, required.....	146	14	386
Person, defined .....	146	3	383
"Physical waste," included within term "waste".....	146	3	381
Pressure maintenance operations, unit plan for.....	146	36	396
Prosecuting attorney, duty to represent committee, when.....	146	9	385
Pool (see Well spacing areas, also Unit plan, <i>infra</i> , this title)			
Public lands, consent to participation in unit plan.....	146	48	401
Re-cycling operations, unit plan for.....	146	36	396
Reports, making and filing required, when.....	146	18	388
confidential, when .....	146	28	392
Repressuring, unit plan for.....	146	36	396
Reservoir energy, dissipation constitutes waste, when.....	146	3	381
gas allowable, as factor in.....	146	31	394
Restraint of trade, laws prohibiting, unit plan.....	146	49	402
Rules and regulations (see oil and gas conservation committee, <i>supra</i> , this title)			
Secondary recovery operations (see Unit plan, <i>infra</i> , this title)			
Seepages, operations so as prevent, committee may require.....	146	18	383
Separate tracts, integration of interests.....	146	35	395
State lands (see PUBLIC LANDS, <i>infra</i> , this Index)			
Subpoena,			
failure to comply with.....	146	8	384
power to issue.....	146	7	384
Surveys, directional, making and filing, required.....	146	18	388
Unit,			
operation, management and development of interests in			
separate tracts as.....	146	35	395
Unit operator, operation by.....	146	38	396
designated, how .....	146	38	396
Unit plan,			
amendment of, jurisdiction for.....	146	47	401
effective date .....	146	47	401
procedure .....	146	47	401



OIL AND GAS CONSERVATION ACT.

OIL AND GAS CONSERVATION ACT—CONTINUED:

	Ch.	Sec.	Page
Unit plan,			
committee may order, when.....	146	36	396
order creating .....	146	44	400
deviations from plan unlawful.....	146	46	401
effective date, designation of.....	146	44	400
findings pursuant to hearings.....	146	44	399
basis for .....	146	44	399
time for .....	146	44	399
hearings,			
continuance .....	146	43	399
notice, what constitutes.....	146	43	399
first hearing held when.....	146	41	398
notice .....	146	42	398
post card notice.....	146	42	398
publication .....	146	42	398
petition or proposals for.....	146	41	398
setting for hearing.....	146	41	398
leases shall be conformed to plan.....	146	45	400
operations under plan deemed compliance with agree- ments .....	146	45	400
production, allocation, effect.....	146	45	400
order creating .....	146	44	400
plan, required provisions,			
amendments to .....	146	40	398
apportionment of production.....	146	38	397
basis for taking over properties for.....	146	40	397
compensation for .....	146	40	398
define unit area.....	146	38	396
financing and apportionment of costs of.....	146	39	397
carrying lessees .....	146	39	397
lien on production.....	146	39	397
general over-all management, plan for.....	146	40	397
representation of lessees.....	146	40	397
voting .....	146	40	397
lessee's share of production.....	146	40	398
liability of lessees, provisions as to.....	146	40	398
management of, unitized.....	146	38	396
unit operator .....	146	38	396
miscellaneous provisions .....	146	40	398
prevention of waste.....	146	40	398
statement of nature of operation.....	146	38	396
public lands, officers may consent to participation in.....	146	48	401
restraint of trade, laws prohibiting, not violated by unit plans	146	49	402
Unlawful acts,			
deviations from unit plan.....	146	46	401
injunctions for .....	146	56	405
violations of act.....	146	56	405
Violations,			
gross misdemeanors, are.....	146	58	406
injunction against, by committee.....	146	56	405
bond not required.....	146	56	405
interested party may sue, when.....	146	57	405
state substituted as party, when.....	146	57	406
Waste,			
above ground storage, inefficient.....	146	3	382
defined .....	146	3	381
drowning .....	146	3	382
escape of gas.....	146	3	382
fire hazards, creation of.....	146	3	382
gas-oil ratio, inefficient, operation of oil well with.....	146	3	382
gas, use for carbon black.....	146	3	382

## OIL AND GAS CONSERVATION ACT.

### OIL AND GAS CONSERVATION ACT—CONTINUED:

	Ch.	Sec.	Page
Waste,			
investigations to determine existence of.....	146	17	387
manufacture of carbon products from gas well.....	146	3	382
declared waste <i>prima facie</i> .....	146	16	387
hearing on .....	146	16	387
permit to .....	146	16	387
market demand, production in excess of.....	146	3	382
operations reducing quantities recoverable.....	146	3	381
prevention, modification of well spacing, order for.....	146	25	390
prohibited .....	146	15	387
reservoir energy, dissipation of.....	146	3	381
surface loss or destruction, excessive.....	146	3	382
underground waste .....	146	3	382
water channeling or coning.....	146	3	382
Water floods .....	146	36	396
Well logs,			
making and filing, committee may require.....	146	18	388
confidential, when .....	146	28	392
Well spacing areas,			
combining separately owned tracts.....	146	26	390
mandatory combination .....	146	26	391
voluntary combination .....	146	26	390
establishment of .....	146	22	389
order combining separate tracts.....	146	26	391
notice and hearing on.....	146	26	391
operations under .....	146	27	391
cost of .....	146	27	391
drilling for benefit of another.....	146	27	391
lien against production for expenses.....	146	27	391
production deemed from individual tracts.....	146	26	391
provisions required in.....	146	27	391
sale of products subject to lien.....	146	27	392
order establishing .....	146	24	389
all lands underlaid to be covered.....	146	25	390
modification .....	146	25	390
variance in location of well.....	146	24	389
size and shape of.....	146	23	389
uniform for entire pool, shall be.....	146	22	389
zones, pools may be divided into.....	146	22	389
additional wells, permitted in, when.....	146	25	390
Wells,			
classification of .....	146	21	389
operation with efficient ratios required, when.....	146	18	388
ownership, identification of, committee may require.....	146	18	388
permit required before drilling.....	146	14	386
application .....	146	14	386
fee for .....	146	14	386
premature abandonment, allowance to prevent.....	146	33	394
preventative operation .....	146	18	388
Wildcat wells,			
logs, surveys or reports, filed when.....	146	28	392
confidential, when .....	146	28	392
Witnesses (see Oil and gas conservation committee, <i>supra</i> , this title)			

OIL WELLS (see OIL AND GAS CONSERVATION ACT, *supra*, this Index)

OLD AGE ASSISTANCE (see CITIZENS PUBLIC ASSISTANCE ACT OF 1950, *supra*, and SOCIAL SECURITY, DEPARTMENT OF, *infra*, this Index)

PARTNERSHIPS.

OLD AGE AND SURVIVORS INSURANCE (see SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, *infra*, this Index)

OPEN-END INVESTMENT COMPANIES:

	Ch.	Sec.	Page
Legal investment for public funds, certain companies are,	275	1	930
funds of city or town pension systems.....			
funds of statewide city employee's retirement system.....	275	6	940

OSOYOOS LAKE STATE VETERANS MEMORIAL PARK:

American Legion,			
deed from .....	128	3	322
description .....	128	3	322
Creation .....	128	1	322
State parks and recreation commission,			
acceptance of deeds.....	128	2	322
		3	322
Town of Oroville,			
deed from .....	128	2	322
description .....	128	2	322

OYSTER LANDS: (see also FISHERIES, *supra*, this Index)

State lands, lease of.....	271	40	909
		41	910
Tidelands withdrawn,			
oyster production purposes excepted.....	77	1	214

P

PACIFIC MARINE FISHERIES COMPACT (see FISHERIES, *supra*, this Index)

PAROLES (see PRISON TERMS AND PAROLES, BOARD OF, *infra*, this Index)

PARTNERSHIPS:

Death of partner, dissolution upon,			
business, continuance of,			
agreement between executor or administrator and surviving partner, court may authorize.....	197	6	591
revocation .....	197	6	592
citation to show cause,			
issued when .....	197	4	590
service .....	197	4	590
receiver, appointed when.....	197	4	590
costs .....	197	4	590
sale of decedent's interests,			
orders in connection with.....	197	5	591
security, court may order, when.....	197	3	590
failure to file bond, appointment of receiver upon.....	197	4	590
costs .....	197	4	590
surviving partners,			
duties,			
accounting to court,			
motion of court, upon.....	197	2	590
petition of executor or administrator, upon.....	197	2	590
appraisal of property, when.....	197	1	589
refusal to file, effect of.....	197	4	590
inventory, filing of.....	197	1	589
refusal to file, effect of.....	197	1	590

## PARTNERSHIPS.

### PARTNERSHIPS—CONTINUED:

	Ch.	Sec.	Page
Death of partner, dissolution upon, surviving partners, rights,			
partnership estate, continuance in possession of.....	197	2	590
business, may settle.....	197	2	590
debts, may pay.....	197	2	590
executor, shall account to.....	197	2	590
petition to purchase deceased's interests.....	197	5	591
court to fix value, terms and conditions.....	197	5	591
survivor's preference .....	197	5	591
survivor as executor or administrator.....	197	5	591
waste, court may order security against.....	197	3	590
 <b>PATEROS, TOWN OF:</b>			
Acceptance of gift of land from, for Alta Lake State Park, au- thorized .....	148	2	409
 <b>PENSIONS: (see RETIREMENT SYSTEMS, <i>infra</i>, this Index)</b>			
 <b>PERJURY:</b>			
Oil and gas conservation committee, persons testifying before, subject to penalties for.....	146	7	384
Subversive activities act, applicant for public employment, written statement filed by, notice of penalty of paying, shall contain.....	254	12	799
 <b>PERMANENT STATUTE LAW COMMITTEE (see REVISED CODE OF WASHINGTON, <i>infra</i>, this Index)</b>			
 <b>PENITENTIARY, WASHINGTON STATE (see WASHINGTON STATE PENITENTIARY, <i>infra</i>, this Index)</b>			
 <b>PESTICIDE POISONS:</b>			
Act, not applicable as to, cities, towns or counties, regulation of by.....	127	1	321
use by .....	127	1	321
game, department, use in predator control.....	127	1	321
Director of agriculture, classified by as detrimental to agriculture, when.....	127	1	321
permits for use of, issued by, when.....	127	1	321
use and sale of prohibited, when.....	127	1	321
 <b>PETROLEUM PRODUCTS (see OIL AND GAS, <i>supra</i>, this Index)</b>			
 <b>PHYSICIANS AND SURGEONS:</b>			
Placement of infants unlawful, when.....	251	2	789
 <b>PLATS, SUBDIVISIONS AND DEDICATIONS OF LAND, CONTROL OF:</b>			
Authority, legislative or planning, approval inscribed on, when.....	195	2	583
public use and interest, inquiry as to.....	195	1	582
submitted to, when.....	195	1	582
Authorized plat, subdivision or dedication, known as when.....	195	2	583

PRECINCT OFFICES.

PLATS, SUBDIVISIONS AND DEDICATIONS OF LAND, CONTROL OF—CONTINUED:

	Ch.	Sec.	Page
Filing,			
auditor shall not accept for, until approved.....	195	3	583
copies, two, with county assessor.....	195	2	583
state tax commission, copy forwarded to.....	195	2	583
eligible for, when.....	195	2	583
original, with county auditor.....	195	2	583
Land outside of cities and towns,			
county commissioners or planning commission, submission to	203	1	608
state highway, adjacent to, notice to director of highways	203	1	608
suburban or land adjacent to city or town, notice to city			
or town authorities .....	203	1	608
Lots or tracts within,			
sale or offering,			
prerequisites to,			
submitted to authority, plats, etc., shall be.....	195	1	582
approval attached .....	195	1	582
filed for record.....	195	1	582
copy to assessor.....	195	1	582
prior to approval,			
contracts entered prior to 1945,			
filing authorized, when.....	224	1	679
injunction .....	224	1	678
penalty .....	224	1	678
metes and bounds description, does not exempt			
from .....	224	1	678
Metes and bounds description,			
does not exempt transaction from penalty.....	224	1	678
Unapproved plat, etc.,			
auditor shall refuse to file.....	195	3	583
filed, mandate to remove from record.....	195	3	583
auditor, costs taxed against.....	195	3	583
 PLAYGROUNDS:			
Adjoining highways, speed limits on.....	28	9	57
 POISONS, Pesticides (see PESTICIDE POISONS, <i>supra</i> , this Index)			
 POLICE JUDGES (see COURTS, <i>supra</i> , this Index)			
 POLLUTION (see WATERS, <i>infra</i> , this Index)			
 PORT DISTRICTS:			
Commissioners,			
elections (see ELECTIONS, <i>supra</i> , this Index)			
Elections (see ELECTIONS, <i>supra</i> , this Index)			
Navigable river channel improvement,			
counties and first class cities,			
cooperation with .....	33	1	78
	33	2	78
Revenue and taxation,			
capital improvement fund authorized.....	133	1	331
excess levy to pay bonded indebtedness.....	133	1	331
two mill tax levy authorized.....	133	1	331
Taxation,			
forty mill limit law does not apply to.....	255	1	804
 PORT ORCHARD, CITY OF:			
Sale of certain lands to, authorized.....	95	1	240
 PRECINCT OFFICES:			
Offices, hours of.....	100	1	247

PRISON TERMS AND PAROLES, BOARD OF.

PRISON TERMS AND PAROLES, BOARD OF: (see also related subjects, WASHINGTON STATE REFORMATORY, and WASHINGTON STATE PENITENTIARY, *infra*, this Index)

	Ch.	Sec.	Page
Aid to paroled and released prisoners.....	152	1	419
Penitentiary or reformatory, persons sentenced to, life sentence, for, paroled, may be, when.....	238	1	756
exception, sexual psychopaths.....	238	1	757
rehabilitation, analysis and report of inmate's prospects for.....	239	2	758
adjustment of term downward, basis for.....	239	2	758
war emergency, reduction downward of minimum term of inmates to be inducted in armed forces.....	239	1	757
certain inmates not eligible.....	239	1	757
Sexual psychopaths, duties concerning .....	223	9	672
medical record of to be furnished to.....	223	10	672
time served in state hospital, credit for.....	223	13	672

PROBATE:

Award to surviving spouse, homestead, none claimed, award in lieu of.....	264	2	828
death of deceased spouse, law in effect at time of, regulates maximum awards.....	264	5	830
discretion of court, within, when.....	264	3	829
amount, discretion as to.....	264	3	829
hearing, guardian <i>ad litem</i> , appearance.....	264	4	830
notice of, posting.....	264	4	830
in lieu of homestead and exemptions, award declared to be .....	264	5	830
order of judgment of court, made by.....	264	3	829
conclusive except on appeal or for fraud.....	264	5	830
further administration precluded as to portion awarded .....	264	3	829
vests absolute title .....	264	3	829
prohibited, where surviving spouse feloniously killed deceased spouse .....	264	3	829
property set off to surviving spouse.....	264	2	828
amount .....	264	2	829
law in effect upon death of deceased, limited by .....	264	5	830
claims, exempt from.....	264	5	830
community or separate, either.....	264	2	829
home or household goods included.....	264	3	829
separate property otherwise disposed of by will, award may not be taken from.....	264	5	830
where homestead selected, award to surviving spouse, court, duty to award.....	264	7	830
additional property, award of.....	264	8	831
discretionary, when .....	264	8	831
amount, discretion as to, death of deceased spouse, law in effect at time of, regulates maximum award.....	264	9	832
decree of award and set off, conclusive and final except on appeal or for fraud....	264	9	832
description of property awarded.....	264	9	832
fee simple title, vests in survivor.....	264	7	831
further administration precluded as to property awarded .....	264	9	832

PROSECUTING ATTORNEYS.

PROBATE—CONTINUED:

Award to surviving spouse, where homestead selected, award to surviving spouse, in lieu of homesteads and exemptions, award declared to be .....	Ch. 264	Sec. 9	Page 832
property awarded, further administration precluded as to property awarded .....	264	9	832
in addition to homestead, exempt from claims.....	264	9	832
separate property otherwise disposed of by will, award may not be taken from.....	264	9	832
Escheats, inmates of state institutions, disposition of property, upon death of, superintendent of institution concerned, money or property in custody of, less than two years after death of inmate, funeral expenses, superintendent may apply funds to .....	138	2	339
transfers authorized, deposit or for use of decedent to.....	138	2	339
executor or administrator, to.....	138	2	339
next of kin of decedent, to.....	138	2	339
two years after death of inmate, money forwarded to state treasurer.....	138	1	339
property to department of public institutions {	138	1	339
	138	3	339
property, sale by department of public institutions...	138	3	340
proceeds to general fund.....	138	3	340
transfer exonerates superintendent.....	138	2	339
Executors and administrators, dissolution of partnership of which decedent was member, powers and duties upon (see PARTNERSHIPS, <i>supra</i> , this Index)			
real estate, regulatory act does not apply to.....	222	9	655
Legal representatives of deceased member of state employee's retirement system, accumulated contributions, payable to, when.....	141	1	371
Mental illness proceedings, involuntary hospitalization application, handled as probate matters .....	139	39	353
probate docket, entries in.....	139	38	353

PROBATION OFFICER (see COURTS, *supra*, this Index)

PROPERTY ASSESSMENT MANUAL (see TAXATION, *infra*, this Index)

PROSECUTING ATTORNEYS:

Foreclosure of forest assessment lien.....	58	9	182
Mental illness hospitalization charges, shall assist in collection.....	139	64	360
Minors, approval of baseball contracts of.....	78	4	217
Oil and gas conservation committee, shall represent when.....	146	9	385
Plats, subdivisions and dedications, contracts entered prior to 1945, approval for filing for record.	224	1	679
filed without approval, writ of mandate to remove, shall seek.	195	3	582
Psychopathic delinquency, petition alleging, directed by court to file, may be, when.....	223	24	676
may file, when.....	223	16	673

PROSECUTING ATTORNEYS.

PROSECUTING ATTORNEYS—CONTINUED:

	Ch.	Sec.	Page
Sexual psychopathy, charge of, may file, when.....	223	3	670
Unauthorized plat, etc., filed, mandamus for removal from record.....	195	3	583
Uniform reciprocal enforcement of support act, proceedings under, duty to appear.....	196	9	586

PSYCHOPATHIC DELINQUENTS (see SEXUAL PSYCHOPATHS  
AND PSYCHOPATHIC DELINQUENTS, *infra*, this Index)

PUBLIC EMPLOYEES:

Subversive persons may not be.....	254	11	798
------------------------------------	-----	----	-----

PUBLIC EMPLOYMENT (see appropriate division, agency or in-  
stitution)

Office hours (see PUBLIC OFFICES, <i>infra</i> , this Index)			
Retirement (see RETIREMENT, <i>infra</i> , this Index)			
Social security (see SOCIAL SECURITY COVERAGE FOR PUB- LIC OFFICERS AND EMPLOYEES, <i>infra</i> , this Index)			
State employees, minimum compensation for.....	99	1	246
Veterans and veterans' widows, preference.....	29	1	59

PUBLIC FUNDS:

Appropriations (see APPROPRIATIONS, *supra*, this Index)

City funds,			
city fireman's pension fund.....	72	1	208
city or town employees pension systems, legal investment for, what is.....	275	1	930
city street fund,			
county road district taxes deposited in, when.....	248	5	786
fireworks,			
retail sales permit fee, general fund, credited to, shall be.....	174	5	478
legal investment (see Legal investment for, <i>infra</i> , this title)			
County funds,			
county hospital fund.....	256	1	807
county road fund,			
maintenance of county road improvement district roads charged against .....	192	35	577
proceeds from work on city streets, deposit in.....	54	1	161
current expense fund,			
compensating tax collection fees, deposited in .....	37	1	84
court reporter's compensation paid out of.....	210	1	621
excess funds, investment of.....	161	1	446
fireworks,			
retail sales permit fee, general fund, credited to, shall be.....	174	5	478
investments, authorized for, (see Legal Investments for, <i>infra</i> , this title)			
justice of the peace salaries.....	156	5	431
legal investment (see Legal investments for, <i>infra</i> , this title)			
Deposit,			
capitol building bonds as security for.....	22	6	45
District funds,			
county road improvement district fund.....	192	16	567
county road improvement district guaranty fund, legal investment for, what is.....	192	21	570
may establish .....	192	23	571
may establish .....	192	22	570
diking district assessment collections, credited to district funds, shall be.....	45	17	111



PUBLIC FUNDS.

PUBLIC FUNDS—CONTINUED:

	Ch.	Sec.	Page
District funds,			
improvement districts, maintenance fund.....	63	3	193
irrigation districts,			
board of control fund.....	158	1	443
disposition of funds on dissolution.....	158	14	755
legal investment (see Legal investment for, <i>infra</i> , this title)			
metropolitan park district fund.....	179	1	505
navigable river channel improvement,			
funds payable from.....	33	2	78
port districts,			
capital improvement fund, authorized.....	133	1	331
public utility districts,			
revenue bond fund.....	209	2	620
sewer district, special assessment fund.....	107	3	268
toll facility aid districts,			
district aid fund.....	199	17	597
	199	20	598
district expense fund.....	199	17	597
volunteer firemen's relief and pension fund.....	103	4	257
water district fund.....	62	1	191
Legal investment for,			
banks, in,			
funds derived from liquidations.....	105	1	259
capitol building bonds, are.....	22	6	45
county excess or inactive funds,			
what is .....	161	1	446
county road improvement guaranty fund monies,			
what is .....	192	22	570
highway construction bonds, are.....	121	5	307
institutional building construction fund, what is.....	147	1	407
public school building construction fund, what is.....	147	1	407
savings and loan associations in.....	6	1	22
funds derived from liquidations.....	105	1	259
state warrants, legal investment for surplus state monies.....	232	2	729
toll bridge authority bonds, are.....	121	14	311
	259	3	817
war projects or defense projects rating plans, pension funds,			
what is .....	144	1	376
State funds,			
agriculture, department of,			
estrays fund, deposited in,			
proceeds of sale of impounded animals.....	31	7	62
grain and hay inspection fund established.....	171	1	469
capitol building bond redemption fund, created.....	22	5	44
capitol building construction fund .....	22	5	45
capitol buildings housing costs,			
funds payable from.....	131	1	329
cities and towns, distribution to,			
annexation of territory, effect.....	248	5	785
state census board certificate, effect.....	96	2	242
civil defense,			
matching of funds required, may be.....	178	19	503
conservation and development,			
stream gauging fund.....	57	4	169
current state school fund.....	181	2	513
defense projects insurance rating plans pension funds.....	144	1	376
fishing licenses, fresh water sport, funds derived from sale of,			
uses prescribed .....	124	2	316
flood control maintenance fund.....	240	9	761
forest development fund.....	91	1	235
	149	1	410

PUBLIC FUNDS.

PUBLIC FUNDS—CONTINUED:

State funds,	Ch.	Sec.	Page
forest insect and disease control fund.....	233	8	732
	233	9	733
general fund,			
appropriation from for irrigation district delinquencies..	212	1	627
capitol building housing costs, monies paid as deposited in	131	1	329
compensating tax collections credited to.....	37	1	84
escheats of property of deceased inmates of institution, paid into, shall be.....	138	3	340
monies derived from fisheries code violations, deposited in, shall be.....	271	2	895
proceeds of sale of R.C.W., credited to, shall be.....	155	9	429
sale of maps, proceeds revert to.....	224	6	681
highway bond retirement fund, established.....	121	8	308
industrial insurance,			
accident fund,			
amounts payable into.....	236	2	744
artificial appliances .....	236	6	749
expenses of appeals board.....	225	3	683
	225	20	695
payments from .....	115	3	286
administrative fund,			
costs chargeable to.....	225	17	694
medical aid fund,			
expenses of appeals board.....	225	3	683
	225	20	695
reserve fund .....	236	7	750
institutional building construction fund.....	147	1	407
judges' retirement fund.....	79	2	220
legal investment (see Legal investment for, <i>supra</i> , this title)			
legislative budget committee (see LEGISLATIVE BUDGET COMMITTEE, <i>supra</i> , this Index)			
legislative council expense allowance,			
funds payable from.....	142	1	374
mine to market road fund, disposition of monies in.....	49	4	119
motor vehicle fund (see MOTOR VEHICLE FUND, <i>supra</i> , this Index)			
	184	5	537
	184	6	537
	184	8	539
old age and survivor's insurance (OASI) contribution fund. {			
public institutions, department of,			
forest camp revolving fund.....	234	15	740
public records committee expenses, funds payable from.....	145	4	380
public school building construction fund.....	147	1	407
public service revolving fund,			
securities permits fees deposited in, shall be.....	227	1	703
sale of timber,			
proceeds, fund deposited in.....	26	2	51
	26	3	51
social security, department of,			
central operating fund.....	261	1	825
citizens public assistance act of 1950, medical service program,			
funds financed from.....	1	7	12
old age assistance monies.....	1	9	14
contingent receipts fund.....	243	2	766
state employees retirement system,			
annuity reserve fund.....	50	3	125
	50	10	132
employee's savings fund.....	50	3	125
	50	10	132

PUBLIC FUNDS.

PUBLIC FUNDS—CONTINUED:

State funds,

	Ch.	Sec.	Page
state employees retirement system,	50	12	135
employer's accumulation fund.....	50	13	137
pension reserve fund.....	50	12	135
state fair fund.....	60	6	186
state hospitals,			
funds of patient's estates.....	139	10	343
suspense account .....	139	49	357
state printing plant revolving fund.....	139	57	359
state tuberculosis equalization fund.....	151	1	418
statewide city employees retirement fund,	204	1	609
investment of .....	275	6	940
public funds for deposit purposes, are.....	275	6	939
tax token redemption fund.....	44	4	103
transportation revolving fund, warehouse license fees de-			
posited in .....	110	1	271
unemployment compensation fund.....	215	17	641
war projects insurance rating plan pension funds.....	144	1	376
Washington state ferries revolving fund.....	259	13	820
Washington state patrol retirement fund,			
established .....	140	2	365
payments from .....	140	3	365
Washington rural rehabilitation corporation, of.....	169	1	465
Washington toll bridge authority,			
authority revolving fund.....	259	14	821
Townships,			
disposition of funds upon dissolution.....	173	9	476

PUBLIC INSTITUTIONS, DEPARTMENT OF:

Capitol buildings,

housing cost,			
charged against state activities financed by other than			
general fund .....	131	1	329

Children and youth services, division of,

act,			
construction of, relation to other laws.....	234	20	742
parents' rights to provide medical care,			
not limited by.....	234	19	741
purposes of .....	234	1	734
{	234	13	737
terms used in, synonymous with other laws.....	234	20	742
"behavior problem" synonymous with "delinquency".....	234	20	742
behavior problem reports,			
compiled by whom.....	234	13	737
who may inspect.....	234	13	737
"close security" institutions.....	234	13	739
transfer of persons to.....	234	13	739
created .....	234	3	735
defined .....	234	2	735
"delinquent children," children with behavior problems,			
synonymous .....	234	20	742
department,			
defined .....	234	2	735
"minimum security" facilities,			
acquisition of, methods for.....	234	15	739
admission to .....	234	15	739
establishment of .....	234	15	739
forest camps,			
contracts relative to.....	234	15	739

PUBLIC INSTITUTIONS, DEPARTMENT OF.

PUBLIC INSTITUTIONS, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Children and youth services, division of, department,			
powers,			
contracts with other agencies.....	234	16	740
director of public institutions,			
agreements for acquisition of minimum security facilities, may enter .....	234	15	739
assistant, appointed by, when.....	234	4	735
defined .....	234	2	735
educational facilities,			
contract with school district, division may.....	234	14	739
provide comprehensive school program, division may....	234	14	739
teacher qualifications .....	234	14	739
employees,			
appointments,			
basis, qualifications of candidates.....	234	6	736
competitive examination, through.....	234	5	735
exceptions,			
certificated teachers or employees.....	234	5	735
supervisor .....	234	5	735
state personnel board, conducted by.....	234	5	736
separate or combined, may be.....	234	7	736
civil service system,			
effect of enactment adopting.....	234	12	737
classification,			
requirement standards, personnel board shall estab- lish .....	234	6	736
title and number of positions, personnel board shall designate .....	234	6	736
discharge,			
permanent status employee.....	234	11	737
hearing .....	234	11	737
eligibles, list of,			
no list when vacancy occurs,			
direct hiring authorized.....	234	8	736
temporary status .....	234	10	737
permanent status, when.....	234	10	737
selected from, shall be.....	234	8	736
examination, qualifying, shall pass.....	234	9	737
probationary period .....	234	9	737
existing, retention of.....	234	5	736
conditions of retention.....	234	5	736
merit system,			
effect of enactment adopting.....	234	12	737
established .....	234	3	735
forest camps, acquisition authorized, revolving fund created.....	234	15	739
juvenile court law,			
act construed as supplemental to.....	234	20	742
synonomous use of terms.....	234	20	742
merit system, effect of.....	234	12	737
"minimum security" facilities,			
acquisition, methods of.....	234	15	739
admission to .....	234	15	739
established by department.....	234	15	739
forest camps as, contracts relative to.....	234	15	739
transfer from to "close security" institution.....	234	13	738
state council for children and youth, created .....	234	17	740
defined .....	234	2	735

PUBLIC INSTITUTIONS, DEPARTMENT OF.

PUBLIC INSTITUTIONS, DEPARTMENT OF—CONTINUED:

Children and youth services, division of,  
state council for children and youth,  
duties,

	Ch.	Sec.	Page
advise and consult with director in choice of supervisor .....	234	18	741
behavior problems, statistics, shall collect.....	234	18	741
committee units, assist.....	234	18	741
programs for coordinating services, shall develop....	234	18	741
recommend policies .....	234	18	741
studies of working, etc., conditions of children, shall make .....	234	18	741
surveys, shall make.....	234	18	741
meetings .....	234	17	741
members,			
appointment of .....	234	17	740
expenses .....	234	17	740
terms .....	234	17	740
vacancies .....	234	17	741
state personnel board,			
classification of employees by.....	234	6	736
examinations for, conducted by.....	234	7	736
titles of, designated by.....	234	7	736
supervisor,			
appointed by director with advice of council, shall be....	234	4	735
basis .....	234	4	735
assistant director, appointed and deputized, shall be.....	234	4	735
defined .....	234	2	735
division, charge and supervision, shall have.....	234	4	735
employees selected from list of eligibles, by.....	234	8	736
powers and duties,			
behavior problem reports,			
compilation of .....	234	13	737
diagnostic facilities and services, shall maintain.....	234	13	738
supervision of persons admitted or committed.....	234	13	738
transfer to other institutions except to "close security" institution .....	234	13	738
supervision of release and post-institutional placement	234	13	738
qualifications of .....	234	4	735
Code reviser,			
office space for, shall furnish.....	157	15	440
Director,			
housing costs of state activities financed by other than state general fund,			
billed by .....	131	1	329
payment to .....	131	1	330
Medical Lake,			
use of state land at, evaluation of, by.....	25	1	50
non-resident insane, feeble minded and epileptic persons, to be returned by.....	137	1	337
office space for code reviser, furnished by.....	157	15	440
penitentiary or reformatory, incarceration of out of state persons,			
authorized .....	135	1	332
rate of keep, agreements for, may enter.....	135	2	333
vacant space must exist.....	135	3	333
psychopathic delinquents, may designate institutions for care of .....	223	25	677
psychiatric care, institution shall provide.....	223	25	677
public records, destruction of, when.....	145	1	378

PUBLIC INSTITUTIONS, DEPARTMENT OF.

PUBLIC INSTITUTIONS, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Inmates of state institutions, disposition of property upon death, funeral expenses of.....	138	2	339
property,			
disposition of, two years after death.....	138	1	338
receipt of, prior to two year period.....	138	2	339
sale of, at public auction, when.....	138	3	339
proceeds of .....	138	3	340
Insane, feeble minded and epileptic persons, duties of director concerning (see INSANE, FEEBLE MINDED AND EPILEPTIC PERSONS, <i>supra</i> , this Index)			
Institutional board of health, abolished.....	10	1	25
Sexual psychopaths and psychopathic delinquents, commitment and release of (see SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>infra</i> , this Index)			
State Hospitals (see MENTAL ILLNESS HOSPITALIZATION ACT, <i>supra</i> , this Index; also SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>infra</i> , this Index)			
veterans administration, transfer of committed persons to custody of .....	53	18	159
Washington State penitentiary and reformatory (see also PRISON TERMS AND PAROLES, BOARD OF, <i>supra</i> , this Index, WASHINGTON STATE PENITENTIARY, and WASHINGTON STATE REFORMATORY, <i>infra</i> , this Index)			
persons sentenced by other courts, incarceration of, authorized .....	135	1	332
rate of keep, agreements for authorized.....	135	2	333
vacant space must exist.....	135	3	333

PUBLIC INSTRUCTION, SUPERINTENDENT OF:

Handicapped children,			
children of pre-school age.....	92	2	237
state aid .....	92	2	237
defined .....	92	1	236
division of, created.....	92	1	236
juvenile court,			
removal from jurisdiction of, approval required for.....	92	1	236
Washington state safety council,			
executive board, member of is.....	247	19	776
official coordinating committee, member of is.....	247	23	777

PUBLIC LANDS:

Animals running at large upon.....	31	1	61
Commissioner of public lands,			
gas or oil production, unit plan, consent to participation in..	146	48	401
Kennewick shore lands, certification of conveyance of.....	24	1	49
member of state soil conservation committee, shall be.....	216	3	643
office of,			
records of oil and gas conservation committee, to be kept in .....	146	13	386
inspection, open to.....	146	13	386
oil and gas conservation committee, member is.....	146	4	383
oyster lands,			
lease of, application for, made to.....	271	40	909
rental of, fixed by whom.....	271	40	910
rules and regulation of, RCW 78.28.110 harmonized.....	146	37	396
sales of land by.....	83	1	224
Medical lake, tract of land in city of.....	25	1	50
school lands in Skagit county.....	83	1	224
state parks, reservation of lands for.....	26	1	51
rental to be fixed.....	26	2	51
timber, cutting of, on.....	26	3	51

PUBLIC LANDS.

PUBLIC LANDS—CONTINUED:

Commissioner of public lands,			
surveys and maps, duties concerning (see Surveys and Maps, <i>infra</i> , this title)			
tide lands,		<i>Ch.</i>	<i>Sec.</i>
withdrawal from sale or lease.....	77	1	214
oyster production or booming purposes excepted....	77	1	214
timber land, sale of.....	226	1	847
unit plans for oil and gas production, may consent to.....	146	48	401
Cowlitz county,			
state lands reserved from sale.....	134	1	332
Engineering department (see Surveys and maps, <i>infra</i> , this title)			
Forest lands (see also CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index)			
forest development fund.....	}	91	1
		149	1
property acquired by county on foreclosure.....	91	1	235
deed to state.....	91	1	235
lease of, rentals from.....	91	1	235
timber upon state lands,			
cutting of on lands reserved for state park purposes.....	26	3	51
sale of,			
authorized .....	266	1	846
contract of sale,			
deposit, purchaser to make.....	266	3	847
forfeiture of, when.....	266	3	847
terms of .....	266	2	847
laws applicable .....	266	1	847
Irrigation districts, state lands situated in or taken into,			
public lands,			
assessments on .....	212	1	626
payment of .....	212	1	627
delinquencies,			
appropriations for, when.....	212	1	627
sale of, for delinquency, prohibited.....	212	1	627
petition for inclusion within district,			
request for .....	212	1	626
hearing .....	212	1	626
notice of .....	212	1	626
objections heard .....	212	1	626
service of, on commissioner.....	212	1	625
water rights of, upon inclusion.....	212	1	627
Lake Merrill,			
shore lands, beds and waters of,			
reservation from sale.....	134	1	332
Lands granted to state for capitol building purposes,			
revenue derived from designated source of retirement of office building bonds.....	22	1	43
Logs and logging (see Timber, <i>infra</i> , this title)			
Port Orchard, city of,			
sale of lands to.....	95	1	240
Skagit county, school lands may be sold.....			
83	1	224	
Surveys and maps,			
agency, powers and duties,			
maps and records, compile and index, shall.....	224	6	680
monuments and bench marks.....	224	6	680
surveys performed under this act.....	224	6	680
report of accomplishments, shall submit.....	224	6	681
sale of maps and publications, shall supervise.....	224	6	681
proceeds to general fund.....	224	6	681
standards and methods, shall set up.....	224	6	680

PUBLIC LANDS.

PUBLIC LANDS—CONTINUED:

Surveys and maps, advisory board, members,	Ch.	Sec.	Page
appointed by commissioner.....	224	3	679
compensation, shall serve without.....	224	3	679
expenses, entitled to reimbursement for.....	224	3	679
qualifications .....	224	3	679
commissioner, engineering department and board, powers and duties,			
cooperate with state, political subdivision and engineers or surveyors concerning.....	224	4	680
land boundary marks, recovery of.....	224	4	680
monumentation .....	224	4	680
section corners, recovery of.....	224	4	680
United States coast and geodetic survey level net, pro- mote use of.....	224	4	680
Washington state coordinate system, use of, shall fa- cilitate .....	224	4	680
engineering department, designated official agency for.....	224	3	679
employees, licensed engineers or surveyors, shall be.....	224	5	680
Tide lands,			
Skagit, Snohomish and Island counties, withdrawal from sale.....	77	1	214
oyster production or booming purposes excepted.....	77	1	214
Timber (see CONSERVATION AND DEVELOPMENT, <i>supra</i> , this Index; also Forest lands, <i>supra</i> , this title)			

PUBLIC NUISANCE (see NUISANCE, *supra*, this Index)

PUBLIC OFFICERS:

Compensated by salary in lieu of fees, who are, shall collect fees for use of state or county.....	51	7	146
Fees, schedule of fees (see COUNTY AUDITOR, COUNTY SHER- IFF, COURTS, ETC., <i>supra</i> , this Index)			
Retirement or social security provisions concerning (see RE- TIREMENT, <i>infra</i> , this Index)			
Subversive persons may not be.....	254	11	798
Supplemental publication of legal notices by radio, authorized....	119	1	301

PUBLIC OFFICES:

Hours of business,			
city and town offices.....	100	2	247
county offices .....	100	1	247
precinct offices .....	100	1	247
state officials .....	100	3	247
excepted,			
attorney general .....	100	4	247
courts of record.....	100	4	247
lieutenant governor .....	100	4	247

PUBLIC PRINTER:

Duties .....	151	1	418
Gross income, disposition of.....	151	1	418
Housed in state office building, shall be.....	22	7	46
Machinery, purchase of.....	151	1	418
Public printing, fees for, shall charge.....	151	1	418
Salary .....	151	1	418
State printing plant revolving fund.....	151	1	418
State printing plant, use by.....	151	1	418
Washington reports, may print.....	151	1	418



PUBLIC SERVICE COMMISSION.

PUBLIC RECORDS:	Ch.	Sec.	Page
Act, construction of.....	145	6	380
Classified .....	145	3	378
Defined .....	145	3	378
Destruction,			
cities and counties, records of.....	145	5	380
authorization for .....	145	5	380
reproduced or ten years old, shall be.....	145	5	380
committee for authorization of,			
composition .....	145	2	379
duties .....	145	2	378
}	145	3	378
authorization of destruction, procedure for.....	145	2	378
determination of what shall be destroyed.....	145	2	378
expenses, entitled to, are.....	145	4	380
period of preservation of office files or memoranda, fixed by .....	145	3	379
director of public institutions, shall destroy when.....	145	1	378
microphotographed or otherwise reproduced, records shall be when .....	145	3	379
motor vehicle registrations and operator's licenses.....	241	1	763
municipal corporations division of office of state auditor, city and county records, approval for destruction.....	145	5	380
official public records,			
defined .....	145	3	379
reproduced or ten years old, shall be.....	145	3	379
office files and memoranda,			
defined .....	145	3	379
disposition of, authorization for.....	145	3	379
Secretary of State, copy of authorization and list filed with.....	145	2	378
Veterans administration,			
certified copies furnished to without charge, when.....	53	16	157
 PUBLIC SERVICE COMMISSION:			
Auto stages,			
seating capacity fees, payable to.....	269	14	860
deposit .....	269	14	860
non-payment, penalty .....	269	14	860
Carriers of persons or property,			
rates, fixing of.....	75	1	210
hearing concerning .....	75	1	211
standards or formulas for.....	75	1	211
Chairman,			
Washington state safety council,			
official coordinating committee, member of is.....	247	23	778
Created .....	260	1	823
bipartisan, shall be.....	260	1	823
members .....	260	1	823
appointment .....	260	1	823
vacancy, to fill.....	260	1	824
removal .....	260	1	824
hearing concerning .....	260	1	824
tribunal for .....	260	1	824
salaries of .....	260	1	824
terms of office.....	260	1	823
vacancy .....	260	1	824
temporary appointment for.....	260	1	824
Grade crossings (see RAILROADS, <i>infra</i> , this Index)			
Logging and industrial railroads (see RAILROADS, <i>infra</i> , this Index)			
Petroleum products,			
pipeline common carriers of, jurisdiction over.....	94	2	238

PUBLIC SERVICE COMMISSION.

PUBLIC SERVICE COMMISSION—CONTINUED:

	Ch.	Sec.	Page
Public service revolving fund,			
auto stage penalties credited to.....	269	14	860
grade crossing fees, deposited in.....	111	1	273
securities, fees collected upon issuance of, deposited in.....	227	1	703
Railroads (see RAILROADS, <i>infra</i> , this Index)			
Rates (see Carriers of persons or property, <i>supra</i> , this title)			
Securities of public service companies,			
application to issue,			
fees .....	227	1	701
disposition of .....	227	1	702
schedule of .....	227	1	701
evidence of indebtedness, defined.....	227	2	703
Transportation revolving fund,			
warehouse license fees, deposited in.....	110	1	271
Warehouses and warehousemen.....	110	1	271
counties having population of 30,000 or more,			
license to operate,			
fee .....	110	1	271
transportation revolving fund, deposited in, shall			
be .....	110	1	271
operation without,			
enjoinable is .....	110	1	272
penalty for .....	110	1	272
posted in conspicuous place, shall be.....	110	1	271
required .....	110	1	271
revocation of .....	110	1	272
PUBLIC SERVICE REVOLVING FUND (see PUBLIC SERVICE COMMISSION, <i>supra</i> , this Index)			
PUBLIC SHOOTING GROUNDS:			
Tide lands reserved as.....	77	2	215
PUBLIC UTILITY DISTRICTS:			
Commissioners,			
compensation of, payable when.....	207	4	616
expenses, reimbursement for, authorized.....	207	4	616
local utility districts, shall establish methods of procedure for	209	2	619
Contracts (see Work and materials, procurement procedure, <i>infra</i> , this title)			
County wide,			
acquisition of electrical distribution properties of other dis-			
tricts .....	272	2	914
Elections (see ELECTIONS, <i>supra</i> , this Index)			
Electrical distribution properties of,			
subject to acquisition,			
certain first class cities, by.....	272	1	914
county wide public utility districts, by.....	272	2	914
Formation of,			
special election for.....	207	5	617
ballot form for.....	207	5	617
conducted how .....	207	5	617
notice of .....	207	5	617
Local utility assessment districts,			
assessments and reassessments, may levy and collect.....	209	1	619
bonds, local improvement,			
issuance authorized .....	209	1	619
	209	2	620

PSYCHOPATHIC PERSONS.

PUBLIC UTILITY DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Local utility assessment districts,			
creation of within public utility districts, authorized.....	209	1	619
improvements,			
financing of .....	209	2	620
laws applicable to.....	209	2	620
protests to .....	209	2	620
revenue bond fund.....	209	2	620
laws applicable to.....	209	2	620
purposes of .....	209	1	619
revenue bonds, issuance of authorized.....	209	2	620
special benefits, assessments shall be based on.....	209	1	619
	209	2	620
warrants, local improvement,			
issuance authorized .....	209	1	619
	209	2	620
Power districts, taxation,			
forty mill limit law does not apply to.....	255	1	804
Work and materials, procurement procedure,			
\$5,000, estimated cost over, competitive bidding requirements.	207	2	614
bids,			
acceptance .....	207	3	615
letting contract in excess of estimated cost, prohibited	207	3	615
bid bond,			
required provisions of.....	207	3	615
canvass of .....	207	3	615
certified check or bid bond,			
accompanied by, shall be.....	207	3	615
return to bidders.....	207	3	615
successful bidder's, forfeited, when.....	207	3	616
not required, when,			
emergency endangering public safety.....	207	2	614
governmental agency, acquisition of material or			
equipment owned by.....	207	2	614
work by own personnel, material under \$15,000.....	207	2	614
reject and readvertise, committee may.....	207	3	615
notice to bidders,			
contents .....	207	3	615
published, when .....	207	2	614
performance bond .....	207	3	616
plans and specifications,			
filed in district office, shall be.....	207	2	615
invitation to bidders to submit, authorized.....	207	2	614
 PUBLIC WELFARE: (see CITIZENS PUBLIC ASSISTANCE ACT OF 1950, <i>supra</i> , this Index; also SOCIAL SECURITY, DEPART- MENT OF, <i>infra</i> , this Index)			
Washington welfare survey commission abolished.....	11	1	26
 PUGET SOUND FERRY AND TOLL BRIDGE SYSTEM (see TOLL BRIDGE AUTHORITY, <i>infra</i> , this Index)			
 PSYCHOPATHIC PERSONS (see SEXUAL PYSCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>infra</i> , this Index)			

## RADIO STATIONS.

### R

#### RADIO STATIONS:

Publication of legal notices (see LEGAL NOTICES, *supra*, this Index)

#### RAILROADS:

##### Equipment,

	Ch.	Sec.	Page
common carrier railroads,			
caboose,	66	2	200
first aid kits, drinking water and cups required.....			
fire protection equipment (see CONSERVATION AND DEVELOPMENT, subtitle Forests, <i>supra</i> , this Index)			
locomotives,			
defined .....	66	1	200
first aid kits, drinking water and cups required.....	66	2	200
passenger cars,			
first aid kits required.....	66	2	200
track motor cars, equipment required,			
canopy or top.....	42	1	93
unlawful to operate without, when.....	42	2	93
headlights and rear lights, night operated cars.....	42	3	93
unlawful to operate, when.....	42	4	93
windshield and wiper.....	42	1	93
unlawful to operate without, when.....	42	2	93
violation is midemeanor.....	66	3	200
	42	5	94
contracts for sale or lease of, certain provisions authorized...	191	1	554
contract or assignment of vendor's or lessor's interest in, valid against judgment creditors or <i>bona fide</i> purchaser .....	191	1	554
acknowledged and recorded.....	191	1	556
equipment is marked.....	191	1	556
Industrial railroads (see Logging and Industrial railroads, <i>infra</i> , this title)			
Locomotive, defined .....	66	1	200
Logging and industrial railroads,			
fire protection equipment (see CONSERVATION AND DEVELOPMENT, subtitle Forests, <i>supra</i> , this Index)			
grade crossings,			
additional crossing, what constitutes.....	111	1	273
public service commission,			
fees, fixed by .....	111	1	273
disposition of .....	111	1	273
statement of, to be filed with.....	111	1	272
failure to file, penalty.....	111	1	273
public service revolving fund,			
fees deposited in.....	111	1	273
separate crossing, what constitutes.....	111	1	273
RAINIER STATE SCHOOL:			
Employees,			
retention of, division of children and youth services.....	234	5	736
REAL ESTATE BROKERS AND SALESMEN:			
Act,			
excluded from operation of.....	222	9	655
attorney at law or attorney in fact in performance of his duties .....	222	9	655
escrow agents .....	222	9	655
executors, guardians, etc.....	222	9	655
persons buying or selling property or business opportunities for own account.....	222	9	655

## REAL ESTATE BROKERS AND SALESMEN.

### REAL ESTATE BROKERS AND SALESMEN—CONTINUED:

	Ch.	Sec.	Page
<b>Appeal,</b>			
superior court, to,			
bond,			
amount .....	222	25	667
clerk of court, filed with.....	222	25	667
when .....	222	25	667
determination of court,			
based on record, shall be.....	222	17	662
notice of, filed with director.....	222	25	667
when .....	222	25	667
order of director,			
filing of notice and bond supersedes.....	222	26	667
reversed or modified, when.....	222	17	662
summarily hear and determine question, court shall.....	222	17	662
taken, how .....	222	25	667
time for .....	222	25	667
transcript,			
cost, borne by appellant.....	222	26	668
dismissal on failure to pay.....	222	26	668
payable, when .....	222	26	668
director shall prepare.....	222	26	667
filed with court.....	222	26	668
notice to appellant of.....	222	26	668
supreme court, to,			
procedure .....	222	17	662
scope of review.....	222	17	662
<b>Associate real estate broker (see also Real estate broker, <i>infra</i>, this title)</b>			
defined .....	222	1	652
license, unlawful to operate without.....	222	8	654
gross misdemeanor, is.....	222	20	664
<b>Bonds,</b>			
actions on .....	222	18	663
aggregate liability on.....	222	18	663
appeal, on .....	222	25	667
filing .....	222	18	663
<b>Broker (see Real estate broker, <i>infra</i>, this title)</b>			
Business opportunity, defined.....	222	1	652
Closing statement, copies for parties.....	222	19	664
<b>Compensation, action to collect as broker, associate or salesman,</b>			
proof of license is condition precedent.....	222	8	654
<b>Director of licenses,</b>			
bonds, filed with.....	222	18	663
employees and clerks, may employ and discharge.....	222	2	652
compensation, may fix.....	222	2	652
interest in real estate business prohibited.....	222	4	653
examinations, time for, fixed by.....	222	3	652
sample questions for, furnished.....	222	11	657
inspectors, may appoint.....	222	2	652
compensation, may fix.....	222	2	652
interest in real estate business prohibited.....	222	4	653
qualifications of .....	222	2	652
laws, shall enforce.....	222	3	652
powers,			
investigations .....	222	16	659
suspend, revoke licenses (see Licenses, <i>infra</i> , this title)			
real estate business, interest in prohibited.....	222	4	653
rules and regulations, enforced by.....	222	3	652
sample examination questions furnished by.....	222	11	657
temporary salesman's license, may issue.....	222	13	658

## REAL ESTATE BROKERS AND SALESMEN.

### REAL ESTATE BROKERS AND SALESMEN—CONTINUED:

Earnest money receipts,		
other than cash, receipt shall disclose.....	222	16 661
parties, copy to be delivered to.....	222	19 664
record, copy to be kept as.....	222	19 663
Examination commission (see Licenses, <i>infra</i> , this title)		
Gross misdemeanor, acting without license or violation of act, is.	222	20 664
Hearings (see Licenses, subtitle suspension, revocation or refusal to renew, <i>infra</i> , this title)		
License,		
application for .....	222	10 655
bond .....	222	10 655
corporation applicant .....	222	10 656
examination fee to accompany, amount.....	222	10 655
non-resident (see non-resident brokers, <i>infra</i> , this title)		
other proof as to honesty and good reputation.....	222	10 656
corporation,		
list of officers to be furnished.....	222	10 656
examination for,		
broker's license,		
minimum experience required as prerequisite.....	222	7 654
more exacting, examination shall be.....	222	11 657
commission to conduct,		
appointment of .....	222	5 653
duties .....	222	7 654
examination, shall prepare.....	222	7 654
list of examinees, copy of questions and answers, shall file with director.....	222	7 654
members,		
compensation of .....	222	6 653
expenses, reimbursed for.....	222	6 653
qualifications .....	222	5 653
discretionary, broker moving from another state having reciprocal laws .....	222	21 665
failure to pass, applicant may apply again.....	222	7 654
subjects to be covered in.....	222	11 657
time for, fixed by director.....	222	3 652
expiration date of.....	222	12 657
fee, payable before license shall issue.....	222	12 657
renewal fee .....	222	12 658
penalty for delinquency.....	222	12 658
non-resident brokers (see Non-resident brokers, <i>infra</i> , this title)		
operation under,		
by person other than person to whom issued, prohibited..	222	14 659
exceptions,		
consent by director, written.....	222	14 659
corporation, license issued to.....	222	14 659
partnership .....	222	14 659
proof of as condition precedent, in action to collect compensation .....		
renewal fee for.....	222	8 654
delinquency, penalty for.....	222	12 658
suspension, revocation or refusal to renew,		
dismissal of proceedings, when.....	222	24 667
grounds for .....	222	16 660
advertising improperly .....	222	16 661
appraisal on predetermined value.....	222	16 662

## REAL ESTATE BROKERS AND SALESMEN.

### REAL ESTATE BROKERS AND SALESMEN—CONTINUED:

	Ch.	Sec.	Page
License,			
suspension, revocation or refusal to renew,			
grounds for,			
appraisal report where interest not stated.....	222	16	662
compensation from more than one party.....	222	16	661
conversion .....	222	16	661
crime involving moral turpitude or dishonest dealing.	222	16	660
earnest money, taking other than cash as.....	222	16	661
false statements .....	222	16	660
fraudulent conduct .....	222	16	660
fraudulent or dishonest act, commission of.....	222	16	661
information or records, failure to disclose to director.	222	16	661
license obtained through inadvertence of director or			
by fraud .....	222	16	660
misrepresentation of membership in real estate asso-			
ciation .....	222	16	662
operations continued after written objection by di-			
rector .....	222	16	661
undisclosed commissions, accepting.....	222	16	662
unlicensed salesmen, employing.....	222	16	660
violation of chapter or rules and regulations.....	222	16	660
violation of RCW 18.85.310 or 18.85.320.....	222	16	662
violation of RCW 18.85.230 or 18.85.320.....	222	19	663
hearing concerning .....	222	23	666
adjourned, may be.....	222	24	666
conducted by whom.....	222	23	666
council, parties entitled to.....	222	23	666
held, where .....	222	24	666
licensee's failure to appear.....	222	24	666
notice of .....	222	23	666
place of .....	222	24	666
setting of time and place for.....	222	23	666
transcript of .....	222	24	666
order of .....	222	25	667
appeal from (see Appeal, <i>supra</i> , this title)			
basis for .....	222	25	667
operative, when .....	222	25	667
service upon party affected.....	222	25	667
stay of .....	222	26	667
procedure for, initiated how.....	222	23	665
motion of director, or on statement or accusation....	222	23	665
preliminary investigations pursuant to.....	222	23	666
temporary broker's license.....	222	13	658
temporary salesman's license.....	222	13	658
unlawful to act, without.....	222	8	654
Non-resident broker,			
funds,			
requirements of act relating to, is subject to.....	222	21	665
retain within state, shall.....	222	21	664
license,			
application for .....	222	21	664
irrevocable consent to suit, shall file with.....	222	10	656
broker moving into state from reciprocal state, issuance to	222	21	665
place of business within state,			
maintenance not required.....	222	21	664
privileges, accorded to, conditioned upon what.....	222	21	665
licensed broker, shall be.....	222	21	665
state of domicile,			
maintain license in, shall.....	222	21	665
maintain place of business in, shall.....	222	21	665
reciprocity, shall accord.....	222	21	665
process and pleadings, service upon.....	222	10	656
regulatory provisions apply to.....	222	22	665

## REAL ESTATE BROKERS AND SALESMEN.

### REAL ESTATE BROKERS AND SALESMEN—CONTINUED:

	Ch.	Sec.	Page
Person,			
defined .....	222	1	652
operations under own name of.....	222	14	658
exceptions .....	222	14	659
Real estate broker or broker,			
defined .....	222	1	651
earnest money receipts.....	222	19	663
license,			
broker moving to this state.....	222	21	665
temporary .....	222	13	658
unlawful to operate without.....	222	8	654
gross misdemeanor, is.....	222	20	664
non-resident (see Non-resident brokers, <i>supra</i> , this title)			
office, location of.....	222	15	659
parties, copies of instruments shall be delivered to.....	222	19	663
real estate fund accounts,			
maintained separately, shall be.....	222	19	664
violation .....	222	19	664
records required .....	222	19	663
inspection shall be open to.....	222	19	663
Real estate fund account (see Real estate broker, <i>supra</i> , this title)			
Real estate salesman or salesman,			
defined .....	222	1	652
license, unlawful to operate without.....	222	8	654
gross misdemeanor, is.....	222	20	662
temporary .....	222	13	658
Reciprocity (see non-resident brokers, <i>supra</i> , this title)			
Violations, gross misdemeanors, are.....	222	20	664
RECLAMATION DISTRICTS (see IRRIGATION AND RECLAMATION DISTRICTS, <i>supra</i> , this Index)			
REFORESTATION LANDS (see TAXATION, <i>infra</i> , this Index)			
RESTRAINT OF TRADE:			
Laws prohibiting, not violated by oil or gas unit plan.....	146	49	402
RETAIL SALES TAX (see TAXATION, <i>infra</i> , this Index)			
RETIREMENT SYSTEMS OF THE STATE AND POLITICAL SUBDIVISIONS THEREOF: (see also CITIES AND TOWNS, COURTS, FIREMEN'S RELIEF AND PENSIONS, <i>supra</i> , SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, STATE EMPLOYEES RETIREMENT SYSTEM, STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEMS, WASHINGTON STATE PATROL, <i>infra</i> , this Index)			
Contracts to protect rights of transferring members, state retirement board may enter.....	50	17	139
Governing bodies, control shall remain in.....	98	1	244
Intent, declaration of.....	98	1	244
Members transferring employment, rights preserved.....	50	13	137
membership in state employees retirement system, accorded when .....	50	2	123
Public service, joint operation of.....	98	5	245
amalgamation of agencies, effect.....	98	2	244
Receipt of benefits from one or more systems.....	98	4	245
Service credits,			
accumulation of,			
persons employed by more than one agency.....	98	1	244
recovery of lost or lapsed, authorized.....	98	3	245



REVISED CODE OF WASHINGTON.

RETIREMENT SYSTEMS OF THE STATE AND POLITICAL SUB-DIVISIONS THEREOF—CONTINUED:

Service credits,			
retention of by member of one system accepting other public employment .....	Ch. 98	Sec. 2	Page 245
Washington state patrol retirement system, members may retain service credit in other systems, when.....	140	10	371

REVENUE AND TAXATION (see TAXATION, *infra*, this Index)

REVISED CODE OF WASHINGTON: (see also Revised Code of Washington in Index to 1950 Extraordinary Session, *supra*, this Volume)

Code reviser,			
assistance for, committee shall employ.....	157	5	437
compensation, shall fix.....	157	5	437
compensation of, committee shall fix.....	157	5	437
defined .....	157	6	437
duties,			
annotations of court decisions, may prepare and maintain	157	10	439
codify laws for consolidation into R.C.W.....	157	7	437
construction sections, shall omit from code.....	157	8	438
annotation to act, set forth as.....	157	8	439
included, when .....	157	8	438
omission, effect of.....	157	8	439
edit and revise laws without change of meaning.....	157	7	437
captions, change wording of.....	157	7	438
capitalization, uniform .....	157	7	437
chapter, etc., designations uniform.....	157	7	437
long sections, division.....	157	7	438
manifest errors, correction of.....	157	7	437
misplaced material, shall rearrange.....	157	7	438
obsolete provisions, shall strike.....	157	7	438
rearrangement of order.....	157	7	438
substitutions, shall make.....	157	7	438
enacting clauses, shall omit from code.....	157	8	438
annotation to act, set forth as.....	157	8	439
included, when .....	157	8	438
emergency, declarations of, shall omit from code.....	157	8	438
included, when .....	157	8	438
historical records, shall prepare and maintain.....	157	9	439
legislation, proposed, shall prepare, when.....	157	11	439
legislators,			
information, shall supply to.....	157	12	439
legislation, shall assist in preparation of.....	157	12	439
permanent numbers, shall assign to new chapters and {	157	7	437
sections .....	157	17	441
certification to secretary of state.....	157	17	441
preambles, shall omit from code.....	157	8	438
annotation to act, set forth as.....	157	8	438
included, when .....	157	8	438
recommendations to code committee, shall make.....	157	11	439
repealing clauses, shall omit from code.....	157	8	438
included, when .....	157	8	438
session laws and initiatives,			
headings, side annotations and index, shall make.....	157	18	441
state departments, shall assist in preparation of legislation	157	12	439
titles, and certain clauses or sections of acts, shall omit			
from code .....	157	8	438
annotation to act, set forth as, when.....	157	8	439
effect of omission.....	157	8	438
inclusion, when .....	157	8	438

REVISED CODE OF WASHINGTON.

REVISED CODE OF WASHINGTON—CONTINUED:

Code reviser, duties, titles, and certain clauses or sections of acts, shall omit from code,.....	Ch. 157	Sec. 8	Page 438
validity, sections, shall omit from code.....	157	8	438
included, when .....	157	8	439
omission, effect of.....	157	5	437
employ, committee shall.....	157	5	437
functions and performance of, general supervision over.....	157	15	440
office and storage space for, furnished where.....	157	6	437
qualifications required .....	5	6	20
Construction, rules of, meaning of laws not changed.....	5	6	20
omissions or inconsistencies, previously existing laws shall control .....	5	6	20
sections expressly amended constitute the law.....	5	6	20
Construction sections of acts, effect of omission.....	157	8	439
Enacted .....	5	2	18
Laws of general and permanent nature in effect January 1, 1951, established .....	5	6	20
Numbering system of supplement, adopted .....	5	3	19
numbering of new chapters or sections.....	5	4	19
corrections authorized .....	5	4	20
new sections to be inserted, formula for.....	5	4	19
numbering or renumbering, formula for.....	5	3	19
Official code, what constitutes.....	157	16	440
<i>prima facie</i> evidence, is.....	157	16	440
Permanent statute law committee, appropriation for .....	157	20	442
certificate of .....	157	14	440
created .....	157	16	440
code reviser, assistance for, compensation, shall fix.....	157	5	437
shall employ .....	157	5	437
shall employ .....	157	5	437
compensation, shall fix.....	157	5	437
meetings .....	157	4	436
membership, chairman, shall elect.....	157	4	436
composition .....	157	1	435
designations or appointments to, time for.....	157	1	436
members, compensation, shall serve without.....	157	3	436
expenses, shall be reimbursed for.....	157	3	436
terms of office.....	157	2	436
ex-officio members .....	157	2	436
quorum, what constitutes.....	157	4	436
vacancies, how filled.....	157	2	436
specifications for publication of R.C.W., certificate of compliance.....	157	14	440
formulate, committee shall.....	157	14	439
furnished to publishers, when.....	157	14	440
modification during process of publication.....	157	14	440
non-complying publication not receivable as evidence... ..	157	14	440
temporary edition excepted.....	157	14	440
Secretary of state, code certified by.....	157	16	440
code numbers assigned shall be certified to.....	157	17	441
Sections of code expressly amended constitutes the law.....	5	6	20
Supplement, 1950, enacted and consolidated with.....	5	1	18

SALES TAX.

REVISED CODE OF WASHINGTON—CONTINUED:

Supplement, 1950, enacted and consolidated with,			
embraced therein,			
in codified form, laws enacted since Jan. 1, 1949.....	Ch. 5	Sec. 1	Page 18
numbering, new system of.....	5	1	18
revision and recodification of certain titles, chapters and sections .....	5	1	18
Temporary code (see Temporary code publication committee, <i>infra</i> , this title)			
Temporary code publication committee,			
appropriation .....	155	8	429
membership,			
composition .....	155	1	427
members,			
compensation, shall serve without.....	155	7	429
expenses, entitled to reimbursement for.....	155	7	429
officers, shall elect.....	155	7	429
quorum .....	155	7	429
temporary edition of code,			
attorneys and clerical assistants, may employ for editing..	155	3	428
code, unannotated, shall secure early publication of.....	155	2	427
cross references and cross reference tables, shall contain..	155	5	428
editing, what included in.....	155	4	428
laws enacted at 1951 session.....	155	4	428
evidence, <i>prima facie</i> of laws of state, shall be received as index, adequate and workable, shall be prepared.....	155	6	428
legislative histories, shall contain.....	155	4	428
legislature, members and certain officers to receive copies without charge .....	155	9	429
official code, shall be.....	155	6	429
price to purchasers, may fix.....	155	2	428
printing, may contract or arrange for.....	155	2	427
sale and distribution, administration of.....	155	9	429
legislature, members and certain officers entitled to sets without charge.....	155	9	429
proceeds, disposition of.....	155	9	429
unannotated as to court decisions, shall be.....	155	5	429
written specifications, may prepare.....	155	2	427
vouchers, approval required.....	155	10	429
Validity sections of acts, effect of omissions.....	157	8	439

RIVER IMPROVEMENT DISTRICTS:

Elections (see ELECTIONS, *supra*, this Index)

RODENTS:

Pesticides for control of,			
regulation by director of agriculture.....	127	1	321
exceptions,			
cities, towns and counties,			
performance of duties, used in.....	127	1	321
regulate use, which.....	127	1	321
game, department of.....	127	1	321

S

SAFETY (see WASHINGTON STATE PATROL; also WASHINGTON STATE SAFETY COUNCIL, *infra*, this Index)

SAGER, FRANK T.:

Governor to deed land to.....	59	2	184
-------------------------------	----	---	-----

SALES TAX (see TAXATION, *infra*, this Index)

## SALT CREEK STATE PARK.

	Ch.	Sec.	Page
<b>SALT CREEK STATE PARK:</b>			
Act establishing, repealed.....	19	1	37
<b>SAVINGS AND LOAN ASSOCIATIONS:</b>			
Funds of state and political subdivisions,			
may be invested in.....	6	1	22
restriction upon amount in any one association.....	6	1	22
Supervisor of banking,			
investment in, funds from liquidations.....	105	1	259
<b>SCHOOLS AND SCHOOL DISTRICTS: (see also SCHOOL DISTRICTS</b>			
in index to 1950 Ex. Sess., <i>supra</i> , this volume; also in index to			
1951 Ex. Sess., <i>infra</i> , this volume)			
<b>Bonds,</b>			
signatures required,			
coupons .....	88	4	232
delegation of authority to affix,			
authorized .....	88	1	231
effect of delegation.....	88	1	231
liability of delegating officer.....	88	3	232
procedure for delegation.....	88	2	231
revocation of delegation.....	88	2	231
effective, when .....	88	2	231
form of signature.....	88	2	231
Boundaries,			
alteration and changes of,			
county superintendent shall order, when.....	87	1	229
changes certified to county and school district officers,			
shall be .....	87	1	229
Construction funds,			
investment of excess,			
federal securities .....	147	1	407
deposit of, where.....	147	2	407
income from, credited to.....	147	3	408
interest on, collected by treasurer.....	147	2	408
Clerks,			
compensation of in 2nd and 3rd class districts.....	27	1	52
delivery of district records upon annexation.....	87	1	229
director elected as, compensation of.....	27	1	52
Elections (see ELECTIONS, <i>supra</i> , this Index)			
Excess funds on disorganization of township, payable to.....	173	9	476
Funds of,			
state office building construction bonds,			
legal investment for.....	22	6	45
Handicapped children (see PUBLIC INSTRUCTION, SUPERIN-			
TENDENT OF, <i>supra</i> , this Index)			
No. 400, Benton county,			
cemetery owned by,			
acts relative to, validated.....	15	2	30
disposal required .....	15	1	30
}	15	3	30
petition to superior court for.....	15	4	31
hearing on .....	15	4	31
powers of the court.....	15	4	31
directors, duties .....	15	3	30
operation pending disposal, authorized.....	15	2	30
Organization of districts,			
annexation,			
district clerk to deliver records upon.....	87	1	229

SECURITIES.

SCHOOLS AND SCHOOL DISTRICTS—CONTINUED:

	Ch.	Sec.	Page
Organization of districts, county committee,			
duties on receipt of statement from state board.....	87	1	229
proposal to from new district or for adjustment of bonded indebtedness, special election upon.....	87	1	230
county superintendent,			
boundary changes, shall order, when.....	87	1	229
certificate of changes.....	87	1	229
special election conducted by.....	87	1	230
Representatives of,			
psychopathic delinquency, petition alleging, may file.....	223	16	673
Second class districts,			
compensation of clerks.....	27	1	52
State aid to,			
ordinary standards of maintenance and operation,			
annual computation of amount needed for.....	181	1	511
computation of revenues.....	181	1	512
where insufficient, certification to superintendent of public instruction .....	181	1	512
deficit, charge against current school fund.....	181	1	512
equalization payment, apportionable as.....	181	1	512
Third class districts,			
compensation of clerks.....	27	1	52

SECRETARY OF STATE:

Child care and placement agencies, articles of incorporation or amendments thereto,			
copies to department of social security, shall forward.....	271	11	891
Codes or compilations,			
certification of .....	157	16	440
Committee for disposition of obsolete public records, member is..	145	2	378
Declaration of candidacy, received for filing, shall not be unless accompanied by non- subversive affidavit .....	254	16	801
Department of Health, rules and regulations of, filed with.....	1	7	10
Justices of the peace, reduction in number, notice of, to.....	156	1	430
ballots to conform.....	156	1	430
Public records, authorization to destroy, filed with shall be.....	145	2	378
Quarterly statement of deaths, filed with.....	250	1	788
form furnished by.....	250	1	788
Revised code of Washington, certification of .....	157	16	440
Session laws and initiatives, shall publish.....	157	18	441
renumbering in accordance with code numbering system....	5	3	19

SECTION CORNERS (See PUBLIC LANDS, subtitle, Surveys and  
Maps, *supra*, this Index)

SECURITIES: (see also METALLIFEROUS MINING SECURITIES;  
also PUBLIC SERVICE COMMISSION, *supra*, this Index)

Agents certificate, fee .....	230	2	727
Application for permit to sell, filed, when .....	230	1	725
information required .....	230	1	725
additional information, corporation applicant,			
I.C.C. application, in lieu of other information....	230	1	726
S.E.C. registration statement, in lieu of other in- formation .....	230	1	726

## SECURITIES.

### SECURITIES—CONTINUED:

Application for permit to sell, information required, additional information,	Ch.	Sec.	Page
joint stock company applicant.....	230	1	726
partnership applicant .....	230	1	726
unincorporated association applicant.....	230	1	726
verified, shall be.....	230	1	725
Broker's certificate, fee .....	230	2	727
Pre-organization subscriptions, application for collection of, fee .....	230	2	727

### SESSION LAWS:

Indexing and annotating, duty of code reviser, is.....	157	18	441
Publication, duty of secretary of state, is.....	157	18	441
prior to, correction of RCW numbers to conform to 1950 supplement .....	5	3	19
Temporary publication of, appropriation for .....	55	1	162

### SEWER DISTRICTS: (see also SEWER DISTRICTS in Index to 1951 Ex. Sess., *infra*, this volume)

Annexation to cities (see CITIES AND TOWNS, <i>supra</i> , this Index)			
Assessments levied in lieu of tax levies.....	107	3	268
tax levies continued to retire outstanding indebtedness only..	107	3	268
Comprehensive plan, additions and betterments to, adopted and ratified, how.....	129	3	324
indebtedness for construction, incurred how.....	129	3	324
revenue bonds for.....	129	3	324
area annexed subsequent to adoption of, additions and betterments, to provide for needs of area annexed, scheme for, commissioners may adopt without further vote.....	129	1	323
revenue bonds, issuance of, additions and betterments, for, issued without vote, may be.....	129	3	325
submission to voters .....	129	2	324
submission to voters.....	129	1	323
Elections (see ELECTIONS, <i>supra</i> , this Index)			

### SEWERAGE IMPROVEMENT DISTRICTS (see IMPROVEMENT DISTRICTS, *supra*, this Index)

### SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS:

Act, rights not affected by, insanity, defense of.....	223	15	673
ordinary criminal procedure.....	223	15	673
production of evidence.....	223	15	673
Court, defined .....	223	2	670
powers and duties, psychopathic delinquent persons, relating to, commitment, order of execution of.....	223	21	675
hearing on petition.....	223	21	675
notice of .....	223	21	675
hospitalization costs, judgment for.....	223	27	677
warrant of apprehension for, issued by.....	223	18	674
execution of .....	223	18	674

## SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS.

### SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS—CONTINUED:

	Ch.	Sec.	Page
<b>Court,</b>			
powers and duties,			
sexual psychopaths, relating to,			
commitment, when .....	223	7	671
determination as .....	223	7	671
hospitalization costs, judgment for.....	223	27	677
preliminary hearing on charge.....	223	5	670
observation, order of.....	223	5	671
period of .....	223	5	671
return after .....	223	6	671
<b>Department of Public Institutions,</b>			
defined .....	223	2	670
hospitals for care of sexual psychopaths, designated by.....	223	11	672
institutions for care and treatment of psychopathic delinquents, designated by.....	223	25	677
<b>Jury,</b>			
psychopathic delinquency,			
demand for .....	223	22	676
issues, determined by.....	223	22	676
sexual psychopaths,			
demand for .....	223	14	673
time for .....	223	14	673
<b>Licensed physicians,</b>			
testimony of, required, when.....	223	5	671
	223	19	674
<b>Minor, defined .....</b>	223	2	670
<b>Psychopathic delinquents,</b>			
apprehension of person charged, warrant for.....	223	18	674
care and treatment of,			
cost of, determined by department.....	223	27	677
hospitals for, designated by director.....	223	25	677
commitment procedure,			
hearing,			
additional evidence and witnesses.....	223	21	675
commitment pursuant to.....	223	21	675
date set upon filing of superintendent's report.....	223	21	675
jury, province of.....	223	22	676
notice .....	223	21	675
probate matter, shall be handled as.....	223	26	677
superintendent, attendance as witness may be required	223	21	675
jury trial,			
held, when .....	223	22	676
may demand, when.....	223	22	676
minor charged with crime or brought before juvenile court .....	223	24	676
petition alleging person to be,			
hearing on .....	223	17	674
inquiry, scope .....	223	19	674
nature of .....	223	17	674
persons who may file.....	223	16	673
juvenile court, alleged delinquent under jurisdiction of,			
court order required.....	223	16	674
preliminary hearing,			
apprehension pending hearing.....	223	18	674
warrant for .....	223	18	674
closed to general public, may be.....	223	17	674
detention pending hearing.....	223	18	674
where .....	223	18	674
medical testimony .....	223	19	674

## SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS.

### SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS—CONTINUED:

	Ch.	Sec.	Page
Psychopathic delinquents,			
commitment procedure,			
preliminary hearing,			
observation pursuant to,			
completion of, return of alleged delinquent and re-	223	20	675
port of superintendent's findings.....	223	20	675
ninety days, shall not exceed.....	223	20	675
order of detention for.....	223	19	674
scope of hearing.....	223	17	674
when and where held.....	223	19	675
witnesses, alleged delinquent may produce.....	223	2	670
defined .....	223	18	674
detention pending hearing.....	223	23	676
discharge of, when.....	223	27	677
hospitalization cost, responsibility for.....	223	25	677
institution, subject to laws of, shall be.....	223	22	676
jury trial for,			
demand for, time to make.....	223	22	676
issues determinable at.....	223	23	676
parole of,			
superintendent's powers .....	223	23	676
release procedure,			
discharge .....	223	23	676
parole .....	223	23	676
warrant of apprehension for,			
issuance of, when.....	223	18	674
Psychopathic personality, defined.....	223	2	669
Sex offense,			
defined .....	223	2	669
person charged with, petition alleging sexual psychopathy			
filed .....	223	3	670
sentence, execution ordered, when.....	223	7	671
Sexual psychopathic persons,			
commitment procedure,			
commitment ordered, when.....	223	7	671
duration of commitment.....	223	8	671
determination by court pursuant to superintendent's re-			
port .....	223	7	671
procedure following .....	223	7	671
hearing,			
criminal charge, with relation to (see petition alleging			
person to be, <i>infra</i> , this subtitle)			
preliminary hearing,			
medical testimony .....	223	5	670
observation pursuant to,			
completion of, return of defendant and report			
of superintendent's findings.....	223	6	671
detention pending execution of order.....	223	5	671
ninety days, shall not exceed.....	223	5	671
order of confinement for.....	223	5	671
jury trial, demand for.....	223	14	673
petition alleging person to be,			
filing of in criminal proceeding.....	223	3	670
time for .....	223	3	670
hearing on with relation to criminal charge.....	223	4	670
acquittal on criminal charge does not suspend....	223	4	670
time served in state hospital, credit for.....	223	13	672
court, determination of.....	223	7	671
criminal charge (see petition alleging person to be, <i>infra</i> , this			
subtitle)			
defined .....	223	2	669



**SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES.**

**SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS—CONTINUED:**

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Sexual psychopathic persons,			
detention of .....	223	8	671
observation order, pending execution of.....	223	5	671
period of, credited toward sentence.....	223	13	672
superintendent's duties as to.....	223	8	671
hospitalization cost, responsibility for.....	223	27	677
juvenile court,			
minors under jurisdiction of,			
petition filed only on order of.....	223	16	674
release procedure,			
discharge .....	223	12	672
maximum sentence expired, parole .....	223	8	672
maximum sentence unexpired,			
conviction or plea of guilty entered.....	223	8	671
board of prison terms and paroles, duty upon receipt of superintendent's certificate .....	223	9	672
no conviction or plea.....	223	8	672
committing court, duty of.....	223	8	672
medical record,			
furnished to court or board of prison terms and paroles, shall be, when.....	223	10	672
State hospital,			
credit for time served in.....	223	13	672
designation for care and treatment of sexual psychopaths....	223	11	672
State institutions,			
care of psychopathic delinquents, director shall designate for	223	25	677
Superintendent,			
defined .....	223	2	670
duties when committed person deemed safe to be at large,			
maximum sentence expired.....	223	8	672
unexpired .....	223	8	671
hospital medical record, furnished by, when.....	223	10	672
observation, report made by.....	223	6	671
parole by,			
maximum sentence expired.....	223	8	672
review of .....	223	12	672
person certified as safe by, duties concerning.....	223	8	672
witness, attendance as may be required.....	223	10	672
	223	21	675

SHERIFF (see COUNTY SHERIFF, *supra*, this Index)

**SKAGIT COUNTY:**

School lands,			
sale by commissioner of public lands, authorized.....	83	1	224
Tidelands, withdrawn from sale.....	77	1	214

SMITH-HUGHES STUDENTS (see AGRICULTURE, DEPARTMENT OF (Fairs), *supra*, this Index)

**SNOHOMISH COUNTY:**

Tidelands withdrawn from sale .....	77	1	214
-------------------------------------	----	---	-----

**SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES:**

Act,			
administration, cost of.....	184	9	539
construction, existing pension and retirement systems and members thereof not affected.....	184	1	531
legislative policy, declaration of.....	184	1	531
Authority, governor may delegate.....	184	11	539

**SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES.**

**SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES—CONTINUED:**

Contributions,			
employees, by,			
political subdivision employees,	Ch.	Sec.	Page
amount .....	184	5	537
collection,			
wages, deducted from.....	184	5	537
failure to deduct, effect of.....	184	5	537
liability, basis of.....	184	5	537
OASI contribution fund, paid into, shall be.....	184	5	537
state employees,			
adjustments and refunds.....	184	4	535
amount .....	184	4	535
collection,			
wages, deducted from.....	184	4	535
failure to deduct, effect.....	184	4	535
liability, basis of.....	184	4	535
OASI contribution fund, paid into, shall be.....	184	4	534
government, by,			
political subdivision's liability.....	184	3	533
delinquent payments .....	184	5	537
OASI contribution fund paid into shall be.....	184	5	536
rates .....	184	5	536
state's liability .....	184	3	533
"Employee" defined .....	184	2	532
"Employment" defined .....	184	2	532
Federal security administrator,			
agreements with, authorized.....	184	3	532
joint instrumentalities, by.....	184	3	534
provisions,			
mandatory,			
benefits, basis of.....	184	3	533
contributions by state.....	184	3	533
effective as to services performed when.....	184	3	533
services to be covered,			
employees of political subdivisions.....	184	3	534
state employees .....	184	3	534
permissive .....	184	3	533
purpose .....	184	3	533
defined .....	184	2	532
Ferries, state operated,			
contributions from revenues, authorized.....	82	2	224
employees engaged in operation of,			
deductions from wages, authorized.....	82	2	224
subject to federal social security act, shall remain.....	82	2	223
federal security agency,			
contract with, authorized.....	82	2	224
Governor,			
agreements with federal security administrator authorized... ..	184	3	532
authority may be delegated.....	184	11	539
O.A.S.I. contribution fund, administered by.....	184	6	538
political subdivisions, plan for coverage,			
approval of governor required.....	184	5	535
refusal to approve, notice and hearing.....	184	5	536
termination authorized .....	184	5	536
notice and hearing.....	184	5	536
rules and regulations, power to make and publish granted... ..	184	10	539
Joint instrumentalities participating in,			
powers and duties.....	184	3	534

SOCIAL SECURITY, DEPARTMENT OF.

SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND  
EMPLOYEES—CONTINUED:

	Ch.	Sec.	Page
Old age and survivors insurance (OASI) contribution fund,			
administration of, governor charged with.....	184	6	538
powers and duties.....	184	6	538
appropriation from .....	184	8	539
custodian and ex officio treasurer, state treasurer shall be....	184	6	538
deposited in, what monies shall be.....	184	6	537
established .....	184	6	537
mingled and undivided, monies shall be.....	184	6	538
secretary of treasury, payments to.....	184	6	538
separate from other funds, shall be.....	184	6	538
use .....	184	6	538
withdrawals, purposes authorized enumerated.....	184	6	538
Political subdivision,			
advisory vote of employees, proposition of coverage may be submitted to .....	184	7	538
contributions (see contributions, <i>supra</i> , this title) defined .....	184	2	532
participation in accordance with plan, authorized.....	184	5	535
plan,			
governor,			
approval of, required.....	184	5	535
conditions to approval,			
agreement with federal security administrator, shall conform to.....	184	5	535
rules and regulations of governor, shall con- form to .....	184	5	535
social security act, shall conform to.....	184	5	535
refusal to approve, notice and hearing required upon .....	184	5	536
termination, notice and hearing required upon...	184	5	536
mandatory provisions,			
administration, efficient, shall provide methods for employment, all services constituting shall be covered .....	184	5	535
reports, shall provide for.....	184	5	536
source of funds shall be specified.....	184	5	536
termination by governor, shall provide for.....	184	5	536
proprietary enterprise under OASI coverage, exempt from state employees retirement act.....	184	2	532
Rules and regulations, governor shall make and publish.....	184	10	539
State operated ferries (see Ferries, state operated, <i>supra</i> , this title)			
"Wages" defined .....	184	2	531
SOCIAL SECURITY, DEPARTMENT OF: (see also CITIZENS PUBLIC ASSISTANCE ACT OF 1950; also SOCIAL SECUR- ITY, DEPARTMENT OF, in index to 1950 Ex. Sess., <i>supra</i> , this volume; also in index to 1951 Ex. Sess., <i>infra</i> this volume)			
Appropriation, division for the blind.....	164	1	448
Central operating fund,			
deposit of .....	261	1	825
emergency payments, defined.....	261	1	826
establishment authorized .....	261	1	825
expenditures, audit of.....	261	1	826
maximum amount .....	261	1	825
purpose of .....	261	1	825
Child welfare agencies,			
act,			
provisions of, not applicable to religious sects.....	270	16	893

SOCIAL SECURITY, DEPARTMENT OF.

SOCIAL SECURITY, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Child welfare agencies,			
agencies,	270		
shall accord to department right of access and inspection.	270	12	892
agency, defined .....	270	2	884
appeals (see Licenses, <i>infra</i> , this title)			
certificate of approval,			
foster home .....	270	14	892
health department, issued by,			
prerequisite to issuance of license .....	270	7	889
local health authority, to .....	270	7	889
state fire marshal, issued by,			
prerequisite to issuance of license .....	270	6	888
child placing agency,			
defined .....	270	2	885
agencies excluded .....	270	2	885
children's institution, defined .....	270	2	885
boarding schools and certain non-profit institutions			
excepted .....	270	2	885
children's staff,			
defined .....	270	2	884
powers and duties .....	270	3	886
	270	14	892
corporations,			
articles of incorporation,			
secretary of state shall forward copies to depart-			
ment .....	270	11	891
day nursery,			
defined .....	270	2	885
excluded .....	270	2	886
department of social security,			
access and inspection, rights of granted to .....	270	12	892
attorney general, legal advisor to, is .....	270	15	893
certificates of approval, foster homes,			
revocation, suspension or denial of .....	270	14	893
children's staff, defined .....	270	2	884
defined .....	270	2	884
licenses, reasonable time accorded for determination			
as to eligibility for .....	270	5	888
powers and duties,			
consult with licensees .....	270	3	887
inspect applicants .....	270	3	887
licenses,			
issuance .....	270	4	887
	270	14	892
provisional licenses .....	270	8	889
duration .....	270	8	890
reports, shall require .....	270	3	887
remedies and rights of action of .....	270	15	893
rules and regulations, shall prescribe .....	270	3	887
standards, shall promulgate .....	270	3	886
list of standards .....	270	3	886
director of social security,			
defined .....	270	2	884
licenses,			
revocation or suspension of .....	270	9	890
appeal,			
record on, filed by .....	270	10	891
decision on, notice of .....	270	9	890
grounds for .....	270	9	890

SOCIAL SECURITY, DEPARTMENT OF.

SOCIAL SECURITY, DEPARTMENT OF—CONTINUED:

Child welfare agencies, director of social security, licenses, revocation or suspension of, hearing on, fixed by.....	Ch. 270	Sec. 9	Page 890
rules and regulations governing, shall promul- gate .....	270	9	890
notice of .....	270	9	890
fire protection, state fire marshal responsible for.....	270	6	888
foster home, defined .....	270	13	892
inspection of, by department.....	270	14	893
licenses and certificates of approval.....	270	14	892
denial, suspension or revocation.....	270	14	893
health requirements, powers and duties of department of health (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index) certificate of approval as condition precedent to issuance of license .....	270	7	889
hourly nursery, defined .....	270	2	886
excluded .....	270	2	886
injunction for unlawful operation.....	270	15	893
licenses, agencies presently approved.....	{ 270	4	887
application, forms for .....	{ 270	5	888
denial, suspension or revocation.....	270	9	890
appeal to superior court.....	270	10	891
issues on appeal.....	270	10	891
notice of .....	270	10	891
powers of the court.....	270	10	891
record for, filed by director.....	270	10	891
appeal to supreme court, authorized .....	270	10	891
procedure for .....	270	10	891
grounds for .....	270	9	890
hearing concerning .....	270	9	890
request for .....	270	9	890
request not timely made, effect.....	270	9	890
rules and regulations governing conduct.....	270	9	890
time for .....	270	9	890
notice of proposed.....	270	9	890
foster homes .....	270	14	892
issuance of by department.....	270	4	887
prerequisites, certificates of approval, fire marshal, from.....	270	6	888
health department, from.....	270	7	889
compliance with act and rules and regulations....	270	4	887
operation without, remedies.....	270	15	893
provisional license .....	270	8	889
renewal .....	270	4	887
automatic, when .....	270	5	888
request for, filing of.....	270	5	888
term of .....	270	5	888
maternity home, defined.....	270	2	885
religious sects depending upon prayer for healing, act does not apply to.....	270	16	893

SOCIAL SECURITY, DEPARTMENT OF.

SOCIAL SECURITY, DEPARTMENT OF—CONTINUED:

	Ch.	Sec.	Page
Child welfare agencies,			
secretary of state,			
copies of articles of incorporation or amendments.....	270	11	891
shall forward to department.....	270	11	891
state board of health,			
rules and regulations prescribed by.....	270	7	888
state fire marshal,			
certificate of approval of.....	270	7	888
fire protection, responsibility of.....	270	6	888
unlawful operation, remedies.....	270	15	893
Contingent receipts fund,			
appropriation from .....	243	4	767
created .....	243	2	766
director designated to receive monies for.....	243	3	767
legislative intent, declaration of.....	243	1	766
monies to be deposited in.....	243	2	766
Definitions .....	122	1	312
Disability assistance,			
amount, determination of.....	176	3	482
application for .....	176	6	484
basis for .....	176	2	483
category of, created.....	176	1	482
dependents of applicant or recipient, needs of may be in-			
cluded .....	176	3	483
eligibility for .....	176	2	483
federal grants, compliance with required.....	176	4	483
}	176	5	483
hearing, applicant or recipient entitled to.....	176	6	484
medical and dental services, recipients entitled to.....	176	8	484
rehabilitation of recipients.....	176	7	484
responsible agency for administration of.....	176	5	483
rules and regulations, department shall promulgate and en-			
force .....	176	4	483
social services, department shall provide.....	176	7	484
statewide plan created for.....	176	4	483
Persons retired under statewide city employee's retirement sys-			
tem, not precluded from furnishing aid to.....	275	15	955
Ratable reductions authorized, when.....	274	1	929
Representation on advisory nursing home council, entitled to....	117	11	296
Washington welfare survey commission, abolished.....	11	1	26

SOIL CONSERVATION:

Soil conservation districts,			
annexation of territory, procedure for.....	216	2	643
boundaries of,			
change of .....	216	2	643
certificate of organization,			
copy of certificate as evidence of establishment.....	216	1	642
secretary of state,			
application entered on records of.....	216	1	642
certificate of organization issued by.....	216	1	642
name, change in or new, filed with.....	216	1	642
election,			
persons eligible to vote at.....	216	2	643
name, change of, procedure for.....	216	1	642
state soil conservation committee,			
created as agency of state.....	216	3	643
membership,			
chairman, shall designate from time to time.....	216	4	644
composition .....	216	3	643
ex officio members, term of office.....	216	3	643

STATE AUDITOR.

SOIL CONSERVATION—CONTINUED:

Soil conservation districts, State soil conservation committee, composition,			
farmer members, appointment.....	216	3	643
terms of office.....	216	3	643
members,			
compensation, shall serve without.....	216	4	644
expenses, entitled to.....	216	4	644
farmer members, of, department of conservation and development empowered to pay.....	216	4	644
officers and employees, department of conservation and development em- powered to pay.....	216	4	644
powers and duties.....	216	4	644

SPANAWAY PARK:

Sale to state authorized.....	136	1	334
acceptance by parks and recreation commission authorized..	136	2	336
consideration, determination of.....	136	1	334
approval of governor required.....	136	1	334
easements reserved .....	136	1	336
legal description .....	136	1	334

SPEED LIMITS (see MOTOR VEHICLES, and HIGHWAYS, *supra*,  
this Index)

SPENDTHRIFT TRUSTS (see TRUSTS, *infra*, this Index)

STATE (see STATE OF WASHINGTON, *infra*, this Index)

STATE ASSOCIATION OF IRRIGATION DISTRICTS:

Affiliation, cooperation with, and financial contributions to other reclamation agencies authorized.....	202	1	607
---	-----	---	-----

STATE ATHLETIC COMMISSION:

Boxing and wrestling (see BOXING AND WRESTLING, *supra*,  
this Index)

STATE AUDITOR:

Committee for disposition of obsolete public records, member is..	145	2	378
Eminent domain, by state warrant for amount of tender, shall issue, when .....	177	1	485
Flood control warrants, vouchers required.....	240	13	762
Highway construction bonds, signed by, shall be.....	121	3	305
Institutional building construction fund, warrant for investment of surplus, shall draw.....	147	2	407
Judges retirement fund, duties with respect to.....	79	2	220
Municipal corporations, division of, county and city records, au- thorization for destruction.....	145	5	380
Oil and gas conservation committee, member is.....	146	4	383
Public school building construction fund, warrant for investment of surplus, shall draw.....	147	2	407
Social security central operating fund, establishment of, approval required.....	261	1	825
expenditures, audit of.....	261	1	825
report .....	261	1	825
State office building construction bonds, signed by.....	22	4	44
State patrol retirement system, deductions for, made by.....	140	9	370
Veterans' bonus, payment to registry of court for support of minor children .....	231	1	728
Washington state patrol retirement system, members' contributions, shall deduct from payroll.....	140	9	370

STATE BIRD.

	Ch.	Sec.	Page
STATE BIRD:			
Willow goldfinch is.....	249	5	787
STATE BOARD OF EDUCATION:			
Minimum standards for operation of schools, establishment by .....	181	2	512
STATE BOARD OF HEALTH:			
Birth information, prescribed by.....	106	7	265
Child welfare agencies, powers and duties concerning (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
Maternity homes, powers and duties concerning (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
Nursing homes, powers and duties concerning (see HEALTH, DEPARTMENT OF, <i>supra</i> , this Index)			
Vital statistics (see VITAL STATISTICS, <i>infra</i> , this Index)			
STATE BOARD OF PRISON TERMS AND PAROLES (see PRISON TERMS AND PAROLES, BOARD OF, <i>supra</i> , this Index)			
STATE BOUNDARIES:			
Compacts for patrol of, governor authorized to enter.....	263	1	792
STATE CAPITOL COMMITTEE:			
State office building, construction of, bonds for,			
amount .....	22	1	43
capitol building bond redemption fund, established.....	22	5	44
land revenues to be deposited in.....	22	5	45
holders may compel deposit.....	22	5	45
purpose of .....	22	5	44
capitol building construction fund,			
appropriation from .....	22	8	46
diversion of monies from, authorized.....	22	5	45
proceeds from sale of bonds, deposit in.....	22	5	45
fiscal agency of state in New York City,			
payable at office of.....	22	3	44
registration at office of, authorized.....	22	4	44
holders of, rights of.....	22	5	45
interest, maximum rate of.....	22	1	43
annual determination of amount needed for payment of .....	22	5	45
certification to state treasurer.....	22	5	45
net interest return, limitation upon.....	22	2	44
investment in, by whom.....	22	6	45
issuance authorized .....	22	1	43
maturity of .....	22	3	44
payable where .....	22	3	44
political subdivisions of state,			
acceptance of bonds as security for deposit of funds, authorized .....	22	6	45
surplus funds, authorized investment for are.....	22	6	45
principal and interest payable from.....	22	1	43
redemption of .....	22	3	44
annual determination of amount necessary for.....	22	5	45
certification to state treasurer.....	22	5	45
option to redeem.....	22	3	44
registration authorized .....	22	4	44
presented for, where.....	22	4	44



STATE DEPARTMENT OF PUBLIC INSTITUTIONS.

STATE CAPITOL COMMITTEE—CONTINUED:

State office building, construction of,			
bonds for,	Ch.	Sec.	Page
sale of .....	22	2	44
price .....	22	2	44
proceeds from,			
deposit of .....	22	5	45
use of, construction of office building.....	22	7	46
security for political subdivision's deposits.....	22	6	45
signatures,			
governor and state auditor, signed by, shall be.....	22	4	44
facsimile signatures authorized.....	22	4	44
state treasurer,			
redeemable at office of.....	22	3	44
redemption and interest,			
deposit into capitol building redemption fund of			
monies required for.....	22	5	45
building,			
construction, type of, prescribed.....	22	7	46
director of public institutions, recommendations of			
shall be considered.....	22	7	46
size and accommodations, prescribed.....	22	7	46
housed in, shall be,			
public printer .....	22	7	46
state departments, other.....	22	7	46
state library .....	22	7	46
site for, acquisition authorized.....	22	7	45

STATE CENSUS BOARD:

Appropriation for .....	96	4	242
Assistance and clerical help, shall employ.....	96	1	241
expenses, reimbursement for.....	96	1	241
Chairman, shall elect.....	96	1	241
Expenditures for, funds chargeable to.....	96	1	241
Membership,			
composition of .....	96	1	241
members,			
expenses, reimbursement for.....	96	1	241
successors, how named.....	96	1	241
Powers and duties,			
population, annual determination of.....	96	2	241
certificate of, filed with secretary of state, shall be.....	96	2	242
basis for allocation of state funds to cities and towns,			
shall be .....	96	2	242
conclusive, determination shall be.....	96	3	242

STATE COLLEGE OF WASHINGTON:

Employees, excepted from membership in state retirement system	50	2	124
State census board,			
faculty member appointed by president, member of shall be..	96	1	241

STATE DEPARTMENT OF EMPLOYMENT SECURITY (see UN-EMPLOYMENT COMPENSATION, *infra*, this Index)

STATE DEPARTMENT OF GAME (see GAME, STATE DEPARTMENT OF, *supra*, this Index)

STATE DEPARTMENT OF HEALTH (see HEALTH, DEPARTMENT OF, *supra*, this Index)

STATE DEPARTMENT OF PUBLIC INSTITUTIONS (see PUBLIC INSTITUTIONS, DEPARTMENT OF, *supra*, this Index)

STATE DEPARTMENT OF PUBLIC LANDS.

STATE DEPARTMENT OF PUBLIC LANDS (see PUBLIC LANDS, *supra*, this Index)

STATE EMPLOYEES:	Ch.	Sec.	Page
Ferry employees,			
federal social security, subject to.....	82	2	223
unemployment compensation benefits, right to.....	82	1	223
Minimum compensation of.....	99	1	246
Public institutions, childrens and youth services division, employees of (see PUBLIC INSTITUTIONS, DEPARTMENT OF, <i>supra</i> , this Index)			
Subversive persons,			
inquiries by employing departments or agencies.....	254	12	798
not necessary, when.....	254	13	799
statements required of.....	254	14	799
contents of .....	254	14	799
refusal to make, effect of.....	254	14	800
STATE EMPLOYEES RETIREMENT SYSTEM (see also RETIREMENT, <i>supra</i> , this Index)			
Accumulated contributions, defined.....	50	1	121
actuarial equivalent of, as annuity.....	50	5	127
payment of, on death of member.....	141	1	371
withdrawal by separated member, effect.....	50	3	125
Actuarial equivalent,			
defined .....	50	1	122
member may draw, when.....	50	3	125
optional allowances based upon actuarial equivalent of retirement allowance .....	50	8	129
} .....	141	2	372
Actuarial valuation,			
membership contribution rate after completion of.....	50	12	135
Additional contributions .....	50	12	135
Annuity,			
defined .....	50	1	122
service retirement allowance, component part of, is.....	50	5	127
Annuity reserve,			
defined .....	50	1	122
Annuity reserve fund,			
transfer of monies from to employees' savings fund upon reemployment of member.....	50	3	125
disability beneficiary .....	50	10	132
Appeal,			
bond, none required .....	50	16	139
decision of board, <i>prima facie</i> correct, shall be.....	50	15	138
executive secretary of board, duties on.....	50	14	138
issues on .....	50	14	138
notice of, filing .....	50	14	138
order of superior court.....	50	15	138
proceedings, informal and summary, shall be.....	50	14	138
record on, certified by board.....	50	14	138
service and proof of filing, jurisdictional on.....	50	14	138
supreme court, to.....	50	14	138
time for .....	50	14	137
Thurston county, superior court of, lies to.....	50	14	137
Average final compensation, defined.....	50	1	121
Basic service pension (see Pensions, <i>infra</i> , this title)			
Beneficiary, defined .....	50	1	121
Compensation earnable, defined .....	50	1	120
Computation of benefits.....	50	5	128

STATE EMPLOYEES RETIREMENT SYSTEM.

STATE EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Contributions,			
employees, by,			
employees savings fund, to.....	50	11	132
retirement system expense fund, to.....	50	11	132
employees of political subdivision employers.....	50	13	137
employers, by .....	50	12	134
additional contribution .....	50	12	134
completion of payment, time for.....	50	12	136
payable by whom.....	50	12	136
rate .....	50	12	136
agency acquiring public utility or private enterprises....	50	4	126
membership service contribution.....	50	12	134
rates .....	50	12	135
redetermination .....	50	12	135
political subdivisions becoming employers.....	50	13	137
prior service contribution .....	50	12	134
rates .....	50	12	135
redetermination .....	50	12	135
rates, determined how.....	50	12	135
Contributions for the purchase of annuities,			
defined .....	50	1	122
Creditable service .....	50	4	126
public utilities or other private enterprise acquired by public agency,			
employees of .....	50	4	126
Death of member (see Retirement, <i>infra</i> , this title)			
Disability beneficiary (see Retirement, <i>infra</i> , this title)			
Employee (see also Member, <i>infra</i> , this title),			
contributions (see Contributions, <i>supra</i> , this title)			
defined .....	50	1	122
public utilities or other private enterprise acquired by public agency of.....	50	4	126
re-entry into service.....	50	3	124
Employees' savings fund,			
contributions to .....	50	11	132
determination of amount earnable.....	50	11	133
increased contribution .....	50	11	133
payroll officer shall deduct from compensation.....	50	11	133
\$3,600 limitation .....	50	11	132
without regard to, fully contributing member.....	50	11	133
reemployment of retired person, transfer of monies to upon..	50	3	125
of disability beneficiary.....	50	10	132
Employer,			
contributions (see Contributions, <i>supra</i> , this title)			
defined .....	50	1	119
political subdivision as.....	50	13	137
contributions of, accounted for by board.....	50	13	137
Enabling clause,			
political subdivisions' participation.....	50	13	136
Executive secretary of retirement board,			
duties on appeal.....	50	14	138
Expense fund,			
members' contributions to.....	50	11	132
Ferries, operating employees excluded from system.....	82	2	223
Final compensation, defined.....	50	1	122
Fully contributing member.....	50	11	134
benefits, computation of.....	50	11	134
election to become, time for.....	50	11	134

## STATE EMPLOYEES RETIREMENT SYSTEM.

### STATE EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

Funds,	Ch.	Sec.	Page
annuity reserve .....	50	10	132
employees' savings .....	50	10	132
employers' accumulation .....	50	12	135
pension reserve .....	50	12	135
retirement system expense.....	50	11	132
contribution, amount of.....	50	11	132
Medical examination,			
members on disability pension shall submit to.....	50	7	129
refusal, effect .....	50	9	130
refusal, effect .....	50	9	131
Member (see also Employee, <i>supra</i> , this title),			
contributions of (see Contributions, <i>supra</i> , this title)			
death,			
before attaining sixty.....	50	3	124
retirement, before election for optional retirement allow-			
ance, ineffective upon.....	50	8	130
retirement, before election for optional retirement allow-	141	2	372
retirement, before election for optional retirement allow-	50	1	120
defined .....	50	1	120
incapacitated (see Retirement; disability, retirement for,			
<i>infra</i> , this title)			
new member (see New member, <i>infra</i> , this title)			
optional allowances .....	50	8	129
optional allowances .....	141	2	372
original member (see Original member, <i>infra</i> , this title)			
political subdivisions,			
employees and officials.....	50	13	136
retired on disability pension,			
beneficiary gainfully employed.....	50	9	131
medical examination .....	50	9	130
separation, involuntary .....	50	3	125
fifteen years service, or ten years and age fifty,			
rights retained .....	50	3	125
withdrawal of accumulated contributions, effect.....	50	3	125
sixty years of age, would have attained by April 1, 1949,			
reemployment, effect of.....	50	3	124
retention of rights.....	50	3	124
transfer of employment.....	50	13	137
credit, retained on.....	98	1	244
ten years service,			
retirement on for non-duty caused disability.....	50	7	129
total incapacity .....	50	6	128
medical examination for.....	50	6	128
Membership,			
cessation of .....	50	3	124
composition .....	50	2	124
excluded from,			
education, employees in furtherance of.....	50	2	124
elective officials, unless option exercised.....	50	2	123
employees of legislature.....	50	2	123
ferry employees .....	82	2	223
inmates of certain institutions.....	50	2	124
members of another system.....	50	2	123
exception, pursuant to agreement between systems...	50	2	123
patients in certain institutions.....	50	2	124
persons appointed by the governor, unless option ex-			
ercised .....	50	2	123
persons employed less than five months per year.....	50	2	123
persons under another system.....	50	2	123

STATE EMPLOYEES RETIREMENT SYSTEM.

STATE EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Membership,			
excluded from,			
private practitioners .....	50	2	124
university and state college, employees of.....	50	2	124
veterans' or soldiers' homes, members of.....	50	2	124
more than one system, in.....	50	2	123
optional membership,			
elective officials and persons appointed by governor.....	50	2	123
re-employment, effect of.....	50	3	124
termination of membership.....	50	3	124
retention of rights by certain members.....	50	3	124
Membership service contribution.....	50	12	134
Membership service, defined.....	50	1	121
Membership service pension (see Pensions, <i>infra</i> , this title)			
New member,			
defined .....	50	1	120
eligibility for pension.....	50	5	128
reemployment, status as new member, upon.....	50	3	124
Optional allowances, election of.....	{		
	50	8	129
	141	2	372
Original member defined.....	50	1	120
reemployment, return to status as.....	50	3	124
Pension,			
basic service pension.....	50	5	127
fully contributing member, in computing benefits for....	50	11	134
computation subject to RCW 41.40.330(c).....	50	5	128
defined .....	50	1	122
membership service pension.....	50	5	127
new member, eligibility for.....	50	5	128
prior service pension.....	50	5	127
reduction, where disability beneficiary gainfully employed...	50	9	131
revocation upon disability beneficiary's refusal to submit to medical examination .....	50	9	131
Pension reserve, defined.....	50	1	122
Political subdivisions,			
employees and elective officials,			
contributions of .....	50	13	137
members of system.....	50	13	136
exempt from provisions of act, when covered by old age and survivor's insurance .....	184	2	532
member transferring employment.....	50	13	137
accounts, board shall keep.....	50	13	137
representation on board.....	50	13	137
terminology, board may substitute.....	50	13	137
Prior service contribution.....	50	12	134
Prior service, defined.....	50	1	121
Prior service pension (see Pensions, <i>supra</i> , this title)			
Rates of employer contributions.....	50	12	135
Reemployment, effect of.....	{		
	50	3	124
	50	3	125
Regular interest, defined.....	50	1	121
Retirement (see also Retirement Allowance and Retirement Board, <i>infra</i> , this title),			
compulsory at age 70.....	81	1	222
continuance in service authorized by board, may be.....	81	1	222
special skills, member possessing, continued in service when.....	81	1	222
death occurring prior to retirement,			
accumulated contributions, payable to whom.....	141	1	371
member may designate payee.....	141	1	371
optional retirement allowance, election ineffective upon {	50	8	129
	141	2	373

# STATE EMPLOYEES RETIREMENT SYSTEM.

## STATE EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Retirement,			
disability, retirement for,			
disability beneficiary,			
active service, reinstated to,	50	10	131
member, again becomes.....	50	9	131
earnings from gainful occupation.....	50	9	130
medical examination, periodic, required.....	50	9	131
refusal to submit to, effect.....	50	9	131
recovery, termination of pension and allowance upon.	50	9	131
incurred in line of duty,			
medical certificate required.....	50	6	128
concurrence of board required.....	50	6	129
retired, member shall be.....	50	6	128
otherwise incurred,			
medical certificate required.....	50	7	129
concurrence of board required.....	50	7	129
retired, member may be.....	50	7	129
incapacity for (see disability retirement, <i>supra</i> , this subtitle)			
optional,			
age 60, upon attaining.....	81	1	222
war, during time of, board may extend age of retirement	81	1	222
thirty-five years service, upon completion of.....	81	1	223
optional allowances .....	50	8	129
	141	2	372
service retirement allowance (see Retirement allowance, <i>infra</i> , this title)			
total service credit (see Creditable service, <i>supra</i> , this title)			
Retirement allowance,			
beneficiary gainfully employed,			
reduction of .....	50	9	131
components,			
annuity .....	50	5	127
basic service pension.....	50	5	127
membership service pension.....	50	5	127
prior service pension.....	50	5	127
death of member prior to payment of, payable to whom.....	141	1	371
defined .....	50	1	122
new member, eligibility for pension portions.....	50	5	128
optional allowances in lieu of.....	50	8	129
recipient not of compulsory retirement age, reemployment of.	50	3	125
benefits suspended .....	50	3	125
re-enters membership .....	50	3	125
retire, member may on 30 days notice.....	50	3	126
revocation upon disability beneficiary's refusal to submit to medical examination .....	50	9	131
Retirement board,			
accounts, kept by.....	50	13	137
amount earnable, determined by.....	50	11	133
appeal from decision of (see Appeals, <i>supra</i> , this title)			
concurrence with medical adviser.....	50	6	129
contracts with other retirement boards, authorized .....	50	17	139
contributions, accepted by.....	50	11	133
dates, alteration of, by.....	50	13	137
decisions of, <i>prima facie</i> , correct.....	50	15	138
defined .....	50	1	119
executive secretary of, duties on appeal.....	50	14	138
member of 10 years service, total incapacity,			
retired by .....	50	7	129
membership service contribution rate determined and re-determined by .....	50	12	135

STATE FIRE MARSHAL.

STATE EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Retirement board,			
political subdivisions, representation on.....	50	13	137
terminology, board may substitute.....	50	13	137
prior service, contribution rate, determined by.....	50	12	135
redetermined by .....	50	12	135
regulations for increased contributions,			
formulated by .....	50	11	133
revocation of allowances, by.....	50	9	131
Retirement system, defined .....	50	1	119
Retirement system expense fund, contributions to.....	50	11	132
Separation from service.....	50	3	125
Service,			
allowance, upon retirement from.....	50	5	127
beneficiary reinstated to.....	50	10	131
defined .....	50	1	120
separation from .....	50	3	124
Service retirement allowance (see Retirement allowance, <i>supra</i> , this title)			
State treasurer, defined.....	50	1	119
Superior court (see Appeals, <i>supra</i> , this title)			
Supreme court (see also Appeals, <i>supra</i> , this title),			
<sup>o</sup> appeal to .....	50	14	138
Termination of membership (see Membership, <i>supra</i> , this title)			
Transfer of employment by members.....	50	13	137

STATE FINANCE COMMITTEE:

Agate Pass bridge, bonds issued for,			
early sale prescribed.....	121	5	307
Washington toll bridge authority, duty to notify of sale of bonds .....	121	13	311
Building construction funds,			
investment of excess of.....	147	1	407
County funds,			
investment of surplus in U. S. bonds, approval of required... ..	161	1	446
Highway construction bonds, sale of,			
denominations specified by.....	121	5	307
duty to issue.....	121	2	305
excess funds, disposition of.....	121	11	310
expenditures, report of to, by director of highways.....	121	9	308
farm to market roads, estimates.....	121	9	309
interest and retirement, estimate of monies needed for.....	121	8	308
adjustment of estimate.....	121	8	308
place of payment, provision for.....	121	3	306
prior redemption rights.....	121	3	305
Institutional building construction fund,			
surplus cash of, may invest.....	147	1	407
Public school building construction fund,			
surplus cash of, may invest.....	147	1	407
State warrants,			
investment of excess funds in.....	232	2	729
permanent school fund monies excepted.....	232	2	729
sale and purchase of, authorized.....	232	2	729
War projects or defense projects rating plans pension funds,			
investment of .....	144	1	376

STATE FIRE MARSHAL:

Child care agencies (see also SOCIAL SECURITY, DEPARTMENT OF, <i>supra</i> , this Index)			
fire protection for, is responsibility of.....	270	6	888
Fireworks,			
permits for public display,			
rules for, prescribed by.....	174	6	478

## STATE FIRE MARSHAL.

### STATE FIRE MARSHAL—CONTINUED:

	Ch.	Sec.	Page
Maternity homes (see also HEALTH DEPARTMENT, DEPARTMENT OF, <i>supra</i> , this Index)			
approval of .....	168	12	463
fire protection furnished by.....	168	12	462
inspections for .....	168	12	462
Nursing homes (see also HEALTH, DEPARTMENT OF, <i>supra</i> , this Index).			
fire protection for, is responsibility of.....	117	15	297
appropriation .....	117	19	299
Representation on advisory nursing home council, entitled to....	117	11	296
STATE FISCAL AGENCY (see FISCAL AGENCY OF STATE OF WASHINGTON IN NEW YORK CITY, <i>supra</i> , this Index)			
STATE FOREST BOARD: (see also related titles, CONSERVATION AND DEVELOPMENT and PUBLIC LANDS, <i>supra</i> , this Index)			
Klickitat county,			
reconveyance of agricultural lands to.....	73	1	209
Lands acquired from counties on foreclosure,			
distribution of rentals from lease of.....	91	1	235
Reforestation lands,			
petition for review of classification.....	172	2	471
STATE FUNDS (see PUBLIC FUNDS, <i>supra</i> , this Index)			
STATE GAME COMMISSION (see GAME, DEPARTMENT OF, <i>supra</i> , this Index)			
STATE GENERAL FUND (see PUBLIC FUNDS, <i>supra</i> , this Index)			
STATE HIGHWAY COMMISSION (see HIGHWAYS, <i>supra</i> , this Index)			
STATE HOSPITAL ASSOCIATION:			
Maternity homes, rules and regulations,			
consultation with state board of health.....	168	7	460
Representation on advisory nursing home council, entitled to....	117	11	296
STATE HOSPITALS (see MENTAL ILLNESS HOSPITALIZATION ACT, and SEXUAL PSYCHOPATHS AND PSYCHOPATHIC DELINQUENTS, <i>supra</i> , this Index)			
STATE HUMANE BUREAU:			
Abolished .....	17	1	36
STATE INSTITUTIONS: (see also PUBLIC INSTITUTIONS, DEPARTMENT OF, <i>supra</i> , this Index)			
Inmates, death of, disposition of property upon (see PROBATE, <i>supra</i> , this Index)			
STATE INSURANCE COMMISSIONER (see INSURANCE COMMISSIONER, <i>supra</i> , this Index)			
STATE LAND COMMISSIONER (see PUBLIC LANDS, subtitle, Commissioner of Public Lands, <i>supra</i> , this Index)			
STATE LANDS (see PUBLIC LANDS, <i>supra</i> , this Index)			



STATE OFFICIAL BIRD.

STATE LAW LIBRARY:

Librarian,			
permanent statute law committee,	Ch.	Sec.	Page
ex-officio member is.....	157	1	435
first meeting of, shall call.....	157	4	436
revised code of Washington, temporary edition,			
distribution and sale, shall administer.....	155	9	429
temporary code publication committee, member is.....	155	1	427
vouchers, approval of required.....	155	10	429

STATE LIBRARY:

Housed in state office building, shall be.....	22	7	46
Librarian,			
committee for disposition of obsolete public records, member			
is .....	145	2	378

STATE MARINE EMPLOYEE COMMISSION: (see also related topic,  
TOLL BRIDGE AUTHORITY, *infra*, this Index)

State ferry employees, shall place under unemployment compen- sation benefits .....	82	1	223
--	----	---	-----

STATE MEDICAL ASSOCIATION:

Maternity home rules and regulations, consultation with state board of health.....	168	7	460
Representation on advisory nursing home council, entitled to....	117	11	296

STATE MILITIA:

Compact for use in areas of bordering states, governor may enter.	253	1	792
---	-----	---	-----

STATE NURSES ASSOCIATION:

Maternity homes rules and regulations, consultation with state board of health.....	168	7	460
Representation on advisory nursing home council, entitled to....	117	11	296

STATE OF WASHINGTON:

Auburn General Depot,			
concurrent jurisdiction ceded to United States.....	40	1	88
perimeter roads and railroads not included.....	40	1	90
process, right to service reserved.....	40	1	88
Fiscal agency (see FISCAL AGENCY OF STATE OF WASHING- TON IN NEW YORK CITY, <i>supra</i> , this Index)			
Funds of (see PUBLIC FUNDS, <i>supra</i> , this Index)			
Motor vehicle fuel excise tax, distribution of proceeds to.....	269	43	879
Statute of limitations not applicable to.....	139	61	360
Vehicles operated by, special permit fees, not liable for.....	269	39	876

STATE OFFICE BUILDING, NEW (see STATE CAPITOL COMMIT-  
TEE, *supra*, this Index)

STATE OFFICIALS:

Legal notices, supplemental publication by radio.....	119	1	301
Office hours .....	100	3	247

STATE OFFICIAL BIRD:

Willow goldfinch designated as.....	249	1	787
-------------------------------------	-----	---	-----

STATE PARKS AND RECREATION COMMISSION.

STATE PARKS AND RECREATION COMMISSION:

	Ch.	Sec.	Page
Alta Lake state park, acquisition of property by gift for, authorized.....	148	2	409
Mount Pilchuck state park, acquisition of property for, authorized.....	148	1	409
Osoyoos Lake state veterans' memorial park, deed for, accepted by.....	128	2	322
	128	3	322
Salt Creek Park, act establishing, repealed.....	19	1	37
Spanaway Park, acceptance for state by.....	136	2	336
development as, Spanaway state park authorized.....	136	2	336
State parks, selection of public lands for.....	26	1	51
lands reserved .....	26	3	51
rental to be fixed.....	26	2	51

STATE PATROL (see WASHINGTON STATE PATROL, *infra*, this Index)

STATE PENITENTIARY, WASHINGTON (see WASHINGTON STATE PENITENTIARY, *infra*, also PRISON TERMS AND PAROLES, *supra*, this Index)

STATE PERSONNEL BOARD:

Division of children and youth of department of public institutions, employees of, classification of .....	234	6	736
examinations for, conducted by.....	234	7	736

STATE PERSONNEL DIRECTOR:

Subversive activities act hearing procedure on discharge of public employees, rules for, shall prescribe.....	254	15	800
---	-----	----	-----

STATE PRINTER (see PUBLIC PRINTER, *supra*, this Index)

STATE PRINTING PLANT (see PUBLIC PRINTER, *supra*, this Index)

STATE RECLAMATION REVOLVING FUND (see IRRIGATION DISTRICTS, Dissolution, *supra*, this Index)

STATE REFORMATORY, WASHINGTON (see WASHINGTON STATE REFORMATORY, *infra*, also PRISON TERMS AND PAROLES, BOARD OF, *supra*, this Index)

STATE REGISTRAR (see VITAL STATISTICS, *infra*, this Index)

STATE SAFETY COUNCIL (see WASHINGTON STATE SAFETY COUNCIL, *infra*, this Index)

STATE SCHOOL FOR THE BLIND:

Children and youth services division of department of public institutions, employees, retention of .....	234	5	736
--	-----	---	-----

STATE SCHOOL FOR THE DEAF:

Children and youth services division of department of public institutions, employees, retention of .....	234	5	736
--	-----	---	-----

STATE TREASURER.

STATE SCHOOL FOR GIRLS:

Children and youth services division of department of public institutions,			
employees,	Ch.	Sec.	Page
retention of .....	234	5	736
post institutional placement of persons committed,			
duty of supervisor.....	234	13	738
"Close security" institution, designated as.....	234	13	739

STATE SOIL CONSERVATION COMMITTEE (see SOIL CONSERVATION, *supra*, this Index)

STATE TAX COMMISSION (see TAXATION, *infra*, this title)

STATE TOLL BRIDGE AUTHORITY (see TOLL BRIDGE AUTHORITY, WASHINGTON STATE, *infra*, this Index)

STATE TRAINING SCHOOL (see WASHINGTON STATE TRAINING SCHOOL, *infra*, this Index)

STATE TREASURER:

Annuity tables, industrial insurance, furnished to.....	236	7	751
Boiler inspection fees, deposited with, shall be.....	32	34	76
Fisheries, proceeds from sale of confiscated articles, deposited with to credit of general fund, shall be.....	271	38	909
Forest development fund,			
account .....	149	1	410
Forest insect and disease control fund,			
accounts, shall keep.....	233	8	732
custodian of, is.....	233	8	732
Grade crossing fees,			
credited to public service revolving fund, shall be.....	111	1	273
Highway bonds, registered with.....	121	3	306
Highway construction bonds,			
retention of funds credited to counties.....	121	9	309
transfer of funds, duty to.....	121	8	308
Institutional building construction fund,			
securities purchased with surpluses,			
deposited with or interest for, shall be.....	147	2	407
Investment in state warrants by state finance committee, duties upon .....	232	2	729
Judges retirement fund,			
duties with respect to.....	79	2	220
Mine to market roads,			
contributions,			
deposit to credit of motor vehicle fund, duty to.....	49	1	117
Motor vehicles,			
auto stage additional fees, deposited with, shall be.....	269	14	860
Motor vehicle fund,			
transfer of monies from, to highway bond retirement fund...	121	8	308
Oil and gas conservation committee, member of, is.....	146	4	383
Old age and survivors insurance (OASI) contribution fund, custodian and ex-officio treasurer of, shall be.....	184	6	538
Permanent school fund,			
separate account of cash balance, kept by.....	232	1	729
Public school building construction fund,			
securities purchased with surpluses,			
deposited with or interest for, shall be.....	147	2	407
Public service companies securities fee,			
shall deposit in public service revolving fund.....	227	1	702
Real estate license fees, payable to.....	222	12	657
Social security, central operating fund,			
depository, security to be furnished by, shall prescribe.....	261	1	825

## STATE TREASURER.

### STATE TREASURER—CONTINUED:

	Ch.	Sec.	Page
State office building construction bonds,			
proceeds of sale, deposit.....	22	5	45
redeemable at office of.....	22	3	44
redemption and interest,			
deposit into capitol building bond redemption fund of			
monies required for.....	22	5	45
registered with, may be.....	22	4	44
Vital statistics, fees collected, turned over to, when.....	106	3	262
Warehouse license fees,			
shall deposit in transportation revolving fund.....	110	1	271
Warrants,			
deposited with, upon purchase by finance committee.....	232	2	729

### STATE TUBERCULOSIS HOSPITALIZATION FUND:

Expended by director of health.....	204	1	609
Payments from, vouchers.....	204	1	609
basis of, to counties.....	204	1	609

### STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM:

Accumulated additional contributions, defined.....	275	2	935
additional annuity based on.....	275	11	950
minimum pension, paid in addition to.....	275	11	950
Accumulated normal contributions,			
death before retirement, payment of to estate.....	275	14	954
defined .....	275	2	934
restoration of upon return to service.....	275	14	953
method of .....	275	14	953
return of to member upon discontinuance of service.....	275	14	953
Actuarial equivalent, defined.....	275	2	934
Additional contributions, defined.....	275	2	935
rates of interest for, board shall fix.....	275	9	947
Administrative cost, contribution of share of.....	275	5	937
Annuity,			
defined .....	275	2	934
reserve account for, authorized.....	275	5	938
Beneficiary, defined .....	275	2	933
Board of trustees,			
actuarial data, shall maintain.....	275	4	935
actuarial expense, shall investigate.....	275	4	935
actuarial services, shall furnish to cities.....	275	4	935
additional contributions, rate of interest in, board shall fix...	275	9	947
administration vested in.....	275	4	935
administrative expense, determine cities' share, shall.....	275	4	936
certificates of prior service, issued by, when.....	275	8	944
cities' contributions to fund, shall certify.....	275	4	936
compensation, shall serve without.....	275	4	936
death-in-line-of-duty benefit expense, determine cities' share,			
shall .....	275	4	936
deductions from compensation,			
rules for, made by.....	275	9	946
defined .....	275	2	932
estimate of obligation furnished to cities, shall be.....	275	5	938
account with, board shall keep.....	275	5	938
monthly statement, board shall furnish.....	275	5	938
expenses, reimbursement for.....	275	4	936
financial statement, annual, shall publish.....	275	4	936
funds (see also retirement fund, <i>infra</i> , this subtitle)			
shall manage .....	275	4	936
matching contributions furnished by.....	275	5	939

STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM.

STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Board of trustees,			
medical services, shall procure, when.....	275	12	951
members, liability of.....	275	4	937
mortality tables, shall adopt.....	275	4	936
powers and duties.....	275	4	935
record of proceedings, shall keep.....	275	4	936
retirement fund, custodian of, is.....	275	6	940
investment of monies contained in.....	275	6	940
bonds.....	275	6	941
open-end investment companies.....	275	6	940
qualifications.....	275	6	940
securities.....	275	6	940
rules and regulations, shall adopt.....	275	4	936
City or cities,			
additional contribution does not impose additional obligation			
upon.....	275	9	947
defined.....	275	2	932
personnel status, changes in, report to board required.....	275	7	943
rates for prior service pensions selected by.....	275	8	944
options available for.....	275	8	944
withdrawal from system.....	275	5	939
members,			
rights of.....	275	5	939
notice of.....	275	5	939
refund to city.....	275	5	939
vote required.....	275	5	939
Compensation, defined.....	275	2	933
Compensation earnable, defined.....	275	2	933
Contributions,			
city, by,			
enumerated.....	275	5	937
payable, when.....	275	5	937
withdrawn from system, by cities which have.....	275	5	938
members, by,			
additional contributions.....	275	9	947
authorized.....	275	9	947
interest.....	275	9	947
refunds.....	275	9	947
normal rates,			
deductions from employees compensation,			
compensation not over \$300, rates applied to.....	275	9	946
consent to, members deemed to.....	275	9	946
payment less contribution operates as dis-			
charge.....	275	9	946
procedure for collecting and forwarding.....	275	9	946
rules and regulations governing, board shall adopt.....	275	9	946
miscellaneous personnel for, basis.....	275	9	945
sixty years of age or older upon entry, rate.....	275	9	945
twenty-four years of age or younger, upon entry,			
rate.....	275	9	945
uniformed personnel for, basis.....	275	9	946
fifty-eight years of age or older upon entry, rate.....	275	9	946
twenty-two years of age or younger upon entry,			
rate.....	275	9	946
sex and age at time of entry, based on.....	275	9	945
Creditable service (as retirement requirement see Retirement,			
<i>infra</i> , this title),			
defined.....	275	2	933
Current service, defined.....	275	2	933
Death-in-line-of-duty benefit, cities contribution for.....	275	5	937

## STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM.

### STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Effective date,			
defined .....	275	2	934
persons employed on, members as of.....	275	7	942
Elective officers,			
group .....	275	7	941
miscellaneous personnel, considered as.....	275	7	942
Employee (see also Member, <i>infra</i> , this title)			
death of,			
accumulated contributions,			
payment of to whom upon.....	275	14	954
defined .....	275	2	932
full time,			
membership as of date of employment.....	275	7	942
key positions, reemployment or retention of retired employee for .....	275	10	949
retirement,			
reemployment after, when.....	275	10	949
retirement system, employees of, coverage for.....	275	7	942
miscellaneous personnel, considered as.....	275	7	942
status of, changes reported to board.....	275	7	943
supervisory positions, reemployment or retention of retired employee for .....	275	10	949
transfer to another city, effect of.....	275	7	943
Final compensation, defined.....	275	2	933
Firemen,			
excluded from act, when.....	275	3	935
miscellaneous personnel, included as, when.....	275	2	934
	275	3	935
Fiscal year, defined.....	275	2	934
Matching contribution, defined.....	275	2	933
Members (see also Employee, <i>supra</i> , this title)			
accumulated contributions, withdrawal, when.....	275	7	943
contributions,			
consent to, deemed by.....	275	9	946
excess authorized .....	275	9	947
interest on, fixed by board.....	275	9	947
refunds, rules for.....	275	9	947
rates,			
basis of .....	275	9	945
defined .....	275	2	932
discontinuance of service by,			
employment by another city after.....	275	14	954
redeposit of contributions, when.....	275	14	954
prior service credit, eligibility for.....	275	8	943
withdrawal of one-fourth of accumulated contributions.....	275	7	943
Membership .....	275	7	941
compulsory for miscellaneous and uniformed personnel.....	275	7	942
effective date of membership.....	275	7	942
election to discontinue by certain members.....	275	7	942
groups, divided into, enumerated.....	275	7	941
any or all groups may be covered.....	275	7	942
termination,			
death retirement or withdrawal of accumulated contribu- tions, upon .....	275	7	943
transfer of employment to another city does not terminate, when .....	275	7	943
Miscellaneous personnel (see also Retirement, <i>infra</i> , this title)			
defined .....	275	2	934
membership compulsory for.....	275	7	942
normal rate contribution.....	275	9	945

STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM.

STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch	Sec.	Page
Miscellaneous personnel,			
retirement,			
application for .....	275	10	948
time for filing.....	275	10	948
compulsory, age 65.....	275	10	947
effective date for.....	275	10	947
voluntary, age 65.....	275	10	947
Normal contributions (see Contributions, <i>supra</i> , this title),			
defined .....	275	2	933
Open-end investment company, legal investment for pension			
funds .....	275	6	940
Pension, defined .....	275	2	934
Persons having an insurable interest in his life,			
defined .....	275	2	934
Policemen, cities of 1st class, excluded from act.....	275	3	935
Prior service,			
armed forces, persons in service of on effective date, credit for	275	8	944
certificate of credit for.....	275	8	944
credit,			
cities contribution for.....	275	5	937
for persons in the armed forces, when.....	275	8	945
defined .....	275	1	932
honored by other city, when.....	275	14	954
members entitled to credit for.....	275	8	943
certificate to, board to issue.....	275	8	944
rates for credit, cities may select,			
ages at which rates apply.....	275	8	944
reduction for prior retirement.....	275	8	944
full prior service credit.....	275	8	944
one-half prior service credit.....	275	8	944
three-fourths prior service credit.....	275	8	944
sickness or injury, persons on leave for on effective date,			
credit for .....	275	8	944
Reemployment of retired personnel.....	275	10	949
Regular interest, defined.....	275	2	933
Released matching contributions, defined.....	275	2	933
Reserve account for annuities and pensions.....	275	5	938
Retired employee (see Retirement, <i>infra</i> , this title)			
Retirement,			
compulsory (see Miscellaneous personnel; also Uniformed			
personnel, <i>infra</i> , this subtitle)			
miscellaneous personnel,			
application for .....	275	10	948
time for filing.....	275	10	948
compulsory, age 65.....	275	10	947
exceptions, two years following effective date.....	275	10	947
extension of age limit to 67, legislative authority may.....	275	10	948
voluntary,			
at age 60 with 20 years creditable service.....	275	10	948
at age 65 .....	275	10	947
at age 62, not granted under, for two years after effective			
date .....	275	10	948
thirty years of creditable service regardless of age...	275	10	948
permanent and total disability, retirement for,			
elegibility for .....	275	12	950
employees pensioned under other systems.....	275	12	951
examination and application for.....	275	12	950
filing, time for.....	275	12	951
medical services, board shall secure.....	275	12	951
retirement allowance (for general consideration of this			
topic, see Retirement allowance, <i>infra</i> , this title)			
component parts,			

# STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM.

## STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Retirement,			
permanent and total disability, retirement for,			
retirement allowance,			
component parts,			
annuity,			
additional contributions based on.....	275	13	952
normal contribution based on.....	275	13	952
pension,			
basis .....	275	13	952
line of duty disability, additional pensions for	275	13	952
death of member, accumulated contributions paid to			
whom .....	275	13	952
maximum .....	275	13	952
misconduct of member,			
lump sum payment of accumulated contributions			
in lieu of retirement allowance.....	275	13	953
reemployment of employees after.....	275	10	949
retention of employees after.....	275	10	949
retired employees,			
reemployed or retained for supervisory or key positions,			
may be .....	275	10	949
system not liable for benefits, when.....	275	5	938
uniformed personnel,			
application for .....	275	10	948
time for filing .....	275	10	949
compulsory, age 60.....	275	10	948
exceptions, two years following effective date.....	275	10	948
extension of age limit for.....	275	10	948
voluntary,			
at age 55 with 25 years creditable service.....	275	10	949
not granted under age 60 for two years following			
effective date .....	275	10	949
thirty years creditable service regardless of age.....	275	10	949
Retirement allowance,			
cities contribution for.....	275	5	937
component parts,			
annuity .....	275	11	949
additional, based on accumulated additional contri-			
butions .....	275	11	950
pension .....	275	11	949
additional pension to meet minimum allowance re-			
quirement .....	275	11	949
prior service credit, additional pension for.....	275	11	949
reduction, where allowance exceeds half of final com-			
pensation .....	275	11	950
defined .....	275	2	934
improperly set up, board not liable for.....	275	5	938
reserve account for, authorized.....	275	5	938
suspended, while beneficiary receiving compensation for			
service to other participating city or town.....	275	15	955
Retirement fund (see also Statewide city employees retirement			
fund, <i>infra</i> , this title),			
defined .....	275	2	932
Retirement system (see also System, <i>infra</i> , this title),			
defined .....	275	2	932
Service,			
defined .....	275	2	932
discontinuance of,			
accumulated contributions paid, when.....	275	14	953
withdrawal .....	275	14	953
rights to benefits cease, when.....	275	14	953
return to, after discontinuance,			
different city, redeposit of contributions, effect.....	275	14	954
same city, redeposit of contributions, effect.....	275	14	953



## SUBVERSIVE ACTIVITIES ACT.

### STATEWIDE CITY EMPLOYEES RETIREMENT SYSTEM—CONTINUED:

	Ch.	Sec.	Page
Statewide city employees retirement fund,			
assets of,			
declared public funds.....	275	6	939
cash, deposit of.....	275	6	940
cities' contributions .....	275	5	937
time for payment of.....	275	5	937
created .....	275	6	939
custodian of, board of trustees is.....	275	6	940
defined .....	275	2	932
deposit and withdrawal.....	275	6	940
investment of, by board.....	275	6	940
public funds for deposit purposes, are.....	275	6	939
System,			
employees of, entitled to membership in.....	275	7	942
miscellaneous personnel, considered as.....	275	7	942
Uniformed personnel (see also Retirement, <i>supra</i> , this title)			
defined .....	275	2	934
membership compulsory for.....	275	7	942
effective date of membership.....	275	7	942
normal rate contribution.....	275	9	946
retirement,			
application for .....	275	10	948
time for filing.....	275	10	949
compulsory, age 60.....	275	10	948
effective date for.....	275	10	948
voluntary, age 60.....	275	10	948
Voluntary retirement (see Miscellaneous personnel; also Uniformed personnel, <i>supra</i> , this subtitle)			

STATUTE LAW COMMITTEE (see REVISED CODE OF WASHINGTON, *supra*, this Index)

STOCKS AND BONDS (see titles, METALLIFEROUS MINING SECURITIES; PUBLIC SERVICE COMMISSION; SECURITIES, *supra*, this Index)

SUBDIVISIONS (see PLATS, SUBDIVISIONS AND DEDICATIONS OF LAND, *supra*, this Index)

### SUBVERSIVE ACTIVITIES ACT:

Act,			
partial invalidity of.....	254	18	802
rights not affected by.....	254	19	802
short title of.....	254	20	802
Appeals (see Public employment, subtitle, discharge from, <i>infra</i> , this title)			
Attorney General,			
hearing of persons discharged from public employment, rules for, shall prescribe.....	254	15	800
report and recommendations, shall submit to legislature.....	254	9	798
Candidates for public office,			
affidavit, non-subversive, to be filed by.....	254	16	801
ballot or voting machine, prerequisite to entry of name upon .....	254	16	801
declaration of candidacy unaccompanied by, shall not be filed .....	254	16	801
Constitutional guaranties, preserved.....	254	15	800
	254	19	802
Discharge from public employment (see Public employment, <i>infra</i> , this title)			

SUBVERSIVE ACTIVITIES ACT.

SUBVERSIVE ACTIVITIES ACT—CONTINUED:	Ch.	Sec.	Page
Felonious acts, specified.....	254	2	795
penalties for,	254	3	796
fine or imprisonment.....	254	2	795
other .....	254	3	796
election to public office, filing or standing for, barred from .....	254	4	796
holding office or position of profit or trust, barred from	254	4	796
voting, barred from.....	254	4	796
Foreign government, defined.....	254	1	794
Foreign subversive organization,			
books, records or files, destruction of, felony is, when.....	254	2	795
defined .....	254	1	794
dissolution of .....	254	5	796
existence of, unlawful.....	254	5	796
funds of, secreting, felony is.....	254	2	795
membership in, a felony, when.....	254	3	796
penalties for .....	254	3	796
other .....	254	4	796
participation in, felony is, when.....	254	2	795
Government of United States, state or political subdivisions,			
clear and present danger to security of, act constituting, felony is .....	254	2	795
conspiracy to commit certain acts, felony is.....	254	2	795
overthrow, destruction or alteration of constitutional form of, by force, felony is.....	254	2	795
Oath, statement deemed made under, when.....	254	17	801
Organization, defined .....	254	1	793
Perjury,			
penalties of, applicable when.....	254	17	801
written statement of applicant, notice of penalty of perjury, shall contain .....	254	12	799
Public employment,			
applicant for, written statement, shall make.....	254	12	799
discharge from,			
appeal from order of discharge,			
to superior court, authorized.....	254	15	801
jury trial, authorized.....	254	15	801
to supreme court, authorized.....	254	15	801
cause for, what constitutes.....	254	15	800
written statement, failure to make.....	254	14	800
hearing procedure, prescribed by appropriate authority, shall be .....	254	15	800
right to cross examination, confrontation etc., rules shall afford .....	254	15	800
employees,			
civil defense participant,			
oath required .....	178	15	501
subversives barred .....	178	15	501
written statement required.....	254	14	799
discharge for failure to make.....	254	14	800
employer,			
procedures to establish whether applicant for employ- ment is subversive person, shall establish.....	254	12	798
written statement, shall require applicant to sign.....	254	12	799
nature of work such that public security not endangered, inquiries other than written statement not required.....	254	13	799
subversive persons excluded from.....	254	11	798

TAXATION.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Subversive organization,			
books, records or files, destruction of, felony is, when.....	254	2	795
defined .....	254	1	794
dissolution of .....	254	5	796
property, seizure of authorized.....	254	5	797
existence of, unlawful.....	254	5	796
funds of, secreting, felony is.....	254	2	795
membership in, a felony, when.....	254	3	796
penalty for .....	254	3	796
other .....	254	4	796
participation in, felony is, when.....	254	2	795
Subversive person,			
defined .....	254	1	794
penalties imposed upon (see Felonious acts, <i>supra</i> , this title)			
public employment of (see Public employment, <i>supra</i> , this title)			
Violations and penalties (see Felonious acts, <i>supra</i> , this title)			
SUPERINTENDENT OF PUBLIC INSTRUCTION (see PUBLIC INSTRUCTION, SUPERINTENDENT OF, <i>supra</i> , this Index)			
SUPERIOR COURT (see COURTS, <i>supra</i> , this Index)			
SUPPORT, DUTIES OF (see UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT, <i>infra</i> , this Index)			
SUPREME COURT (see COURTS, <i>supra</i> , this Index)			
SURVEYS AND MAPS (see PUBLIC LANDS, <i>supra</i> , this Index)			
SWINOMISH INDIAN RESERVATION:			
Tidelands bordering, withdrawn from sale.....	77	1	214

T

TACOMA, CITY OF:

Metropolitan Park District,			
Spanaway Park,			
acceptance of, for the state.....	136	2	336
conveyance of, to state.....	136	1	334
easements excepted .....	136	1	336
legal description of.....	136	1	334

TAXATION: (see also TAXATION in index to 1950 Ex. Sess., *supra*, this volume; also in index to 1951 Ex. Sess., *infra*, this volume)

Admissions tax (see Cities and towns; Counties, <i>infra</i> , this title)			
Beer, revenue stamps on (see INTOXICATING LIQUORS, <i>supra</i> , this Index)			
Boundaries of taxing districts,			
established boundaries, what constitutes.....	116	1	290
instruments setting forth boundaries, filing requirements....	116	1	290
levy, prohibited where boundaries not established March 1 of year of levy.....	116	1	290
Cities and towns,			
admissions tax,			
admission charge, defined.....	35	1	81
amount .....	35	1	81
levy authorized .....	35	1	81
subject of tax.....	35	1	81
annexation of territory to, upon,			
road district taxes levied but not collected, disposition of.	248	5	786

## TAXATION.

### TAXATION—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Cities and towns,			
electrical properties, cities and towns acquiring,	217	1	645
payments to taxing districts wherein facilities are located	72	1	208
municipal firemen's pension fund system, levy for.....	72	1	208
additional levy authorized.....	255	1	804
property tax, levies authorized.....	255	1	804
excess levies .....			
Collection and enforcement of tax of foreign state,			
duty of court.....	166	1	450
taxes, defined .....	166	2	450
Compensating tax on motor vehicles (see Motor Vehicles, <i>infra</i> , this title)			
Counties,			
admission tax,			
admission charge, defined.....	34	1	79
amount .....	34	1	79
exclusive, shall not be.....	34	1	80
levy, how made.....	34	1	79
subject of tax.....	34	1	79
property tax, levies authorized.....	255	1	803
excess levies .....	255	1	804
Fire protection districts,			
assessments in lieu of taxes.....	107	2	268
tax levy to retire indebtedness.....	107	2	268
Foreign state, taxes imposed by,			
enforcement and collection, right of action in courts of this state, accorded on reciprocal basis.....	166	1	450
Forty mill limit (see Property taxation, <i>infra</i> , this title)			
Gift taxes,			
power of appointment,			
gift of, in conjunction with <i>inter vivos</i> transfer of property, subject to gift tax laws from the donor to the ulti- mate beneficiary, is.....	185	11	544
definitions .....	185	10	543
donee,			
defined .....	185	10	543
exercise of power by, by grant to other donee, effect .....	185	17	546
notice to commission upon exercise or termi- nation of power.....	185	13	544
liability for loss of tax resulting from failure to notify.....	185	13	544
refund,			
benefit of ultimate beneficiary, shall inure to..	185	12	544
excess tentative tax, of.....	185	15	545
tax,			
due, when .....	185	12	544
greatest possible tax,			
defined .....	185	10	544
payment .....	185	14	545
lien until paid, is.....	185	12	544
paid from property, may be.....	185	12	544
security for payment of.....	185	14	545
tentative tax, payment of authorized.....	185	14	545
due, when .....	185	16	545
interest .....	185	16	546
refund of excess.....	185	15	545
value assessed .....	185	12	544

TAXATION.

TAXATION—CONTINUED:

Gift taxes,			
power of appointment,			
gift of, in conjunction with <i>inter vivos</i> transfer of property,			
subject to gift tax laws from the donor to the ultimate beneficiary, is,			
trustee,	Ch.	Sec.	Page
defined .....	185	10	543
discretion to pay tax from the property.....	185	12	544
pay tax or provide security, duty to.....	185	12	544
personal liability, none imposed upon.....	185	12	544
security, shall file with commission, when.....	185	14	545
tentative tax, may elect to pay.....	185	14	545
payable when .....	185	16	545
value assessed .....	185	12	544
Inheritance taxes,			
power of appointment,			
grant of in conjunction with certain transfers of property,			
transfer subject to inheritance tax laws from grantor to ultimate beneficiary, constitutes.....	185	2	541
definitions .....	185	1	540
donee,			
defined .....	185	1	540
exercise of power by, by granting to other donee, effect .....	185	9	543
notice to commission upon exercise of termination of powers .....	185	4	541
liability for loss of tax resulting from failure to notify.....	185	4	542
refund,			
benefit of ultimate beneficiary, shall inure to..	185	3	541
excess tentative tax, of.....	185	6	542
tax,			
due, when .....	185	3	541
greatest possible tax,			
defined .....	185	1	540
payment .....	185	5	542
lien until paid, is.....	185	3	541
paid from property, may be.....	185	3	541
security for payment of.....	185	5	542
tentative tax, payment of authorized.....	185	5	542
due, when .....	185	7	543
interest .....	185	7	543
refund of excess.....	185	6	542
value assessed .....	185	3	541
trustee,			
defined .....	185	1	540
discretion to pay tax from the property.....	185	3	541
pay tax or provide security, duty to.....	185	3	541
personal liability, none imposed upon.....	185	3	541
security, shall file with commission, when.....	185	5	542
tentative tax, may elect to pay.....	185	5	542
payable, when .....	185	7	543
value assessed .....	185	3	541
Intoxicating liquors, upon (see INTOXICATING LIQUORS, <i>supra</i> , this Index)			
Metropolitan park districts,			
three mill annual levy,			
authorization for .....	179	1	504
collection of .....	179	1	505
deposit of .....	179	1	505
levy in excess of.....	179	1	504
election on .....	255	1	804
election on .....	179	1	504
election on .....	255	1	804

## TAXATION.

### TAXATION—CONTINUED:

	Ch.	Sec.	Page
Motor vehicle excise tax, deficiency appropriation for transfer to cities and towns.....	228	1	703
Motor vehicle fuel tax, amount .....	269	43	878
cities and towns, distribution of proceeds to.....	269	43	879
distributors of motor vehicle fuel, bills to purchasers, shall render.....	269	43	879
liability for tax.....	269	43	878
persons not classed as, liability for tax.....	267	1	848
procedures .....	267	1	848
handling loss allowable.....	269	43	878
highway construction bonds (see HIGHWAYS, subtitle, Highway construction bonds, <i>supra</i> , this Index)			
net gallonage, computation of.....	269	43	879
persons not classed as distributors, tax required of.....	267	1	848
procedures .....	267	1	848
proceeds, distribution of.....	269	43	879
state, cities and counties, to.....	269	43	879
refunds, fuel not used in conjunction with motor vehicle licensed for public highway operation.....	263	1	827
motor vehicle owned by United States and operated off the public highway.....	263	1	828
sales from one distributor to another, tax free.....	269	43	878
tax imposed .....	269	43	878
United States vehicles, refunds .....	263	1	828
Motor vehicles, compensating tax, county auditors, collecting agents for, designated.....	37	1	83
duties of .....	37	1	84
fee for collection.....	37	1	84
reports .....	37	1	84
state treasurer, to remit to.....	37	1	84
motor vehicles, defined.....	37	1	83
refund of .....	37	1	84
tax commission, powers and duties concerning.....	37	1	83
}	37	1	84
}	37	1	85
value, declaration of, by transferee.....	37	1	84
penalty .....	37	1	84
Municipal corporations, general obligation bonds of, excess levy for, election on .....	255	1	805
minimum vote required on.....	255	1	805
purpose of issuance of.....	255	1	805
refund of .....	255	1	805
Port districts, two mill levy authorized for general port purposes including establishment of capital improvement fund.....	133	1	331
excess levy, payment of bonded indebtedness.....	133	1	331
Property assessment manual, copies furnished county assessors.....	38	1	86
price of .....	38	1	86
tax commission to revise and issue.....	38	1	86

TAXATION.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Property taxes,			
levy,			
authorized .....	255	1	803
excess levies, authorized.....	255	1	804
bond retirement purposes, for.....	255	1	805
elections to authorize.....	255	1	804
metropolitan park districts.....	255	1	805
metropolitan park districts.....	255	1	804
metropolitan park districts.....	179	1	504
forty mill limit.....	255	1	803
prohibited where taxing district boundaries not estab-			
lished on March 1st.....	116	1	290
toll facility aid district, by.....	199	5	594
duration of levy.....	199	15	597
general taxes, part of.....	199	19	598
valuation of property for purposes of.....	255	1	803
water districts, by.....	62	1	190
Reciprocity (see Collection and enforcement of tax of foreign			
state, <i>supra</i> , this title)			
Reforestation lands (see Tax commission, <i>infra</i> , this title)			
Refunds,			
compensating tax on motor vehicles.....	37	1	84
gift tax .....	185	12	544
gift tax .....	185	15	545
inheritance tax .....	185	3	541
inheritance tax .....	185	6	542
motor vehicle fuel excise tax.....	263	1	827
Retail sales tax,			
buyer .....	44	1	101
commission may proceed against.....	44	1	102
penalties .....	44	1	102
refusal to pay, penalty.....	44	1	102
collection,			
rules and schedules for, commission may adopt.....	44	2	102
fractions of cent, eliminated, may be.....	44	2	102
seller,			
collection by .....	44	1	101
held in trust by.....	44	1	101
personal liability of.....	44	1	101
tax return,			
seller shall make.....	44	3	103
annual .....	44	3	103
bi-monthly .....	44	3	103
tax tokens,			
redeemable, when .....	44	4	103
redemption fund establishment, authorized.....	44	4	103
Road districts,			
property tax, levy of.....	255	1	804
taxes levied but not collected, disposition on annexation to			
city .....	248	5	786
School districts,			
property taxes, excess levies.....	255	1	804
Sewer districts,			
assessments levied in lieu of tax levies.....	107	3	268
State, property tax, levy of.....	255	1	803
State tax commission,			
compensating tax,			
collecting agent,			
county auditor designated as.....	37	1	83
refund of .....	37	1	84
rules and regulations promulgated by.....	37	1	85

TIMBER.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
State tax commission,			
plats, subdivisions or dedications of land,			
copy of forwarded to, shall be.....	195	2	583
property assessment manual,			
distribution of .....	38	1	86
duty to revise and issue.....	38	1	86
reforestation lands,			
removal from classification,			
on petition of state forest board.....	172	2	471
on petition of taxpayers.....	172	3	472
review of list,			
powers and duties upon.....	172	1	470
retail sales tax,			
fractions of one cent, eliminated by.....	44	2	102
powers,			
action against buyer.....	44	1	102
rules, regulations and schedules, adoption by.....	44	2	102
state census board,			
aid furnished to.....	96	3	242
tax tokens, redemption of.....	44	4	103
Tax judgment sales,			
bid in excess of taxes due,			
excess paid to owner.....	220	1	650
nonclaim, effect of.....	220	1	650
held, when .....	220	1	648
notice of sale.....	220	1	649
form .....	220	1	649
single unit, property sold as, when.....	220	1	650
Tax tokens, redemption of.....	44	4	103
Taxing districts, boundaries of (see boundaries of taxing districts, <i>supra</i> , this title)			
Toll facility aid districts,			
property taxes, levy of.....	199	5	594
duration of levy.....	199	15	597
general taxes, part of.....	199	19	598
Water districts,			
assessments levied in lieu of taxes.....	107	4	269
general levy of two mills.....	62	1	190
increase to four mills.....	62	1	190
Weed districts,			
assessments levied in lieu of taxes.....	107	1	267

TAX COMMISSION, STATE (see TAXATION, *supra*, this Index)

TAXICABS (see MOTOR VEHICLES, *supra*, this Index)

TAX JUDGMENT SALES (see TAXATION, *supra*, this Index)

TAX TOKENS (see TAXATION, *supra*, this Index)

TEMPORARY CODE PUBLICATION COMMITTEE (see REVISED CODE OF WASHINGTON, *supra*, this Index)

TIMBER: (see also PUBLIC LANDS, and CONSERVATION AND DEVELOPMENT, DEPARTMENT OF, *supra*, this Index)

Lands reserved for state parks,			
cutting only on permit.....	26	3	51



TOLL BRIDGE AUTHORITY, WASHINGTON STATE.

TOLL BRIDGE AUTHORITY, WASHINGTON STATE:

	Ch.	Sec.	Page
Agate Pass bridge,			
transfer of to highway department.....	121	13	311
Appropriations to,			
authority revolving fund, from.....	259	18	822
motor vehicle fund, from,			
investigation of Puget Sound transportation problems, for	259	19	822
permanent authority revolving fund, establishment of, for	259	17	822
Authority revolving fund,			
appropriation from, for purposes of sec. 14 of ch. 259, L. 1951.	259	18	822
appropriation to, from motor vehicle fund.....	259	17	822
created .....	259	14	820
uses prescribed .....	259	14	820
repayment from tolls or charges derived from operation			
of facilities investigated.....	259	15	821
Bonds issued by, legal investment for state funds, are.....	259	3	817
{	121	14	311
motor vehicle funds excepted.....	121	14	312
permanent school funds excepted.....	121	14	312
Bridge, tunnel or ferry districts (see Toll facility aid districts, <i>infra</i> , this title)			
Common carrier, designated as.....	259	7	818
rights as .....	259	7	818
Cross-sound transportation problems, investigation of, authorized	259	16	821
Engineering investigation by.....	259	14	821
Exempt from execution, ferry properties are.....	259	12	819
Ferries (see Puget Sound ferry and toll bridge system, <i>infra</i> , this title)			
Ferry districts (see Toll facility aid districts, <i>infra</i> , this title)			
Liability, consent to (see Puget Sound ferry and toll bridge system, <i>infra</i> , this title)			
Permanent authority revolving fund (see Authority revolving fund, <i>supra</i> , this title)			
Proposals for facilities for relief of traffic problems, engineering investigation for .....	259	14	821
Puget Sound Ferry and Toll bridge system,			
bonds, issued by authority, legal investment for state funds are .....	259	3	817
consent to liability,			
limited .....	259	5	817
director of highways, powers and duties concerning.....	259	1	816
ferries and ferry facilities,			
common carrier,			
rights and duties of,			
granted to and imposed upon commission.....	259	7	818
employees,			
excluded from state employees retirement system coverage .....	82	1	223
federal old age and survivors insurance (OASI) coverage for, prescribed.....	82	2	223
industrial insurance coverage for, prescribed.....	259	2	817
masters and crew members excepted.....	259	2	817
suits for injuries by seamen.....	259	6	818
unemployment compensation benefits for, prescribed.	82	1	223
leases and contracts for use and occupancy of,			
bidding requirements .....	259	1	816
exclusive right to enter, vested in authority is.....	259	1	816
prior leases and contracts, continuation of.....	259	1	817
term, limitation on.....	259	1	816
liability arising from operation, rights of action against authority, claim,			

TOLL BRIDGE AUTHORITY, WASHINGTON STATE.

TOLL BRIDGE AUTHORITY, WASHINGTON STATE—CONTINUED:

Puget Sound Ferry and Toll bridge system,			
ferries and ferry facilities,			
liability arising from operation,			
rights of action against authority,			
claim,	Ch.	Sec.	Page
authority may pay or settle.....	259	11	819
payment limited to operating revenues or			
insurance recoveries .....	259	11	819
verified, filing of as condition to recovery....	259	10	818
granted .....	259	8	818
shippers or passengers excepted.....	259	9	818
judgment, enforcement of.....	259	12	819
property not subject to process or maritime			
lien .....	259	12	819
recovery limited to amount of insurance.....	259	9	818
venue .....	259	12	819
suits by seamen, for injuries,			
consent to, granted.....	259	6	818
venue .....	259	6	818
Washington state ferries revolving fund,			
creation authorized .....	259	13	820
deposit .....	259	13	820
excess monies, transmittal to state treasurer.....	259	13	820
expenses of operation to be paid from.....	259	13	820
operate, authority may.....	259	1	816
Puget Sound transportation problems, investigation of, authorized	259	16	821
Toll facility aid districts,			
act,			
construction of .....	199	23	599
declaration of purpose of.....	199	1	593
definitions of words used in.....	199	2	594
aid fund,			
created .....	199	17	597
proceeds, use of.....	199	20	598
appeals,			
formation complete where no appeal taken.....	199	13	596
procedure .....	199	12	596
time for .....	199	12	596
assessments (see Taxes, <i>infra</i> , this title)			
bonds,			
levy as obligation of district to bondholders.....	199	11	596
budget .....	199	18	598
dissolution .....	199	22	598
unexpended funds upon, disposition.....	199	22	598
district,			
"bond guarantee district" may be.....	199	2	594
contractual obligation, shall not impair.....	199	11	596
"bond retirement district" may be.....	199	2	594
defined .....	199	2	594
district authority,			
assessments, unnecessary, shall not levy, when.....	199	14	597
appeal from action of.....	199	12	596
budget, duties concerning.....	199	18	598
declaration of organization, shall make.....	199	10	596
copy filed with taxing and assessing officials, shall be.	199	10	596
final, becomes, when.....	199	13	596
defined .....	199	2	594
payment to toll authority, manner.....	199	21	598
what constitutes .....	199	10	596
district expense fund, created.....	199	17	597
district treasurer,			
duties .....	199	17	597
funds, deposit of monies in.....	199	17	597

TOLL BRIDGE AUTHORITY, WASHINGTON STATE.

TOLL BRIDGE AUTHORITY, WASHINGTON STATE—CONTINUED:

	Ch.	Sec.	Page
Toll facility aid districts,			
district treasury, taxing and assessing officials, who shall be.....	199	10	596
expense, preliminary, emergency appropriations for, authorized.....	199	9	595
formation, complete, is, upon expiration of time for appeal.....	199	13	597
election to form, ballot form .....	199	6	595
general election, at.....	199	4	594
general election laws control.....	199	7	595
held, when .....	199	7	595
petition to call.....	199	4	594
precincts, special, may be established.....	199	7	595
special election, at.....	199	4	594
ordinance of intention to submit proposition to voters....	199	6	595
publication .....	199	6	595
preliminary expense, appropriation for, authorized.....	199	9	595
vote required for.....	199	8	595
funds, created .....	199	17	597
governing body, appeal from action of.....	199	12	596
defined .....	199	2	594
formation of district, shall submit proposition to voters.....	199	4	594
tax levy, submission.....	199	5	594
resolution declaring formation proceedings, when.....	199	8	595
municipal corporation, district is.....	199	8	595
municipality, defined .....	199	2	594
funds, return to upon dissolution of district.....	199	22	598
purposes of formation.....	199	1	593
	199	3	594
taxes, collection of, general tax laws, in accordance with.....	199	18	598
levy of, assessment, duration of obligation.....	199	11	596
electorate, submission of proposition to.....	199	5	594
forty mill limit law, effect.....	199	15	597
general tax laws, in accordance with, shall be.....	199	18	598
one year only, limited to, when.....	199	15	597
continuance of levy, submission to voters au- thorized .....	199	15	597
part of general taxes.....	199	19	598
unnecessary assessments, prohibited.....	199	14	597
reinstatement .....	199	14	597
valuation, basis of.....	199	19	598
toll authority, defined .....	199	2	594
levy unnecessary, notice to district authority.....	199	14	597
reinstatement of by.....	199	14	597
monies received from district authorities, disposition....	199	21	598
new facilities, construction of contingent upon formation of district and levy of assessment, may declare.....	199	11	596
Transportation problems, investigation of, authorized.....	259	16	821
results of, reported to governor.....	259	16	821
Tunnel districts (see Toll facility aid districts, <i>supra</i> , this title)			
Washington state ferries revolving fund (see Puget sound ferry and toll bridge system, <i>supra</i> , this title)			

TOWNSHIPS.

TOWNSHIPS:

	Ch.	Sec.	Page
Procedure for disorganization, class A counties, act does not apply to.....	173	10	476
election to disorganize, ballot .....	173	4	474
canvassed by county election board, shall be.....	173	5	474
general elections laws, application.....	173	5	474
conducted by county auditor, shall be.....	173	5	474
general elections law, application.....	173	5	474
date for, fixing of.....	173	3	474
general elections laws, applicability.....	173	5	474
notice of election.....	173	3	474
posting .....	173	3	474
statements required .....	173	3	474
petition for, canvass by county auditor.....	173	2	474
proceedings may be commenced by.....	173	1	473
signatures required .....	173	1	473
precincts, divided and/or combined, may be.....	173	3	474
results, favorable, certified to court, shall be.....	173	6	475
superior court, order of disorganization, shall enter, when.....	173	6	475
orders dissolving township, shall sign, when.....	173	9	476
receiver, appointment as chairman of county board as... ..	173	6	475
winding up of township affairs, chairman of board of county commissioners appointed as receiver for .....	173	6	475
powers and duties, general.....	173	7	475
account, shall file.....	173	9	476
surplus funds, payment to school districts.....	173	9	476
taxes, powers concerning.....	173	8	475
 TRACK MOTOR CARS (see RAILROADS, <i>supra</i> , this Index)			
 TRAFFIC CONTROL SIGNALS (see MOTOR VEHICLES, <i>supra</i> , this Index)			
 TRAFFIC VIOLATIONS (see MOTOR VEHICLES, <i>supra</i> , this Index)			
 TREASURER (see COUNTY TREASURER, STATE TREASURER, <i>supra</i> , this Index)			
 TRUST COMPANY INVESTMENTS:			
Guardianship investments subject to laws governing.....	218	1	646
 TRUST FUNDS:			
Guardianship funds declared to be.....	218	1	646
Investment of, in certain open-end, closed-end investment companies, au- thorized .....	132	1	330
 TRUSTS:			
Guardianship of estate, declared to be.....	218	1	646
Spendthrift trusts, R.C.W. 6.32.250 construed as not forbidding execution upon or enforcement of, debt resulting from furnishing necessities of life to beneficiary .....	226	1	696
order for support of children of beneficiary.....	226	1	696
order subjecting vested remainder to debts of remainder- man .....	226	1	696

TUNNEL DISTRICTS.

TRUSTS—CONTINUED:

	Ch.	Sec.	Page
Trustees, accounting by,			
act, trusts and persons unaffected by, enumerated.....	226	10	699
additional duties, settlor may add.....	226	11	700
final account, trustee may file in court.....	226	3	697
matters required to be shown.....	226	3	697
waiver .....	226	11	700
intermediate account, trustee may file in court.....	226	3	696
matters required to be shown.....	226	3	696
waiver .....	226	11	700
petition for by settlor or beneficiary.....	226	4	697
account pursuant to,			
decrees,			
appeal from, to supreme court, authorized.....	226	9	699
final order, is.....	226	8	699
incompetent, unborn or unascertainable beneficiaries, effect upon.....	226	9	699
rendered after hearing, shall be.....	226	6	698
trustee, surcharge for losses for breach of trust..	226	8	699
who bound by.....	226	7	699
exceptions to, filing of authorized, when.....	226	8	699
filing, directed by court, may be.....	226	6	698
notice to beneficiaries and guardians.....	226	4	697
contents of .....	226	5	697
proof of service.....	226	5	698
publication, required, when.....	226	5	698
objections to, filing of authorized, when.....	226	6	698
return day for,			
fixed by clerk.....	226	5	697
objections, filed on or before, may be.....	226	6	698
statement, itemized, of property held by trustee, shall furnish on request.....	226	2	696
filed in superior court, may be.....	226	2	696
waiver .....	226	11	700
statement of receipts and disbursements, shall furnish to adult beneficiary, when.....	226	2	696
filed in superior court, may be.....	226	2	696
uniform trustee's accounting act,			
act declared to be of similar import to.....	226	12	700
reference to, effect.....	226	12	700
waivers,			
beneficiary, adult, by.....	226	11	700
settlor, by .....	226	11	700
	226	12	700

TUBERCULOSIS HOSPITALIZATION FUND, COUNTY: (see also STATE TUBERCULOSIS HOSPITALIZATION FUND, *supra*, this Index)

Appropriation .....	14	1	29
Payment to from state tuberculosis equalization fund.....	204	1	609

TUNNEL, CASCADE:

Location study authorized.....	273	24	926
--------------------------------	-----	----	-----

TUNNEL DISTRICTS (see TOLL BRIDGE AUTHORITY, WASHINGTON STATE, subtitle, Toll facility aid districts, *supra*, this Index)

UNEMPLOYMENT COMPENSATION.

U

UNEMPLOYMENT COMPENSATION:

Appeals (see Review, hearings and appeals, *infra*, this title)

Benefits and claims,

application for initial determination (see also initial determination, *infra*, this subtitle)

	Ch.	Sec.	Page
defined .....	215	4	632
filed in accordance with regulations, shall be.....	215	4	632
notice of application.....	215	5	633
regulations concerning, posting and distribution of.....	215	4	632
representative of commissioner, taken by, shall be.....	215	4	632
who may file.....	215	4	632

benefits (see also claim for benefits, *infra*, this subtitle)

denial, notice of.....	215	7	634
disqualification for, grounds,			
discharge for misconduct.....	215	13	639
duration .....	215	13	639
failure to apply for work.....	215	14	639
false statement or suppression of material fact.....	265	10	843
penalty .....	265	10	843
voluntarily leaving work without good cause.....	215	12	639
duration .....	215	12	639

eligibility for benefits, conditions to,

able and available for work, shall be.....	215	11	638
application and claim filed, shall be.....	265	9	843
base year minimum wages, shall have earned.....	215	11	638
register for work and report at employment office, shall .....	265	9	843
unemployed for one week, shall have been.....	215	11	638
involuntarily unemployed, person deemed to be, when....	265	9	843

recovery of improper benefit payments.....	265	12	845
appeal from determination of liability.....	215	8	635
deducted from future benefits, may be.....	215	8	635
judgment for .....	215	8	636
mutual aid between governments for.....	215	8	636
notice of determination of liability.....	215	8	635

redetermination of denial or allowance.....	215	6	633
notice of .....	215	6	633

schedule of benefits.....	265	11	844
---------------------------	-----	----	-----

separation from work for reasons other than lack of work, determination of benefits, department shall issue .....	215	7	634
notice .....	215	7	634

vacations, cessation of operations by employer for, effect.	265	12	845
weekly benefits, amount.....	215	15	639
deductions from .....	215	15	639

claim for benefits,

defined .....	215	4	632
filed in accordance with regulations, shall be.....	215	4	632
regulation concerning, posting and distribution of.....	215	4	632
representative of commissioner, taken by, shall be.....	215	4	632

UNEMPLOYMENT COMPENSATION.

UNEMPLOYMENT COMPENSATION—CONTINUED:

Benefits and claims,			
claim for waiting period (see also waiting period credit, <i>infra</i> , this subtitle)			
	Ch.	Sec.	Page
defined .....	215	4	632
filed in accordance with regulation, shall be.....	215	4	632
regulations concerning, posting and distribution of.....	215	4	632
representative of commissioner, taken by, shall be.....	215	4	632
employer,			
regulations for filing applications and claims, shall post and distribute .....	215	4	632
initial determination (see also application for initial deter- mination, <i>supra</i> , this subtitle)			
made when .....	215	4	632
redetermination .....	215	6	633
notice of .....	215	6	634
what comprised in.....	215	4	633
waiting period credit (see also claim for waiting period, <i>supra</i> , this subtitle)			
denial, notice of.....	215	7	634
eligibility for credit, conditions to,			
able and available for work, shall be.....	215	11	638
.....	265	9	843
application and claim filed, shall be.....	215	11	638
.....	265	9	843
base year minimum wages, shall have earned.....	215	11	638
.....	265	9	843
register for work and report at employment office, shall .....	215	11	638
.....	265	9	842
unemployed for one week, shall have been.....	215	11	638
.....	265	9	843
separation from work for reasons other than lack of work, determination of waiting period credit, de- partment shall issue.....	215	7	634
notice .....	215	7	634
Contributions by employers,			
state and political subdivisions by, authorized.....	265	7	841
Definitions (see also definitions under experience rating credits, <i>infra</i> , this title)			
application for initial determination.....	215	4	632
claim for benefits.....	215	4	632
claim for waiting period.....	215	4	632
contributions .....	215	1	630
"employment,"			
not included within term,			
specially exempted services.....	265	1	833
certain services rendered to,			
benevolent life insurance association.....	265	1	834
business leagues .....	265	1	834
cemetery companies .....	265	1	834
certain corporations .....	265	1	836
chambers of commerce, etc.....	265	1	834
civic leagues .....	265	1	834
cooperative growers associations.....	265	1	835
finance corporations of.....	265	1	836
cooperative utilities .....	265	1	834
corporate instrumentalities of the United States .....	265	1	836
farmers associations .....	265	1	835
fraternal beneficiary societies.....	265	1	833
labor organizations .....	265	1	833
local life insurance associations.....	265	1	834

# UNEMPLOYMENT COMPENSATION.

## UNEMPLOYMENT COMPENSATION—CONTINUED:

	Ch.	Sec.	Page
Definitions,			
"employment,"			
not included within term,			
specially exempted services,			
certain services rendered to,			
mutual casualty or fire insurance companies..	265	1	834
mutual savings banks.....	265	1	833
pleasure clubs .....	265	1	834
political subdivisions .....	265	7	841
religious associations .....	265	1	837
savings and loan associations.....	265	1	833
state employment .....	265	7	841
teachers retirement fund association.....	265	1	836
service in the employ of spouse or parent.....	265	6	841
service in the employ of state or political subdivisions....	265	7	841
elective coverage nullifies exemption.....	265	7	841
authorized .....	265	8	842
"remuneration" .....	265	3	838
"wage credits" .....	265	3	838
"wages" .....	265	3	837
not included within term,			
death benefits .....	265	5	840
dismissal payments voluntary.....	265	2	837
employment tax .....	265	2	837
military service, amount paid to person in.....	265	2	837
retirement, disability, annuity, etc., payments by employer .....	265	4	838
Employment (see Definitions, <i>supra</i> , this title)			
Experience rating credits,			
definitions,			
acquire .....	215	16	640
computation date .....	215	16	640
contributions .....	215	16	640
credit year .....	215	16	640
cut off date.....	215	16	640
effective date .....	215	16	640
payroll .....	215	16	640
redetermination and correction of credit allowed employer..	215	17	641
notice .....	215	17	641
payrolls,			
corrections or modifications cognizable.....	215	17	641
Organization and administration,			
election of coverage.....	215	9	636
state or political subdivision, may elect.....	265	8	842
termination .....	215	9	636
information obtained pursuant to administration, disclosure of reports and returns,	215	3	631
commissioner may file where employing unit fails to... proceeding for recovery of contributions, certificate as <i>prima facie</i> evidence of amount of pay- roll .....	215	2	631
Penalties,			
employing unit,			
contrary information concerning cause for separation, misdemeanor is .....	265	13	845



## UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

### UNEMPLOYMENT COMPENSATION—CONTINUED:

	Ch.	Sec.	Page
Review, hearings and appeals,			
appeal from determination or redetermination.....	215	10	637
determination of liability, from.....	215	8	635
determination or redetermination conclusive if appeal not timely taken .....	215	10	637
effect of redetermination while appeal pending.....	215	10	637
State ferry employees,			
coverage accepted by.....	82	1	223
Wages (see definition, <i>supra</i> , this title)			

### UNFIRED PRESSURE VESSELS (see BOILERS AND UNFIRED PRESSURE VESSELS ACT, *supra*, this Index)

### UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT:

Act,			
declaration of purpose of.....	196	1	584
definitions for .....	196	2	584
Contempt, punishment for, authorized.....	196	15	588
Court (see also subtitles, Initiating state and Responding state, <i>infra</i> , this title)			
defined .....	196	2	584
of other state, submission to jurisdiction of, effect.....	196	6	585
Duty of support,			
defined .....	196	2	584
enforceable by action regardless of relationship between obligor and obligee.....	196	9	586
jurisdiction vested in superior court.....	196	9	586
laws of which states may be enforced.....	196	7	586
obligee may elect.....	196	7	586
petition .....	196	10	586
copy of, sent to responding state.....	196	11	586
residence or presence of obligee has no effect on.....	196	4	585
Extradition,			
obligor's relief from, when.....	196	6	585
provisions apply although person sought was not in demand- ing state when crime committed, nor fled therefrom.....	196	5	585
Governor,			
may demand surrender of, or surrender persons charged.....	196	5	585
Husband and wife,			
communication privilege, inapplicable.....	196	18	588
competent witnesses are.....	196	18	588
Initiating state,			
court of this state acting as,			
disburse payments, shall.....	196	17	588
petition and other papers sent to responding state when..	196	11	586
testimony, may order taken, how.....	196	12	587
defined .....	196	2	584
Law, defined .....	196	2	584
Marriage, husband and wife may testify to.....	196	18	588
Obligee,			
defined .....	196	2	585
may elect which laws shall be enforced.....	196	7	586
state subrogated to rights of, when.....	196	8	586
Obligor,			
allegations of obligee, opportunity to answer.....	196	12	587
defined .....	196	2	584
duty of support,			
liability for, regardless of presence or residence of obligee	196	4	585

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT.

UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT—CONTINUED:

Obligor,			
extradition,			
relief from upon submission to jurisdiction of court of	Ch.	Sec.	Page
other state and compliance with order thereof.....	196	6	585
Parentage, husband and wife may testify to.....	196	18	588
Payments and reports, court may order.....	196	15	588
Petition verified, shall be.....	196	10	586
allegations required .....	196	10	586
Prosecuting attorney, shall appear, when.....	196	9	586
Remedies provided, additional are.....	196	3	585
Recognizance, court of this state as responding state may order..	196	15	587
Responding state,			
court of this state acting as,			
duties upon receipt of petition, etc., from initiating state.	196	12	587
other duties,			
forward payments to court of initiating state.....	196	16	588
furnish statement of payment.....	196	16	588
order of support or reimbursement, shall transmit to initiating state .....	196	14	587
powers, when duty of support found.....	196	13	587
additional powers .....	196	15	587
contempt, punishment for.....	196	15	588
order support or reimbursement.....	196	14	587
property of defendant, subjected to order, may be .....	196	14	587
payments to court or obligee, may require.....	196	15	588
personal reports to clerk, may order.....	196	15	588
recognizance, may require.....	196	15	587
testimony, may order taken, how.....	196	12	587
defined .....	196	2	584
State,			
defined .....	196	2	584
subrogated to rights of obligee, when.....	196	8	586
Superior court,			
jurisdiction of proceedings vested in.....	196	9	586
UNIFORM TRUSTEES ACCOUNTING ACT (see TRUSTS, <i>supra</i> , this Index)			
UNIFORM VETERANS GUARDIANSHIP ACT: (see also GUARDIANS, <i>supra</i> , this Index)			
Accounts of guardian,			
filing and notice of hearing.....	53	10	152
guardian acting for more than five wards.....	53	4	149
penalty for failure to account.....	53	11	154
Administrator,			
defined .....	53	1	148
party in interest.....	53	2	148
Administrator's certificate as <i>prima facie</i> evidence of necessity for appointment of,			
guardian for incompetent.....	53	7	151
guardian for minor.....	53	6	150
Application of,			
act .....	53	3	149
funds .....	53	21	160
funds .....	53	14	155
Appointment of guardian,			
administrator as party in interest.....	53	2	148
petition .....	53	5	149
statutory procedure .....	53	3	149

## UNIFORM VETERANS GUARDIANSHIP ACT.

### UNIFORM VETERANS GUARDIANSHIP ACT—CONTINUED:

	Ch.	Sec.	Page
Banks,			
appointment of guardian.....	53	5	150
bond .....	53	9	151
exception as to limitation of number of wards.....	53	4	149
Benefits, defined .....	53	1	148
Bond of guardian.....	53	9	151
Certificate by veterans administration as <i>prima facie</i> evidence that ward has attained majority or recovered competency....	53	17	157
Citation of act.....	53	20	160
Commitment of incompetent veterans.....	53	18	157
Compensation of guardian.....	53	12	155
Compromise of adverse claims of title to ward's realty.....	53	15	156
Construction of act.....	53	19	160
Copies of public records to be furnished.....	53	16	157
Definitions .....	53	1	148
Discharge of guardian.....	53	17	157
Estate defined .....	53	1	148
Extraordinary services by guardian, additional compensation....	53	12	155
Filing of accounts by guardian.....	53	10	152
Guardian, defined .....	53	1	148
Home for ward, purchase of.....	53	15	156
Income, defined .....	53	1	148
Incompetents,			
appointment of guardian.....	53	5	149
commitment to veterans administration or other agency of United States .....	53	18	157
<i>prima facie</i> evidence of necessity for appointment of guardian	53	7	151
Investments by guardian.....	53	13	155
Jurisdiction of person committed to veterans administration or other governmental agency.....	53	18	157
Limitation on number of wards.....	53	4	149
Maintenance and support.....	53	14	155
Minor, evidence of necessity for guardian.....	53	6	150
Notice,			
hearing for purchase of home for ward.....	53	15	156
hearing of accounts of guardian.....	53	10	152
petition for appointment.....	53	8	151
Number of wards of guardian limited.....	53	4	149
Partition, purchase under partition decree.....	53	15	156
Penalty for failure to account.....	53	11	154
Person, defined .....	53	1	148
Petition for appointment of guardian.....	53	5	149
notice .....	53	8	151
<i>Prima facie</i> evidence of necessity for appointment.....	53	6	150
for incompetent .....	53	7	151
Public records, copies to be furnished.....	53	16	157
Purchase of home for ward.....	53	15	156
Release of sureties.....	53	17	157
Removal of guardian,			
administrator as party in interest.....	53	2	148
failure to file accounts.....	53	11	154
Short title of act.....	53	20	160
State interest bearing obligations, investment in.....	53	13	155
Surplus funds, investments.....	53	13	155
Trust companies,			
appointment of guardian.....	53	5	150
bond .....	53	9	151
Uniformity of interpretation.....	53	19	160
United States obligations, investment in.....	53	13	155

## UNIFORM VETERANS GUARDIANSHIP ACT.

### UNIFORM VETERANS GUARDIANSHIP ACT—CONTINUED:

	Ch.	Sec.	Page
Veterans administration,			
defined .....	53	1	148
commitment of incompetents to.....	53	18	157
copies of certified accounts to be sent to.....	53	10	152
notice of petition for appointment of guardian.....	53	8	151
Ward, defined .....	53	1	148

### UNITED STATES:

Agencies of,			
forest camps, contracts with for establishment of.....	234	15	739
Agriculture, Secretary of,			
Washington Rural Rehabilitation Corporation.....	169	1	465
Army engineers,			
navigable river channel improvement.....	33	2	79
Atomic energy commission,			
request for war projects or defense projects insurance rating plans .....	144	1	376
Bankhead-Jones Farm Tenant Act.....	144	2	465
Auburn General depot,			
concurrent jurisdiction ceded to.....	40	1	88
perimeter roads and railroads not included.....	40	1	90
description of .....	40	1	88
process, right of service on, reserved to state.....	40	1	88
Coast and geodetic survey (see PUBLIC LANDS, subtitle, Surveys and Maps, <i>supra</i> , this Index)			
Columbia Basin project act (see IRRIGATION AND RECLAMATION DISTRICTS, <i>supra</i> , this Index)			
Columbia river waters, compact among states for use of,			
congress, consent of.....	113	1	278
joint commission,			
commissioners, appointed by president.....	113	1	277
Congress of the United States,			
compacts for patrol of state boundaries,			
consent required .....	253	1	792
Contributions for mine to market roads (see HIGHWAYS, <i>supra</i> , this Index)			
Defense roads and flight strips,			
director of highways, cooperation with commissioner of public roads .....	273	29	928
Federal security administration (see SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, <i>supra</i> , this Index)			
Fish restoration and management,			
assent to act of congress.....	124	1	316
Immigration and naturalization service, district director,			
report as to mental illness of aliens.....	139	30	351
Interstate commerce commission,			
registration with as information required of applicant to sell securities .....	230	1	726
filing fee .....	230	2	727
rules and regulations of,			
explosives, transportation of, rules may not be inconsistent with .....	102	1	254
Washington toll bridge authority, may make filings with....	259	7	818
Old age and survivors insurance (see SOCIAL SECURITY COVERAGE FOR PUBLIC OFFICERS AND EMPLOYEES, <i>supra</i> , this Index)			
Persons sentenced to prison by authority of,			
Washington state penitentiary and Washington state reformatory, incarceration in, authorized.....	135	1	332

VETERANS.

UNITED STATES—CONTINUED:

Secretary of defense, request for war projects or defense projects insurance rating plans .....	Ch. 144	Sec. 1	Page 376
Securities and exchange commission, registration with as information required of applicants to sell securities .....	230	1	726
filing fee .....	230	2	727
Treasury, secretary of, payments to from O.A.S.I. fund, authorized.....	184	6	538
United States maritime commission, Washington toll bridge authority, may make filings with....	259	7	818
Vehicles of, operated off the public highways.....	263	1	828
Veterans Administration, guardianships (see UNIFORM VETERANS GUARDIANSHIP ACT, <i>supra</i> , this Index)			
mental illness hospitalization, powers as detaining authority.....	139	26	349

UNITED STATES CODE:

Bankhead-Jones Farm Tenant Act.....	169	1	465
Title 46, section 688, provisions of, adopted as procedure for suits by seamen on state operated ferries.....	259	6	818

UNIVERSITY OF WASHINGTON:

Board of regents, conveyance of old University grounds, by, limitation on.....	97	1	243
revenue bonds issued by.....	118	1	301
purpose for .....	118	1	301
Employees, excepted from membership in state retirement system.....	50	2	124
History department of, representative of, member of committee to dispose of public records, shall be..	145	2	378
Intoxicating liquor, sale of upon grounds prohibited.....	120	1	303
State census board, faculty member appointed by president, member of shall be..	96	1	241
State lands selected under sec. 3, ch. 91, L. 1903, withdrawal from sale, consent of board of regents required.....	26	1	51

UNPLATTED LANDS:

Annexation to cities of the fourth class.....	109	1	271
---	-----	---	-----

V

VETERANS:

Bonus, "person" as used in R.C.W. 73.32.020, defined.....	7	1	23
proceeds, exempt from legal process, are.....	231	1	728
exception, support of minor children.....	231	1	728
separate property .....	231	1	728
Disabled, disability, effect of in appointment to public employment....	29	1	59
motor vehicle licenses, issued to free, when.....	206	1	612
Guardianship of (see UNIFORM VETERANS GUARDIANSHIP ACT, <i>supra</i> , this Index)			
Organizations, liquor licenses within university restricted area..	120	1	303
Preference in public employment to veterans or their widows....	29	1	59

VETERANS ADMINISTRATION.

VETERANS ADMINISTRATION:

	Ch.	Sec.	Page
Claims before, copies of vital statistical records furnished free for purpose of.....	106	3	262
Mentally ill persons,			
powers of detention over.....	139	26	349
transfer of patients to custody of.....	139	68	361
	53	18	159
Uniform veterans guardianship act (see UNIFORM VETERANS GUARDIANSHIP ACT, <i>supra</i> , this Index)			

VETERANS BONUS (see VETERANS, *supra*, this Index)

VITAL STATISTICS:

Birth certificates (see also Records of births or deaths, <i>infra</i> , this title)			
data required .....	106	7	264
filed, shall be,			
when and by whom.....	106	6	264
Blanks, use of other than those supplied by state registrar, prohibited .....	106	1	260
Cities and towns,			
health officers as local registrars.....	106	5	263
removal of .....	106	5	263
Department of health,			
record of fees, kept by.....	106	3	262
Deaths (see Records of births or deaths, <i>infra</i> , this title)			
Fees,			
account and deposit of fees collected.....	106	3	262
certificate of age of minors for employment permit purposes, no fee .....	106	3	262
local registrars,			
entitled to, when.....	106	3	262
	106	8	266
record of births or deaths,			
certified copy, fee for.....	106	3	261
search of files, fee for.....	106	3	262
transcript of record filed by private party,			
fee for .....	106	1	261
unreported birth subsequently registered,			
certified copy of record, fee for.....	106	2	261
veterans administration, copy of record for purpose of claim before,			
no fee required.....	106	3	262
Illegitimacy, disclosure of.....	106	3	262
	106	7	265
Local registrars,			
appointed by whom.....	106	5	263
cities of first class, in.....	106	4	263
compensation to,			
paid, how .....	106	8	266
registered certificates, for.....	106	8	266
salaried registrars, no fee.....	106	8	266
when no births or deaths registered, report fee.....	106	8	266
deputies, may appoint.....	106	5	263
fees,			
certified copies of birth and death records.....	106	3	262
statement of deaths,			
filed with secretary of state, when.....	250	1	788
warrants, issuance to, procedure.....	106	8	266
Records of births or deaths,			
certified copies of,			
state registrar shall furnish.....	106	3	261

WASHINGTON ASSOCIATION OF LICENSED NURSING HOMES.

VITAL STATISTICS—CONTINUED:

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
Records of births or deaths,			
private parties may file.....	106	1	260
transcript of, registrar shall furnish.....	106	1	261
unreported births, registered in, may be.....	106	2	261
certified copy of.....	106	2	261
Registration areas and districts,			
other registration areas.....	106	4	263
local registrars for, appointment of.....	106	5	263
primary registration area,			
local registrar for, who is.....	106	5	263
what constitutes.....	106	4	263
primary registration district,			
local registrar for, who is.....	106	5	263
what constitutes.....	106	4	263
State board of health,			
additional birth information, request by.....	106	7	265
State registrar,			
application to, for transcripts of records.....	106	1	261
birth, unreported, registered with.....	106	2	261
certified copies of record, shall furnish.....	106	2	261
blanks and forms, supplied by.....	106	1	260
card index, shall keep.....	106	1	260
certificates, shall examine.....	106	1	260
certified copies of records, furnished by, shall be.....	106	3	261
fees.....	106	3	261
illegitimacy, disclosure of.....	106	3	262
infectious diseases, shall inform local registrars as to.....	106	1	260
instructions, shall prepare.....	106	1	260
local registrars in certain areas appointed by.....	106	5	263
records in private possession, may be filed with.....	106	1	260
transcript, registrar may furnish.....	106	1	261
records of certificates, shall keep.....	106	1	260
search of files by,			
fees for.....	106	3	262
statement of deaths,			
filed with secretary of state, when.....	250	1	788

VOLUNTEER FIREMEN, PENSIONS AND RELIEF (see FIREMEN'S RELIEF AND PENSIONS, *supra*, this Index)

VOTING MACHINES (see ELECTIONS, *supra*, this Index)

W

WAR PROJECTS INSURANCE RATING PLANS (see INDUSTRIAL INSURANCE, subtitle Labor and industries, department of, *supra*, this Index)

WAREHOUSES AND WAREHOUSEMEN:

Commodity inspection fees (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)

Storage warehouses,			
license required,			
fee.....	110	1	271
operation without.....	110	1	272
injunction.....	110	1	272
penalty.....	110	1	272
posted, shall be.....	110	1	271
revocation of.....	110	1	272

WASHINGTON ASSOCIATION OF LICENSED NURSING HOMES:

Representation on advisory nursing home council, entitled to....	117	11	296
--	-----	----	-----

WASHINGTON CITIES, ASSOCIATION OF.

	Ch.	Sec.	Page
WASHINGTON CITIES, ASSOCIATION OF:			
Representation on advisory nursing home council, entitled to....	117	11	296
WASHINGTON CIVIL DEFENSE ACT OF 1951:			
Act,			
declaration of purpose of.....	178	2	488
enforcement of .....	178	18	502
expiration date of.....	178	21	503
repeal provisions, effect.....	178	17	502
rights not affected by.....	178	11	499
short title of.....	178	1	488
violations of .....	178	18	502
Aid, federal or private, acceptance authorized.....	178	12	499
Civil defense agency,			
created .....	178	4	490
director of civil defense,			
appointed, how .....	178	4	490
compensation .....	178	4	490
federally owned area, plan applicable to, may adopt.....	178	20	503
office facilities and supplies for.....	178	4	490
powers and duties (see also subtitle, Governor, heading, Powers and duties through director, <i>infra</i> , this title)			
additional, as prescribed by governor.....	178	4	491
communications coordination committee, shall ap- point .....	178	4	491
coordination and liaison duties.....	178	4	491
executive head of agency, is.....	178	4	491
personnel, may employ.....	178	4	490
responsible to governor, is.....	178	4	491
term of office.....	178	4	490
funds, matching of, may require.....	178	19	503
supervision and control, general, vested in governor, is.....	178	6	492
Civil defense council.....	178	5	491
chairman, governor shall serve as.....	178	5	492
compensation and expenses of.....	178	5	492
duties .....	178	5	491
local organization's plan referred to, when.....	178	8	496
members .....	178	5	491
Civil defense, defined.....	178	3	489
functions included .....	178	3	489
Communications coordinating committee,			
appointed by director, shall be.....	178	4	491
composition .....	178	4	491
powers .....	178	4	491
Coordinators, metropolitan or regional area, appointment of, authorized .....	178	6	493
Director of civil defense (see Civil defense agency, <i>supra</i> , this title)			
Employee (see also Mobile support unit, <i>infra</i> , this title)			
civil service, status while in civil defense.....	178	16	502
liability for death or injury.....	178	11	499
oath for .....	178	15	501
form of .....	178	15	501
political subdivisions of,			
rights,			
as member of local organization.....	178	9	498
as member of mobile support unit.....	178	7	494
serving under repealed acts, tenure.....	178	17	502
subversives not employable as.....	178	15	501
Executive heads (see local organization for civil defense, <i>infra</i> , this title)			



WASHINGTON CIVIL DEFENSE ACT OF 1951.

WASHINGTON CIVIL DEFENSE ACT OF 1951—CONTINUED:	Ch.	Sec.	Page
Existing facilities, use of.....	178	13	500
Federally owned area, plan applicable to.....	178	20	503
Funds, matching of, may be required.....	178	19	503
Governor,			
aid, federal or private, may accept.....	178	12	499
civil defense council,			
members appointed by, shall be.....	178	5	491
director of civil defense, appointed by, shall be.....	178	4	490
existing facilities, shall utilize.....	178	13	500
operational control, direct,			
may assume in event of disaster beyond local control....	178	6	492
powers and duties through director,			
appointment of metropolitan or regional area coordi- nators .....	178	6	493
cooperation with other governments and private agencies authorized .....	178	6	492
delegation of authority.....	178	6	493
federal government, shall cooperate with.....	178	6	493
mobile support units, may establish.....	178	7	494
commanders, shall appoint.....	178	7	494
orders to duty.....	178	7	494
where .....	178	7	494
mobilization of organizations in advance of disaster.....	178	6	493
mutual aid arrangements with other states and provinces, may enter .....	178	6	493
mutual aid plans between political subdivisions, may coordinate .....	178	6	493
plan and program, comprehensive, shall prepare.....	178	6	493
public information programs.....	178	6	493
rules and regulations, may make.....	178	6	492
studies of facilities and resources.....	178	6	493
supplies and equipment, procurement.....	178	6	493
training programs .....	178	6	493
responsible to, director shall be.....	178	4	491
supervision and control of agency, shall have.....	178	6	492
Immunities .....	178	11	499
mobile support unit personnel, of.....	178	7	494
unit of other state.....	178	7	495
Local organization for civil defense,			
defined .....	178	3	490
director of,			
appointed by whom.....	178	8	496
jointly operated organizations.....	178	8	497
mutual aid arrangements for civil defense, may enter into	178	10	498
employees of political subdivisions, rights.....	178	9	498
establishment of .....	178	8	496
plan for .....	178	8	496
executive heads,			
aid acceptance of, authorized.....	178	12	499
defined .....	178	8	497
existing facilities, shall utilize.....	178	13	500
joint operation of.....	178	8	496
civil defense fund for.....	178	8	496
cost of, contributions to.....	178	8	496
arbitration concerning .....	178	8	496
director, appointed how.....	178	8	497
powers upon occurrence of disaster.....	178	8	497
procedures and formalities dispensed with.....	178	8	497
territory of operations.....	178	8	497
Matching of funds, may be required.....	178	19	503

WASHINGTON CIVIL DEFENSE ACT OF 1951.

WASHINGTON CIVIL DEFENSE ACT OF 1951—CONTINUED:

	Ch.	Sec.	Page
Mobile support unit,			
operation in other states prohibited unless reciprocal laws exist .....	178	7	496
personnel of,			
control of .....	178	7	495
employees of political subdivisions serving with,			
reimbursement by state to political subdivision.....	178	7	495
expenses of .....	178	7	495
rights, duties, privileges, immunities and compensation..	178	7	494
unit from other state.....	178	7	495
reimbursement by state to political subdivision for loss or			
expense incurred by operations of.....	178	7	495
to other state.....	178	7	495
reciprocity requirements .....	178	7	495
Political activity prohibited.....	178	14	500
Political subdivision,			
aid rendered to other subdivision or out of state, by.....	178	9	498
expenses and losses borne by government receiving aid..	178	9	498
appropriations, may make.....	178	12	499
defined .....	178	3	490
employee,			
defined .....	178	9	498
rights and immunities of,			
as member of local organization.....	178	9	498
as member of mobile support unit.....	178	7	494
liability,			
for death or injury.....	178	11	499
for loss or expenses.....	178	9	498
local organization for civil defense,			
established by .....	178	8	496
plan submitted to state director, shall be.....	178	8	496
council, referred to, when.....	178	8	496
joint operations .....	178	8	496
powers of, in event of disaster.....	178	8	497
procedures and formalities dispensed with.....	178	8	497
Repealing clause .....	178	17	502
laws repealed,			
orders, rules under, effect of.....	178	17	502
tenure of officers under.....	178	17	502
Rules and regulations,			
enforcement .....	178	18	502
governor may make.....	178	6	492
copies of,			
civil defense organizations, available for inspection;			
shall make .....	178	18	502
filed with county auditor, shall be.....	178	6	492
penalties for violations.....	178	18	502
State,			
departments and agencies of, shall cooperate with civil de-			
fense organization .....	178	13	500
liability for loss or injury.....	178	11	499
Violations .....	178	18	502

WASHINGTON COORDINATE SYSTEM (see PUBLIC LANDS, sub-  
title, Surveys and Maps, *supra*, this Index)

WASHINGTON JUNIOR DAIRY SHOW (see AGRICULTURE, DE-  
PARTMENT OF, *supra*, this Index)

WASHINGTON JUNIOR POULTRY EXPOSITION (see AGRICUL-  
TURE, DEPARTMENT OF, *supra*, this Index)

WASHINGTON STATE PATROL.

WASHINGTON OSTEOPATHIC ASSOCIATION:

	Ch.	Sec.	Page
Maternity homes, rules and regulations, consultation with state board of health.....	168	7	460

WASHINGTON PUBLIC SERVICE COMMISSION (see PUBLIC SERVICE COMMISSION, *supra*, this Index)

WASHINGTON REPORTS:

Public printer may print.....	151	1	418
-------------------------------	-----	---	-----

WASHINGTON RURAL REHABILITATION CORPORATION (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)

WASHINGTON STATE AGRICULTURAL EXPERIMENTAL STATION:

Director, member of state soil conservation committee, shall be.....	216	3	643
---	-----	---	-----

WASHINGTON STATE ASSOCIATION OF SOIL CONSERVATION DISTRICT SUPERVISORS:

President and secretary, members of state soil conservation committee, shall be.....	216	3	643
---	-----	---	-----

WASHINGTON STATE EXTENSION SERVICE:

Director, member of state soil conservation committee, shall be.....	216	3	643
---	-----	---	-----

WASHINGTON STATE FIRE MARSHAL (see STATE FIRE MARSHAL, *supra*, this Index)

WASHINGTON STATE 4-H FAIR (see AGRICULTURE, DEPARTMENT OF, *supra*, this Index)

WASHINGTON STATE PATROL:

Certificate of inspection of vehicles where motor or serial number altered or obliterated.....	269	2	852
Chief,			
impounding of vehicles, power to direct.....	269	16	861
motor vehicles,			
impounding, when .....	269	16	861
load limits,			
rules for enforcement of.....	269	30	870
wheel base limits,			
rules for enforcement of.....	269	31	871
rules and regulations regarding weight discrepancies in cargo, may adopt .....	269	30	870
Washington State Safety council, executive board,			
member of, is.....	247	19	776
official coordinating committee, member of, is.....	247	23	777
Commercial motor vehicle safety division, abolished.....	36	1	82
Explosives, gasses, poisons, transportation of,			
rules and regulations for.....	102	1	254
violation is misdemeanor.....	102	2	254
Gross weight license fee requirement, shall impound vehicles for non-compliance .....	269	16	861
Impounding of vehicles,			
non-compliance with gross weight license fee requirement, for .....	269	16	861
Ocean beach highway traffic control.....	271	46	912

WASHINGTON STATE PATROL.

WASHINGTON STATE PATROL—CONTINUED:

	Ch.	Sec.	Page
Washington state patrol retirement system,			
actuarial equivalent,			
as basis for retirement allowance, retirement before 60..	140	4	367
defined .....	140	1	364
members option .....	140	6	368
actuarial valuation,			
board to complete.....	140	3	366
agreements with other systems, authorized.....	140	10	371
allowance (see retirement allowance, <i>infra</i> , this subtitle)			
annuity (see retirement allowance, <i>supra</i> , this subtitle)			
average final salary, defined.....	140	1	364
beneficiary, defined .....	140	1	363
board (see retirement board, <i>infra</i> , this subtitle)			
defined .....	140	1	364
contributions,			
members, by,			
amount .....	140	9	370
death of member, payable to whom upon.....	140	7	369
deducted from payroll, shall be.....	140	9	370
interest payable on.....	140	7	369
refund on termination of employment for reasons other than death or retirement.....	140	7	369
state, by the,			
current service contributions,			
rate,			
basis .....	140	3	366
determined and redetermined by board.....	140	3	366
effective, when .....	140	3	366
prior service contributions.....	140	3	366
amount .....	140	3	366
duration .....	140	3	366
termination of employment for reasons other than death or retirement, contribution remains in re- tirement fund .....	140	9	370
current service,			
annuity (see retirement allowance, <i>infra</i> , this subtitle)			
contributions, state's .....	140	3	366
rate .....	140	3	366
defined .....	140	1	364
election (see retirement allowance, <i>infra</i> , this subtitle)			
employee (see also member, <i>infra</i> , this subtitle)			
armed forces, effect of service in.....	140	2	365
defined .....	140	1	363
eligibility to participate in plan.....	140	2	365
member participating in another plan.....	140	10	371
optional participation, employees commissioned prior to June 11, 1947.....	140	2	365
participation mandatory, when.....	140	2	365
reemployment, effect of.....	140	2	365
expense of operation, paid from appropriations, shall be.....	140	3	365
fund (see state patrol retirement fund, <i>infra</i> , this title)			
defined .....	140	1	363
insurance commissioner, defined.....	140	1	364
joint annuitant, death of.....	140	6	369
member (see also employee, <i>supra</i> , this subtitle)			
contributions,			
amount .....	140	9	370
auditor to deduct.....	140	9	370

WASHINGTON STATE PATROL.

WASHINGTON STATE PATROL—CONTINUED:

Washington state patrol retirement system,  
member,

	Ch.	Sec.	Page
death of,			
after retirement .....	140	7	369
before retirement .....	140	7	369
election of optional retirement allowance, in- valid upon .....	140	6	368
defined .....	140	1	363
health examination of.....	140	6	368
military service of, credit for.....	140	2	365
limitation on .....	140	2	365
termination of employment before age 60, refund of contributions on request.....	140	7	369
operating expense, paid from appropriations, shall be.....	140	3	365
participation (see employees, <i>supra</i> , this title)			
prior service,			
annuity (see retirement allowance, <i>infra</i> , this subtitle)			
contribution, state's .....	140	3	366
rate .....	140	3	366
defined .....	140	1	364
regular interest, defined.....	140	1	363
retirement,			
compulsory at age 60.....	140	4	367
retirement allowance .....	140	5	367
death of member,			
after retirement,			
excess contributions and interest, payable to whom .....	140	7	369
before retirement,			
contributions and interest payable to whom.....	140	7	369
optional at age 50 with 25 years service.....	140	4	367
retirement allowance .....	140	4	367
retirement allowance,			
assignment of .....	140	8	370
compulsory retirement, upon,			
current service annuity.....	140	5	367
amount, limitation upon.....	140	5	367
normal form of allowance, annuity for life.....	140	6	368
prior service annuity.....	140	5	367
election as to normal or optional allowance.....	140	6	368
legal processes, exempt from, are.....	140	8	370
optional allowance,			
election to receive.....	140	6	368
ineffective on death before retirement.....	140	6	368
revocation by member.....	140	6	368
subsequent elections, consent of board re- quired .....	140	6	368
option I .....	140	6	369
option II .....	140	6	369
retirement before age 60, upon.....	140	4	367
taxes, exempt from, are.....	140	8	370
retirement board,			
biennial estimate, by.....	140	3	366
current service contribution rate, determined by .....	140	3	366
defined .....	140	1	364
election as to optional retirement allowance, consent of board required, when.....	140	6	368
fund managed by.....	140	2	365
prior service contribution rate, determined by .....	140	3	366
refund of members' contributions, form for, shall provide	140	7	369

WASHINGTON STATE PATROL.

WASHINGTON STATE PATROL—CONTINUED:

Washington state patrol retirement system,			
service,	Ch.	Sec.	Page
armed forces in, credit for.....	140	2	365
defined .....	140	1	364
retirement allowance,			
annuity .....	140	6	368
current service annuity.....	140	5	367
prior service annuity.....	140	5	367
termination of and re-entry into, treated as new employees	140	2	365
service credit,			
in other retirement system, agreement authorizing .....	140	10	371
state auditor,			
defined .....	140	1	364
members contributions, deducted by.....	140	9	370
state patrol retirement fund,			
allowances or benefits, all payable from.....	140	3	365
biennial estimate of requirements for, board shall make..	140	3	366
established .....	140	2	365
state treasurer, defined.....	140	1	363
system,			
agreements with other retirement systems, authorized....	140	10	371
defined .....	140	1	363
eligibility to participate in.....	140	2	365
mandatory, when .....	140	2	365
optional, when .....	140	2	365
expenses of .....	140	3	365
WASHINGTON STATE PENITENTIARY: (see also PUBLIC INSTI-			
TUTIONS, DEPARTMENT OF, and PRISON TERMS AND			
PAROLES, BOARD OF, <i>supra</i> , this Index)			
Incarceration of out of state prisoners,			
authorized .....	135	1	332
rate of keep, agreements for.....	135	2	333
vacant space must exist.....	135	3	333
Prisoners paroled and released,			
clothing, transportation and funds, supplied to, shall be.....	152	1	419
WASHINGTON STATE REFORMATORY: (see also PUBLIC INSTI-			
TUTIONS, DEPARTMENT OF, and PRISON TERMS AND			
PAROLES, BOARD OF, <i>supra</i> , this Index)			
Incarceration of out of state prisoners,			
authorized .....	135	1	332
rate of keep, agreements for.....	135	2	333
vacant space must exist.....	135	3	333
Prisoners paroled or released,			
clothing, transportation and funds, supplied to, shall be.....	152	1	419
WASHINGTON STATE SAFETY COUNCIL:			
Advisory committee,			
chairman and vice chairman of, who are.....	247	22	777
composition .....	247	22	777
members .....	247	21	777
appointment of, when.....	247	22	777
compensation, shall receive none.....	247	34	780
terms .....	247	22	777
functions .....	247	35	780
Composition of .....	247	18	776
Created .....	247	16	775

WASHINGTON WELFARE SURVEY COMMISSION.

WASHINGTON STATE SAFETY COUNCIL—CONTINUED:

	Ch.	Sec.	Page
Director of public information,			
appointed by executive board, shall be.....	247	28	779
compensation .....	247	28	779
funds, payable from.....	247	30	779
control over, vested in board.....	247	30	779
position created .....	247	28	779
Duties .....	247	17	775
Executive board of,			
budget of, submitted when.....	247	26	778
by-laws, shall adopt.....	247	27	778
matters required to be covered.....	247	27	778
chairman and vice-chairman, election of.....	247	20	777
composition of board.....	247	19	776
members,			
citizen members, appointment of, when.....	247	20	776
chairman and vice-chairman of board elected			
from among, shall be.....	247	20	777
compensation, shall receive none.....	247	34	780
expenses, entitled to.....	247	34	780
terms of office.....	247	20	776
contributions, acceptance of authorized.....	247	33	780
decisions of council, final, approval of required.....	247	24	778
funds, jurisdiction over.....	247	32	780
expenditures .....	247	32	780
{	247	33	780
governing body of council, shall be.....	247	24	778
report of, time for.....	247	25	778
contents of .....	247	25	778
Executive department, established as division of.....	247	16	775
Funds appropriated to,			
control of .....	247	32	780
Managing director .....	247	28	779
appointed by executive board, shall be.....	247	28	779
compensation .....	247	28	779
funds payable from.....	247	30	779
control over, in board.....	247	30	779
duties .....	247	29	779
office created .....	247	28	779
qualifications required of.....	247	29	779
Official coordinating committee,			
composition .....	247	23	777
functions .....	247	36	781
meetings of .....	247	36	781
Powers or duties vested in state departments, effect.....	247	37	781
WASHINGTON STATE TOLL BRIDGE AUTHORITY (see TOLL BRIDGE BRIDGE AUTHORITY, WASHINGTON STATE, <i>supra</i> , this Index)			
WASHINGTON STATE TRAINING SCHOOL:			
"Close security" institution, designated as.....	234	13	739
Employees, children and youth services, retention of.....	234	5	736
Post institutional placement of persons committed to.....	234	13	738
WASHINGTON TOLL BRIDGE AUTHORITY (see TOLL BRIDGE AUTHORITY, WASHINGTON STATE, <i>supra</i> , this Index)			
WASHINGTON WELFARE SURVEY COMMISSION:			
Abolished .....	11	1	26

## WATER DISTRICTS.

WATER DISTRICTS: (see also WATER DISTRICTS in index to 1951 Ex. Sess., *infra*, this volume)

Additions and betterments,			
area annexed after adoption of comprehensive plan,			
scheme for, to provide for need of areas annexed,	Ch.	Sec.	Page
commission may adopt without submitting to vote....	112	2	275
general indebtedness for, procedure for incurring.....	112	2	275
plan for, adopted how.....	112	2	275
revenue bonds for construction of, procedure for issuance....	112	2	276
no election required.....	112	2	276
Annexation to cities (see CITIES AND TOWNS, <i>supra</i> , this Index)			
Assessments in lieu of tax levies..... 107      4      269			
Commissioners,			
comprehensive plan, shall carry out when ratified.....	112	1	274
revenue bonds,			
proposition to issue, submitted by.....	112	1	274
adoption of, number of votes required for.....	112	1	275
Comprehensive plan,			
refunding local improvement district bonds.....	112	1	274
Elections (see ELECTIONS, <i>supra</i> , this Index)			
Funds,			
water district fund.....	62	1	191
Indebtedness outstanding, retired by tax levies..... 107      4      269			
Revenue bonds,			
additions and betterments for (see Additions and betterments, <i>supra</i> , this title)			
proposition of issuance,			
how submitted to voters.....	112	1	274
vote required .....	112	1	275
where certain local improvement district bonds are outstanding .....	112	1	275
refunding of local improvement bonds with proceeds of sale of .....	112	1	274
Taxation,			
general levy,			
two mills .....	62	1	190
increase of to four mills, when.....	62	1	190
levy prohibited except for purpose of retiring indebtedness..	107	4	269
proceeds of, placed in water district fund.....	62	1	191
special benefit assessments in lieu of.....	107	4	269
Withdrawal of territory,			
bond required, when.....	112	3	276
refusal to furnish, effect.....	112	3	277
petition for .....	112	3	276
hearing on .....	112	3	276
notice of .....	112	3	276
publication of .....	112	3	276

### WATER SYSTEMS:

Out-of-state,			
municipalities,			
acquisition, operation by.....	39	1	87
joint operation with out-of-state municipalities.....	39	1	87
powers under .....	39	2	87

### WATERS:

Acquisition by cities and towns,			
authorized .....	252	1	791
beds and shores, occupation to high water mark.....	252	1	791
navigation, impediment prohibited.....	252	1	792
pollution, acquisition of property to prevent.....	252	1	792
storage above high water mark.....	252	1	792



WRESTLING.

WATERS—CONTINUED:

Columbia river,			
division and use of waters of (see INTERSTATE COMPACT COMMISSION, <i>supra</i> , this Index)			
Division of water resources (see CONSERVATION AND DEVELOPMENT, DEPARTMENT OF, <i>supra</i> , this Index)			
Navigable river channel improvement project plan,	Ch.	Sec.	Page
contract for, necessity for.....	31	2	78
joint board, powers and duties.....	31	2	78
ordinance or resolution necessary for.....	31	2	78
subdivisions included within.....	31	1	78
WEED DISTRICTS (see also WEED DISTRICTS in index to 1951 Ex. Sess., <i>infra</i> , this volume)			
Indebtedness outstanding retired by tax levy.....	107	1	267
Special benefit assessments authorized.....	107	1	267
WEED EXTERMINATION AREAS:			
Methods and rules,			
modification of .....	213	1	628
publication of .....	213	1	628
WESTERN INTERSTATE COMMITTEE ON HIGHWAY POLICY PROBLEMS:			
Joint fact finding committee on highways, streets, and bridges may participate in activities of.....	269	44	879
WESTERN STATE HOSPITAL (see MENTAL ILLNESS HOSPITALIZATION ACT, <i>supra</i> , this Index)			
WHATCOM COUNTY:			
Legislative redistricting .....	221	1	650
WILLOW GOLDFINCH:			
State official bird, declared to be.....	249	1	787
WITNESS FEES (see COURTS, <i>supra</i> , this Index)			
WORKMEN'S COMPENSATION (see INDUSTRIAL INSURANCE, <i>supra</i> , this Index)			
WRESTLING (see BOXING AND WRESTLING, <i>supra</i> , this Index)			



## PREFACE

---

The Extraordinary Session of the Thirty-second Legislature (1951 Special Session) convened at Olympia on the 27th day of March, 1951, at the hour of 11:00 A. M., at the call of Governor Arthur B. Langlie. The special session adjourned eleven days later *sine die* on April 5, 1951.

Eleven measures were passed and signed into law and all but two contained emergency clauses. The two measures, namely: Chapter 5 (eye examinations—public assistance) and Chapter 8 (assessments of real property) take effect ninety days after adjournment, or 12:00 o'clock midnight, July 4, 1951.



EARL COE,  
*Secretary of State.*

## EXPLANATORY

As the user will readily note, the thirty-second regular session of the legislature has inaugurated the practice of enacting laws with reference to the Revised Code of Washington (R.C.W.) which was enacted by chapter 16, Laws of 1950, Ex. Sess., and chapter 5, Laws of 1951. Publication of a temporary edition of R.C.W. was authorized by chapter 155, Laws of 1951, and is now in progress.

For the convenience of users, the majority of whom do not presently have access to R.C.W., footnotes have been prepared for the purpose of indicating where, in Remington's Revised Statutes, corresponding material may be found.

The footnotes, which appear following each appropriate section are not intended to express any legal conclusions, but are inserted only with a view toward aiding the user to relate the materials found in this volume to the compilation of laws presently available.

In general, where the R.C.W. section affected corresponds to an entire section of Remington, the correlation has been expressed by the use of the abbreviations Am., for amends and Rep., for repeals, but where the section amended was derived from a portion only of a Remington section or was a composite of one or more Remington sections or parts thereof, the correlation has been expressed in terms of derivation. Remington citations for R.C.W. numbers referred to within the body of an act are likewise generally in the form of derivations.

The footnotes, in effect, may be said to constitute a running correlation table between R.C.W. and Remington which it is hoped will prove useful during this transitional period. The usual tables of amendments and repeals are to be found at the back of the volume.

The user may note that R.C.W. numbers appearing herein are in most instances not identical with the R.C.W. numbers as they appeared in the various legislative bills. The majority of such bills were drawn with reference to the revised code as it existed prior to the adoption of the numbering system contained in the 1950 supplement, as authorized by section 3, chapter 5, Laws of 1951. Pursuant to the mandate of that section, all R.C.W. numbers have been corrected to conform with such new numbering system, and so appear in this publication.



SMITH TROY,  
Attorney General.

# LAWS OF WASHINGTON

PASSED AT THE

Thirty-Second Extraordinary Session

1951

## CHAPTER 1.

[ S. B. 4. ]

### APPROPRIATION—DEPARTMENT OF SOCIAL SECURITY.

AN ACT making appropriations to the department of social security, and declaring an emergency.

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

SECTION 1. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any moneys in the general fund of the state treasury for the fiscal bien-nium beginning April 1, 1951, and ending March 31, 1953:

Appropriation for Department of Social Security.

#### FOR THE DEPARTMENT OF SOCIAL SECURITY:

##### Division of Old Age Assistance:

Senior Citizen Grants.....\$4,450,000.00

##### Division for the Blind:

Assistance as provided by law.. \$64,000.00

Self-supporting Aid to Blind... \$2,000.00

##### Division for Children:

##### Aid to Dependent Children:

Assistance as provided by law .....\$1,450,000.00

##### Division of Public Assistance:

##### Aid to the Permanently

Disabled ..... \$300,000.00

Assistance as provided by law.. \$750,000.00

Emergency.

SEC. 2. This act is necessary for the immediate preservation of the public peace, health and safety, support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 27, 1951.

Passed the House March 28, 1951.

Approved by the Governor March 29, 1951.

---

CHAPTER 2.

[ S. B. 1. ]

LEGISLATIVE EXPENDITURES.

AN ACT appropriating the sum of fifty thousand dollars, or so much thereof as may be necessary, for the actual and necessary expenses of the legislature, and declaring an emergency.

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

Legislative  
expense ap-  
propriation.

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of fifty thousand dollars, or so much thereof as may be necessary, to be used for the purpose of paying the expenses, except legislative printing, of the Extraordinary Session of the thirty-second legislature of the state of Washington.

Emergency.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate March 27, 1951.

Passed the House March 27, 1951.

Approved by the Governor March 29, 1951.

CHAPTER 3.

[ S. B. 2. ]

LEGISLATIVE PRINTING.

AN ACT appropriating the sum of fifteen thousand dollars, or so much thereof as may be necessary, for the printing ordered by the legislature, and declaring an emergency.

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

SECTION 1. There is hereby appropriated out of the general fund of the state of Washington the sum of fifteen thousand dollars, or so much thereof as may be necessary, to pay for such printing as may be ordered by the Extraordinary Session of the thirty-second legislature, or either branch thereof.

Legislative printing appropriation.

SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Emergency

Passed the Senate March 27, 1951.

Passed the House March 27, 1951.

Approved by the Governor March 29, 1951.

---

CHAPTER 4.

[H. B. 16.]

SUBSISTENCE EXPENSES FOR LEGISLATORS.

AN ACT relating to subsistence expenses of the legislature; appropriating the sum of twenty-five thousand three hundred seventy-five dollars (\$25,375), or so much thereof as may be necessary, for the actual and necessary expenses of the members of the legislature for lodging and subsistence actually incurred and paid by them while absent from their places of residence in the service of the state, amending section 44.04.080, R.C.W., and declaring an emergency.

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

SECTION 1. Section 44.04.080, R.C.W., as derived

Amendment.

from section 1, chapter 4, Laws of 1945, is amended to read as follows:

Legislature; subsistence and lodging allowance for members.

Members of the legislature shall be reimbursed for their actual and necessary expenditures for subsistence and lodging while absent from their usual places of residence in the service of the state during each session. Such reimbursement shall be limited to ten dollars a day.

[R.C.W. 44.04.080 was derived from Rem. Supp. 1945 § 8153-1.]

Legislative subsistence expense appropriation.

SEC. 2. There is appropriated out of the general fund of the state of Washington the sum of twenty-five thousand three hundred seventy-five dollars (\$25,375), for the actual and necessary expenses of the members of the Extraordinary Session of the thirty-second legislature actually expended by them for subsistence and lodging while absent from their usual places of residence in the service of the state, at a rate not exceeding ten dollars (\$10.00) per day, to be evidenced by the duly verified vouchers of the respective members of the legislature.

Emergency.

SEC. 3. This act is necessary for the immediate support of the state government and its existing public institutions, and shall take effect immediately.

Passed the House March 29, 1951.

Passed the Senate March 29, 1951.

Approved by the Governor March 30, 1951.



## CHAPTER 5.

[ S. B. 8. ]

AID TO THE BLIND ASSISTANCE—  
APPLICATIONS FOR.

AN ACT relating to public assistance; providing for applications for aid to blind assistance and for eye examinations by ophthalmologists, physicians skilled in eye diseases or licensed optometrists; and repealing section 74.16.120, R.C.W.; and amending section 74.16.040, R.C.W.

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

SECTION 1. Section 74.16.040, R.C.W., as derived from section 2, chapter 170, Laws of 1941, is amended to read as follows: Amendment.

Any person claiming benefit under this chapter shall file an application with the welfare department of the county of his residence. The word "residence" means the permanent address where the person is living at the time he makes his application: *Provided*, That the residence of the husband or wife shall not be considered the residence of the other, unless they are actually living together: *Provided, further*, That a minor child shall be regarded as a resident of the state for the time he actually has been in the state irrespective of the residence or the domicile of his parents. The county welfare department shall fully establish the facts set forth in the application and any other facts it deems necessary. The county welfare department shall grant or deny the application within thirty days from the date of its filing. An examination of the applicant's eyes by an ophthalmologist or physician skilled in diseases of the eye or by a licensed optometrist shall be provided without charge to the applicant. Application for aid.  
"Residence."  
Application; duties of county welfare department.  
Eye examination provided.

[R.C.W. 74.16.040 was derived from Rem. Supp. 1941 § 10007-7.]

Repealing clause.

SEC. 2. Section 74.16.120, R.C.W., as derived from section 6, chapter 170, Laws of 1941, is hereby repealed.

[R.C.W. 74.16.120 was derived from Rem. Supp. 1941 § 10007-14a.]

Passed the Senate March 31, 1951.

Passed the House March 30, 1951.

Approved by the Governor April 2, 1951.

---

CHAPTER 6.

[ S. B. 19. ]

WEED, FIRE PROTECTION, SEWER AND WATER DISTRICTS—PROCEDURE FOR COLLECTION OF ASSESSMENTS.

AN ACT relating to assessments; providing a procedure for collection of assessments in weed, fire protection, sewer and water districts; adding new sections to chapters 17.04, 52.16, 56.16 and 57.20, R.C.W.; and declaring an emergency and that this act shall take effect June 7, 1951.

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

SECTION 1. A new section is added to chapter 17.04, R.C.W., to read as follows:

Weed district assessments; collection procedure.

Such assessments as are made under the provisions of section 1, chapter 107, Laws of 1951, by the weed district commissioners, shall be spread by the county assessor on the general tax roll in a separate item. Such assessments shall be collected and accounted for with the general taxes, with the terms and penalties thereto attached.

[Chapter 17.04 R.C.W. was derived from R.R.S. §§ 2771 to 2778-6 incl., as amended.]

SEC. 2. A new section is added to chapter 52.16, R.C.W., to read as follows:

Fire protection district assessments; collection procedure.

Such assessments as are made under the provisions of section 2, chapter 107, Laws of 1951, by the fire protection district commissioners shall be spread by the county assessor on the general tax roll in a

separate item. Such assessments shall be collected and accounted for with the general taxes, with the terms and penalties thereto attached.

[Chapter 52.16 R.C.W. was derived from Rem. Supp. §§ 5654-133 to 5654-139 incl., as amended.]

SEC. 3. A new section is added to chapter 56.16, R.C.W., to read as follows:

Such assessments as are made under the provisions of section 3, chapter 107, Laws of 1951, by the sewer district commissioners shall be spread by the county assessor on the general tax roll in a separate item. Such assessments shall be collected and accounted for with the general taxes, with the terms and penalties thereto attached.

Sewer district assessments; collection procedure.

[Chapter 56.16 R.C.W. was derived from Rem. Supp. §§ 9425-23, 9425-25 to 9425-33 incl., 9425-50, 9425-51, 9425-54, 9425-55.]

SEC. 4. A new section is added to chapter 57.20, R.C.W., to read as follows:

Such assessments as are made under the provisions of section 4, chapter 107, Laws of 1951, by the water district commissioners shall be spread by the county assessor on the general tax roll in a separate item. Such assessments shall be collected and accounted for with the general taxes, with the terms and penalties thereto attached.

Water district assessments; collection procedure.

[Chapter 57.20 R.C.W. was derived from R.R.S. 11589; Rem. Supp. §§ 11588-1, 11589-1 to 11589-3 incl.; R.R.S. §§ 11595 to 11597 incl., 11599, 11600.]

SEC. 5. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect June 7, 1951.

Emergency.

Passed the Senate April 4, 1951.

Passed the House April 5, 1951.

Approved by the Governor April 12, 1951.

CHAPTER 7.

[ S. B. 13. ]

PERSONAL COMMERCIAL FISHING LICENSE.

AN ACT relating to food fish and shellfish; amending section 75.28.080, R.C.W., as amended by section 6, chapter 271, Laws of 1951; and declaring an emergency.

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

Amendment. SECTION 1. Section 75.28.080, R.C.W., as amended by section 6, chapter 271, Laws of 1951, is amended to read as follows:

Personal commercial fishing license. A personal commercial fishing license shall be obtained by each and every person who takes or assists in taking any fish or shellfish, except razor and hard shell clams, from the waters or beaches of the state for commercial purposes, or who brings or assists in bringing any food fish or shellfish into the state for commercial purposes after having taken such food fish or shellfish in the offshore waters.

Same; fee. The fee for such license is ten dollars *per annum*.

Same; carried on person. The personal license shall be carried on the person whenever such person is engaged in the taking, landing, or selling of any fish or shellfish: *Provided, however,* That this section does not apply to those persons engaged solely as employees of any person holding a valid oyster or clam farm license.

Oyster or clam farm licensees excepted. [R.C.W. 75.28.080 was derived from Rem. Supp. 1949 § 5780-504.]

Emergency. SEC. 2. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate April 1, 1951.

Passed the House April 4, 1951.

Approved by the Governor April 12, 1951.

## CHAPTER 8.

[ H. B. 5. ]

ASSESSMENT OF REAL PROPERTY—LISTING  
OMITTED PROPERTY.

AN ACT relating to the assessment of real property for taxation, and amending section 84.40.080, R.C.W.

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

SECTION 1. Section 84.40.080, R.C.W., as derived from section 59, chapter 130, Laws of 1925 Extraordinary Session, is amended to read as follows: Amendment.

The assessor, upon his own motion, or upon the application of any taxpayer, shall enter in the detail and assessment list of the current year any property shown to have been omitted from the assessment list of any preceding year, at the valuation of that year, or if not then valued, at such valuation as the assessor shall determine from the preceding year, and such valuation shall be stated in a separate line from the valuation of the current year. Where improvements have not been valued and assessed as a part of the real estate upon which the same may be located, as evidenced by the assessment rolls, they may be separately valued and assessed as omitted property under this section: *Provided*, That no such assessment shall be made for any period more than three years preceding the year in which such improvements are valued and assessed: *Provided, further*, That no such assessment shall be made in any case where a *bona fide* purchaser, encumbrancer, or contract buyer has acquired any interest in said property prior to the time such improvements are assessed. When such an omitted assessment is made, the taxes levied thereon may be paid within one year of the due date of the taxes

Listing of omitted property; procedure.

Improvements.

Three-year limitation.

*Bona fide* purchaser, etc., acquiring interest; effect.

When taxes payable.

for the year in which the assessment is made without penalty or interest.

[R.C.W. 84.40.080 was derived from R.R.S. § 11142.]

Passed the House March 31, 1951.

Passed the Senate April 4, 1951.

Approved by the Governor April 12, 1951.

CHAPTER 9.

[ H. B. 4. ]

RELATING TO REVENUE AND TAXATION.

AN ACT relating to revenue and taxation; amending certain sections of Title 82, R.C.W.; and declaring an emergency and an effective date.

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

Amendment.

SECTION 1. Section 82.04.440, R.C.W., as derived from section 2, chapter 5, Laws of 1950, Extraordinary Session, is amended to read as follows:

Business and occupations tax; persons taxable on multiple activities.

Every person engaged in activities which are within the purview of the provisions of two or more of sections 82.04.230 to 82.04.290, inclusive, shall be taxable under each paragraph applicable to the activities engaged in: *Provided*, That persons taxable under 82.04.250 or 82.04.270 shall not be taxable under 82.04.230, 82.04.240, or paragraph (2) of 82.04.260 with respect to extracting or manufacturing of the products so sold, and that persons taxable under 82.04.240 shall not be taxable under 82.04.230 with respect to extracting the ingredients of the product so manufactured:

Vetoed.

*Provided further*, That no person, firm or corporation, licensed in any class under chapter 66.24, R.C.W., nor any agent or employee of such person, firm or corporation, shall have any interest, direct or indirect, and whether as owner, mortgagee, pledgee, consignee, or bailee, in any coin-operated

amusement device or machine, other than a device or machine maintained and operated on the premises under license to such person, firm or corporation, or maintained and operated exclusively for charitable purposes. } Vetoed.

[R.C.W. 82.04.440 was derived from sec. 2, ch. 5, L. 1950 Ex. Sess.; Rem. Supp. 1949 § 8370-6.]

[R.C.W. 82.04.230 to 82.04.290 were derived from subsections of section 1, chapter 5, Laws of 1950 Ex. Sess. as follows: 82.04.230 is subsec. (a), 82.04.240 is subsec. (b), 82.04.250 is subsec. (c), 82.04.260 is subsec. (d), 82.04.270 is subsec. (e), 82.04.280 is subsec. (f), 82.04.290 is subsec. (g).]

[Chapter 66.24, R.C.W., is entitled "Alcoholic Beverage Control; Licenses—Stamp Taxes."]

SEC. 2. Section 82.08.030, R.C.W., as derived from section 5, chapter 228, Laws of 1949, is amended to read as follows: Amendment.

The tax hereby levied shall not apply to the following sales: Retail sales tax; exemptions.

(a) Casual and isolated sales of property or service, unless made by a person who is engaged in a business activity taxable under chapters 82.04, 82.16, or 82.28: *Provided*, That the exemption provided by this paragraph shall not be construed as providing any exemption from the tax imposed by chapter 82.12; Casual and isolated sales.

(b) Sales made by persons in the course of business activities with respect to which tax liability is specifically imposed under chapter 82.16, when the gross proceeds from such sales must be included in the measure of the tax imposed under said chapter; Certain sales taxed under ch. 82.16, R.C.W.

(c) The distribution and newsstand sale of newspapers; Sale of newspapers.

(d) Sales which the state is prohibited from taxing under the Constitution of this state or the Constitution or laws of the United States; Sale where tax prohibited by constitution.

(e) Sales of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and sales of motor vehicle fuel taxable under chapter 82.36: *Provided*, That the use of any such fuel upon which a refund of the Sales of motor vehicle fuel.

motor vehicle fuel tax has been obtained shall be subject to the tax imposed by chapter 82.12;

Sale of public utility.

(f) Sales (including transfers of title through decree of appropriation) heretofore or hereafter made of the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, to the state or a political subdivision thereof for use in conducting any business defined in subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), or (k) of section 82.16.010;

Certain farm auction sales.

(g) Auction sales made by or through auctioneers of tangible personal property (including household goods) which have been used in conducting a farm activity, when the seller thereof is a farmer and the sale is held or conducted upon a farm and not otherwise;

Sales to certain relief organizations incorporated under act of congress.

(h) Sales to corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

Sales of livestock for breeding.

(i) Sales of purebred livestock for breeding purposes where the animals are registered in a nationally recognized breed association;

Sales of property for use by carrier in interstate or foreign commerce.

(j) Sales of tangible personal property (other than the type referred to in subdivision (k) hereof) for use by the purchaser in connection with the business of operating as a private or common carrier by air, rail, or water in interstate or foreign commerce: *Provided*, That any actual use of such property in this state shall, at the time of such actual use, be subject to the tax imposed by chapter 82.12;



(k) Sales of airplanes, locomotives, railroad cars, or water craft for use in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or for use in conducting commercial deep sea fishing operations outside the territorial waters of the state; also sales of tangible personal property which becomes a component part of such airplanes, locomotives, railroad cars, or water craft, and of motor vehicles or trailers used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state, in the course of constructing, repairing, cleaning, altering, or improving the same; also sales of or charges made for labor and services rendered in respect to such constructing, repairing, cleaning, altering, or improving;

(l) Sales of motor vehicles and trailers to be used for the purpose of transporting therein persons or property for hire in interstate or foreign commerce: *Provided*, That the purchaser must be the holder of a carrier permit issued by the Interstate Commerce Commission, and that the vehicles will first move upon the highways of this state from the point of delivery in this state to a point outside of this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of section 46.16.100;

One-transit permit.

(m) Sales of motor vehicles and trailers to non-residents of this state for use outside of this state, even though delivery be made within this state, but only when (1) the vehicles or trailers will be taken from the point of delivery in this state directly to a point outside this state under the authority of a one-transit permit issued by the director of licenses pursuant to the provisions of section 46.16.100, or (2) said motor vehicles and trailers will be registered and licensed immediately under the laws of the

Sales of motor vehicles and trailers to non-residents for use out of state.

state of the purchaser's residence, will not be used in this state more than three months, and will not be required to be registered and licensed under the laws of this state.

[R.C.W. 82.08.030 was derived from Rem. Supp 1949 § 8370-19.]

[Chapter 82.04 R.C.W. was derived from Rem. Supp. 1949 §§ 8370-4 and 8370-6 (as amended by ch. 5, L. 1950 Ex. Sess.); Rem. Supp. 1949 §§ 8370-5 and 8370-7; Rem. Supp 1941 § 8370-8a; Rem. Supp. §§ 8370-9 and 8370-10; Rem. Supp. 1945 §§ 8370-11, 8370-12; Rem. Supp. 8370-13 to 8370-15 incl.]

[Chapter 82.12 was derived from Rem. Supp. 1949 §§ 8370-31, 8370-32; Rem. Supp. 1945 § 8370-33; Rem. Supp. § 8370-34; Rem. Supp. 1941 § 8370-34a; Rem. Supp. 1949 § 8370-35.]

[Chapter 82.16 R.C.W. was derived from Rem. Supp. 1949 § 8370-37; Rem. Supp. §§ 8370-38 and 8370-39; Rem. Supp 1949 § 8370-40; Rem. Supp. § 8370-41 to 8370-43 incl.]

[Chapter 82.28 R.C.W. was derived from Rem. Supp. § 8370-36; Rem. Supp. 1949 § 8370-96; Rem. Supp. 1941 §§ 8370-97, 8370-98; Rem. Supp. 1949 § 8370-99; Rem. Supp. 1941 §§ 8370-100, 8370-101.]

[Chapter 82.36 R.C.W. was derived from Rem. Supp. §§ 8327-1 to 8327-23 incl., as amended.]

[R.C.W. 82.16.010 was derived from Rem. Supp. 1949 § 8370-37.]

[R.C.W. 46.16.100 was derived from Rem. Supp. 1949 § 6312-17 part (2nd from last para.); same language also appears in next to last paragraph of ch. 15, L. 1950 Ex. Sess.]

Amendment.

SEC. 3. Section 82.12.010, R.C.W., as derived from section 9, chapter 228, Laws of 1949, is amended to read as follows:

For the purposes of this chapter:

Use tax; definitions. "Value of the article used."

(a) "Value of the article used" shall mean the consideration, whether money, credit, rights, or other property, expressed in terms of money, paid or given or contracted to be paid or given by the purchaser to the seller for the article of tangible personal property, the use of which is taxable under this chapter. The term includes, in addition to the consideration paid or given or contracted to be paid or given, the amount of any tariff or duty paid with respect to the importation of the article used. In case the article used is acquired by lease or by gift or is extracted, produced, or manufactured by the person using the same or is sold under conditions wherein the purchase price does not represent the true value thereof, the value of the article used

shall be determined as nearly as possible according to the retail selling price at place of use of similar products of like quality and character under such rules and regulations as the tax commission may prescribe;

(b) "Use," "used," "using," or "put to use" shall have their ordinary meaning, and shall mean the first act within this state by which the taxpayer takes or assumes dominion or control over the article of tangible personal property (as a consumer), and include installation, storage, withdrawal from storage, or any other act preparatory to subsequent actual use or consumption within this state;

"Use,"  
"used,"  
"using" and  
"put to use."

(c) "Taxpayer" and "purchaser" include all persons included within the meaning of the word "buyer" and the word "consumer" as defined in chapters 82.04 and 82.08;

"Taxpayer"  
and  
"purchaser."

(d) "Retailer" means every person engaged in the business of selling tangible personal property at retail and every person required to collect from purchasers the tax imposed under this chapter;

"Retailer."

(e) The meaning ascribed to words and phrases in chapters 82.04 and 82.08, in so far as applicable, shall have full force and effect with respect to taxes imposed under the provisions of this chapter.

Application  
of definitions  
contained in  
chs. 82.04 and  
82.08 R.C.W.

[R.C.W. 82.12.010 was derived from Rem. Supp. 1949 § 8370-35.]

[For derivation of chapter 82.04 R.C.W., see 2nd note to sec. 2, *supra*.]

[Chapter 82.08 R.C.W. was derived from Rem. Supp §§ 8370-16 to 8370-28 incl., as amended, and § 8370-30. Rem. Supp. 8370-29 is codified as R.C.W. 82.32.270.]

SEC. 4. Section 82.12.030, R.C.W., as derived from section 8, chapter 228, Laws of 1949, is amended to read as follows:

Amendment.

The provisions of this chapter shall not apply:

Use tax;  
exemptions.  
Property of  
non-  
residents.

(a) In respect to the use of any article of tangible personal property brought into the state by a non-resident thereof for his use or enjoyment while temporarily within the state unless such property is used in conducting a non-transitory business ac-

tivity within the state; or in respect to the use by a non-resident of this state of a motor vehicle which is registered or licensed under the laws of the state of his residence and is not used in this state more than three months, and which is not required to be registered or licensed under the laws of this state; or in respect to the use of household goods, personal effects and private automobiles by a *bona fide* resident of this state, if such articles were acquired by such person in another state while a *bona fide* resident thereof and primarily for use outside this state and if such use was actual and substantial, but if an article was acquired less than three months prior to the time he entered this state, it will be presumed that the article was acquired for use in this state and that its use outside this state was not actual and substantial;

Property  
already  
taxed.

(b) In respect to the use of any article of tangible personal property purchased at retail or acquired by lease or by gift if the sale thereof to, or the use thereof by, the present user or his lessor or donor has already been subjected to tax under chapter 82.08 or 82.12 and such tax has been paid by the present user or by his lessor or donor;

Property  
taxable  
under ch.  
82.16 R.C.W.

(c) In respect to the use of any article of tangible personal property the sale of which is specifically taxable under chapter 82.16;

Property  
primarily  
used in  
interstate  
or foreign  
commerce  
transport.

(d) In respect to the use of any airplane, locomotive, railroad car, or water craft used primarily in conducting interstate or foreign commerce by transporting therein or therewith property and persons for hire or used primarily in commercial deep sea fishing operations outside the territorial waters of the state, and in respect to use of tangible personal property which becomes a component part of any such airplane, locomotive, railroad car, or water craft, and in respect to the use by the holder of a carrier permit issued by the Interstate Commerce

Commission of any motor vehicle used primarily for transporting therein persons or property for hire across the boundaries of this state if the first use of which within this state is actual use in conducting interstate or foreign commerce; and in respect to the use of any motor vehicle or trailer while being operated under the authority of a one-transit permit issued by the director of licenses pursuant to section 46.16.100 and moving upon the highways from the point of delivery in this state to a point outside this state; and in respect to the use of tangible personal property which becomes a component part of any motor vehicle or trailer used by the holder of a carrier permit issued by the Interstate Commerce Commission authorizing transportation by motor vehicle across the boundaries of this state;

(e) In respect to the use of any article of tangible personal property which the state is prohibited from taxing under the Constitution of the state or under the Constitution or laws of the United States;

Use where tax prohibited by constitution.

(f) In respect to the use of motor vehicle fuel used in aircraft by the manufacturer thereof for research, development, and testing purposes and motor vehicle fuel taxable under chapter 82.36: *Provided*, That the use of such fuel upon which a refund of the motor vehicle fuel tax is obtained shall not be exempt, and the director of licenses shall deduct from the amount of such tax to be refunded the amount of tax due under this chapter and remit the same each month to the tax commission;

Use of motor vehicle fuel.

(g) In respect to the use of any article of tangible personal property included within the transfer of the title to the entire operating property of a publicly or privately owned public utility, or of a complete operating integral section thereof, by the state or a political subdivision thereof in conducting any business defined in subdivisions (a), (b), (c), (d), (e), (f), (g), (h), (i), (j), or (k) of section 82.16.010;

Public utilities.

Farm  
auctions.

(h) In respect to the use of tangible personal property (including household goods) which have been used in conducting a farm activity, if such property was purchased from a farmer at an auction sale held or conducted by an auctioneer upon a farm and not otherwise;

Use by  
certain relief  
organizations  
incorporated  
under act of  
congress.

(i) In respect to the use of tangible personal property by corporations which have been incorporated under any act of the congress of the United States and whose principal purposes are to furnish volunteer aid to members of the armed forces of the United States and also to carry on a system of national and international relief and to apply the same in mitigating the sufferings caused by pestilence, famine, fire, floods, and other national calamities and to devise and carry on measures for preventing the same;

Livestock  
for breeding  
purposes.

(j) In respect to use of purebred livestock for breeding purposes where said animals are registered in a nationally recognized breed association;

Use of fuel  
by extractor  
or manufac-  
turer.

(k) In respect to the use of fuel by the extractor or manufacturer thereof when used directly in the operation of the particular extractive operation or manufacturing plant which produced or manufactured the same;

High school  
driver  
training  
autos.

(l) In respect to the use of motor vehicles, equipped with dual controls, which are loaned to school districts and used by such districts exclusively in connection with their high school driver training program.

[R.C.W. 82.12.030 was derived from Rem. Supp. 1949 § 8370-32.] [For derivation of chapter 82.08 R.C.W. see note to sec. 3, *supra*; for derivation of chapters 82.12, 82.16, and 82.36 R.C.W., and of R. C. W. 46.16.100 and 82.16.010, see notes to section 2, *supra*.]

Amendment.

SEC. 5. Section 82.32.050, R.C.W., as derived from section 20, chapter 225 [228], Laws of 1949, is amended to read as follows:

If, upon examination of any returns or from other information obtained by the tax commission

it appears that a tax or penalty has been paid less than that properly due, the commission shall assess against the taxpayer such additional amount found to be due and may add thereto interest at the rate of not more than six per cent *per annum* from the respective due dates of such additional amount until date of such assessment. The commission shall notify the taxpayer by mail of the additional amount and the same shall become due and shall be paid within ten days from the date of the notice, or within such further time as the commission may provide. If payment is not received by the commission by the due date specified in the notice, the commission may add a penalty of ten per cent of the amount of the additional tax found due. If the commission finds that all or any part of the deficiency resulted from an intent to evade the tax payable hereunder, a further penalty of fifty per cent of the additional tax found to be due may be added.

Deficiency; assessment of additional tax due.

Interest.

Notice.

Penalties.

No assessment or correction of an assessment for additional taxes due may be made by the commission more than four years after the close of the tax year, except (1) against a taxpayer who has not registered as required by this chapter, (2) upon a showing of fraud or of misrepresentation of a material fact by the taxpayer, or (3) where a taxpayer has executed a written waiver of such limitation.

Time limitation.

[R.C.W. 82.32.050 was derived from Rem. Supp. 1949 § 8370-188.]

SEC. 6. Section 82.32.060, R.C.W., as derived from section 21, chapter 228, Laws of 1949, is amended to read as follows:

If, upon application by a taxpayer for a refund or for an audit of his records, or upon an examination of the returns or records of any taxpayer, it is determined by the tax commission that within the two years immediately preceding the receipt of the commission of the application by the taxpayer for a refund or for an audit, or, in the absence of such

Taxes paid in excess.

Credit or  
refund.

Time  
limitation.

Offset  
against  
deficiency.

Taxes paid  
prior to  
May 1, 1950.

Taxpayers  
performing  
United States  
contracts;  
refund or  
credit.

an application, within the two years immediately preceding the commencement by the commission of such examination, a tax has been paid in excess of that properly due, the excess amount paid within such period of two years shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at his option. No refund or credit shall be allowed with respect to any payments made to the commission more than two years before the date of such application or examination. Where a refund or credit may not be made because of the lapse of said two year period, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding the two year period may be offset against the amount of any tax deficiency which may be determined by the commission for such preceding period. Notwithstanding the foregoing, no refund or credit shall be granted with respect to taxes paid prior to May 1, 1950, but where a refund or credit may not be made because the tax was paid prior to May 1, 1950, the amount of the refund or credit which would otherwise be allowable for the portion of the statutory assessment period preceding May 1, 1950, may be offset against the amount of any tax deficiency which may be determined by the commission for such preceding period.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or sub-contracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the tax commission within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four



years of the date on which the tax was paid: *Provided*, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the tax commission and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide.

Refunded by warrants.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in like manner, upon the filing with the tax commission of a certified copy of the order or judgment of the court. Interest at the rate of three per cent *per annum* shall be allowed by the tax commission and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by him after May 1, 1949, and interest at the same rate shall be allowed on any judgment recovered by a taxpayer for taxes, penalties, or interest paid after such date.

Judgments.

Interest.

[R.C.W. 82.32.060 was derived from Rem. Supp. 1949 § 8370-189.]

SEC. 7. Section 82.32.070, R.C.W., as derived from section 190, chapter 180, Laws of 1935, is amended to read as follows:

Amendment.

Every person liable for any fee or tax imposed by the preceding chapters shall keep and preserve, for a period of five years, suitable records as may be necessary to determine the amount of any tax for which he may be liable, which records shall include copies of all federal income tax and state tax returns and reports made by him. All his books, records, and invoices shall be open for examination at any time by the commission. In the case of an out-of-state person or concern which does not keep the necessary books and records within this state, it shall be sufficient if it produces within the state such

Persons liable for fee or tax; preservation of records.

Examination.

Out-of-state persons; compliance.

books and records as shall be required by the commission, or bears the cost of examination by an agent authorized or designated by the commission at the place where such books and records are kept. Any person who fails to comply with the requirements of this section shall be forever barred from questioning, in any court action or proceeding, the correctness of any assessment of taxes made by the commission based upon any period for which such books, records, and invoices have not been so kept and preserved.

Failure to comply; effect.

[R.C.W. 82.32.070 was derived from Rem. Supp. § 8370-190.]

Amendment.

SEC. 8. Section 82.32.080, R.C.W., as derived from section 22, chapter 228, Laws of 1949, is amended to read as follows:

Payment of tax by check.

Payment of the tax may be made by uncertified check under such regulations as the commission shall prescribe, but, if a check so received is not paid by the bank on which it is drawn, the taxpayer, by whom such check is tendered, shall remain liable for payment of the tax and for all legal penalties, the same as if such check had not been tendered.

Return or remittance deemed filed on post-marked date.

A return or remittance which is transmitted to the tax commission by United States mail shall be deemed filed or received on the date shown by the post office cancellation mark stamped upon the envelope containing it.

Returns; extension of time for.

The tax commission, for good cause shown, may extend the time for making and filing any return, and may grant such reasonable additional time within which to make and file returns as it may deem proper, but any permanent extension and any extension in excess of thirty days shall be conditional on payment of interest of one-half of one per cent of the amount of the tax for each thirty days or portion thereof from the date upon which such tax became due.

Interest.

The commission shall keep full and accurate records of all funds received and disbursed by it.

Commission;  
records of  
funds.

The commission may refuse to accept any return which is not accompanied by a remittance of the tax shown to be due thereon. When such return is not accepted, the taxpayer shall be deemed to have failed or refused to file a return, and shall be subject to the penalties provided in 82.32.100. In any such case, the taxpayer shall, in the discretion of the commission, be subject to a penalty in the amount of ten per cent of the tax or of one dollar, plus interest thereon at the rate of one per cent per month, even though the remittance, transmitted separately, is received by the commission before or at the same time as the return was received, and even though such remittance is received before the due date of the tax.

Return  
without  
remittance.

Penalties.

[R.C.W. 82.32.080 was derived from Rem. Supp. 1949 § 8370-191.]

[R.C.W. 82.32.100 appears, *infra*, as section 10 of this chapter.]

SEC. 9. Section 82.32.090, R.C.W., as derived from section 23, chapter 228, Laws of 1949, is amended to read as follows:

Amendment.

If payment of any tax due is not received by the tax commission within ten days of the due date thereof, there may be added to the tax a penalty of ten per cent of the amount of the tax; and if the tax is not received within forty days of the due date, there may be added an additional penalty of five per cent of the amount of the tax; and if the tax is not received within seventy days of the due date, there may be added an additional penalty of five per cent of the amount of the tax; but none of the penalties so added shall be less than one dollar.

Late returns;  
penalties.

If a warrant be issued by the tax commission for the collection of taxes, increases, and penalties, there may be added thereto a penalty of five per cent of the amount of the tax, but not less than one dollar.

Failure to file return, etc.; maximum aggregate penalty.

Notwithstanding the foregoing, the aggregate of penalties imposed under this chapter for failure to file a return, late payment of any tax, increase, or penalty, or issuance of a warrant shall not exceed twenty-five per cent of the tax due, but shall in no case be less than the minimum penalties prescribed herein.

[R.C.W. 82.32.090 was derived from Rem. Supp. 1949 § 8370-192.]

Amendment.

SEC. 10. Section 82.32.100, R.C.W., as derived from section 24, chapter 228, Laws of 1949, is amended to read as follows:

Failure or refusal to make return; power of tax commission.

If any person fails or refuses to make any return or to make available for examination the records required by this chapter, the tax commission shall proceed, in such manner as it may deem best, to obtain facts and information on which to base its estimate of the tax; and to this end the commission may examine the books, records, and papers of any such person and may take evidence, on oath, of any person, relating to the subject of inquiry.

Assessment on commission's determination.

As soon as the commission procures such facts and information as it is able to obtain upon which to base the assessment of any tax payable by any person who has failed or refused to make a return, it shall proceed to determine and assess against such person the tax and penalties due, but such action shall not deprive such person from appealing to the superior court as hereinafter provided. To the assessment the commission may add, in addition to the

Appeal preserved.

Penalty.

Failure to file where no tax due.

penalty provided in 82.32.090, a further penalty of ten per cent of the amount of the tax for failure or refusal to make a return. If any taxpayer fails to file any return within ten days of the date provided for filing such return, and it appears that there was no tax due or paid for the period for which no return was filed, the commission may assess against such taxpayer a penalty not to exceed three dollars for such failure. The commission shall notify the tax-

Penalty.

Notice.

payer by mail of the total amount of such tax, penalties, and interest, and the total amount shall become due and shall be paid within ten days from the date of such notice.

No assessment or correction of an assessment may be made by the commission more than four years after the close of the tax year, except (1) against a taxpayer who has not registered as required by this chapter, (2) upon a showing of fraud or of misrepresentation of a material fact by the taxpayer, or (3) where a taxpayer has executed a written waiver of such limitation. Time limitation.

[R.C.W. 82.32.100 was derived from Rem. Supp. 1949 § 8370-193.] [R.C.W. 82.32.090 appears, *supra*, as section 9 of this chapter.]

SEC. 11. Section 82.32.170, R.C.W., as derived from section 29, chapter 225, Laws of 1939, is amended to read as follows: Amendment.

Any person, having paid any tax, original assessment, additional assessment, or corrected assessment of any tax, may apply to the tax commission, within the time limitation for refund provided in this chapter, by petition in writing for a hearing and correction of the amount paid, in which petition he shall set forth the reasons why the hearing should be granted, and the amount in which the tax, interest, or penalty, should be refunded. The commission shall promptly consider the petition, and may grant or deny it. If denied, the petitioner shall be notified by mail thereof forthwith; if a hearing is granted, the commission shall notify the petitioner by mail of the time and place fixed therefor. After the hearing the commission may make such order as may appear to it just and lawful, and shall mail a copy of its order to the petitioner. Hearing and correction of amount of tax.

[R.C.W. 82.32.170 was derived from Rem. Supp. § 8370-199, part (2nd para.).] Notice.

Amendment. SEC. 12. Section 82.32.180, R.C.W., as derived from section 29, chapter 225, Laws of 1939, is amended to read as follows:

Appeal  
to superior  
court.

Any person, except one who has failed to keep and preserve books, records, and invoices as required in this chapter and chapter 82.24, having paid any tax as required and feeling aggrieved by the amount of the tax may appeal to the superior court of Thurston County, within the time limitation for a refund provided in this chapter, or within thirty days after the date of the notice denying a hearing, or within thirty days after the date of the order provided in the preceding section. In the appeal the taxpayer shall set forth the amount of the tax imposed upon him which he concedes to be the correct tax and the reason why the tax should be reduced or abated. The appeal shall be perfected by serving a copy of the notice of appeal upon the tax commission within the time herein specified and by filing the original thereof with proof of service with the clerk of the superior court of Thurston County. Within ten days after filing notice of appeal, the taxpayer shall file with the clerk of the superior court a good and sufficient surety bond payable to the state in the sum of two hundred dollars, conditioned to diligently prosecute the appeal and pay the state all costs that may be awarded if the appeal of the taxpayer is not sustained.

Bond.

Trial.

The trial in the superior court on the appeal shall be *de novo* and without the necessity of any pleadings other than the notice of appeal. The burden shall rest upon the taxpayer to prove that the tax as paid by him is incorrect, either in whole or in part, and to establish the correct amount of the tax. In such proceeding the taxpayer shall be deemed the plaintiff, and the state, the defendant; and both parties shall be entitled to subpoena the attendance of witnesses as in other civil actions and to produce evi-

dence that is competent, relevant, and material to determine the correct amount of the tax that should be paid by the taxpayer. Either party shall be allowed to appeal to the supreme court in the same manner as other civil actions are appealed to that court.

It shall not be necessary for the taxpayer to protest against the payment of any tax or to make any demand to have the same refunded or to petition the commission for a hearing in order to appeal to the superior court, but no court action or proceeding of any kind shall be maintained by the taxpayer to recover any tax paid, or any part thereof, except as herein provided.

Protest,  
etc., not  
necessary.

Other  
proceedings  
prohibited.

[R.C.W. 82.32.180 was derived from Rem. Supp. § 8370-199, part (3rd para.).] [Chapter 82.24 R.C.W. was derived from Rem. Supp. §§ 8370-82 to 8370-95 incl., as amended.]

SEC. 13. Section 82.32.210, R.C.W., as derived from section 25, chapter 228, Laws of 1949, is amended to read as follows:

Amendment.

If any tax, increase, or penalty or any portion thereof is not paid within fifteen days after it becomes due, the tax commission may issue a warrant under its official seal directed to the sheriff of any county of the state, commanding him to levy upon and sell the real and/or personal property of the taxpayer found within his county, or so much thereof as may be necessary, for the payment of the amount of such warrant, together with interest thereon at the rate of one per cent of the amount of such warrant, for each thirty days or portion thereof after the date of such warrant, plus the cost of executing the warrant, and return the warrant to the commission and pay to it the money collected by virtue thereof within sixty days after the receipt of the warrant. If, however, the commission believes that a taxpayer is about to cease business, leave the state, or remove or dissipate the assets out of which taxes or penalties might be satisfied and that any tax or

Tax  
delinquency;  
issuance  
of tax  
commission  
warrant.

Levy and  
sale.

Tax declared  
immediately  
due; when.

penalty will not be paid when due, it may declare the tax or penalty to be immediately due and payable and may issue a warrant immediately.

Failure to pay warrant; revocation of certificate of registration.

If any warrant issued under this chapter is not paid within thirty days after it has been filed with the clerk of the superior court, the tax commission may by order issued under its official seal, revoke the certificate of registration of the taxpayer against whom the warrant was issued, and, if such order is entered, a copy thereof shall be posted in a conspicuous place at the main entrance to the taxpayer's place of business and shall remain posted until such time as the warrant has been paid. Any certificate so revoked shall not be reinstated, nor shall a new certificate of registration be issued to the taxpayer, until the amount due on the warrant has been paid, or provisions for payment satisfactory to the commission have been entered, and until the taxpayer has deposited with the commission such security for payment of any taxes, increases, and penalties, due or which may become due in an amount and under such terms and conditions as the commission may require, but the amount of the security shall not be greater than one-half the estimated average annual liability of the taxpayer.

Reinstatement.

[R.C.W. 82.32.210 was derived from Rem. Supp. 1949, § 8370-202, part (1st para.).]

Amendment.

SEC. 14. Section 82.32.220, R.C.W., as derived from section 25, chapter 228, Laws of 1949, is amended to read as follows:

Docketing of warrants; lien on taxpayer's property.

The sheriff shall file with the clerk of the superior court of his county a copy of the warrant, and thereupon the clerk shall enter in the judgment docket, the name of the taxpayer mentioned in the warrant and in appropriate columns the amount of the tax or portion thereof and any increases and penalties for which the warrant is issued and the date when such copy is filed, and thereupon the amount of such warrant so docketed shall become a specific lien upon



all goods, wares, merchandise, fixtures, equipment, or other personal property used in the conduct of the business of the taxpayer against whom such warrant is issued, including property owned by third persons who have a beneficial interest, direct or indirect, in the operation of the business, and no sale or transfer of such personal property shall in any way affect such lien. The lien shall not be superior, however, to *bona fide* interests of third persons which had vested prior to the filing of the warrant when such third persons do not have a beneficial interest, direct or indirect, in the operation of the business, other than the securing of the payment of a debt or the receiving of a regular rental on equipment. The amount of such warrant so docketed shall thereupon also become a lien upon the title to and interest in all other real and personal property of the taxpayer against whom it is issued the same as a judgment in a civil case duly docketed in the office of such clerk, and the sheriff shall thereupon proceed upon the same in all respects and with like effect as prescribed by law with respect to execution or other process issued against rights or property upon judgments of the superior court. Such warrants so docketed shall be sufficient to support the issuance of writs of garnishment in favor of the state in the manner provided by law in the case of judgments wholly or partially unsatisfied.

Certain interests declared superior to lien.

Lien on all property.

Lien same as civil judgment.

Writs of garnishment.

The sheriff shall be entitled to fees as provided by law for his services in levying execution on a superior court judgment and the clerk shall be entitled to a filing fee of one dollar, which shall be added to the amount of the warrant.

Sheriff's fees.

The proceeds received from any sale shall be credited upon the amount due under the warrant and when the final amount due is received, together with interest, penalties, and costs, the judgment docket shall show the claim for taxes to be satisfied

Proceeds of sale credited on amount due.

and the clerk of the court shall so note upon the docket. Any surplus received from any sale of property shall be paid to the taxpayer or to any lien holder entitled thereto. If the return on the warrant shows that the same has not been satisfied in full, the amount of the deficiency shall remain the same as a judgment against the taxpayer which may be collected in the same manner as the original amount of the warrant.

Surplus to taxpayer or lien holder.

Deficiency.

[R.C.W. 82.32.220 was derived from Rem. Supp. 1949, § 8370-202, part (2nd para.); the 3rd para. of Rem. Supp. 1949, § 8370-202 is codified in R.C.W. 82.32.230.]

Sec. 1; retro-spective effect.

SEC. 15. Section one of this act shall have retro-spective effect to August 1, 1950, as well as have prospective effect.

Vetoed.

SEC. 16. Section six of this act shall have retro-spective as well as prospective effect.

Emergency.

SEC. 17. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect May 1, 1951.

Passed the House April 5, 1951.

Passed the Senate April 4, 1951.

Approved by the Governor April 13, 1951, with the exception of the last unnumbered item of section 1, and section 16, which are vetoed.

## CHAPTER 10.

[S. H. B. 1.]

PROVIDING FOR THE SUPPORT OF THE  
STATE GOVERNMENT.

AN ACT providing for the support of the state government, making appropriations for salaries, operations, maintenance and other expenses of state institutions, departments and offices, for the purchase, condemnation and improvement of land, the construction of buildings and improvements for the various state institutions designated and mentioned, and for emergencies, and for refunds, and for the relief of certain individuals, corporations, counties and municipalities, and for transfers, and for deficiencies, and for appropriation of revolving funds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of congress, and for miscellaneous purposes, for the fiscal biennium beginning April 1, 1951, and ending March 31, 1953, except as otherwise provided, imposing an excise tax upon corporations, prescribing penalties, and declaring that certain parts of this act shall take effect immediately, and that certain other parts shall take effect May 1, 1951.

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

SECTION 1. The words "capital outlay," whenever used in this act, shall mean and include the purchase, condemnation and improvement of land and erection of buildings, including necessary salaries and wages incident thereto. "Capital outlay."

The words "salaries and wages," whenever used in this act, shall mean and include salaries of executive officers and employees of state offices, departments and institutions, and all compensation for direct labor or personal service rendered to the state. "Salaries and wages."

The word "operations," whenever used in this act, shall mean and include necessary traveling expenses of officers and employees, and all expenses necessary for housing cost, supplies, material, services and maintenance of the various institutions, departments and offices of the state government, other than salaries and wages: *Provided*, That no "Operations."

Subsistence and lodging expense of officers and employees.

portion of the appropriations made hereunder shall be expended for coupon or scrip books, or other evidences of advance payment for future delivery: *Provided further*, That allowances made for subsistence and lodging for the elective or appointive officers and employees while away from their domicile on state business shall equal actual expenses incurred therefor or *per diem* rates as provided by law, but in no event shall actual expenses claimed exceed such *per diem* rates provided by law.

Appropriation.

SEC. 2. The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated out of any of the monies in the several funds in the state treasury hereinafter named for the payment of salaries of certain officers and employees of the state, and for the operation of certain state institutions, departments and offices, and for the purchase, condemnation and improvement of land and construction of buildings, and improvements for the various state institutions, and for deficiencies, and for emergencies, and for refunds, and for sundry civil expenses of the state government, and for public assistance, and for purposes specified in certain acts of congress, and for miscellaneous purposes hereinbelow designated and mentioned and hereinafter expressed, for the fiscal biennium beginning April 1, 1951, and ending March 31, 1953, except as otherwise provided: [*Provided*, That no

Vetoed.

part of any appropriation contained in this act shall be used to pay the salary, wages, or grant of any person who believes in or who is a member of or who supports any organization that believes in or teaches the overthrow of the United States government by force or by any illegal or unconstitutional methods: *Provided further*, That no part of any appropriation contained in this act shall be used to pay the salary, wages, or grant of any person while engaged in strike against the state of Washington,

or any office, department or agency thereof, or against any political subdivision of the state: *Provided further*, That for the purposes hereof an affidavit filed with the state auditor by the payee prior to the issuance of any warrant, or in lieu thereof a certificate by the responsible officer certifying that the payee or payees, for whom vouchers or payrolls are submitted have filed with such officer such affidavit, shall be *prima facie* evidence that the person making it, or filing the same with the responsible officer, has not acted contrary to the provisions herein set forth: *And provided further*, That any person who believes in or who is a member of or who supports any organization that believes in or teaches the overthrow of the United States government by force or by any illegal or unconstitutional methods and accepts employment, the salary, wages, or grant for which is paid from any appropriation contained in this act, shall be guilty of a gross misdemeanor and shall be fined not more than one thousand dollars (\$1,000) or imprisoned in the county jail for not more than one (1) year, or both.

Vetoed.

Any official who incurs any deficiency shall be considered to have violated the expressed intent of the legislature in making these appropriations.

Officials incurring deficiency.

FROM THE GENERAL FUND.

FOR THE GOVERNOR:

Governor.

Salaries, Wages and Operations . . .	\$128,654.00	
Investigation and Emergency Purposes, to be distributed on vouchers approved by the Governor . .	16,000.00	
Extradition Expenses (including deficiencies) . . . . .	22,000.00	
Auditing Records of the State Auditor . . . . .	2,500.00	
Total . . . . .	<hr/>	\$169,154.00

FOR THE GOVERNOR'S MANSION:

Governor's mansion.

Maintenance, to be distributed on vouchers approved by the Governor . . . . .		\$24,000.00
---	--	-------------

	<b>FOR THE LIEUTENANT GOVERNOR:</b>		
Lieutenant governor.	Salary of the Lieutenant Governor	\$12,000.00	
	Other Salaries, Wages and Operations, and Compensation when serving as Governor.....	9,900.00	
	Total .....	<u>21,900.00</u>	\$21,900.00
	<b>FOR THE SECRETARY OF STATE:</b>		
Secretary of state.	Salaries and Wages.....	\$175,000.00	
	Operations .....	50,000.00	
	Checking, Printing, Advertising, and Mailing Initiative and Referendum Measures and Constitutional Amendments .....	10,000.00	
Vetoed.	Bureau of Statistics and Immigration: Salaries, Wages and Operations and State Resources Program	35,000.00	
		To carry out provisions of chapter 14, Laws of 1950, special method of voting for Service voters....	10,000.00
		Deficiency, Operations .....	5,500.00
		Total .....	<u>50,500.00</u>
	<b>FOR THE STATE TREASURER:</b>		
State treasurer.	Salaries and Wages.....	\$213,150.00	
	Operations .....	43,000.00	
	Total .....	<u>256,150.00</u>	\$256,150.00
	<b>FROM THE MOTOR VEHICLE FUND.</b>		
	Salaries and Wages.....	\$13,200.00	
	Operations .....	2,600.00	
	Total .....	<u>15,800.00</u>	\$15,800.00
	<b>FROM THE GENERAL FUND.</b>		
	<b>FOR THE STATE AUDITOR:</b>		
State auditor.	Salaries and Wages.....	\$459,575.00	
	Operations .....	103,000.00	
	Special Printing .....	9,000.00	
	Total .....	<u>571,575.00</u>	\$571,575.00
	<b>FROM THE MOTOR VEHICLE FUND.</b>		
	Salaries and Wages.....	\$40,000.00	
	Operations .....	10,800.00	
	Total .....	<u>50,800.00</u>	\$50,800.00
	<b>FROM THE VOLUNTEER FIREMEN'S RELIEF AND PENSION FUND.</b>		
	Salaries and Wages.....		\$6,000.00

FROM THE GENERAL FUND.

FOR THE ATTORNEY GENERAL:

Salaries and Wages.....	\$461,240.00	
Operations, Printing Briefs, Court Costs and Expenses of Special Litigation in State and Federal Courts .....	170,138.00	
Deficiency, Operations .....	6,500.00	
Total .....	_____	\$637,878.00

Attorney  
general.

FROM THE CURRENT SCHOOL FUND.

FOR THE SUPERINTENDENT OF PUBLIC

INSTRUCTION:

Salaries and Wages.....	\$465,000.00	
Operations .....	168,950.00	
Total .....	_____	\$633,950.00

Superinten-  
dent of  
public  
instruction.

FROM THE GENERAL FUND.

FOR THE COMMISSIONER OF PUBLIC

LANDS:

Salaries, Wages, and plotting state- owned land into home sites and construction of roadways therein	\$425,000.00	
Operations .....	210,000.00	
To carry out provisions of House Bill No. 536 to re-establish and monument corners in the sur- veys of Aberdeen, Hoquiam, and Cosmopolis tide lands.....	15,000.00	} Vetoed.
Total .....	_____	

Commis-  
sioner of  
public lands.

FOR THE INSURANCE COMMISSIONER:

Salaries and Wages.....	\$300,000.00	
Operations .....	120,000.00	
To carry out provisions of Chapter 168, Laws of 1951 (Senate Bill No. 288), relating to the licens- ing and regulation of maternity homes .....	8,750.00	
Total .....	_____	\$428,750.00

Insurance  
commis-  
sioner.

FOR LEGISLATIVE EXPENSE:

For the purpose of paying the ex- penses of the Thirty-second Legislature of the state of Wash- ington .....	\$4,800.00
Printing, Indexing, Binding and Editing Session Laws, Senate and House Journals, other Legis- lative Printing, and Binding	

Legislative  
expense.

	Public Documents of the Thirty-second Session . . . . .	55,000.00	
	Salaries of Members of Legislature	348,000.00	
	Total . . . . .	<u>          </u>	\$407,800.00
Supreme court.	FOR THE SUPREME COURT:		
	Salaries and Wages . . . . .	\$427,800.00	
	Operations . . . . .	40,000.00	
	Total . . . . .	<u>          </u>	\$467,800.00
State law library.	FOR THE STATE LAW LIBRARY:		
	Salaries and Wages . . . . .	\$44,760.00	
	Operations . . . . .	29,000.00	
	Total . . . . .	<u>          </u>	\$73,760.00
Judicial council.	FOR THE JUDICIAL COUNCIL:		
	Salaries, Wages and Operations . . . . .		\$4,000.00
Uniform law commission.	FOR THE UNIFORM LAW COMMISSION:		
	Operations . . . . .		\$1,000.00
Superior court judges.	FOR THE SUPERIOR COURT JUDGES:		
	Salaries and Wages . . . . .	\$561,125.00	
	Expenses, Judges in Joint Districts	9,000.00	
	Total . . . . .	<u>          </u>	\$570,125.00
Association of superior court judges.	FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES:		
	Operations . . . . .		\$3,500.00
Judges' retirement fund.	FOR THE JUDGES' RETIREMENT FUND:		
	To be expended in accordance with the provisions of chapter 229, Laws of 1937, and laws amendatory thereto . . . . .		\$63,900.00
State board of accountancy.	FOR THE STATE BOARD OF ACCOUNTANCY:		
	Salaries and Wages . . . . .	\$25,000.00	
	Operations . . . . .	50,000.00	
	(Expenditures not to exceed revenues accruing under the Accountancy Act.)		
	Total . . . . .	<u>          </u>	\$75,000.00
State aeronautics commission.	FOR THE STATE AERONAUTICS COMMISSION:		
	Salaries and Wages . . . . .	\$32,946.00	
	Salaries of Commission members while attending meetings . . . . .	2,100.00	
	Operations . . . . .	17,054.00	
	Total . . . . .	<u>          </u>	\$52,100.00



FOR THE STATE ATHLETIC  
COMMISSION:

State athletic  
commission.

Salaries and Wages.....	\$8,000.00	
Operations .....	2,700.00	
Total .....	<u>          </u>	\$10,700.00

FOR THE STATE CAPITOL COMMITTEE:

State capitol  
committee.

Salaries and Wages.....	\$21,600.00	
Operations .....	15,725.00	
Total .....	<u>          </u>	\$37,325.00

FROM THE CAPITOL BUILDING CONSTRUCTION  
FUND.

Paving of the parkway from the dam and spillway to Des Chutes Way in the city of Tumwater, and the curbs, walks, parking strip lights and other appurtenances in connection therewith		\$531,000.00
---	--	--------------

FROM THE GENERAL FUND.

FOR THE STATE BOARD FOR THE CERTIFICATION OF LIBRARIANS:

State board  
for the  
certification  
of librarians.

Salaries, Wages and Operations..		\$388.80
----------------------------------	--	----------

FOR THE STATE BOARD OF EDUCATION:

State board  
of education.

General Office, including Junior College Supervision:		
Salaries and Wages.....	\$80,000.00	
Operations .....	20,750.00	
School Building Facilities:		
Salaries and Wages.....	50,000.00	
Operations .....	15,000.00	
School Facilities Survey:		
Salaries, Wages and Operations.	43,960.00	
Total .....	<u>          </u>	\$209,710.00

FROM THE STATE EMPLOYEES' RETIREMENT SYSTEM  
EXPENSE FUND.

FOR THE STATE EMPLOYEES' RETIREMENT BOARD:

State  
employees'  
retirement  
board.

Salaries and Wages.....	\$200,000.00	
Operations .....	81,000.00	
Salaries, Wages and Operations (To become available only if the membership in the State Employees' Retirement System exceeds 28,000 members).....	22,052.00	
Total .....	<u>          </u>	\$303,052.00

FROM THE STATE EMPLOYEES' RETIREMENT FUND.

Pensions, Awards, Disability Payments, Adjustments and Refunds \$7,500,000.00

FROM THE GENERAL FUND.

State finance committee.

FOR THE STATE FINANCE COMMITTEE:

Salaries and Wages.....	\$21,500.00	
Operations .....	2,489.00	
Total .....		\$23,989.00

FROM THE MOTOR VEHICLE FUND.

For the payment of expense incident to the issuance and sale of bonds authorized by chapter 121, Laws of 1951..... \$50,000.00

FROM THE FOREST DEVELOPMENT FUND.

State forest board.

FOR THE STATE FOREST BOARD:

Salaries and Wages.....	\$20,800.00	
Operations .....	6,895.00	
Total .....		\$27,695.00

FROM THE GENERAL FUND.

Salaries and Wages.....	\$5,000.00	
Operations .....	2,000.00	
Total .....		\$7,000.00

State sustained yield forest No. 1.

FOR THE STATE SUSTAINED YIELD

FOREST NO. 1:

To carry out provisions of chapter 175, Laws of 1933:

Salaries and Wages.....	\$60,605.00	
Operations .....	34,190.00	

(This appropriation shall be disbursed as directed by a committee composed of the Governor, Commissioner of Public Lands, State Auditor, and Director of the Department of Conservation and Development. The Governor shall be chairman of said committee.)

Total .....		\$94,795.00
-------------	--	-------------

FROM THE ACCIDENT FUND.

Board of industrial insurance appeals.

FOR THE BOARD OF INDUSTRIAL

INSURANCE APPEALS:

Salaries and Wages.....	\$167,500.00	
Operations .....	70,000.00	
Total .....		\$237,500.00

## FROM THE MEDICAL AID FUND.

Salaries and Wages.....	\$167,500.00	
Operations .....	70,000.00	
Total .....	_____	\$237,500.00

## FROM THE GENERAL FUND.

## FOR THE BOARD OF STATE LAND

## COMMISSIONERS:

Salaries and Wages.....	\$75,000.00	Board of state land commis- sioners.
Operations .....	35,000.00	
Total .....	_____	

## FOR THE STATE LIBRARY COMMISSION:

Salaries and Wages.....	\$118,750.00	State library commission.
Operations .....	46,345.00	
Salaries for Microfilming.....	5,160.00	
Operations for Microfilming.....	14,950.80	
Public Library Services and Facilities:		
For allocation to Public Libraries in accordance with the pro- visions of Chapter 232, Laws of 1945 .....	100,000.00	
Total .....	_____	\$285,205.80

## FROM THE PARKS AND PARKWAY FUND.

## FOR THE STATE PARKS AND RECREATION

## COMMISSION:

Salaries and Wages.....	\$600,000.00	State parks and recreation commission.
Operations .....	280,000.00	
Capital Outlays and Major Repairs	500,000.00	
Purchase, Condemnation and Im- provement of Land, Boat Moor- ages, Construction and Repairs of Buildings and other improve- ments, including necessary Sala- ries and Wages incident thereto	255,000.00	
Capital Outlays (To become avail- able only upon allocations from time to time and in such amounts as the Governor shall determine) .....	400,000.00	
Total .....	_____	\$2,035,000.00

FROM THE MILLERSYLVANIA PARK  
CURRENT FUND.

Improvement, Maintenance and Upkeep of Millersylvania Park.	\$400.00
--	----------

FROM THE GENERAL FUND.

State board of pharmacy.	FOR THE STATE BOARD OF PHARMACY:	
	Salaries and Wages.....	\$55,000.00
	Operations .....	\$30,000.00
	(Expenditures not to exceed fees heretofore or hereafter col- lected.)	
	Total .....	\$85,000.00

FROM THE PUGET SOUND PILOTAGE FUND.

State board of pilotage commis- sioners.	FOR THE STATE BOARD OF PILOTAGE COMMISSIONERS:	
	Salaries and Wages.....	\$4,200.00
	Operations .....	1,010.00
	Total .....	\$5,210.00

FROM THE GENERAL FUND.

Pollution control commis- sioners.	FOR THE POLLUTION CONTROL COMMISSION:	
	Salaries and Wages.....	\$113,000.00
	Operations .....	55,000.00
	Investigations, Research and Sur- veys of Water Pollution caused by Industrial Waste.....	26,800.00
	(Expenditures not to exceed amounts received from the Federal Government.)	
	Investigation, Research and Sur- veys of the effects on Fish and Shellfish of Water Pollution caused by Industrial Waste....	20,000.00
	(Expenditures not to exceed amounts received from the Federal government.)	
	Total .....	\$214,800.00

Board of prison terms and paroles.	FOR THE BOARD OF PRISON TERMS AND PAROLES:	
	Salaries and Wages.....	\$252,000.00
	Operations .....	91,100.00
	Total .....	\$343,100.00

FROM THE TEACHERS' RETIREMENT  
FUND.

Board of trustees of state teachers' retirement system.	FOR THE BOARD OF TRUSTEES OF THE STATE TEACHERS' RETIREMENT SYSTEM:	
	Salaries and Wages.....	\$158,760.00
	Operations .....	36,920.00

Housing Cost .....	7,250.00	
For the payment of Annuities, Awards and Refunds as provided by law.....	9,850,720.00	
Total .....		\$10,053,650.00

## FROM THE GENERAL FUND.

FOR THE TUBERCULOSIS HOSPITAL BUILDING COMMISSION:		Tuberculosis Hospital Building Commission.
Operations .....	\$300.00	
FOR THE VETERANS' REHABILITATION COUNCIL:		Veterans' Re- habilitation Council.
To carry out provisions of Chapter 110, Laws of 1947.....	\$780,000.00	

FROM THE UNITED STATES VOCATIONAL  
EDUCATION FUND.

FOR THE STATE BOARD FOR VOCATIONAL EDUCATION:		State Board for Vocational Education.
To be expended in accordance with the provisions of Acts of Congress approved February 23, 1917, and August 1, 1946, and acts amendatory or supple- mentary thereto, and the pro- visions of Chapter 183, Laws of 1939, providing for the promo- tion and development of Voca- tional Education .....	\$1,101,005.90	
To be expended in accordance with the provisions of Acts of Congress approved June 2, 1920, and July 6, 1943, and acts amendatory or supplementary thereto, and the provisions of Chapter 176, Laws of 1933, pro- viding for Civilian Vocational Rehabilitation .....	1,403,366.00	
To be expended for special Vet- erans' Training in co-operation with the United States Veterans' Administration, expenditures not to exceed receipts from the Federal government .....	1,463,219.76	
Total .....		\$3,967,591.66

FROM THE WASHINGTON STATE PATROL  
RETIREMENT FUND.

Washington  
State Patrol  
Retirement  
Board.

FOR THE WASHINGTON STATE PATROL  
RETIREMENT BOARD:

Pensions, Benefits, Awards and Re-  
funds ..... \$43,000.00

FROM THE GENERAL FUND.

Washington  
State Board  
Against Dis-  
crimination  
in Employ-  
ment.

FOR THE WASHINGTON STATE BOARD  
AGAINST DISCRIMINATION IN  
EMPLOYMENT:

To carry out provisions of chapter  
183, Laws of 1949:  
Salaries and Wages..... \$16,720.00  
Operations ..... 7,380.00  
Total ..... \$24,100.00

Adjutant  
General—  
Military  
Department.

FOR THE ADJUTANT GENERAL—  
MILITARY DEPARTMENT:

Salaries and Wages..... \$375,000.00  
Operations ..... 225,000.00  
Uniform Allowance ..... 75,000.00  
Medical Aid and Compensation... 8,980.00  
Capital Outlays, Major Repairs  
and Betterments ..... 125,000.00  
Total ..... \$808,980.00

Department  
of Agri-  
culture.

FOR THE DEPARTMENT OF  
AGRICULTURE:

Salaries and Wages..... \$652,045.00  
Operations ..... 270,524.00  
Indemnities and Control of Bang's  
Disease and Bovine Tuberculo-  
sis; Control of Mastitis, Plant  
Diseases, Insect Pests, Apicul-  
ture; Marketing Research..... 1,068,000.00

Vetoed.

{ To carry out provisions of Senate  
Bill No. 185, relating to Apicul-  
ture ..... 10,000.00  
Total ..... \$2,000,569.00

FROM THE FEED AND FERTILIZER FUND.

Salaries and Wages..... \$39,488.00  
Operations ..... 29,610.00  
(Expenditures not to exceed fees  
heretofore or hereafter col-  
lected.)  
Total ..... \$69,098.00

## FROM THE GRAIN AND HAY INSPECTION FUND.

Salaries and Wages.....	\$600,078.00	
Operations .....	125,480.00	
(Expenditures not to exceed fees heretofore or hereafter collected.)		
Total .....	—————	\$725,558.00

## FROM THE COMMISSION MERCHANTS' FUND.

Salaries and Wages.....	\$83,383.00	
Operations .....	32,385.00	
(Expenditures not to exceed fees heretofore or hereafter collected.)		
Total .....	—————	\$115,768.00

## FROM THE NURSERY INSPECTION FUND.

Salaries and Wages.....	\$42,968.00	
Operations .....	20,260.00	
(Expenditures not to exceed fees heretofore or hereafter collected.)		
Total .....	—————	\$63,228.00

## FROM THE SEED FUND.

Salaries and Wages.....	\$39,102.00	
Operations .....	35,235.00	
(Expenditures not to exceed fees heretofore or hereafter collected.)		
Total .....	—————	\$74,337.00

## FROM THE GENERAL FUND.

## FOR THE OFFICE OF DIRECTOR OF

## BUDGET:

Salaries and Wages.....	\$228,840.00	
Operations .....	85,500.00	
Personnel Office:		
Salaries and Wages.....	38,000.00	
Operations .....	6,500.00	
Total .....	—————	\$358,840.00

Office of  
Director  
of Budget.

## FOR THE DEPARTMENT OF CIVIL

## DEFENSE:

Salaries and Wages.....	\$100,440.00	
Operations .....	157,936.00	
To carry out provisions of Senate Bill No. 244.....		
2,000,000.00		
Total .....	—————	\$2,258,376.00

Department  
of Civil  
Defense.

Department of Conservation and Development.	FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:	
	General Office, including Divisions of Hydraulics; Mines and Geology; and Flood Control Administration:	
	Salaries and Wages.....	\$193,500.00
	Operations .....	64,035.00
Division of Progress and Industry.	Division of Progress and Industry Development:	
	Salaries and Wages.....	42,300.00
	Operations .....	100,000.00
	Promotion of Washington State Trade Fairs:	
	(Expenditures not to exceed five per cent of the gross receipts of all pari-mutuel machines paid to the Washington Horse Racing Commission during the preceding season).	
		\$50,000.00
	Columbia Basin Commission:	
	Salaries and Wages.....	35,000.00
	Operations .....	35,000.00
Division of Forestry.	Division of Forestry:	
	Salaries and Wages.....	1,018,000.00
	Operations .....	395,000.00
	Reforestation:	
	Salaries and Wages.....	105,000.00
	Operations .....	16,000.00
	Capital Outlays and Major Repairs .....	3,500.00
	Institute of Forest Products:	
	Salaries and Wages.....	30,000.00
	Operations .....	10,000.00
	Stream Gaging and Ground Water Surveys:	
	Operations .....	65,000.00
	Flood Control Maintenance:	
	To be expended in accordance with the provisions of Senate Bill No. 82.....	
		500,000.00
	Total .....	\$2,662,335.00
	FROM THE EAGLE GORGE DAM FLOOD CONTROL PROJECT FUND.	
	To carry out provisions of chapter 27, Laws of 1949.....	
		\$1,500,000.00



FROM THE RECLAMATION REVOLVING FUND.

Reclamation Division:		Reclamation Division.
Salaries and Wages.....	\$40,275.00	
Operations .....	21,787.00	
Natural Resources Surveys:		
Salaries, Wages and Operations.	62,000.00	
Financing of Reclamation Districts as provided by law.....	700,000.00	
(Expenditures from Reclamation Revolving Fund not to exceed cash on hand and available for expenditure.)		
Total .....	—————	\$824,062.00

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF FISHERIES:

		Department of Fisheries.
Salaries and Wages.....	\$1,200,000.00	
Operations .....	1,040,000.00	
Capital Outlays, Major Repairs and Betterments .....	1,200,000.00	
Construction of fish ways upon the Des Chutes River at Tum- water Falls in Thurston County .....	120,000.00	
Payment of bounties under the provisions of section 75.16.040, R.C.W. ....	5,000.00	
[R.C.W. 75.16.040 was derived from § 44, ch. 112, L. '49 (Rem. Supp. 1949, § 5780-318).]		

Lower Columbia River Develop-  
ment:

Salaries and Wages.....	160,000.00	
Operations .....	139,500.00	
Capital Outlays, Major Repairs and Betterments .....	1,659,700.00	
(Expenditures for Lower Co- lumbia River Development to be limited to approved proj- ects upon which reimburse- ment of 100% will be made by the Federal government.)		
Total .....	—————	\$5,524,200.00

FROM THE LEWIS RIVER HATCHERY FUND.

Salaries and Wages.....	\$27,214.00	
Operations .....	6,360.00	
Total .....	—————	\$33,574.00

FROM THE GAME FUND.

Department of Game.	FOR THE DEPARTMENT OF GAME:		
	Salaries and Wages.....	\$2,440,252.00	
	Operations .....	2,219,000.00	
	Payment of Game Animal Dam- ages and Expense.....	40,000.00	
	Wild Life Restoration and Re- search, including the Purchase, Condemnation or Leasing of Lands (Expenditures to be lim- ited to approved projects upon which reimbursement of 75% will be made by the Federal government) .....	700,000.00	
	Capital Outlays, Major Repairs and Betterments .....	100,000.00	
	Acquisition of Lands for Public Hunting and Fishing Areas, Game Habitat Areas, Access Areas to Lakes and Streams and other like purposes.....	500,000.00	
	Total .....	<u>                    </u>	\$5,999,252.00

FROM THE GENERAL FUND.

Department of Health.	FOR THE DEPARTMENT OF HEALTH:		
	General Administration and Con- servation of Hearing Program:		
	Salaries and Wages.....	\$600,000.00	
	Operations .....	260,000.00	
	To carry out provisions of Initia- tive No. 178:		
	Salaries and Wages.....	500,000.00	
	Operations .....	230,000.00	
	Field Training Program:		
	Salaries and Wages.....	38,040.00	
	Operations .....	7,418.00	
	(Expenditures limited to re- ceipts from the W. K. Kel- logg Foundation.)		
	Medical Services:		
	To carry out provisions of In- itiative No. 178 (including deficiencies) .....	23,377,280.00	
	Crippled Children's Program:		
	Salaries and Wages.....	43,005.00	
	Operations and Assistance.....	283,232.00	
	Rheumatic Fever Program:		
	Salaries and Wages.....	1,440.00	
	Operations and Assistance....	44,500.00	

State Cerebral Palsy Program:

Cerebral Palsy Center:

Salaries and Wages..... \$126,000.00  
 Operations ..... 62,500.00

Cerebral Palsy Field Program:

Salaries and Wages..... 22,000.00  
 Operations ..... 13,500.00

For Public Health Work (includ-

ing deficiencies, expenditures  
 not to exceed amounts re-  
 ceived and credited to the  
 General Fund from the Fed-  
 eral government for Public  
 Health Work) .....

1,698,842.00

For County Public Health Work.. 135,000.00

Tuberculosis Hospitalization:

State Aid to Counties and for  
 Tuberculosis Hospitals (includ-  
 ing deficiencies) .....

8,000,000.00

Total ..... \$35,442,757.00

FOR THE DEPARTMENT OF HIGHWAYS:

State's Contribution to construct  
 a suitable approach to the Rain-  
 ier State School at Buckley....

\$25,000.00

Department  
 of Highways.

FOR THE DEPARTMENT OF LABOR AND  
 INDUSTRIES:

Salaries and Wages..... \$561,650.00  
 Operations ..... 483,160.00

To carry out provisions of chap-  
 ter 233, Laws of 1947, for the  
 payment of additional pensions 4,000,000.00

To carry out provisions of chapter  
 195, Laws of 1949, relating to  
 the Industrial Welfare Com-  
 mission:

Salaries and Wages..... 12,000.00  
 Operations ..... 10,000.00

To carry out provisions of House  
 Bill No. 87 (Expenditures not  
 to exceed receipts from inspec-  
 tion fees) ..... 25,000.00

For ascertaining the qualifications  
 of Industrial Establishments for  
 furnishing other training on-  
 the-job to Veterans (Expendi-  
 tures not to exceed receipts  
 from the Federal government).. 72,600.00

Total ..... \$5,164,410.00

Department  
 of Labor and  
 Industries.

FROM THE MEDICAL AID FUND.

Salaries and Wages.....	\$1,710,000.00	
Operations .....	275,000.00	
Appeal Costs:		
Salaries and Wages.....	94,000.00	
Operations .....	102,500.00	
Rehabilitation Center:		
Salaries and Wages.....	156,620.00	
Operations .....	103,970.00	
Medical Services and Refunds (including deficiencies) .....	12,000,000.00	
Total .....	—————	\$14,442,090.00

FROM THE ACCIDENT FUND.

Appeal costs:		
Salaries and Wages.....	\$94,000.00	
Operations .....	102,500.00	
Catastrophe Injury Claims.....	500,000.00	
Second Injury Claims.....	1,000,000.00	
Claims, Awards and Refunds (in- cluding deficiencies) .....	22,000,000.00	
Total .....	—————	\$23,696,500.00

FROM THE RESERVE FUND.

For Pensions and Lump Sum Payments .....		\$8,000,000.00
---	--	----------------

FROM THE ELECTRICAL LICENSE FUND.

Salaries and Wages.....	\$106,170.00	
Operations .....	41,070.00	
Total .....	—————	\$147,240.00

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF LICENSES:

Department  
of Licenses.

Salaries and Wages.....	\$288,000.00	
Operations .....	157,000.00	
To carry out provisions of chap- ter 211, Laws of 1949, relating to Financial Responsibility:		
Salaries and Wages.....	75,000.00	
Operations .....	17,500.00	
To carry out provisions of House Bill No. 226, amending the act relating to the practice of den- tistry (Expenditures not to ex- ceed receipts accruing under the act) .....	15,000.00	
Total .....	—————	\$552,500.00

FROM THE MOTOR VEHICLE FUND.

Salaries and Wages.....	\$1,145,000.00	
Operations .....	820,000.00	
Liquid Fuel Tax Refunds.....	5,750,000.00	
Total .....	—————	\$7,715,000.00

FROM THE HIGHWAY SAFETY FUND.

Salaries and Wages.....	\$216,000.00	
Operations .....	130,000.00	
Total .....	—————	\$346,000.00

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF PUBLIC INSTITUTIONS:

Department of Public Institutions.

General Office, including Division of Public Institutions and Division of Purchasing:

Salaries and Wages.....	\$400,000.00	
Operations .....	87,000.00	

Division of Children and Youth Services:

Division of Children and Youth Services.

To carry out provisions of Senate Bill No. 7.....	65,000.00	
---	-----------	--

State Council for Children and Youth:

Expenses of Members.....	10,000.00	
--------------------------	-----------	--

Division of Banking:

Division of Banking.

Salaries and Wages.....	95,000.00	
Operations .....	32,500.00	

Division of Savings and Loan Associations:

Division of Savings and Loan Associations.

Salaries and Wages.....	58,000.00	
Operations .....	22,000.00	

Capitol Buildings and Grounds:

Salaries and Wages .....	484,732.00	
Operations .....	305,650.00	

Painting, Repairs and Alterations to State Office Buildings	50,000.00	
---	-----------	--

Parole, Transportation and Deportation:

Salaries and Wages.....	16,920.00	
Operations .....	41,080.00	

Total .....	—————	\$1,667,882.00
-------------	-------	----------------

FROM THE PUBLIC SERVICE REVOLVING FUND.

FOR THE WASHINGTON PUBLIC SERVICE COMMISSION:

Washington Public Service Commission.

Salaries and Wages.....	\$1,005,294.00	
Operations .....	514,555.00	

Special Investigations:

Salaries, Wages and Operations \$125,000.00

(Expenditures not to exceed fees heretofore or hereafter collected, but in no event shall any warrant be drawn on the Public Service Revolving Fund in excess of actual cash on deposit in the State Treasury.)

Total ..... \$1,644,849.00

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF SOCIAL SECURITY:

Department of Social Security.

General Administration:

Salaries and Wages..... \$6,813,740.00

Operations ..... 1,306,990.00

Division of Old Age Assistance:

Division of Old Age Assistance.

Senior Citizen Grants..... 93,380,000.00

Division of Public Assistance:

Division of Public Assistance.

Aid to the Permanently Disabled and General Home Assistance ..... 11,063,200.00

Burials ..... 700,000.00

Division for Children:

Division for Children.

Child Welfare Services:

Salaries and Wages..... 1,040,284.00

Operations ..... 84,945.00

Assistance as provided by law ..... 3,883,120.00

Aid to Dependent Children:

Assistance as provided by law ..... 22,690,776.00

Division for the Blind:

Division for the Blind.

Assistance as provided by law.. 1,424,168.00

Self-supporting Aid to Blind:

To carry out provisions of chapter 166, Laws of 1949.. 38,000.00

Vocational Rehabilitation for the Blind:

Administration:

Salaries and Wages..... 95,976.00

Operations ..... 26,950.00

Assistance ..... 40,000.00

Other Case Services to the Blind 220,000.00

Total ..... \$142,808,149.00

## FOR THE WASHINGTON STATE PATROL:

Washington  
State Patrol.

Salaries and Wages.....	\$637,350.00	
Operations .....	200,000.00	
Total .....	<u>                    </u>	\$837,350.00

## FROM THE HIGHWAY SAFETY FUND.

Salaries and Wages.....	\$1,725,000.00	
Operations .....	850,000.00	
Major Repairs .....	30,000.00	
Total .....	<u>                    </u>	\$2,605,000.00

## FROM THE MOTOR VEHICLE FUND.

Salaries and Wages.....	\$1,216,000.00	
Operations .....	665,300.00	
Weight Control:		
Capital Outlays and Major Re-		
pairs .....	18,000.00	
Total .....	<u>                    </u>	\$1,899,300.00

## FOR THE DEPARTMENT OF HIGHWAYS:

Department  
of Highways.

Weight Control:		
Capital Outlays and Major Re-		
pairs .....		\$129,000.00

## FROM THE GENERAL FUND.

FOR THE TAX COMMISSION OF THE  
STATE OF WASHINGTON:Tax  
Commission.

Salaries and Wages.....	\$2,023,525.00	
Operations .....	614,725.00	
Purchase of Cigarette Stamps....	10,000.00	
Refunds of Taxes, Costs, Penalties, Interest and Redemption of Tok- ens as provided by chapter 191, Laws of 1933, and chapter 180, Laws of 1935, and all laws amendatory thereto .....	600,000.00	
Total .....	<u>                    </u>	\$3,248,250.00

## FROM THE MOTOR VEHICLE EXCISE FUND.

Refunds as provided by chapter 152, Laws of 1945, and chapter 49, Laws of 1949 (including de- ficiencies) .....		\$250,000.00
--	--	--------------

## FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF PUBLIC  
INSTITUTIONS:Department  
of Public  
Institutions.

State School for the Blind:		
Salaries and Wages.....	\$255,000.00	
Operations .....	145,000.00	
Total .....	<u>                    </u>	\$400,000.00

State School for the Deaf:		
Salaries and Wages.....	\$350,000.00	
Operations .....	210,000.00	
Total .....	—————	\$560,000.00
Eastern State Hospital:		
Salaries and Wages.....	\$1,950,000.00	
Operations .....	1,575,000.00	
Total .....	—————	\$3,525,000.00
State School for Girls:		
Salaries and Wages.....	\$200,000.00	
Operations .....	135,000.00	
Total .....	—————	\$335,000.00
Lakeland Village:		
Salaries and Wages.....	\$1,160,000.00	
Operations .....	1,268,000.00	
Total .....	—————	\$2,428,000.00
Northern State Hospital:		
Salaries and Wages.....	\$1,911,000.00	
Operations .....	1,393,000.00	
Total .....	—————	\$3,304,000.00
Washington State Penitentiary:		
Salaries and Wages.....	\$852,000.00	
Operations .....	1,400,000.00	
Prisoners' Aid Fund.....	5,000.00	
Total .....	—————	\$2,257,000.00

FROM THE PENITENTIARY REVOLVING FUND.

Industrial Operations:		
Salaries and Wages.....	\$216,936.00	
Operations .....	608,600.00	
Total .....	—————	\$825,536.00

FROM THE GENERAL FUND.

Rainier State School:		
Salaries and Wages.....	\$1,425,000.00	
Operations .....	935,000.00	
Total .....	—————	\$2,360,000.00
Washington State Reformatory:		
Salaries and Wages.....	\$504,000.00	
Operations .....	661,000.00	
Prisoners' Aid Fund.....	5,000.00	
Total .....	—————	\$1,170,000.00

FROM THE REFORMATORY REVOLVING FUND.

Industrial Operations:		
Salaries and Wages.....	\$97,900.00	
Operations .....	158,000.00	
Total .....	—————	\$255,900.00



FROM THE GENERAL FUND.

State Soldiers' Home and Colony:		
Salaries and Wages.....	\$207,000.00	
Operations .....	215,000.00	
Total .....	_____	\$422,000.00
State Training School:		
Salaries and Wages.....	\$370,000.00	
Operations .....	320,000.00	
Total .....	_____	\$690,000.00
Washington Veterans' Home:		
Salaries and Wages.....	\$429,000.00	
Operations .....	425,000.00	
Total .....	_____	\$854,000.00
Western State Hospital:		
Salaries and Wages.....	\$2,630,000.00	
Operations .....	1,960,000.00	
Research Building:		
Salaries and Wages.....	130,000.00	
Total .....	_____	\$4,720,000.00
State Institutions:		
Salaries, Wages and Operations at various State Institutions, \$300,000.00 of which shall be a contingency fund to be allotted by the Governor based upon increased population .....	\$600,000.00	
Capital Outlays, Major Repairs and Betterments at various State Institutions .....	550,000.00	
Equipment and minor Capital Outlays for new buildings at various State Institutions....	500,000.00	
Total .....	_____	\$1,650,000.00

FROM THE INSTITUTIONAL BUILDING CONSTRUCTION FUND.

To carry out provisions of chapter 230, Laws of 1949.....	\$20,000,000.00
(Being the reappropriation of the unexpended balance of appropriation made for like purpose by chapter 230, Laws of 1949.)	

FROM THE UNIVERSITY OF WASHINGTON FUND.

FOR THE UNIVERSITY OF WASHINGTON:		University of Washington.
Salaries and Wages.....	\$14,677,500.00	
Operations, including Repairs....	3,610,000.00	
Total .....	_____	\$18,287,500.00

FROM THE GENERAL FUND.

School of Medicine and Dentistry:

Salaries and Wages.....	\$2,750,000.00	
Operations and Maintenance...	\$800,000.00	
Total .....	_____	\$3,550,000.00

FROM THE UNIVERSITY OF WASHINGTON BUILDING FUND.

Construction of new buildings, equipment and remodeling.....	\$300,000.00	
Construction of Teaching Hospital	1,000,000.00	
Total .....	_____	\$1,300,000.00

FROM THE UNIVERSITY OF WASHINGTON MEDICAL AND DENTAL BUILDING AND EQUIPMENT FUND.

Construction and Equipping Medi- cal and Dental buildings.....		\$1,050,000.00
---	--	----------------

FROM THE MOTOR VEHICLE EXCISE FUND.

Bureau of Governmental Research: Municipal Research and Ser- vice .....		\$95,000.00
--	--	-------------

FROM THE WASHINGTON STATE COLLEGE FUND.

FOR THE STATE COLLEGE OF WASHINGTON:

State  
College of  
Washington.

College Teaching:		
Salaries and Wages.....	\$6,650,000.00	
Operations .....	2,835,328.00	
State Services—Agricultural and Industrial:		
Salaries, Wages and Operations.	728,650.00	
Division of Industrial Research:		
Salaries, Wages and Opera- tions .....	661,960.00	
Agricultural Extension Work:		
Salaries, Wages and Opera- tions .....	980,477.00	
Agricultural Experiment Sta- tions:		
Main Experiment Station, Pullman and Walla Walla:		
Salaries, Wages and Opera- tions .....	1,239,410.00	
Western Washington Experi- ment Station, Puyallup:		
Salaries, Wages and Opera- tions .....	759,995.00	

Irrigation Branch Station, Prosser:		
Salaries, Wages and Operations .....	\$498,555.00	
Tree Fruit Branch Station, Wenatchee:		
Salaries, Wages and Operations .....	251,287.00	
Dry Land Branch Station, Lind:		
Salaries, Wages and Operations .....	43,657.00	
Cranberry, Blueberry Branch Station, Ilwaco:		
Salaries, Wages and Operations .....	45,186.00	
Northwestern Washington Ex- periment Station, Mount Vernon:		
Salaries, Wages and Operations .....	109,278.00	
Capital Outlays (Expendi- tures contingent upon an equal amount of matching funds from local sources)	40,000.00	
Southwestern Experiment Sta- tion, Vancouver:		
Salaries, Wages and Operations .....	61,090.00	
Total .....	—————	\$14,904,873.00

FROM THE GENERAL FUND.

Capital Outlays, Major Repairs and Betterments .....	\$250,000.00
---	--------------

FROM THE STATE COLLEGE OF WASHINGTON  
BUILDING FUND.

Capital Outlays, Major Repairs and Betterments .....	\$500,000.00
---	--------------

FOR THE CENTRAL WASHINGTON COL-  
LEGE OF EDUCATION:

From the Normal School Current Fund .....	\$50,000.00	
From the Central College Fund .....	\$1,660,000.00	
Salaries and Wages.....	\$1,440,200.00	
Operations .....	269,800.00	
Total .....	—————	\$1,710,000.00

Central  
Washington  
College of  
Education.

FROM THE GENERAL FUND.

Capital Outlays, Major Repairs and Betterments ..... \$200,000.00

Eastern Washington College of Education.

FOR THE EASTERN WASHINGTON COLLEGE OF EDUCATION:

From the Normal School Current Fund ..... \$50,000.00
From the Eastern College Fund .... \$1,660,000.00
Salaries and Wages.....\$1,425,950.00
Operations ..... 284,050.00
Total ..... \$1,710,000.00

FROM THE GENERAL FUND.

Capital Outlays, Major Repairs and Betterments ..... \$200,000.00

Western Washington College of Education.

FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

From the Normal School Current Fund ..... \$50,000.00
From the Western College Fund ..... \$1,660,000.00
Salaries and Wages.....\$1,438,300.00
Operations ..... 271,700.00
Total ..... \$1,710,000.00

FROM THE GENERAL FUND.

Capital Outlays, Major Repairs and Betterments ..... \$200,000.00

State Capitol Historical Association.

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION:

Salaries and Wages..... \$10,368.00
Operations ..... 7,800.00
Total ..... \$18,168.00

Washington State Historical Society.

FOR THE WASHINGTON STATE HISTORICAL SOCIETY:

Salaries and Wages..... \$43,700.00
Operations ..... 15,075.00
Repairs to Pickett House..... 1,200.00
Washington Territorial Centennial 20,000.00
Capital Outlays, Major Repairs and Betterments ..... 2,850.00
Total ..... \$82,825.00

<b>FOR THE EASTERN WASHINGTON STATE HISTORICAL SOCIETY:</b>		Eastern Washington Historical Society.
Salaries and Wages.....	\$15,180.00	
Operations .....	8,469.00	
Capital Outlays and Major Repairs	3,250.00	
Total .....	<hr/>	\$26,899.00
<b>FOR THE COUNCIL OF STATE GOVERNMENTS:</b>		Council of State Governments.
To be distributed on vouchers approved by the Governor.....		\$7,000.00
<b>FOR COURT COSTS IN INSANITY CASES (including deficiencies) .....</b>		\$50,000.00
<b>FOR CRIMINAL COST BILLS (including deficiencies) .....</b>		\$20,000.00
<b>FROM THE CAPITOL BUILDING BOND REDEMPTION FUND.</b>		
<b>FOR THE PAYMENT OF INTEREST ON BONDS .....</b>		\$95,000.00
<b>FROM THE CONTINGENT RECEIPTS FUND.</b>		
<b>TO BE EXPENDED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 243, LAWS OF 1945, AND LAWS AMENDATORY OR SUPPLEMENTARY THERETO .....</b>		\$20,000,000.00
<b>FROM THE GENERAL FUND.</b>		
<b>FOR THE PAYMENT OF WARRANTS DRAWN FOR EMERGENCY PURPOSES APPROVED DURING THE BIENNIUM APRIL 1, 1951, TO MARCH 31, 1953, PURSUANT TO SECTION 10, CHAPTER 9, LAWS OF 1925, AS AMENDED BY SECTION 6, CHAPTER 162, LAWS OF 1929 .....</b>		\$250,000.00
<b>FOR THE GOVERNOR:</b>		Emergency warrants.
To be allocated to various state departments, offices and institutions for salaries, wages, operations, and emergency construction or repairs of public buildings: <i>Provided</i> , That this appropriation shall become available only upon filing with the Secretary of State, from time to time, allotments to said departments, offices and institu-		Governor; for allocation to various state departments, etc.

tions, setting forth the purpose and amount allotted therefor, approved by the Governor..... \$2,000,000.00

FROM THE CURRENT SCHOOL FUND.

Apportionment to counties for school districts under ch. 141, Laws of 1945.

FOR APPORTIONMENT TO COUNTIES FOR SCHOOL DISTRICTS IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 141, LAWS OF 1945, AND ACTS AMENDATORY THERETO: Provided, That the funds apportioned hereunder on the basis of the number of certificated employees shall not exceed eighteen hundred dollars (\$1,800) per educational unit: And provided further, That no portion of this appropriation shall be allocated by a county to a school district for adult education under the provisions of subsection (8) of section 28.41.070, R.C.W. .... \$124,000,000.00

[Sub. sec. 8 of R.C.W. 28.41.070, was derived from sub. sec. (h) of sec. 1, ch. 212, L. '49 (Rem. Supp. 1949, § 4940-4).]

Superintendent of Public Instruction.

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION:

To be expended in accordance with the provisions of chapter 120, Laws of 1943, relating to the education of handicapped children, and laws amendatory or supplementary thereto, and chapter 240, Laws of 1947, relating to the education of children afflicted with cerebral palsy ..... \$875,000.00

FROM THE GENERAL FUND.

Division for Handicapped Children: To carry out provisions of House Bill No. 310..... \$125,000.00

FROM THE STATE SCHOOL EQUALIZATION FUND.

Distribution to counties under ch. 31, Laws of 1949.

FOR DISTRIBUTION TO COUNTIES AS PROVIDED BY CHAPTER 31, LAWS OF 1949 ..... \$17,350,000.00

FROM THE GENERAL FUND.

<p>TO BE EXPENDED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 154, LAWS OF 1935, AS AMENDED, PROVIDING ASSISTANCE FOR BLIND STUDENTS .....</p>	<p>\$20,000.00</p>	<p>Assistance for blind students.</p>
<p>TO BE EXPENDED IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 224, LAWS OF 1947, PROVIDING EDUCATIONAL AID FOR CHILDREN OF VETERANS .....</p>	<p>\$8,000.00</p>	<p>Educational aid for children of veterans.</p>
<p>FOR EDUCATION OF INDIAN CHILDREN: To carry out provisions of the Johnson-O'Malley Act, April 16, 1934 (Expenditures not to exceed amounts received from the Federal government) .....</p>	<p>\$307,000.00</p>	<p>Education of Indian children.</p>
<p>FOR SCHOOL LUNCH PROGRAM: To carry out provisions of the National School-Lunch Act, Public Law 396, 79th Congress (Expenditures not to exceed amounts received from the Federal government) .....</p>	<p>\$1,600,000.00</p>	<p>School lunch program.</p>

FROM THE PUBLIC SCHOOL BUILDING CONSTRUCTION FUND.

<p>TO CARRY OUT PROVISIONS OF CHAPTER 229, LAWS OF 1949 .....</p> <p>(Being the reappropriation of the unexpended balance of appropriation made for like purpose by chapter 229, Laws of 1949.)</p>	<p>\$40,000,000.00</p>	<p>State assistance; public school plant facilities.</p>
---	------------------------	--

FROM THE GENERAL FUND.

<p>FOR DISTRIBUTION TO "FIREMEN'S RELIEF AND PENSION FUNDS" AS PROVIDED BY CHAPTER 91, LAWS OF 1947, AS AMENDED (including deficiencies) .....</p>	<p>\$525,000.00</p>	<p>Distribution to "Firemen's Relief and Pension Funds"; ch. 91, Laws of 1947.</p>
--	---------------------	--

FROM THE FOREST RESERVE FUND.

<p>FOR DISTRIBUTION OF MONIES RECEIVED FROM THE FEDERAL GOVERNMENT FROM FOREST RESERVES AS PROVIDED BY CHAPTER 185, LAWS OF 1907 (including deficiencies)..</p>	<p>\$2,300,000.00</p>	<p>Distribution of Forest Reserves monies; ch. 185, Laws 1907.</p>
---	-----------------------	--

FROM THE GENERAL OBLIGATION BONDS OF 1933  
RETIREMENT FUND.

G. O. bonds 1933; retirement and interest. FOR BOND RETIREMENT AND INTEREST \$1,595,725.00

FROM THE HARBOR IMPROVEMENT FUND.

Harbor improvement; chs. 168, 169 and 170, Laws of 1913. FOR DISTRIBUTION IN ACCORDANCE WITH CHAPTERS 168, 169 AND 170, LAWS OF 1913, BASED ON RECEIPTS (including deficiencies) ..... \$200,000.00

FROM THE HIGHWAY BOND RETIREMENT FUND.

Highway bond retirement and interest. FOR BOND RETIREMENT AND INTEREST \$2,000,000.00

FROM THE INSTITUTIONAL BUILDING BOND  
REDEMPTION FUND.

Institutional building bond retirement and interest. FOR BOND RETIREMENT AND INTEREST \$525,000.00

FROM THE GENERAL FUND.

State Auditor. FOR THE STATE AUDITOR:  
For the payment of Local Improvement District Assessments as provided by chapter 205, Laws of 1947 ..... \$50,000.00

Presidential electors. FOR PRESIDENTIAL ELECTORS (including deficiencies) ..... \$689.20

FROM THE MOTOR VEHICLE EXCISE FUND.

Motor vehicle excises; distribution to cities and towns. FOR TRANSFERS AND DISTRIBUTION TO CITIES AND TOWNS AS PROVIDED BY CHAPTER 144, LAWS OF 1943 (including deficiencies) ..... \$19,000,000.00

FROM THE PUBLIC SCHOOL BUILDING BOND  
REDEMPTION FUND.

Public school building bond retirement and interest. FOR BOND RETIREMENT AND INTEREST. \$1,050,000.00

FROM THE VOLUNTEER FIREMEN'S RELIEF AND  
PENSION FUND.

Volunteer firemen's relief and pension claims, etc. FOR CLAIMS, AWARDS AND OTHER EXPENSES ALLOWED BY LAW (including deficiencies) ..... \$44,500.00

FROM THE GENERAL FUND.

Distribution of grazing district receipts. FOR DISTRIBUTION OF FUNDS RECEIVED UNDER THE FEDERAL ACT OF JUNE 28, 1934, 48 STAT. 1273, SECTION 10 (including deficiencies). THESE FUNDS TO BE DISTRIBUTED TO COUNTIES FROM WHICH RECEIPTS WERE DERIVED ..... \$6,000.00



FROM THE WAR VETERANS' COMPENSATION FUND.

FOR THE STATE AUDITOR:

State Auditor.

For Administration and Compensation for Veterans of World War II:

Salaries and Wages .....	\$174,120.00	
Operations .....	46,220.00	
War Veterans' Compensation..	17,925,876.43	
(Expenditures hereunder not to exceed the unexpended balance of appropriation made by chapter 180, Laws of 1949.)		
Total .....	—————	\$18,146,216.43

FROM THE WAR VETERANS' COMPENSATION BOND RETIREMENT FUND.

FOR BOND RETIREMENT AND INTEREST

\$8,500,810.00

War veterans' compensation bond retirement and interest.

FROM THE GENERAL FUND.

FOR TRANSFERS IN EQUAL QUARTERLY INSTALLMENTS:

General Fund transfers.

To Forest Insect and Disease Control Fund .....	\$100,000.00	
To Teachers' Retirement Fund..	6,700,000.00	
To Teachers' Retirement Pension Reserve Fund .....	5,167,500.00	
To United States Vocational Education Fund:		
For the development of Instructional Material for Apprentices and to carry out provisions of chapter 183, Laws of 1939, relating to Vocational Education .....	325,000.00	
To carry out provisions of Senate Bill No. 162 and chapter 176, Laws of 1933, relating to Vocational Rehabilitation ...	570,000.00	
To Eagle Gorge Dam Flood Control Project Fund.....	1,500,000.00	
Total .....	—————	\$14,362,500.00

FROM THE GAME FUND.

To General Fund (being 25% of the amount expended from the Washington State Development Fund by the Department of Game for Capital Outlays).....	\$273,750.00	
--	--------------	--

} Vetoed.

## FROM THE MOTOR VEHICLE EXCISE FUND.

Public  
Service  
Revolving  
Fund.

To Public Service Revolving Fund  
(Reimbursement for costs in-  
curred in collecting excise tax). \$2,067.40

## FROM THE PARKS AND PARKWAY FUND.

To General  
Fund; Dry  
Falls State  
Park.

To General Fund (being the  
amount expended from the  
Washington State Development  
Fund by the State Parks and  
Recreation Commission for con-  
struction of facilities at Dry  
Falls State Park)..... \$389,999.70

## FROM THE GENERAL FUND.

Lieutenant  
Governor.

## FOR THE LIEUTENANT GOVERNOR:

Deficiency, Salaries, Wages and  
Operations (Emergency ap-  
proved March 23, 1949)..... \$616.00

Insurance  
Commis-  
sioners.

## FOR THE INSURANCE COMMISSIONER:

Deficiency, Salaries and Wages  
(Emergency approved March  
30, 1949) ..... \$2,773.62

Superior  
court  
judges.

## FOR THE SUPERIOR COURT JUDGES:

Deficiency, Salaries and Wages  
(Emergency approved April 11,  
1949) ..... \$7,151.93

State  
Athletic  
Commission.

## FOR THE STATE ATHLETIC COMMISSION:

Deficiency, Salaries, Wages and  
Operations (Emergency ap-  
proved April 27, 1949)..... \$259.79

Department  
of Public  
Institutions.FOR THE DEPARTMENT OF PUBLIC  
INSTITUTIONS:

Capitol Buildings and Grounds:  
Deficiency, Operations (Emer-  
gency approved April 27,  
1949) ..... \$15,730.64

FROM THE WASHINGTON STATE PATROL RETIRE-  
MENT FUND.Washington  
State Patrol  
Retirement  
Board.FOR THE WASHINGTON STATE PATROL  
RETIREMENT BOARD:

Deficiency, Pensions, Benefits,  
Awards and Refunds (To reim-  
burse the General Fund Ac-  
count emergencies approved  
August 9, 1950, and February  
28, 1951) ..... \$7,000.00

## FROM THE GENERAL FUND.

FOR THE RELIEF OF THE FOLLOWING INDIVIDUALS, FIRMS AND COR- PORATIONS:	Reliefs:
ARTHUR C. BASEL, refund of amounts paid for the purchase of tract of tide land in the plat of Sunlight Beach .....	Arthur C. Basel.  \$35.00
HERB BOND, refund of amount paid for purchase of certain second- class tide land in Pierce County	Herb Bond.  \$65.40
JOHN E. BOYER and LOUISE BOYER, for settlement of damages for certain tide lands in King County: <i>Provided</i> , That no por- tion of this amount shall become available until the city of Se- attle has paid its portion of the claim .....	John E. Boyer and Louise Boyer.  \$5,500.00
CAPITOL CHEVROLET COMPANY, for insurance on automobile used in connection with Students' Or- atorical Contest .....	Capitol Chevrolet Company.  \$94.62
CARSTENS PACKING COMPANY, ref- und of overpayment of business tax .....	Carstens Packing Company.  \$9,327.38
ARTHUR C. DAHLIN, repairs to au- tomobile damaged in collision with jeep operated by Wash- ington National Guard.....	Arthur C. Dahlin.  \$77.10
H. H. DEHART, refund of rentals erroneously paid in connection with an oil and gas permit.....	H. H. DeHart.  \$257.83
FARNUM AND SEEMAN, Inc., refund of overpayment of sales tax....	Farnum and Seeman, Inc.  \$678.24
GARRISON MINING COMPANY, ref- und of overpayment of corpor- ation license fees.....	Garrison Mining Company.  \$67.50
VINCE J. GUIFFRE and STATE FARM MUTUAL AUTOMOBILE IN- SURANCE COMPANY, damages sus- tained with vehicle of Wash- ington National Guard.....	Vince J. Guiffre and State Farm Mutual Auto- mobile In- surance Co.  \$761.85
ORRIS L. HAMILTON, for travel ex- pense as Superior Court Judge in March, 1949.....	Orris L. Hamilton.  \$38.35
HARBOR PLYWOOD CORPORATION, refund of payment for right of way across the W ½ of NE ¼ and	Harbor Plywood Corporation.

	SE¼ of NE¼ of section 33, township 6 north, range 4 east W. M. ....	\$2,966.40
Louise Hove.	LOUISE HOVE, for personal injuries and medical expenses incident to a fall in National Guard Ar- mory in Seattle on January 16, 1950 .....	\$547.50
C. V. Kuehl.	C. V. KUEHL, damages to property incurred in arrest of criminal in Whitman County.....	\$300.00
Earl M. Madden and Stanley R. Jarvis.	EARL M. MADDEN and STANLEY R. JARVIS, damages to property on account of the forced landing of Washington National Guard airplane .....	\$100.00
Frank E. Mayfield.	FRANK E. MAYFIELD, for material furnished the Commissioner of of Public Lands in May, 1946..	\$83.37
James Morris.	JAMES MORRIS, Sheriff of Clallam County, for reimbursement for trip to St. Louis to return John D. Withers, wanted in two other counties .....	\$315.09
Thomas G. Mortland.	THOMAS G. MORTLAND, refund of amount paid for purchase of certain tide lands located in Deer Lagoon .....	\$198.55
A. Stewart McMorrان.	A. STEWART McMORRAN, legal ser- vices in connection with extra- dition of criminal from British Columbia .....	\$550.00
Luther Nor- wood and The Auto- mobile In- surance Company of Hartford.	LUTHER NORWOOD and THE AUTO- MOBILE INSURANCE COMPANY OF HARTFORD, damages sustained in collision with vehicle of Washington National Guard at Bremerton .....	\$192.32
Dr. S. H. Sussman and The North- western Insurance Company.	DR. S. H. SUSSMAN and THE NORTHWESTERN INSURANCE COM- PANY, damages in collision with vehicle of Washington National Guard at Seattle on March 4, 1949 .....	\$95.25
Frank T. Sager.	FRANK T. SAGER, refund of assets of estate of Lillian B. Cone es- cheated to the state of Wash- ington .....	\$5,375.00
Lyman H. Skow.	LYMAN H. SKOW, damages to au- tomobile in collision with truck	

operated by a member of the Washington National Guard at Seattle on January 21, 1949....	\$182.02	
TRUE'S OIL COMPANY, refund of overpayment of fuel oil tax....	\$10.00	True's Oil Company.
FORD Q. ELVIDGE, for legal services furnished the Un-American Activities Committee.....	\$250.00	Ford Q. Elvidge.
CLEM B. WARNER and OSCAR BROWN, refund in connection with the purchase of certain detached tide lands in Cowlitz County .....	\$162.66	Clem B. Warner and Oscar Brown.
REFUND OF CORPORATION LICENSE FEES:		For refund of corporation license fees.
COLUMBIA GYPSUM PRODUCTS, INC.	\$585.00	
P. E. HARRIS AND COMPANY.....	\$304.55	
SOUTH BAY MOTOR FREIGHT COMPANY, INC.....	\$15.00	
ROSYLN CASCADE COAL COMPANY..	\$17.50	
PEERLESS PACIFIC COMPANY.....	\$216.25	
GENERAL MOTORS CORPORATION...	\$939.57	
REFUND OF SUNDRY FEES AND LICENSES COLLECTED BY THE DEPARTMENT OF FISHERIES:		For refund of sundry fees and licenses collected by The Department of Fisheries.
RUDOLPH MODUM.....	\$5.00	
EARL BELL.....	\$5.00	
HILARY R. BROWN.....	\$55.00	
DONALD W. EASTERLY.....	\$5.00	
C. A. BROCKMAN.....	\$8.92	
H. COY.....	\$54.00	
PAUL WAGNER.....	\$35.76	
REFUND OF UNCLAIMED DIVIDENDS OF THE SPOKANE SAVINGS BANK, ESCHEATED TO THE STATE OF WASHINGTON:		Refund of unclaimed dividends of The Spokane Savings Bank.
JOHANNES BLANKRUD.....	\$518.05	
JOHN CHRISTIANSON.....	\$11.62	
MARGARET JOENS.....	\$58.56	
MRS. PAUL SIEVERS.....	\$5.56	
REFUND OF INHERITANCE TAX:		Refund of inheritance tax.
LENA GUERRINI.....	\$551.73	
VIRGINIA A. HOWSER.....	\$613.50	
WILLIAM BUTLER REMEY ESTATE..	\$1,848.57	

Refund of sales tax on automobiles sold to United States government for amputee veterans.

	<b>REFUND OF SALES TAX ON AUTOMOBILES SOLD TO UNITED STATES GOVERNMENT FOR AMPUTEE VETERANS:</b>	
	BUCHANAN CHEVROLET COMPANY, Spokane .....	\$37.95
	JONES PONTIAC, Wenatchee.....	\$46.31
	MALLON MOTORS, Tacoma.....	\$46.34
	SMITH-GANDY, Inc., Seattle.....	\$92.84
	THORNBERRY MOTORS, Everett.....	\$46.59
	J. H. WEBER CHEVROLET COMPANY, Yakima .....	\$46.54
	WESTLAKE CHEVROLET COMPANY, Seattle .....	\$139.78
	WHITE AND BLESSING MOTOR COM- PANY, Colville .....	\$46.58
	WILSON MOTOR COMPANY, Seattle.	\$46.32
Vetoed.	MESSRS. LANCE, McGUIRE and MURI, architects, for architectural serv- ices at Soldiers' Home at Orting, payment to be made only upon a receipt in full and the dismissal of Thurston County cause No. 23672 with prejudice .....	\$4,000.00

**FROM THE CURRENT SCHOOL FUND.**

O. H. Butterfield.	O. H. BUTTERFIELD, refund of over- payment of rental on state land in Benton County .....	\$124.10
Mary Ship- man Penrose.	MARY SHIPMAN PENROSE, refund of payment for rental on state land in Pierce County .....	\$82.00

**FROM THE GAME FUND.**

Josephine Hasbrook Davis.	JOSEPHINE HASBROOK DAVIS, refund of deposit on unused 1947 game licenses .....	\$444.50
Frank J. Jackson Sporting Goods.	FRANK J. JACKSON SPORTING GOODS, refund of deposit on unused 1949 game licenses .....	\$50.00
Relief for loss of dogs.	<b>RELIEF OF VARIOUS CLAIMANTS FOR LOSS OF DOGS BY POISON PLACED OUT BY DEPARTMENT OF GAME:</b>	
	CLARENCE A. BATES.....	\$75.00
	E. F. G. MEYER.....	\$50.00
	WILLIAM SMITH .....	\$50.00
	MRS. RUSSEL F. TRAVAILLE.....	\$50.00

D. W. BUTTERFIELD and O. J. McLAUGHLIN, damages to strawberry crop by deer .....	\$350.00	D. W. Butterfield and O. J. McLaughlin.
MARION F. DAY, damages to orchard by deer .....	\$324.00	Marion F. Day.
RALPH KILLINGER, damages to crops by trespassing elk .....	\$420.00	Ralph Killinger.
W. W. MUFFLY, damages by trespassing deer .....	\$45.25	W. W. Muffly.
EFFIE ROBINSON, damages by deer..	\$290.00	Effie Robinson.
PAUL E. SPAETH, damage to irrigation ditches by screening operations..	\$407.04	Paul E. Spaeth.
H. A. SUDHOFF, damages to crops and orchard by deer .....	\$678.00	H. A. Sudhoff.
E. E. TURNER, damages to orchard by elk browsing on the trees.....	\$164.00	E. E. Turner.
N. WILSON, damages to crops by trespassing deer .....	\$200.00	N. Wilson.
<b>FROM THE HIGHWAY SAFETY FUND.</b>		
MRS. CLEO HARDING, for injuries suffered in accidental shooting by patrolman on August 30, 1950....	\$2,000.00	Mrs. Cleo Harding.
<b>FROM THE MOTOR VEHICLE FUND.</b>		
L. E. BUTTON, damage to automobile in accident on S. S. H. 1A, May 9, 1949 .....	\$22.00	L. E. Button.
ROY ERICKSON, damage to paint on automobile due to negligence of employee of Department of Highways .....	\$22.66	Roy Erickson.
JIM HINNENKAMP, refund of overpayment of motor vehicle license fees .....	\$12.50	Jim Hinnenkamp.
NEIL TIRE SALES AND SERVICE, refund of gasoline tax to Federal government .....	\$91.64	Neil Tire Sales and Service.
SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY, repairs to railway equipment resulting from a derailment alleged to have been due to negligence of employees of Department of Highways.....	\$486.69	Spokane, Portland and Seattle Railway Company.
TRUE'S OIL COMPANY, refund of tax on export sales of gasoline.....	\$2,368.43	True's Oil Company.
REFUND OF MOTOR VEHICLE LICENSE FEES:		Refund of motor vehicle license fees.
JACK E. CARL.....	\$21.00	
CARL DECKER .....	\$5.50	

ELLIOTT AND VERDUIN.....	\$20.00
CHRIS JACOBSEN .....	\$5.50
LYNDEN TRANSFER, INC.....	\$63.50
BIRCH MCCARTNEY .....	\$46.00
JOSEPH C. MILLER.....	\$30.00
BERNARD H. ROSE.....	\$30.00
WAITSBURG WELDING WORKS.....	\$13.00

Refund of overpayment of motor vehicle license fees.

REFUND OF OVERPAYMENT OF MOTOR VEHICLE LICENSE FEES:

C. ARTHUR APPELO.....	\$3.00
CAPITAL FRUIT AND PRODUCE TRANSPORT COMPANY .....	\$196.75
CHARLES L. CLINE.....	\$20.00
L. M. CRONIN.....	\$3.00
L. DELANDER .....	\$5.00
LAKEVIEW FARMS .....	\$11.50
SHELDON ONSDORFF .....	\$10.50
W. V. RASMUSSEN.....	\$52.00
G. W. RIPLEY.....	\$3.00
STODDARD WENDLE MOTORS.....	\$55.00
CLIFFORD E. TALBOT.....	\$9.50
WARREN BROS. CHEVROLET COMPANY .....	\$5.50
EUGENE WILLMORTH .....	\$5.00
JOHN P. ZAREMBA.....	\$5.00

FROM THE MOTOR VEHICLE EXCISE FUND.

Refund of overpayment of motor vehicle excise tax.

REFUND OF OVERPAYMENT OF MOTOR VEHICLE EXCISE TAX:

C. ARTHUR APPELO.....	\$1.75
CAPITAL FRUIT AND PRODUCE TRANSPORT COMPANY .....	\$75.00
L. M. CRONIN.....	\$4.00
L. DELANDER .....	\$1.00
LAKEVIEW FARMS .....	\$12.55
ALBERT D. MANN.....	\$8.25
M. MCKILLOP .....	\$3.10
MARY E. NICHOLS.....	\$7.00
HENRY B. NORMAN.....	\$3.20
SHELDON ONSDORFF .....	\$8.25
W. V. RASMUSSEN.....	\$16.25
G. W. RIPLEY.....	\$20.00
STODDARD WENDLE MOTORS.....	\$2.50
CLIFFORD E. TALBOT.....	\$1.00
WARREN BROS. CHEVROLET COMPANY .....	\$23.75
EUGENE WILLMORTH .....	\$1.00
JOHN P. ZAREMBA.....	\$1.00



REFUND OF MOTOR VEHICLE EXCISE TAX:

Refund of motor vehicle excise tax.

ANTON ALTHOFF .....	\$4.50
BILES COLEMAN LUMBER COMPANY	\$37.50
F. H. BROWN .....	\$3.75
P. W. BROWN .....	\$3.75
H. A. CONLEE .....	\$3.75
GRAYSON AND BROWN .....	\$26.25
VERA HOKE .....	\$23.75
APOLLONIA M. JACOBI .....	\$3.50
JAMES S. KELLAM .....	\$2.75
RAYMOND LEWIS .....	\$11.25
RICHARD LUOTO .....	\$2.00
FRED NORTH .....	\$4.25
WILBUR PETERSEN .....	\$20.50
R. L. RAGAN .....	\$6.00
CARL A. ROBERTSON .....	\$9.50
L. A. STEWARD .....	\$5.75
ROBERT D. WAGONER .....	\$5.25
DR. SYLVESTER WILHELMY .....	\$11.25

FROM THE PARKS AND PARKWAY FUND.

MARY ELSON, for water damage to personal property while staying in cabin at Sun Lakes State Park..

Mary Elson.

\$47.45

FROM THE PENITENTIARY REVOLVING FUND.

GALE P. FOLLANSBEE, for damages to peach crop on account of undue delay under a picking contract with the State .....

Gale P. Follansbee.

\$185.40

FROM THE GENERAL FUND.

FOR DEFICIENCIES:

For deficiencies.

For supplies, services, etc., furnished various departments and institutions in the previous biennium:

FOR THE ADJUTANT GENERAL—  
MILITARY DEPARTMENT:

Adjutant General.

Deficiency, Base Pay and Operations .....

\$70.66

FOR THE DEPARTMENT OF AGRICULTURE:

Department of Agriculture.

Deficiency, Operations .....

\$1,506.32

FOR THE DEPARTMENT OF CONSERVATION AND DEVELOPMENT:

Department of Conservation and Development.

Deficiency, Operations .....

\$27.55

Department of Fisheries.	FOR THE DEPARTMENT OF FISHERIES: Deficiency, Operations .....	\$89.62
Department of Labor and Industries.	FOR THE DEPARTMENT OF LABOR AND INDUSTRIES: Deficiency, Operations .....	\$323.85
Legislative expense.	FOR LEGISLATIVE EXPENSE: Deficiency, Senate Interim Committee .....	\$231.39
Lieutenant Governor.	FOR THE LIEUTENANT GOVERNOR: Deficiency, Operations .....	\$791.78
	Deficiency, Employer's Contribution to State Employees' Retirement System .....	\$270.35
State Board of Pharmacy.	FOR THE STATE BOARD OF PHARMACY: Deficiency, Services .....	\$34.75
Pollution Control Commission.	FOR THE POLLUTION CONTROL COMMISSION: Deficiency, Operations .....	\$3.12
Department of Public Institutions.	FOR THE DEPARTMENT OF PUBLIC INSTITUTIONS: Deficiencies, various State Institutions .....	\$30,250.56
Association of Superior Court Judges.	FOR THE ASSOCIATION OF SUPERIOR COURT JUDGES: Deficiency, Operations .....	\$1,152.61
Superior court judges.	FOR THE SUPERIOR COURT JUDGES: Deficiency, Services .....	\$10.00
Department of Social Security.	FOR THE DEPARTMENT OF SOCIAL SECURITY: Deficiency, Operations and Assistance .....	\$25,449.69
Tax Commission.	FOR THE TAX COMMISSION OF THE STATE OF WASHINGTON: Deficiency, Operations .....	\$30.17
Veterans' Rehabilitation Council.	FOR THE VETERANS' REHABILITATION COUNCIL: Deficiency, Operations .....	\$529.10
FROM THE GRAIN AND HAY INSPECTION FUND.		
Department of Agriculture.	FOR THE DEPARTMENT OF AGRICULTURE: Deficiency, Operations .....	\$50.73

FROM THE COMMISSION MERCHANTS' FUND.		
Deficiency, Operations .....		\$14.94
FROM THE NURSERY INSPECTION FUND.		
Deficiency, Operations .....		\$7.47
FROM THE SEED FUND.		
Deficiency, Operations .....		\$15.14
FROM THE GAME FUND.		
FOR THE DEPARTMENT OF GAME:		Department of Game.
Deficiency, Operations .....	\$3,008.71	
FROM THE HIGHWAY EQUIPMENT FUND.		
FOR THE DEPARTMENT OF HIGHWAYS:		Department of Highways.
Deficiency, Operations .....	\$224.62	
FROM THE MOTOR VEHICLE FUND.		
Deficiency, Operations .....	\$5,349.83	
FOR THE WASHINGTON STATE PATROL:		Washington State Patrol.
Deficiency, Operations .....	\$211.39	
FROM THE HIGHWAY SAFETY FUND.		
Deficiency, Operations .....	\$212.48	
FROM THE PENITENTIARY REVOLVING FUND.		
FOR THE DEPARTMENT OF PUBLIC INSTITUTIONS:		Department of Public Institutions.
Washington State Penitentiary:		
Deficiency, Operations .....	\$40.32	
FROM THE PARKS AND PARKWAY FUND.		
FOR THE STATE PARKS AND RECREATION COMMISSION:		State Parks and Recreation Commission.
Deficiency, Operations .....	\$3,100.93	
FROM THE GENERAL FUND.		
FOR JUDGMENTS:		For Judgments:
ARTHUR AMUNDSEN (State of Washington vs. Arthur Amundsen, Supreme Court No. 31373, Franklin County No. 1321).....	\$501.81	Arthur Amundsen.
DONALD K. BROWN (State of Washington vs. Donald K. Brown, Supreme Court No. 30993, Spokane County No. 13456).....	\$335.70	Donald K. Brown.
EDGAR H. FLIEHMAN (State of Washington vs. Edgar H. Fliehman, Supreme Court No. 24740, King County No. 223321).....	\$83.70	Edgar H. Fliehman.

Bess E. Gilroy.	BESS E. GILROY (State of Washington vs. Bess E. Gilroy, Supreme Court No. 25561, King County No. 229585) . . . . .	\$233.80
Lee Raymond Goebel.	LEE RAYMOND GOEBEL (State of Washington vs. Lee Raymond Goebel, Supreme Court No. 25247, King County No. 227294)	\$416.67
John E. Hartwig.	JOHN E. HARTWIG (State of Washington vs. John E. Hartwig, Supreme Court No. 31305, Okanogan County No. 04104) . . . . .	\$806.65
Francis E. Lane.	FRANCIS E. LANE (State of Washington vs. Francis E. Lane, Supreme Court No. 25395, King County No. 230307) . . . . .	\$261.18
Charles S. Markley.	CHARLES S. MARKLEY (State of Washington vs. Charles S. Markley, Supreme Court No. 25005, King County No. 221551) . . . . .	\$184.39
Frank M. McVeigh.	FRANK M. McVEIGH (State of Washington vs. Frank M. McVeigh, Supreme Court No. 24649, King County No. 224639) . . . . .	\$208.45
Louie Smotherman.	LOUIE SMOTHERMAN (State of Washington vs. Louie Smotherman, Supreme Court No. 25821, King County No. 232703) . . . . .	\$169.70
Jesse Richard Willis.	JESSE RICHARD WILLIS (State of Washington vs. Jesse Richard Willis, Supreme Court No. 25565, King County No. 231100) . . . . .	\$310.75

Local improvement assessments.

LOCAL IMPROVEMENT ASSESSMENTS:

Sundry municipalities, for local improvement assessments against state-owned lands as follows: *Provided*, That the payment for local improvement assessments from the following appropriations shall be made only in accordance with the terms and provisions of section 79.44.050, R.C.W.:

[R.C.W. 79.44.050 was derived from sec. 1, ch. 109, L. '33 (Rem. Supp. § 8129).]

Treasurer of Cowlitz County.

FOR THE TREASURER OF COWLITZ COUNTY:

Sewer District No. 16. . . . . \$66.68

FOR THE TREASURER OF ADAMS COUNTY:		Treasurer of Adams County.
East Columbia Basin Irrigation District .....	\$258.95	
South Columbia Basin Irrigation District .....	\$450.54	} Vetoed.
FOR THE TREASURER OF BENTON COUNTY:		
Sunnyside Irrigation District....	\$5,140.44	
FOR THE TREASURER OF FRANKLIN COUNTY:		Treasurer of Franklin County.
South Columbia Basin Irrigation District .....	\$450.54	
FOR THE TREASURER OF GRANT COUNTY:		Treasurer of Grant County.
South Columbia Basin Irrigation District .....	\$102.34	
East Columbia Basin Irrigation District .....	\$206.79	
Quincy Columbia Basin Irrigation District .....	\$443.21	
FOR THE TREASURER OF GRAYS HAR- BOR COUNTY:		Treasurer of Grays Har- bor County.
Sewerage Improvement District No. 5 .....	\$73.85	
FOR THE TREASURER OF OKANOGAN COUNTY:		Treasurer of Okanogan County.
Whitestone Reclamation District	\$2,632.50	
Wolf Creek Reclamation District.	\$1,219.00	
FOR THE TREASURER OF YAKIMA COUNTY:		Treasurer of Yakima County.
Roza Irrigation District.....	\$2,878.07	
Yakima-Tieton Irrigation District	\$823.20	
FOR THE STATE CAPITOL COMMITTEE:		State Capitol Committee.
Portrait of the Honorable Clar- ence D. Martin .....	\$650.00	
Portrait of the Honorable Mon C. Wallgren .....	650.00	
Total .....	<hr/>	\$1,300.00
(Being the reappropriation of the unexpended balance of appropriations made for like purposes by chapter 242, Laws of 1949.)		

FROM THE CAPITOL BUILDING CONSTRUCTION FUND.

Construction of Roads, Fills, Parkways and other Improvements.. \$200,000.00  
 (Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 47, Laws of 1949.)

FROM THE PARKS AND PARKWAY FUND.

State Parks and Recreation Commission.

FOR THE STATE PARKS AND RECREATION COMMISSION:

Capital Outlays and Major Repairs ..... \$158,845.85  
 (Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949.)

Purchase, Condemnation and Improvement of Land, Construction of Buildings and other Improvements, including necessary Salaries and Wages incident thereto, allocated as follows:

Beacon Rock State Park.....	\$1,974.86
Bogachiel State Park.....	506.82
Bridgeport State Park.....	10,000.00
Camano Island State Park....	1,138.90
Conconully State Park.....	2,442.77
Field's Spring State Park.....	8,281.52
Ginkgo Petrified Forest State Park .....	8,780.00
Kamiak Butte State Park.....	6,816.41
Lake Sylvia State Park.....	1,932.50
Larrabee State Park .....	2,750.00
Lewis and Clark Trail State Park .....	590.00
Mt. Spokane State Park.....	22,819.44
Mukilteo State Park.....	65,000.00
Palouse Falls State Park.....	4,145.76
Pend Oreille State Park.....	2,200.00
Riverside State Park.....	40,502.57
Saltwater State Park.....	7,000.00
Sun Lakes State Park.....	5,257.76
Twanoh State Park .....	8,758.45
Wenatchee Lake State Park....	601.75
Fort Columbia State Park.....	751.55
Hidden Valley State Park.....	71.09

Historical Sites (purchase and develop) .....	\$10,418.42	
Total .....	<hr/>	\$212,740.57
(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 52, Laws of 1949.)		

FROM THE GENERAL FUND.

<b>FOR THE TUBERCULOSIS HOSPITAL BUILDING COMMISSION:</b>		Tuberculosis Hospital Building Commission.
Construction of Pierce County Tuberculosis Hospital .....		\$800,000.00
(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 241, Laws of 1949.)		
<b>FOR THE DEPARTMENT OF FISHERIES:</b>		Department of Fisheries.
Lower Columbia River Development .....		\$1,135,508.98
(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949; expenditures herefrom to be limited to approved projects upon which reimbursement of 100% will be made by the Federal government.)		
Capital Outlays, Major Repairs and Betterments .....		\$31,222.00
(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949.)		

FROM THE GAME FUND.

<b>FOR THE DEPARTMENT OF GAME:</b>		Department of Game.
Construction of Concrete Raceways; Replacement of Water Intake System and Pipe Line destroyed by flood at the Tokul Creek Hatchery .....		\$35,750.00
(Being the reappropriation of the unexpended balance of allotments approved by the Govern-		

nor for like purposes from the appropriation by chapter 242, Laws of 1949.)

FROM THE GENERAL FUND.

Department of Public Institutions.

FOR THE DEPARTMENT OF PUBLIC INSTITUTIONS:

Engineering, Architects' Fees and Surveys, including Timekeeping and Administrative Expenses, in connection with earthquake damage repairs to State Buildings .....	\$25,510.89	
Earthquake damage repairs to the Temple of Justice.....	97,585.08	
Rebuilding the State Insurance Building .....	2,000.00	
Earthquake damage repairs to the Legislative Building, including the replacement of the cupola...	39,000.00	
Total .....	<hr/>	\$164,095.97
(Being the reappropriation of the unexpended balance of allotments approved by the Governor for like purposes from the appropriation by chapter 88, Laws of 1949.)		
Engineering and Architects' Fees for the construction of new buildings at the State Charitable, Educational and Penal Institutions .....		\$150,000.00
(Being the reappropriation of the unexpended balance of allotments approved by the Governor for like purposes from the appropriation by chapter 242, Laws of 1949: <i>Provided</i> , That the General Fund shall be reimbursed for amounts expended hereunder by allotment from the Institutional Building Construction Fund.)		
Painting, Repairs and Alterations to Buildings .....		\$3,264.73
(Being the reappropriation of the unexpended balance of appropriation for like purposes by chapter 242, Laws of 1949.)		



FOR THE WASHINGTON STATE PATROL:

Washington  
State Patrol.

Patrol Headquarters and Vehicle Safety Inspection Testing Lanes at Spokane, Seattle, and Tacoma (Being the reappropriation of the unexpended balance of ap- propriation made for like pur- poses by chapter 242, Laws of 1949.)	\$58,252.24
--	-------------

FROM THE HIGHWAY SAFETY FUND.

Capital Outlays, Major Repairs and Betterments .....	\$9,500.00
(Being the reappropriation of the unexpended balance of ap- propriation made for like pur- poses by chapter 242, Laws of 1949.)	

FROM THE GENERAL FUND.

FOR THE DEPARTMENT OF PUBLIC

Department  
of Public  
Institutions.

INSTITUTIONS:

Eastern State Hospital:	
Completion of Senile Ward Building .....	\$22,409.39
Equipment for Senile Ward Building .....	19,304.69
Northern State Hospital:	
Capital Outlays, Major Repairs and Betterments .....	13,453.37
Western State Hospital:	
Completion of Men's Ward Building .....	161,102.67
Equipment for Men's Ward Building .....	46,598.02
Construction of Sewage Disposal Plant .....	157,500.00
Total .....	\$420,368.14
(Being the reappropriation of the unexpended balances of ap- propriations made for like pur- poses by chapter 242, Laws of 1949.)	

Northern State Hospital:

Enlarging of Kitchen, Cold Stor- age and Dining Room Facili- ties .....	\$944.73
---	----------

Rainier State School:

Construction of four Ward  
Buildings; to provide inspec-  
tion during construction; and

for extension of Steam, Power and Water Services, Power Plant Facilities, Sewage Disposal System, and the purchase of equipment and furnishings for the Kitchen, Ward and Dormitories..... \$2,555.67

State Training School:

Construction of new Dormitory Buildings, rebuild Sewer System, renovation of the Refrigeration Plant, renew Boiler, Stoker and Power Plant Facilities, and renew Steam Lines ..... 8,139.89

Total .....                      \$11,640.29

(Being the reappropriation of the unexpended balance of allotments approved by the Governor for like purposes from the appropriation by chapter 242, Laws of 1949.)

University of Washington.

FOR THE UNIVERSITY OF WASHINGTON:

Expansion of Power House and Construction of Underground Utilities to service new buildings ..... \$750,000.00

(Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949.)

State College of Washington.

FOR THE STATE COLLEGE OF WASHINGTON:

Furnishings and Equipment for Holland Library, Todd Hall, and Technology Buildings ..... \$226,543.29

Expansion of Power House and construction of Utilities Tunnels to service new buildings... 69,191.17

Total .....                      \$295,734.46

(Being the reappropriation of the unexpended balance of appropriations made for like purposes by chapter 242, Laws of 1949.)

Central Washington College of Education.

FOR THE CENTRAL WASHINGTON COLLEGE OF EDUCATION:

Survey, Repairs, and Replacement

of Steam Distribution Lines of campus buildings ..... \$85,000.00  
 (Being the reappropriation of the unexpended balance of allotments approved by the Governor for like purposes from the appropriation by chapter 242, Laws of 1949.)

FOR THE WESTERN WASHINGTON COLLEGE OF EDUCATION:

Completion of Auditorium and Music Building and Equipment. \$34,339.46  
 (Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949.)

Western Washington College of Education.

FOR THE STATE BOARD OF EDUCATION:

Grants-in-aid to School Districts, to be expended in accordance with the provisions of chapter 278, Laws of 1947, and laws amendatory or supplementary thereto ..... \$2,009,829.57  
 (Being the reappropriation of the unexpended balance of appropriation made for like purposes by chapter 242, Laws of 1949.)

State Board of Education.

SEC. 3. The remaining sections of this act shall constitute a new chapter under title 82, R.C.W., and shall be headed "*Corporation Excise Tax.*"

"Corporation Excise Tax."

SEC. 4. ARRANGEMENT AND CLASSIFICATION. No inference, implication, or presumption of legislative construction shall be drawn or made by reason of the location or grouping of any particular section, provision, or portion of this chapter, nor shall the descriptive matter or headings relating to any part, section, subsection, or paragraph be given any legal effect.

Construction of act.

SEC. 5. DEFINITION. (a) *In General.* For the purpose of this chapter:

Definitions.

(1) "Bank" means a financial institution other than a national banking association;

"Bank."

"Corporation."

(2) "Corporation" includes every corporation and every company, joint-stock company, joint-stock association, business trust, society, or other association organized for profit and doing business in this state wherein interest or ownership is evidenced by certificates or other written instruments or wherein the interests or rights of shareholders, members, associates, or beneficiaries are represented or evidenced by units or shares, and unless otherwise indicated by the context shall be construed to include banks, federal savings and loan associations, and national banking associations;

"Dividend."

(3) "Dividend" has the meaning attributed to it under section 11(b) of this act;

"Domestic."

(4) "Domestic" when applied to a corporation other than an association, means created under the laws of the state of Washington;

"Fiduciary."

(5) "Fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person;

"Fiscal Year."

(6) "Fiscal year" means an accounting period of twelve months ending on the last day of any month other than December;

"Foreign."

(7) "Foreign" when applied to a corporation, means a corporation which is not domestic;

"Includes" and "including."

(8) "Includes" and "including" when used in a definition contained in this chapter shall not be deemed to exclude other things otherwise within the meaning of the word defined;

"Internal revenue code."

(9) "Internal revenue code" means the internal revenue code of the United States (53 Stat. 1) as amended and in force on the day this chapter becomes effective;

"Paid or incurred" and "paid or accrued."

(10) "Paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this chapter;

- (11) "Person" means an individual, a trust or estate, a partnership, or a corporation; "Person."
- (12) "Received," for the purpose of computing net income, means "received or accrued"; the words "received or accrued" to be construed according to the method of accounting upon the basis of which the net income is computed under this chapter; "Received."  
"Received or accrued."
- (13) "Shareholder" includes a member in an association, joint-stock company, or insurance company; "Shareholder."
- (14) "Stock" includes a share in an association, joint-stock company or insurance company; "Stock."
- (15) "Commission" and "tax commission" each mean the tax commission of this state; "Commission" and "tax commission."
- (16) "Taxable year" means the calendar year or the fiscal year ending during such calendar year upon the basis of which the net income is computed under this chapter. "Taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this chapter, the period for which such return is made; "Taxable year."
- (17) "Taxpayer" means any person subject to a tax imposed by this chapter; "Taxpayer."
- (18) "State," unless otherwise indicated by the text, means the state of Washington; "State."
- (19) "Trade or business" includes the engaging in or carrying on of any trade, business, or commercial activity in the state; "Trade or business."
- (20) "United States," when used in a geographical sense, includes only the states, the territories and island possessions of the United States, and the District of Columbia; and "United States."
- (21) Words in the singular number shall include the plural, and the plural shall include the singular. Words in one gender shall include all other genders. Singular includes plural, etc.
- (b) *References to Internal Revenue Code.* Whenever the internal revenue code is mentioned in this chapter the particular portions thereof so mentioned, References to Internal Revenue Code.

and any provisions of the internal revenue code therein referred to, shall be regarded as incorporated in this chapter by such reference and shall have effect as though fully set forth herein.

Taxable years to which applicable.

SEC. 6. TAXABLE YEARS TO WHICH APPLICABLE. The provisions of this chapter shall apply (i) to all taxable years beginning after the effective date of this chapter, and (ii) to taxable years beginning prior to, but ending after the effective date of this chapter, as to which taxable years the income taxable under this chapter shall be either—

(A) The portion of the income for the entire taxable year produced by applying to the income for the entire taxable year a fraction equal to the number of days remaining in the taxable year ending after the effective date of this chapter, divided by three hundred sixty-five, or

(B) If the taxpayer's records properly reflect the income attributable to that part of the taxable year subsequent to the effective date of this chapter, the income actually received or accrued by the taxpayer after the effective date of this chapter and the end of the taxable year.

Tax on corporations and banks. (a) Tax on corporations and certain banks.

SEC. 7. TAX ON CORPORATIONS AND BANKS. (a) *Tax on Corporations and Certain Banks.* Every bank and corporation other than a federal savings and loan association or national banking association, for the privilege of exercising its corporate franchise in this state or for the privilege of doing business in this state, shall annually pay to the state, in addition to annual license fees, an excise tax according to, or measured by, its net income equal to four per cent of such net income for the preceding calendar year or fiscal year computed and allocated to this state in the manner hereinafter provided;

(b) Tax on National Banks and Federal Savings and Loan Associations.

(b) *Tax on National Banks and Federal Savings and Loan Associations.* There is hereby levied upon, and there shall be collected from and paid by every

federal savings and loan association and every national banking association, for each taxable year, a tax according to, or measured by, its net income equal to four per cent of such net income from sources within the state. With respect to national banking associations, the state is hereby adopting the fourth method of taxing national banks as authorized by the act of March 25, 1926, amending section 5219, Revised Statutes of the United States (12 U.S.C. sec. 548);

(c) *Initial Tax—Basis of.* Such tax shall be first computed according to, or measured by, the net income of the bank or corporation received during the calendar year 1951, subsequent to the effective date of this chapter, or during any fiscal year, beginning before, but ending in 1951 after the effective date of this chapter. (c) Initial tax—basis of.

SEC. 8. EXEMPT CORPORATIONS. (a) *In General.* The following instrumentalities shall be exempt from taxation under this chapter. Any corporation which is exempted from taxation under section 101 of the internal revenue code, except the following: (1) mutual savings banks; (2) building and loan associations; (3) cooperative banks; and (4) corporations organized under act of congress which are instrumentalities of the United States: *Provided, however,* That such corporations shall be exempt under this chapter only to the extent required under the Constitution and laws of the United States. Exempt corporations.  
(a) In general.

(b) *Insurance companies.* Insurance companies, taxed on the basis of gross premiums under the provisions of chapter 48.14, R.C.W., shall be exempt from taxation under this chapter. (b) Insurance companies.

[Chapter 48.14 R.C.W. was derived from Rem. Supp. 1945, §§ 45.14.01 to 45.14.07 incl., as amended; also Rem. Supp. 1949, § 45.14.08.]

SEC. 9. "NET INCOME" DEFINED. Net income means the gross income of a taxpayer less the deductions allowed by this chapter. "Net income," defined.

SEC. 10. GROSS INCOME AND ADJUSTED GROSS INCOME DEFINED. (a) *Gross Income*.

"Gross income."

(1) "Gross income," as used in this chapter, includes gains, profits, and income derived from businesses, commerce, or sales or dealings in property, whether real or personal, growing out of the ownership, or use of, or interest in, such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits, and income derived from any source whatever.

(2) In the case of a national banking association, and a corporation, gross income includes only the gross income from sources within the state of Washington, determined as provided in section 22 of this act.

"Adjusted gross income."

(b) *Adjusted Gross Income*. The term "adjusted gross income" means the gross income, minus such deductions, allowable under the provisions of section 16 of this act, as are enumerated in section 22(n) of the internal revenue code.

Gross income—corporate distributions.  
(a) General rule.

SEC. 11. GROSS INCOME—CORPORATE DISTRIBUTIONS. (a) *General Rule*. Distribution by corporations, including dividends, stock dividends, stock rights, and amounts distributed in complete or partial liquidation, shall be included in the gross income of the shareholders to the extent that such distributions are taxable to the shareholders under the provisions of subsection (e) of section 22, and subsection (b), subsection (c) except the third sentence thereof, and subsections (d), (f), (g), (h), (i), (j), (l), and (m) of section 115 of the internal revenue code. In applying the provisions of the said subsections of the internal revenue code, section 115, to this chapter, (1) the effective date of this chapter shall be substituted for "March 1, 1913" and (2) the day immediately preceding the effective date of this chapter



shall be substituted for "February 28, 1913," whenever said dates appear in the internal revenue code.

(b) *Definition of Dividend.* The term "dividend" means any distribution made by a corporation to its shareholders, whether in money or in other property, (1) out of its earnings or profits accumulated on and after the effective date of this chapter, or (2) out of the earnings or profits of the taxable year (computed as of the close of the taxable year without diminution by reason of any distributions made during the taxable year), without regard to the amount of the earnings and profits at the time the distribution was made.

(b) Definition of dividend.

SEC. 12. GROSS INCOME—GAIN OR LOSS. (a) *In General.* In the case of a sale or other disposition of property, the gain or loss shall be computed as provided in subsection (b) of this section.

Gross income—gain or loss.  
(a) In general.

(b) *Computation of Gain or Loss.* (1) The gain from the sale or other disposition of property shall be the excess of the amount realized therefrom over the adjusted basis provided in subsections (d), (e), and (f) of this section for determining gain, and the loss shall be the excess of the adjusted basis provided in such subsections for determining loss over the amount realized.

(b) Computation of gain or loss.

(2) The amount realized from the sale or other disposition of property shall be the sum of any money received plus the fair market value of the property (other than money) received.

(3) Nothing in this section shall be construed to prevent (in the case of property sold under contract providing for payment in installments) the taxation of that portion of any installment payment representing gain or profit in the year in which such payment is received.

(c) *Recognition of Gain or Loss.* Upon the sale or exchange of property the gain or the loss thereon shall be recognized to the same extent and under

(c) Recognition of gain or loss.

the same conditions as gain or loss is recognized under the internal revenue code, section 112.

(d) Basis for gain—property acquired before effective date of this chapter.

(d) *Basis for Gain—Property Acquired Before Effective Date of This Chapter.* In the case of property acquired before the effective date of this chapter, if the basis otherwise determined under subsection (f) of this section, adjusted (for the period prior to the effective date of this chapter) as therein provided, is less than the fair market value of the property as of said effective date, then the basis for determining gain shall be such fair market value. In determining the fair market value of stock in a corporation as of the effective date of this chapter, due regard shall be given to the fair market value of the assets of the corporation as of that date.

(e) Basis for all other cases.

(e) *Basis for All Other Cases.* For the purpose of determining gain in the case of property acquired from and after the effective date of this chapter, and for the purpose of determining loss in the case of property, whenever acquired, the basis, unadjusted and adjusted, shall be determined in accordance with the provisions of subsection (f) of this section.

(f) Computation of basis.

(f) *Computation of Basis.* The basis, unadjusted and adjusted, for determining gain or loss shall be computed in accordance with the provisions of section 113 of the internal revenue code.

Gross income—inventories.

SEC. 13. GROSS INCOME—INVENTORIES. Whenever in the opinion of the tax commission the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the tax commission may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting income. Any method prescribed or permitted under the internal revenue code and its administration shall be available under this chapter.

SEC. 14. GROSS INCOME—COMMODITY CREDIT LOANS. Amounts received as loans from the commodity credit corporation shall, at the election of the taxpayer, be considered as income and shall be included in gross income for the taxable year in which received. If a taxpayer exercises the election for any taxable year then the method of computing income so adopted shall be adhered to with respect to all subsequent taxable years unless with the approval of the tax commission a change to a different method is authorized.

Gross income—  
commodity  
credit loans.

SEC. 15. EXCLUSIONS FROM GROSS INCOME. The following items shall not be included in gross income and shall be exempt from taxation under this chapter:

Exclusion  
from gross  
income.

(a) *Life Insurance.* The amounts received under a life insurance contract paid by reason of the death of the insured, whether in a single sum or otherwise (if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income);

(a) Life  
insurance.

(b) *Annuities, Etc.* Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts) under life insurance, endowment or annuity contracts, either during the term or at maturity or upon the surrender of the contract, equal to the total amount of premiums paid thereon. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life insurance, endowment or annuity contract or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be excluded from gross income under this subdivision or subdivision (a) of this section;

(b) Annuities.

(c) *Gifts, Bequests, Devises and Inheritances.* The value of property acquired by gift, bequest,

(c) Gifts,  
bequests,  
devises and  
inheritances.

devise, or inheritance, to the extent that the same is excluded from or included in gross income under the provisions of paragraph (3) of section 22(b) of the internal revenue code, but the income from such property shall be included in gross income;

(d) Interest.

(d) *Interest.* To the extent only that the inclusion of such interest as a measure of the tax imposed by this chapter is prohibited by the Constitution of the United States or the state Constitution—

(1) Interest upon the obligations of the United States, its territories, possessions, and corporate instrumentalities, and

(2) Upon the obligations of a state, or any political subdivision thereof;

(e) Income exempt under treaty.

(e) *Income Exempt Under Treaty.* Income of any kind, to the extent required by any treaty obligation of the United States;

(f) Improvements by lessee on lessor's property.

(f) *Improvements by Lessee on Lessor's Property.* Income, other than rent, derived by a lessor of real property upon the termination of a lease, representing the value of such property attributable to buildings erected or other improvements made by the lessee;

(g) Recovery of bad debts, prior taxes, and delinquency amounts.

(g) *Recovery of Bad Debts, Prior Taxes, and Delinquency Amounts.* Income attributable to the recovery during the taxable year of a bad debt, prior tax, or delinquency amount, to the extent of the amount of the recovery exclusion with respect to such debt, tax, or amount. For the purpose of this subsection the terms "bad debt," "prior tax," "delinquency amount," and "recovery exclusion," shall have the meaning attributed to such terms in paragraph (12) of section 22(b) of the internal revenue code;

(h) Treasury bills.

(h) *Treasury Bills.* Gain derived from the sale or other disposition of treasury bills issued after June

30, 1930, to the extent only required by the laws of the United States.

SEC. 16. DEDUCTIONS FROM GROSS INCOME. In computing net income there shall be allowed as deductions: (a) *In General*. To the extent that such items are allowable as deductions under the designated provisions of the internal revenue code:

Deductions from gross income. (a) In general.

- (1) Expenses, as provided in section 23(a);
- (2) Interest, as provided in section 23(b);
- (3) Losses by corporations, as provided in section 23(f);
- (4) Bad debts, as provided in section 23(k);
- (5) Depreciation, as provided in section 23(l);
- (6) Contributions by an employer to an employees' trust or annuity plan and compensation under a deferred-payment plan, as provided in section 23(p) (1);

(7) Charitable and other contributions by corporations, as provided in section 23(q);

(b) *Taxes*. Taxes paid or accrued within the taxable year except;

(1) Income taxes, war-profits and excess-profits taxes, and taxes measured by net income;

(2) Taxes assessed against local benefits of a kind tending to increase the value of the property assessed, imposed by the authority of (i) the state of Washington or a municipal subdivision thereof, (ii) the United States or any of its territories or possessions, (iii) any state of the United States or any municipal subdivision thereof, or (iv) any foreign government; and

(3) Taxes paid upon or with respect to property, business, occupations or transactions the income from which is not taxable under this chapter;

(c) *Capital Losses*. Losses from sales or exchanges of capital assets shall be allowed only to the extent provided in section 21 of this act, and in conformity with the provisions of paragraphs (2),

(c) Capital losses.

(3), and (4) of section 23(g) of the internal revenue code.

(d) Wagering losses.

(d) *Wagering Losses.* Losses from wagering transactions to the extent of the gains from such transactions.

(e) Depletion.

(e) *Depletion.* In the case of mines, oil and gas wells, other natural deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements in accord with the provisions of section 23(m) and paragraphs (3) and (4) of section 114(b) of the internal revenue code.

(f) Dividends.

(f) *Dividends.* Any dividend received from any corporation taxable under this chapter shall be deductible, but only to the extent that the portion of said distributing corporation's net income represented by said dividend, constituted, or will constitute, the basis for a tax payable under this chapter.

(g) Certain distributions.

(g) *Certain Distributions.* That proportion of the amounts paid or credited during a taxable year to its members or depositors by a savings and loan association, mutual savings bank or organization of like character operating on a mutual plan upon withdrawable shares, savings accounts or deposits, which the number of days in such taxable year bears to three hundred and sixty-five.

(gg) Discriminatory deductions.

(gg) *Discriminatory Deductions.* If any deduction provided for in this section is finally adjudged discriminatory against a national banking association contrary to Title 12, section 548, United States Code, or is for any reason adjudged invalid, in that event the tax of the favored taxpayer shall be recomputed by the commission for each taxable year in question, as of the time of allowance of the deduction, by disallowing the deduction, and any difference between the amount of the tax as recomputed and the amount of the tax as originally computed shall be subject to the provisions hereof relating to original computations.

(h) *Allocation of Deductions.* The deductions allowed under subsections (a) to (e) inclusive, of this section shall be allowed only if, and to the extent that, they are connected with income arising from sources within the state and allocable to the state under the provisions of subsections (a), (b) and (c) of section 22 of this act. The proper apportionment and allocation of the deductions with respect to sources of income within and without the state shall be determined under rules and regulations to be prescribed by the tax commission.

(h) Allocation of deductions.

SEC. 17. DEDUCTIONS—LOSSES FROM WASH SALES. Any loss claimed to have been sustained from the sale or other disposition of stock or securities under the circumstances stated in section 118 of the internal revenue code shall be allowed only to the extent permitted under the terms of said section 118. The tax commission shall prescribe regulations conforming as nearly as may be with those prescribed under the federal law for the purpose of making this section effective.

Deductions—losses from wash sales.

SEC. 18. DEDUCTIONS—BASIS. (a) *Losses and Bad Debts.* The basis for determining the amount of deduction for losses sustained, to be allowed under section 16(a) (3), and for bad debts, to be allowed under section 16(a) (4), shall be the adjusted basis provided in section 12(f) for determining the loss from the sale or other disposition of property.

Deductions—basis. (a) Losses and bad debts.

(b) *Depreciation.* The basis upon which exhaustion, wear and tear, and obsolescence are to be allowed in respect of any property shall be the adjusted basis provided in section 12(f) for the purpose of determining the gain upon the sale or other disposition of such property.

(b) Depreciation.

(c) *Depletion.* (1) The basis upon which depletion is to be allowed in respect of any property shall be the adjusted basis provided in section 12(f) for the purpose of determining the gain upon the

(c) Depletion.

sale or other disposition of such property, except as provided in paragraph (2) of this subsection.

Same; cer-  
tain mines.

(2) To the extent permitted under the provisions of section 114(b)(2) of the internal revenue code and subject to the restrictions and limitations imposed under the provisions of the said section 114(b)(2), the tax commission may provide by regulation that the basis for depletion in the case of mines of the type prescribed in said section 114(b)(2) discovered by the taxpayer from and after the date when this chapter becomes effective, shall be the discovery value of such mines.

Deductions—  
return of  
total income.

SEC. 19. DEDUCTIONS—RETURN OF TOTAL INCOME. A corporation shall receive the benefits of the deductions allowed to it under section 16 only by filing or causing to be filed with the tax commission an accurate and true return of its total income received from all sources, whether within or without the state.

Gross income  
—items not  
deductible.

SEC. 20. GROSS INCOME—ITEMS NOT DEDUCTIBLE. In computing net income under this chapter no deduction shall be allowable in respect of any item which, under the provisions of section 24 of the internal revenue code, is not allowed as a deduction for the purpose of computing net income under the said code.

Capital gains  
and losses.  
(a) Amount  
taken into  
account.

SEC. 21. CAPITAL GAINS AND LOSSES. (a) *Amount Taken Into Account.* In the case of a taxpayer subject to the provisions of this chapter the entire amount of the gain or loss recognized upon the sale or exchange of a capital asset shall be taken into account in computing net capital gain, net capital loss, and net income.

(b) Internal  
revenue code  
provisions  
incorporated.

(b) *Internal Revenue Code Provisions Incorporated.* For the purpose of this section, all of the provisions of subsections (a), (d)(1), (e)(1), (f), (g), (h), (i), (j), (k), (l), and (m) of section 117 of the internal revenue code shall apply, to the



extent that such provisions are not in conflict with the express provisions of this chapter, as though fully set forth herein.

SEC. 22. INCOME—ALLOCATION AND APPORTIONMENT. (a) *Allocation—Property, Business and Personal Service.* Interest, rents, royalties, gains, profits and income (less related deductions) received or derived in connection with property owned, or a trade or business carried on and compensation for personal services performed in the state of Washington shall be allocated to the state, and where received or derived in connection with property owned, or with a trade or business carried on or service performed without the state shall be allocated without the state.

Income—allocation and apportionment. (a) Allocation—property, business and personal service.

(b) *Allocation—Separate Accounting.* Where the trade or business of a taxpayer is carried on both within and without the state the tax shall be computed upon such portion of the taxpayer's entire net income as is received or derived from sales wherever made of goods, wares and merchandise manufactured or originating in the state, and also from other business done or property located within the state. Such portion of the net income allocable to the state shall be determined by an allocation and separate accounting based upon the books of the taxpayer.

(b) Allocation—separate accounting.

(c) *Apportionment of Net Income.* The state shall be apportioned all net income of domestic corporations with no places of business outside the state. In cases where the books of the taxpayer do not in the opinion of the tax commission clearly and accurately state all of the factors so as to reflect clearly and accurately the allocation of business done and income received or derived, to the state, then the tax shall be computed upon such proportion of the entire net income of such taxpayer as the sales, payroll, and value of tangible property located in the state on the last day of the taxable year bears

(c) Apportionment of net income.

to sales, payroll, and value of tangible property within and without the state. In determining the fair market value of property situated without the state, the tax commission may accept the values as given in the taxpayer's books, if in its opinion, the same are reasonably correct, and the commission may also require the taxpayer to furnish under oath such other evidence of the fair market value of such property as it may find to be necessary. If, however, in the opinion of the tax commission the methods of allocation hereinabove provided do not clearly and accurately reflect the actual amount of the net income received or derived from any and every source in the state or from all property owned and every trade or business carried on in the state by the taxpayer, then the same shall be determined, allocated and apportioned under such rules and regulations, processes and formulae as the tax commission shall prescribe.

**Accounting  
periods—  
general rule.**

SEC. 23. ACCOUNTING PERIODS—GENERAL RULE. The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the tax commission does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 5, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. If the taxpayer makes a federal income tax return, its income shall be computed, for the purposes of this chapter, on the basis of the same

calendar or fiscal year as in such federal income tax return.

SEC. 24. PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED. The taxable year in which the amount of any item of gross income shall be regarded as gross income for the purposes of this chapter shall be determined in accordance with the provisions of section 42 of the internal revenue code.

Period in which items of gross income included.

SEC. 25. ACCOUNTING PERIODS—DEDUCTIONS AND CREDITS. The taxable year in which any deduction or credit allowed under this chapter shall be taken shall be determined in accordance with the provisions of section 43 of the internal revenue code.

Accounting periods—deductions and credits.

SEC. 26. ACCOUNTING PERIODS—INSTALLMENT BASIS. (a) *Dealers in Personal Property*. Under regulations prescribed by the commission, a corporation which regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that portion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed, bears to the total contract price.

Accounting periods—installment basis. (a) Dealers in personal property.

(b) *Sales of Realty and Casual Sales of Personalty*. In the case (1) of a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of a taxpayer if on hand at the close of the taxable year), for a price exceeding \$1,000 or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 30 *per centum* of the selling price, the income may, under regulations prescribed by the commission, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of

(b) Sales of realty and casual sales of personalty.

indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

(c) Change from accrual to installment basis.

(c) *Change From Accrual to Installment Basis.* If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report its net income on the installment basis, then in computing its income for the year of change or any subsequent year, amounts actually received during any such year on account of sales or other dispositions of property made in any prior year shall not be excluded.

(d) Gain or loss upon disposition of installment obligations.

(d) *Gain or Loss Upon Disposition of Installment Obligations.* If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect of which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. If an installment obligation is distributed by one corporation to another corporation in the course of a liquidation, and under section 112(b)(6) of the internal revenue code no gain or loss with respect to the receipt of such obligation is recognized in the case of the recipient corporation, then no gain or loss with respect to the distribution of such obligation shall be recognized in the case of the distributing corporation.

SEC. 27. ACCOUNTING PERIODS—CHANGE OF PERIOD. If a taxpayer changes its accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the tax commission, be computed on the basis of such new accounting period, subject to the provisions of section 28 of this act.

Accounting periods—change of period.

SEC. 28. ACCOUNTING PERIODS—LESS THAN TWELVE MONTHS. (a) *Change of Accounting Period.* If a taxpayer, with the approval of the tax commission, changes the basis of computing net income from fiscal year to calendar year, or from calendar year to fiscal year, or from one fiscal year to another fiscal year, separate returns shall be filed and income computed in the manner provided in subsections (a), (b) and (c) of section 47 of the internal revenue code and the regulations thereunder.

Accounting periods—less than twelve months. (a) Change of accounting period.

(b) *Returns When Taxpayer Not in Existence for Twelve Months.* In the case of a taxpayer not in existence during the whole of an annual accounting period ending on the last day of a month, or, if the taxpayer has no such annual accounting period or does not keep books, during the whole of a calendar year, the returns shall be made for the fractional part of the year during which the taxpayer was in existence.

(b) Returns when taxpayer not in existence for twelve months.

SEC. 29. ACCOUNTING RECORDS. It shall be the duty of every taxpayer to keep and preserve, for a period of five years, such suitable records as may be necessary to determine the amount of tax for which it may be liable under the provisions of this chapter; and all books and records shall be open for examination at any time by the tax commission or its duly authorized agent. In case a taxpayer does not keep the necessary books and records within the state, it shall be sufficient if it produces within the state such books and records as shall be required by the tax

Accounting records.

commission, or bears the cost of examination by an agent authorized or designated by the commission at the place where such books and records are kept. Any taxpayer who shall fail to comply with the requirements of this section shall be forever barred from questioning, in any court action or proceeding, the correctness of any assessment of taxes made by the tax commission and based upon any period for which such books and records have not been so kept and preserved.

Accounting  
methods—  
allocation of  
income and  
deductions.

SEC. 30. ACCOUNTING METHODS—ALLOCATION OF INCOME AND DEDUCTIONS. In the case of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the state, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, and one or more of such organizations, trades or businesses is or are required to file a tax return under this chapter, the commission may require each such reporting taxpayer to accompany its return with a return for the same period for each of such other organizations, trades or businesses, which last-mentioned return may be required to be as complete as that required under this chapter from a taxpayer taxable thereunder. Upon receipt of such returns (or without such returns if the same be not filed as provided by this section), the tax commission is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if it determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any such organizations, trades, or businesses.

Tax  
additional.

SEC. 31. TAX ADDITIONAL. Taxes imposed by this chapter shall be in addition to any and all other licenses, taxes and excises levied or imposed by the state or any municipal subdivision thereof.

SEC. 32. LICENSE FEES—OFFSET. Against the tax computed in conformity with the provisions of this chapter, the taxpayer shall be entitled to an offset in the amount of current annual corporate license fees actually paid to the state during the income year for which the return is made.

License fees  
—offset.

SEC. 33. TAX RETURNS—CORPORATIONS AND BANKS. (a) *In General.* Every corporation subject to taxation under this chapter shall make a return, stating specifically the items of its gross income and the deductions and credits allowed by this chapter and such other information for the purpose of carrying out the provisions of this chapter as the tax commission may by regulations prescribe. The return shall be sworn to by the president, vice-president, or other principal officer and by the treasurer, assistant treasurer, or chief accounting officer. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

Tax returns  
—corporations and  
banks. (a)  
In general.

(b) *Definition.* As used in subsection (a) of this section, the word "corporation" includes banks, federal savings and loan associations, and national banking associations.

(b) Definition;  
"corporation."

SEC. 34. RETURN FORMS—DUTY TO FILE. (a) On request, blank forms of return for income shall be supplied by the tax commission.

Return forms—duty  
to file.

(b) It shall be the duty of the commission to obtain an income tax return from every taxpayer who is liable under the law to file such return; but this duty shall in no manner diminish the obligation of

the taxpayer to file a return without being called upon to do so.

Returns—  
time and  
place of  
filing. (a)  
General rule.

SEC. 35. RETURNS—TIME AND PLACE OF FILING.

(a) *General Rule.* Returns made on the basis of the calendar year shall be filed with the tax commission on or before the fifteenth day of March following the close of the calendar year. Returns made on the basis of the fiscal year shall be filed with the tax commission on or before the fifteenth day of the third month following the close of the fiscal year.

(b) Extension of time.

(b) *Extension of Time.* The tax commission may grant a reasonable extension of time for filing returns whenever good cause therefor exists and shall keep a record of every such extension. No such extension shall be granted for more than six months. Extension of time for filing a return shall not extend the time for payment of the tax unless such an extension is also requested and granted under the provisions of section 38(c) of this chapter. If the time for filing the return and payment shall be extended, interest at the rate of six per cent *per annum* from the date when the return was originally required to be filed to the time of payment shall be added and paid.

Records and  
special re-  
turns. (a)  
Records,  
returns and  
statements.

SEC. 36. RECORDS AND SPECIAL RETURNS. (a) *Records, Returns and Statements.* Every corporation liable to any tax imposed by this chapter shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations as the tax commission from time to time may prescribe. Whenever the commission judges it necessary it may require any corporation, by notice served upon it, to make a return, render under oath such statements, or keep such records as such commission deems sufficient to show whether or not such corporation is liable to tax under this chapter and the extent of such liability.



(b) *Federal Income Tax Return.* Any taxpayer upon request by the tax commission shall furnish to such commission a true and correct copy of its tax return or returns for a taxable year filed or to be filed with the collector of internal revenue pursuant to the requirements of the laws of the United States.

(b) Federal income tax return.

(c) *Adjustment of Federal Tax Liability.* Every taxpayer shall notify the tax commission in writing of any alteration in or modification of its federal income tax return and of any recomputation of tax or determination of deficiency (whether with or without assessment). A full statement of the facts shall accompany this notice, which shall be filed within twenty days after such modification, recomputation or determination of deficiency.

(c) Adjustment of federal tax liability.

SEC. 37. COPIES TO TAXPAYERS. The tax commission, upon written request, shall furnish to the taxpayer a copy of its return upon payment of a fee of one dollar.

Copies to taxpayers.

SEC. 38. PAYMENT OF TAX. (a) *Time of Payment.* The total amount of tax imposed by this chapter shall be paid on the fifteenth day of March following the close of the calendar year of, if the return should be made on the basis of the fiscal year, then on the fifteenth day of the third month following the close of the fiscal year.

Payment of tax. (a) Time of payment.

(b) *Installment Payments.* If the total amount of tax shall be twenty-five dollars or more, the taxpayer may elect to pay the tax in two equal installments, in which case the first installment shall be paid on the date prescribed for the payment of the tax by the taxpayer, and the second installment shall be paid on the fifteenth day of the third month after such date. If any installment is not paid on or before the date fixed for its payment, the whole amount of the tax unpaid shall be paid upon notice and demand from the tax commission.

(b) Installment payments.

(c) Extension of time.

(c) *Extension of Time.* At the request of the taxpayer the tax commission may extend the time for payment by the taxpayer of the amount determined as the tax, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In such case the amount in respect to which the extension is granted together with interest thereon at the rate of six per cent *per annum* shall be paid on or before the date of the expiration of the period of the extension.

(d) Advance payment.

(d) *Advance Payment.* A tax imposed by this chapter, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

(e) Fractional parts of a cent.

(e) *Fractional Parts of Cent.* In the payment of any tax under this chapter a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to one cent.

(f) Tax commission to collect.

(f) *Tax Commission to Collect.* The tax provided under this chapter shall be collected by the tax commission and the revenues derived therefrom shall be transmitted to the state treasurer and credited to the state general fund.

(g) Receipts.

(g) *Receipts.* The tax commission, upon written request, shall give to the corporation making payment of any tax collected under this chapter, a full written or printed receipt therefor.

(h) The amount of tax payable under this chapter by any corporation for any fiscal year shall be reduced by a credit equal to fifty per cent of the amount of the business and occupation tax paid to this state by it with respect to such fiscal year.

Payment—taxable year closed. (a) Tax in jeopardy—departure or concealment.

SEC. 39. PAYMENT—TAXABLE YEAR CLOSED. (a) *Tax in Jeopardy—Departure or Concealment.* If the tax commission finds that a taxpayer designs quickly to remove its property from the state, or to conceal its property therein or to do any other act tending

to prejudice or to render wholly or partly ineffectual proceedings to collect the tax for the taxable year then last past or the taxable year current unless such proceedings be brought without delay, the commission shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the preceding taxable year, or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired, and such taxes shall thereupon become immediately due and payable. In any proceeding in court brought to enforce payment of taxes made due and payable by virtue of the provisions of this section, the finding of the commission made as herein provided, whether made after notice to the taxpayer or not, shall be for all purposes presumptive evidence of the taxpayer's design.

(b) *Tax in Jeopardy—Corporation in Liquidation.* If the tax commission finds that the collection of the tax of a corporation for the current or last preceding taxable year will be jeopardized by the distribution of all or a portion of the assets of such corporation in the liquidation of the whole or any part of its capital stock, the tax commission shall declare the taxable period for such taxpayer immediately terminated and shall cause notice of such finding and declaration to be given the taxpayer, together with a demand for immediate payment of the tax for the taxable period so declared terminated and of the tax for the last preceding taxable year or so much of such tax as is unpaid, whether or not the time otherwise allowed by law for filing return and paying the tax has expired; and such taxes

(b) Tax in jeopardy—corporation in liquidation.

shall thereupon become immediately due and payable.

(c) Security for payment.

(c) *Security for Payment.* A taxpayer who is not in default in making any return or paying any tax to the state may furnish to the state, under regulations to be prescribed by the commission, security, approved by the commission, that it will duly make the return next thereafter required to be paid. The commission may approve and accept in like manner security for return and payment of taxes made due and payable by virtue of the provisions of this section, provided the taxpayer has paid in full all other taxes due to the state. If security is approved and accepted pursuant to the provisions of this subsection and such further or other security with respect of the tax or taxes covered thereby is given as the commission shall from time to time find necessary and require, payment of such taxes shall not be enforced by any proceedings under the provisions of this section prior to the expiration of the time otherwise allowed for paying such taxes.

(d) Addition to tax.

(d) *Addition to Tax.* If taxpayer violates or attempts to violate this section there shall, in addition to all other penalties, be added as part of the tax twenty-five per cent of the total amount of the tax or deficiency in the tax, together with interest at the rate of one per cent a month from the time the tax became due.

Administrative provisions.

SEC. 40. ADMINISTRATIVE PROVISIONS. All of the provisions of chapter 82.32, R.C.W., except sections 82.32.030, 82.32.040, and 82.32.270, shall have full force and application with respect to the tax imposed by this chapter.

[Chapter 82.32 R.C.W. was derived from Rem. Supp. § 8370-29, §§ 8370-185 to 8370-211 incl., as amended; Rem. Supp. 1949, 8370-219; Rem. Supp. 1945, §§ 8370-225, 8370-226.]

[R.C.W. 82.32.030 was derived from Rem. Supp. 1941, § 8370-187 part (1st para.); R.C.W. 82.32.040 was derived from Rem. Supp. 1941, § 8370-187, part (2nd para.); R.C.W. 82.32.270 was derived from Rem. Supp. § 8370-205.]

SEC. 41. Sections 84.40.270 to 84.40.310, both inclusive, R.C.W., and uncodified sections 159 to 184, both inclusive, of chapter 180, Laws of 1935, are hereby repealed.

Repealing  
clause.

[R.C.W. 84.40.270 to 84.40.310 were derived from secs. 28 to 32 incl., ch. 130, L. 1925 Ex. Sess. (R.R.S. §§ 11151 to 11155 incl.)]

SEC. 42. VALIDITY AND CONSTITUTIONALITY—  
SAVED. If any title, section, subdivision of a section, paragraph, sentence, clause, or word of this act for any reason shall be adjudged invalid, such judgment shall not affect, impair or invalidate the remainder of this act but shall be confined in its operation to the title, section, subdivision of a section, paragraph, sentence, clause, or word of the act directly involved in the controversy in which such judgment shall have been rendered. If any tax imposed under this act shall be adjudged invalid as to any corporation, association or class of corporations or associations included within the scope of the general language of this act, such invalidity shall not affect the liability of any corporation, association, or class of corporations or associations as to which such tax has not been adjudged invalid. It is hereby expressly declared that had any section, subdivision of a section, paragraph, sentence, clause, word or any corporation, association, or class of corporations or associations as to which this act is declared invalid been eliminated from the act at the time the same was considered, the act would have nevertheless been enacted with such portions eliminated.

Validity and  
constitution-  
ality—saved.

SEC. 43. There is hereby appropriated from the general fund, for the fiscal biennium ending March 31, 1953, for the tax commission, the sum of one hundred fifty thousand dollars, or so much thereof as shall be necessary to carry out the provisions of this chapter.

Appropriation.

SEC. 44. The tax levied under this chapter is declared to be temporary, and all provisions of this

Termination  
date.

chapter shall terminate March 31, 1953, except that taxes accrued hereunder prior to that date may be enforced thereafter.

Effective date.

SEC. 45. This act is necessary for the support of the state government. The first two sections hereof shall take effect immediately and the remaining sections shall take effect May 1, 1951.

Passed the House April 4, 1951.

Passed the Senate April 3, 1951.

Approved by the Governor April 16, 1951, with the exception of certain items which are vetoed.

---

CHAPTER 11.

[S. B. 9.]

EXCISE TAXES UPON THE SALE OF REAL ESTATE.

AN ACT relating to the support of the common schools, providing for the levy by counties of excise taxes upon the sale of real estate for the support thereof; repealing sections 28.47.030 and 28.47.040, R.C.W.; and declaring an emergency.

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

School directors; resolutions declaring need for additional funds.

SECTION 1. Whenever the boards of directors of more than a majority of the school districts in any county shall adopt resolutions declaring that a need exists for additional funds for the support of the schools, such resolution to be adopted after a public hearing after reasonable notice in each of the respective districts, and shall file the same with the board of county commissioners prior to the first day of May of any year, it shall be the duty of the board of county commissioners to pay to each school district during the ensuing year a sum equal to seventeen cents per day of attendance credit as determined pursuant to section 28.41.070, R.C.W., for the last completed school year prior to the first day of May

County commissioners; duty to pay.

Amount.

of any year. The year during which the payments herein required are to be made shall be from the first day of May to the last day of April, inclusive: *Provided*, That in the event a county, for a period of twelve months prior to the first day of May of any year, levies a tax of not less than one per cent on the sales of real estate in the county as permitted and provided for in this act and assigns the entire proceeds of one per cent or so much as necessary to make the above payment to the county school fund for distribution to the various school districts, there shall be no further liability upon the county for this purpose.

Levy of tax on real estate sales and assignment of proceeds precludes further liability.

[R.C.W. 28.41.070 was derived from Rem. Supp. 1949, 4940-4, part (subsections a to i incl.).]

SEC. 2. The county commissioners of any county are authorized by ordinance to levy an excise tax upon sales of real estate not exceeding one per cent of the selling price. The rate of the levy shall be determined annually by the commissioners. The proceeds of the tax provided for in this act shall be placed in the county school fund and shall be used exclusively for the support of the common schools: *Provided*, That one-half of one per cent of the proceeds of the tax provided for herein may be placed in the current expense fund of the county.

Levy authorized.

Rate.

Disposition of proceeds.

SEC. 3. If the excise tax herein authorized shall be levied in any county for a period of twelve or any lesser number of months and it shall appear upon the first day of May of any year that such tax has not produced seventeen cents per day's attendance credit or such proportion thereof as such lesser number of months, or major fraction thereof, during which the tax was levied, bears to twelve, the deficit shall be certified by the board of county commissioners to the state superintendent of public instruction as a charge against the state school equalization fund for the schools of such county. The sum so certified shall

Where proceeds of tax insufficient; deficit a charge against state school fund.

Payment.

be paid to the county treasurer from the state school equalization fund and allotted to the school districts in the same manner as other money is distributed from the county school fund.

Repealing  
clause.

SEC. 4. Sections 28.47.030 and 28.47.040 of the Revised Code of Washington derived from section 5, subchapter 9, title 3, chapter 97 of the Laws of 1909, as last amended by section 1 of chapter 31 of the Laws of 1949, are hereby repealed.

[R.C.W. 28.47.030 was derived from Rem. Supp. 1949, § 4936, part (1st sentence); R.C.W. 28.47.040 was derived from Rem. Supp. 1949, § 4936, part (all except 1st sentence).]

Subject  
of tax.

SEC. 5. The real estate sales tax provided for herein shall be levied upon each sale of real property located within the county.

"Seller."

SEC. 6. As used in this act and in any ordinance enacted pursuant thereto, the term "seller," unless otherwise indicated by the context, shall mean any individual, receiver, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, quasi-municipal corporation, corporation, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, non-profit or otherwise; but it shall not include the United States or the state of Washington.

"Sale."

SEC. 7. As so used, the term "sale" shall have its ordinary meaning and shall include any conveyance, grant, assignment, quit-claim, or transfer of the ownership of or title to real property or any estate or interest in real property for a valuable consideration, and any contract for such conveyance, grant, assignment, quit-claim, or transfer, and any lease with an option to purchase real property or any estate or interest in real property or other contract under which possession of the property is given to the purchaser, or any other person by his direction,



while title is retained by the vendor as security for the payment of the purchase price.

The terms shall not include a transfer by gift, devise, or inheritance, a transfer of any leasehold interest other than of the type mentioned above, a mortgage or other transfer of an interest in real property merely to secure a debt, nor a transfer in compliance with the terms of any lease or contract upon which the tax as imposed by this act has been paid, nor the sale of any grave or lot in an established cemetery. Exceptions.

SEC. 8. As so used, the term "selling price" shall mean the consideration, including money or anything of value, paid or delivered or contracted to be paid or delivered in return for the transfer of the real property or estate or interest in real property, and shall include the amount of any lien, mortgage, or other incumbrance, either given to secure the purchase price, or any part thereof, or remaining unpaid on such property at the time of sale. "Selling price."

SEC. 9. The tax herein provided for and any interest or penalties thereon shall be a specific lien upon each piece of real property sold from the time of sale until the tax shall have been paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages. Lien.

SEC. 10. The tax levied under this act shall be the obligation of the seller and the county treasurer may, at his option, enforce the obligation through an action of debt against the seller or he may proceed in the manner prescribed for the foreclosure of mortgages and resort to one course of enforcement shall not be an election not to pursue the other. Tax is obligation of seller.  
Enforcement.

SEC. 11. The tax hereby imposed shall be paid to and collected by the county treasurer who shall cause a stamp evidencing satisfaction of the lien to be affixed to the conveyance prior to its recording. Collection.

Receipt.

A receipt issued by the county treasurer for the payment of the tax imposed under this act shall be evidence of the satisfaction of the lien imposed hereunder and may be recorded in the manner prescribed for recording satisfactions of mortgages.

Recording.

County  
commission-  
ers; addi-  
tional  
powers.

SEC. 12. The board of county commissioners may provide the rate of interest to be levied against delinquent taxes provided for under this act and may prescribe the manner in which sales of real property shall be reported to the county treasurer and the tax paid thereon. The county commissioners may prescribe procedures supplementary to this act.

Emergency.

SEC. 13. This act is necessary for the immediate support of the state government and its existing public institutions and shall take effect immediately.

Passed the Senate April 3, 1951.

Passed the House April 3, 1951.

Approved by the Governor April 16, 1951.

## AUTHENTICATION

I, Earl Coe, Secretary of State of the State of Washington, do hereby certify that I have caused to be carefully compared the foregoing published laws passed by the Extraordinary Session of the Thirty-Second Legislature of the State of Washington, held from March 27, 1951, until April 5, 1951, inclusive, with the original enrolled laws, now on file in this office, and find the same to be a full, true and correct copy of said originals with the exception of such corrections in spelling and use of words bracketed, thus [ ], in each case as provided by law.

*In Testimony Whereof*, I have hereunto set my hand and affixed hereto the seal of the State of Washington.

Dated at Olympia, Washington, this 20th day of August, 1951.



A handwritten signature in cursive script, appearing to read "Earl Coe".

EARL COE,

*Secretary of State.*



## AMENDMENTS, REVISED CODE OF WASHINGTON

	Ch.	Sec.	Page
Section 17.04 .....	6	1	8
Section 28.47.030 .....	11	4	110
Section 28.47.040 .....	11	4	110
Section 44.04.080 .....	4	1	5
Section 52.16 .....	6	2	8
Section 56.16 .....	6	3	9
Section 57.20 .....	6	4	9
Section 74.16.040 .....	5	1	7
Section 74.16.120 .....	5	2	8
Section 75.28.080 .....	7	1	10
Section 82.04.440 .....	9	1	12
Section 82.08.030 .....	9	2	13
Section 82.12.010 .....	9	3	16
Section 82.12.030 .....	9	4	17
Section 82.32.050 .....	9	5	20
Section 82.32.060 .....	9	6	21
Section 82.32.070 .....	9	7	23
Section 82.32.080 .....	9	8	24
Section 82.32.090 .....	9	9	25
Section 82.32.100 .....	9	10	26
Section 82.32.170 .....	9	11	27
Section 82.32.180 .....	9	12	28
Section 82.32.210 .....	9	13	29
Section 82.32.220 .....	9	14	30
Section 84.40.080 .....	8	1	11
Sections 84.40.270-84.40.310 incl.....	10	41	107

## INDEX TO AMENDMENTS TO REVISED CODE OF WASHINGTON LISTED IN ORDER OF LAWS OF 1951 EX. SESS. AFFECTED

### LAWS 1909:

Ch. 97, sec. 5.....(RCW 28.47.030, 28.47.040 repealed)..	11	4	110
--	----	---	-----

### LAWS EX. SESS. 1925:

Ch. 130, sec. 59.....(RCW 84.40.080 amended).....	8	1	11
---	---	---	----

### LAWS 1935:

Ch. 180, secs. 159-184.....(RCW 84.40.270-84.40.310 incl. repealed) .....	10	41	107
Ch. 180, sec. 190.....(RCW 82.32.070 amended).....	9	7	23

### LAWS 1939:

Ch. 225, sec. 29.....(RCW 82.32.170 amended).....	9	11	27
Ch. 225, sec. 29.....(RCW 82.32.180 amended).....	9	12	28

### LAWS 1941:

Ch. 170, sec. 2.....(RCW 74.16.040 amended).....	5	1	7
Ch. 170, sec. 6.....(RCW 74.16.120 repealed).....	5	2	8

### LAWS 1945:

Ch. 4, sec. 1.....(RCW 44.04.080 amended).....	4	1	5
--	---	---	---

INDEX TO AMENDMENTS TO REVISED CODE OF  
WASHINGTON LISTED IN ORDER OF LAWS  
OF 1951 EX. SESS. AFFECTED—Continued

LAWS 1949:	Ch.	Sec.	Page
Ch. 31, sec. 1..... (RCW 28.47.030, 28.47.040 repealed) ..	11	4	110
Ch. 228, sec. 5..... (RCW 82.08.030 amended) .....	9	2	13
Ch. 228, sec. 8..... (RCW 82.12.030 amended) .....	9	4	17
Ch. 228, sec. 9..... (RCW 82.12.010 amended) .....	9	3	16
Ch. 228, sec. 20..... (RCW 82.32.050 amended) .....	9	5	20
Ch. 228, sec. 21..... (RCW 82.32.060 amended) .....	9	6	21
Ch. 228, sec. 22..... (RCW 82.32.080 amended) .....	9	8	24
Ch. 228, sec. 23..... (RCW 82.32.090 amended) .....	9	9	25
Ch. 228, sec. 24..... (RCW 82.32.100 amended) .....	9	10	26
Ch. 228, sec. 25..... (RCW 82.32.210 amended) .....	9	13	29
Ch. 228, sec. 25..... (RCW 82.32.220 amended) .....	9	14	30
 AMENDMENTS, LAWS 1950 EXTRA SESSION:			
Ch. 5, sec. 2..... (RCW 82.04.440 amended) .....	9	1	12
 AMENDMENTS, LAWS 1951:			
Ch. 271, sec. 6..... (RCW 75.28.080 amended) .....	7	1	10

**TABLE OF SECTIONS OF REMINGTON'S REVISED STATUTES  
AFFECTED BY LAWS OF 1951 EX. SESS.\***

Section 4936, Supp. '49.....	11	4	110
Section 5780-504, Supp. '49.....	7	1	10
Section 8153- 1, Supp. '45.....	4	1	5
Section 8370- 6, Supp. '49.....	9	1	12
Section 8370- 19, Supp. '49.....	9	2	13
Section 8370- 32, Supp. '49.....	9	4	17
Section 8370- 35, Supp. '49.....	9	3	16
Section 8370-188, Supp. '49.....	9	5	20
Section 8370-189, Supp. '49.....	9	6	21
Section 8370-190, Supp.....	9	7	23
Section 8370-191, Supp. '49.....	9	8	24
Section 8370-192, Supp. '49.....	9	9	25
Section 8370-193, Supp. '49.....	9	10	26
Section 8370-199, Supp.....	9	11	27
Section 8370-199, Supp.....	9	12	28
Section 8370-202, Supp. '49.....	9	13	29
Section 8370-202, Supp. '49.....	9	14	30
Section 10007-7, Supp. '41.....	5	1	7
Section 10007-14a, Supp. '41.....	5	2	8
Section 11142 .....	8	1	11

\* Consult footnotes to Sess. Law sections, *supra*.

## GENERAL INDEX—EXTRAORDINARY SESSION 1951

APPROPRIATIONS: (see also APPROPRIATIONS, in indexes to 1950

Ex. Sess., and 1951 regular session, *supra*, this volume)

Act,	Ch.	Sec.	Page
capital outlay, defined.....	10	1	33
operations, defined .....	10	1	33
subsistence and lodging expense of officers and employees	10	1	34
salaries and wages, defined.....	10	1	33
Adams county, local improvement assessments.....	10	2	75
Adjutant general—Military department,			
capital outlays, major repairs and betterments.....	10	2	44
deficiency, base pay and operations.....	10	2	71
medical aid and compensation.....	10	2	44
operations .....	10	2	44
salaries and wages .....	10	2	44
uniform allowance .....	10	2	44
Agriculture, Department of,			
deficiency, operations,			
commission merchant's fund, from.....	10	2	73
general fund, from.....	10	2	71
grain and hay inspection fund, from.....	10	2	72
nursery inspection fund, from.....	10	2	73
seed fund, from.....	10	2	73
insect and disease control.....	10	2	44
salaries and wages, and operations,			
commission merchant's fund, from.....	10	2	45
feed and fertilizer fund, from.....	10	2	44
general fund, from.....	10	2	44
grain and hay inspection fund, from.....	10	2	45
nursery inspection fund, from.....	10	2	45
seed fund, from.....	10	2	45
Althoff, Anton, refund.....	10	2	71
Amundsen, Arthur, judgment.....	10	2	73
Appelo, C. Arthur, refund.....	10	2	70
Apportionment to counties for schools.....	10	2	60
Association of Superior court judges (see Superior court judges, Association of, <i>infra</i> , this title)			
Attorney General,			
deficiency, operations .....	10	2	37
operations, etc. ....	10	2	37
salaries and wages.....	10	2	37
Automobile Insurance Company of Hartford, relief.....	10	2	66
Basel, Arthur C., refund.....	10	2	65
Bates, Clarence A., relief.....	10	2	68
Bell, Earl, refund.....	10	2	67
Benton County, local improvement assessments.....	10	2	75
Biles Coleman Lumber Company, refund.....	10	2	71
Blankrud, Johannes, refund.....	10	2	67
Blind students, assistance for.....	10	2	61
Board of Industrial Insurance Appeals (see Industrial Insurance Appeals Board of, <i>infra</i> , this title)			
Board of Prison Terms and Paroles (see Prison Terms and Pa- roles, Board of, <i>infra</i> , this title)			
Board of State Land Commissioners (see State Land Commis- sioners, Board of, <i>infra</i> , this title)			
Bond, Herb, relief.....	10	2	65
Bonds,			
payment of interest.....	10	2	59
retirement and interest.....	10	2	62
	10	2	63
Boyer, John E., and Louise, relief.....	10	2	65
Brockman, C. A., refund.....	10	2	67
Brown, Donald K., judgment.....	10	2	73

## APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Brown, F. H., refund.....	10	2	71
Brown, Hilary R., refund.....	10	2	67
Brown, Oscar, relief.....	10	2	67
Brown, P. W., refund.....	10	2	71
Buchanan Chevrolet Co., refund.....	10	2	68
Budget, Office of director of,			
operations .....	10	2	45
personnel office, salaries and wages, and operations.....	10	2	45
salaries and wages.....	10	2	45
Butterfield, D. W., relief.....	10	2	69
Butterfield, O. H., refund.....	10	2	68
Button, L. E., relief.....	10	2	69
Capital Chevrolet Co., relief.....	10	2	65
Capital Fruit & Produce Transport Co., refund.....	10	2	70
Carl, Jack E., refund.....	10	2	69
Carstens Packing Co., refund.....	10	2	65
Central Washington College of Education,			
capital outlays .....	10	2	58
operations .....	10	2	57
salaries and wages.....	10	2	57
steam distribution lines.....	10	2	80
Ch. 229, L. '49.....	10	2	61
Ch. 243, L. '45, amendatory and supplementary thereto.....	10	2	59
Children,			
Indian .....	10	2	61
Christianson, John, refund.....	10	2	67
Cities and towns,			
distributions to .....	10	2	62
Civil defense, Department of,			
operations .....	10	2	45
salaries and wages.....	10	2	45
S. B. 244.....	10	2	45
Claims, awards and other expenses (incl. deficiencies).....	10	2	62
Cline, Charles L., refund.....	10	2	70
Columbia Gypsum Products, Inc., refund.....	10	2	67
Commissioner of Public Lands (see Public Lands, Commissioner of, <i>infra</i> , this title)			
Conlee, H. A., refund.....	10	2	71
Conservation and Development, Department of,			
ch. 27, L. '49.....	10	2	46
Columbia Basin commission.....	10	2	46
deficiency, operations .....	10	2	71
divisions, general,			
salaries and wages, and operations.....	10	2	46
flood control maintenance.....	10	2	46
forestry division .....	10	2	46
institute of forest products.....	10	2	46
natural resources surveys.....	10	2	47
progress and industry.....	10	2	46
reclamation districts, financing.....	10	2	47
reclamation division .....	10	2	47
reforestation .....	10	2	46
state trade fairs.....	10	2	46
stream gaging surveys.....	10	2	46
Contingent receipts fund.....	10	2	59
Council of state governments.....	10	2	59
Counties,			
apportionment for school districts, ch. 141, L. '45.....	10	2	60
blind students .....	10	2	61
distribution, according to ch. 31, L. '49.....	10	2	60
forest reserves distribution.....	10	2	61



APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Counties,			
funds, federal, distribution to.....	10	2	62
school districts .....	10	2	60
veterans' children .....	10	2	61
Court costs,			
insanity cases .....	10	2	59
Cowlitz county,			
local improvement assessments.....	10	2	74
Coy, H., refund.....	10	2	67
Criminal cost bills.....	10	2	59
Cronin, L. M., refund.....	10	2	70
Dahlin, Arthur C., relief.....	10	2	65
Davis, Josephine H., refund.....	10	2	68
Day, Marion F., relief.....	10	2	69
Decker, Carl, refund.....	10	2	69
DeHart, H. H., relief.....	10	2	65
DeLander, L., refund.....	10	2	70
Eagle Gorge Dam Flood control.....	10	2	63
Easterly, Donald W., refund.....	10	2	67
Eastern Washington College of Education,			
capital outlays .....	10	2	58
operations .....	10	2	58
salaries and wages.....	10	2	58
Eastern Washington state historical society,			
capital outlays .....	10	2	59
operations .....	10	2	59
salaries and wages.....	10	2	59
Elliot and Verduin, refund.....	10	2	70
Employment, discrimination against (see Washington State Board Against Discrimination in Employment, <i>infra</i> , this title)			
Elson, Mary, relief.....	10	2	71
Elvidge, Ford Q., legal services.....	10	2	67
Erickson, Roy, relief.....	10	2	69
Farnum and Seeman, Inc., refund.....	10	2	65
Fisheries, Department of,			
bounties, payment of.....	10	2	47
capital outlays, major repairs and betterments.....	10	2	47
deficiency, operations .....	10	2	72
fish ways at Des Chutes basin.....	10	2	47
Lower Columbia river development.....	10	2	47
operations,			
general fund, from.....	10	2	47
Lewis river hatchery fund, from.....	10	2	47
salaries and wages,			
general fund, from.....	10	2	47
Lewis river hatchery fund, from.....	10	2	47
Firemen's relief and pensions fund.....	10	2	61
Flielman, Edgar H., judgment.....	10	2	73
Follansbee, Gale P., relief.....	10	2	71
Forest insect disease control.....	10	2	63
Franklin county, local improvement assessments.....	10	2	75
Game, Department of,			
acquisition of lands.....	10	2	48
capital outlays .....	10	2	48
deficiency, operations .....	10	2	73
game damages .....	10	2	48
operations .....	10	2	48
raceways, pipeline at Tokul Creek.....	10	2	77
salaries and wages.....	10	2	48
wild life restoration.....	10	2	48

## APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Garrison Mining Co., refund.....	10	2	65
General fund, reimbursement for Dry Falls state park expenditure .....	10	2	64
General Motors Corp., refund.....	10	2	67
Gilroy, Bess E., judgment.....	10	2	74
Goebel, Lee Raymond, judgment.....	10	2	74
Governor,			
allocations to state departments.....	10	2	59
auditing records .....	10	2	35
extradition expenses .....	10	2	35
investigations and emergency purposes.....	10	2	35
mansion expenses .....	10	2	35
salaries, wages and operations.....	10	2	35
Grant county, local improvement assessments.....	10	2	75
Grays Harbor county, local improvement assessments.....	10	2	75
Grayson and Brown, refund.....	10	2	71
Guerrini, Lena, refund.....	10	2	67
Guiffre, Vince J., relief.....	10	2	65
Hamilton, Orris L., travel expenses.....	10	2	65
Harbor Plywood Corp., refund.....	10	2	65
Harding, Mrs. Cleo., relief.....	10	2	69
Harris, P. E. and Company, refund.....	10	2	67
Hartwig, John E., judgment.....	10	2	74
Health, Department of,			
administration: salaries, wages and operations.....	10	2	48
cerebral palsy program.....	10	2	49
county public health work.....	10	2	49
crippled children's program.....	10	2	48
field training program.....	10	2	48
initiative 178 .....	10	2	48
medical services .....	10	2	48
public health work.....	10	2	49
rheumatic fever program.....	10	2	48
tuberculosis hospitalization .....	10	2	49
Highways, Department of,			
approach to Rainier state school.....	10	2	49
deficiency operations,			
highway equipment fund, from.....	10	2	73
motor vehicle fund, from.....	10	2	73
weight control .....	10	2	53
Hinnenkamp, Jim, refund.....	10	2	69
Hoke, Vera, refund.....	10	2	71
Hove, Louise, relief.....	10	2	66
Howser, Virginia A., refund.....	10	2	67
Indian children .....	10	2	61
Industrial Insurance Appeals, Board of,			
operations,			
accident fund, from.....	10	2	40
medical aid fund, from.....	10	2	41
salaries and wages,			
accident fund, from.....	10	2	40
medical aid fund, from.....	10	2	41
Insanity cases,			
court costs .....	10	2	59
Insurance commissioners,			
deficiency, salaries and wages.....	10	2	64
maternity home act, ch. 168, L. '51.....	10	2	37
operations .....	10	2	37
salaries and wages.....	10	2	37
Jacobi, Appolonia, refund.....	10	2	71
Jacobsen, Chris, refund.....	10	2	70

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Jackson, Frank J., Sporting Goods, refund.....	10	2	68
Jarvis, Stanley R., relief.....	10	2	66
Joens, Margaret, refund.....	10	2	67
Jones Pontiac, refund.....	10	2	68
Judicial council,			
salaries, wages, operations.....	10	2	38
Judges' retirement fund,			
ch. 229, L. '37.....	10	2	38
Judgments.....	10	2	73
	10	2	74
Kellam, James S., refund.....	10	2	71
Killinger, Ralph, relief.....	10	2	69
Kuehl, C. V., relief.....	10	2	66
Labor and Industries, Department of,			
accident fund.....	10	2	50
appeal costs.....	10	2	50
ch. 195, Laws of 1949.....	10	2	49
ch. 233, Laws of 1947.....	10	2	49
deficiency, operations.....	10	2	72
H. B. 87 (Boiler inspection).....	10	2	49
operations,			
electrical license fund, from.....	10	2	50
general fund, from.....	10	2	49
medical aid fund, from.....	10	2	50
pensions and lump sum payments.....	10	2	50
reserve fund.....	10	2	50
salaries and wages,			
electrical license fund, from.....	10	2	50
general fund, from.....	10	2	49
medical aid fund, from.....	10	2	50
veterans' on the job training.....	10	2	49
Lakeview farms, refund.....	10	2	70
Lane, Francis E., judgment.....	10	2	74
Legislature,			
expenses.....	10	2	37
deficiency, senate interim committee.....	10	2	72
Ex. Sess.....	2	1	4
printing.....	3	1	5
members, expenses of.....	4	2	6
printing, indexing, binding, etc.....	10	2	37
salaries of members.....	10	2	38
Lewis, Raymond, refund.....	10	2	71
Licenses, Department of,			
financial responsibility.....	10	2	50
H. B. 226 (ch. 130, L. '51, Dentistry).....	10	2	50
liquid fuel tax refunds.....	10	2	51
operations,			
general fund, from.....	10	2	50
highway safety fund, from.....	10	2	51
motor vehicle fund, from.....	10	2	51
salaries and wages,			
general fund, from.....	10	2	50
highway safety fund, from.....	10	2	51
motor vehicle fund, from.....	10	2	51
Lieutenant governor,			
deficiency, salaries, wages and operations.....	10	2	64
	10	2	72
other salaries, wages and operations.....	10	2	36
salary.....	10	2	36
Luoto, Richard, refund.....	10	2	71

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Lynden Transfer, Inc., refund.....	10	2	70
Madden, Earl M., relief.....	10	2	66
Mallon Motors, refund.....	10	2	68
Mann, Albert D., refund.....	10	2	70
Markley, Charles S., judgment.....	10	2	74
Mayfield, Frank E., relief.....	10	2	66
McCartney, Birch, refund.....	10	2	70
McKillop, M., refund.....	10	2	70
McLaughlin, O. J., relief.....	10	2	69
McMorrان, A. Stewart, legal services.....	10	2	C6
McVeigh, Frank M., judgment.....	10	2	74
Meyer, E. F. G., relief.....	10	2	63
Miller, Joseph C., refund.....	10	2	70
Modum, Rudolph, refund.....	10	2	67
Morris, James, relief.....	10	2	66
Mortland, Thomas G., refund.....	10	2	66
Muffy, W. W., relief.....	10	2	69
Neil Tire Sales and Service, refund.....	10	2	69
Nichols, Mary E., refund.....	10	2	70
North, Fred, refund.....	10	2	71
Norman, Henry B., refund.....	10	2	70
Northwestern Insurance Co., relief.....	10	2	66
Norwood, Luther, relief.....	10	2	66
Okanogan county, local improvement assessments.....	10	2	75
Onsdorff, Sheldon, refund.....	10	2	70
Peerless Pacific Co., refund.....	10	2	67
Penrose, Mary S., refund.....	10	2	68
Petersen, Wilbur, refund.....	10	2	71
Pollution control commission,			
deficiency, operations.....	10	2	72
investigations, research and surveys.....	10	2	42
operations.....	10	2	42
salaries and wages.....	10	2	42
Presidential electors (including deficiencies).....	10	2	62
Prison Terms and Paroles, Board of,			
operations.....	10	2	42
salaries and wages.....	10	2	42
Public institutions, Department of,			
banking division: salaries and wages, and operations.....	10	2	51
capitol buildings and grounds; salaries and wages and			
operations, painting, repairs, etc.....	10	2	51
}.....	10	2	64
ch. 230, L. '49 (institutional building construction).....	10	2	55
children and youth services, division of, S. B. 7 and expenses			
of members of council for children and youth.....	10	2	51
deficiencies, various state institutions.....	10	2	72
}.....	10	2	73
earthquake damage.....	10	2	78
eastern state hospital.....	10	2	54
senile ward.....	10	2	79
engineering and architects fees.....	10	2	78
general office, salaries, wages and operations.....	10	2	51
industrial operations.....	10	2	54
institutional building construction.....	10	2	55
Lakeland village.....	10	2	54
Northern state hospital,			
capital outlays.....	10	2	79
kitchen.....	10	2	79
salaries, wages and operations.....	10	2	54
parole, transportation, deportation, salaries and wages and			
operations.....	10	2	51

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Public institutions, Department of,			
Rainier state school,			
wards .....	10	2	79
repairs to buildings.....	10	2	78
savings and loan division, salaries and wages, and operations.	10	2	51
state institutions .....	10	2	55
state schools,			
blind, salaries and wages and operations.....	10	2	53
deaf, salaries and wages and operations.....	10	2	54
girls, salaries and wages and operations.....	10	2	54
Rainier, salaries and wages and operations.....	10	2	54
state soldier's home.....	10	2	55
state training school.....	10	2	55
dormitory buildings .....	10	2	80
Washington state penitentiary.....	10	2	54
deficiency, operations .....	10	2	73
Washington state reformatory.....	10	2	54
Washington veterans' home.....	10	2	55
Western state hospital.....	10	2	55
men's ward .....	10	2	79
sewage disposal plant.....	10	2	79
Public instruction, superintendent of,			
children, handicapped, ch. 120, L. '43.....	10	2	60
H. B. 310.....	10	2	60
operations .....	10	2	37
salaries and wages.....	10	2	37
Public lands, Commissioner of,			
operations .....	10	2	37
salaries and wages, plotting land.....	10	2	37
Public service commission,			
investigations, salaries, wages and operations.....	10	2	52
operations .....	10	2	51
salaries and wages.....	10	2	51
Public service revolving fund.....	10	2	64
Ragan, R. L., refund.....	10	2	71
Rasmussen, W. V., refund.....	10	2	70
	10	2	67
	10	2	68
Refunds .....	10	2	69
	10	2	70
	10	2	71
	10	2	65
Relief .....	10	2	66
	10	2	68
	10	2	69
Remey, William Butler, Estate of, refund.....	10	2	67
Ripley, G. W., relief.....	10	2	70
Robertson, Carl A., refund.....	10	2	71
Rose, Bernard H., refund.....	10	2	70
Robinson, Effie, relief.....	10	2	69
Roslyn Cascade Coal Co., refund.....	10	2	67
Sager, Frank T., refund.....	10	2	66
School districts, apportionment to.....	10	2	60
aid to .....	10	2	60
	10	2	81
Schools,			
lunch program .....	10	2	61
School plant facilities, state assistance.....	10	2	61

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Secretary of state,			
checking, printing, advertising, etc.....	10	2	36
deficiency, operations .....	10	2	36
operations .....	10	2	36
salaries and wages.....	10	2	36
voting for service voters, special method of, carrying out provisions of ch. 14, L. '50.....	10	2	36
Sievers, Mrs. Paul, refund.....	10	2	67
Skow, Lyman H., relief.....	10	2	66
Smith-Gandy, Inc., refund.....	10	2	68
Smith, William, relief.....	10	2	68
Smotherman, Louie, judgment.....	10	2	74
Social Security, Department of,			
administration, general, salaries and wages and operations...	10	2	52
blind, division for,			
assistance, self-support of, vocational rehabilitation and	10	2	52
other services .....	1	1	3
children, division for, assistance.....	10	2	52
.....	1	1	3
deficiency, operations and assistance.....	10	2	72
old age assistance, division of, senior citizen grants.....	10	2	52
.....	1	1	3
public assistance, division of,			
assistance, and burial expenses.....	10	2	52
.....	1	1	3
South Bay Motor Freight Co., refund.....	10	2	67
Spaeth, Paul E., relief.....	10	2	69
Spokane, Portland & Seattle Railway Company, relief.....	10	2	69
State Aeronautics commission,			
operations .....	10	2	38
salaries and wages.....	10	2	38
salaries of members while attending meetings.....	10	2	38
State Athletic Commission,			
deficiency, salaries and wages and operations.....	10	2	64
operations .....	10	2	39
salaries and wages.....	10	2	39
State auditor,			
administration and compensation for World War II veterans,			
salaries, wages, and operations.....	10	2	63
L. I. D. assessments.....	10	2	62
operations,			
general fund, from.....	10	2	36
motor vehicle fund, from.....	10	2	36
salaries and wages,			
general fund, from.....	10	2	36
motor vehicle fund, from.....	10	2	36
volunteer firemen's relief and pension fund, from.....	10	2	36
special printing .....	10	2	36
veterans compensation .....	10	2	63
State Board against Discrimination in Employment (see Wash- ington State Board against Discrimination in Employment <i>infra</i> , this title)			
State Board for certification of librarians,			
salaries, wages, operations.....	10	2	39
State Board of Accountancy,			
operations .....	10	2	38
salaries and wages.....	10	2	38

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
State Board of Education,			
aid to school districts.....	10	2	81
general office: salaries and wages and operations.....	10	2	39
school building facilities: salaries, wages, operations.....	10	2	39
school facilities survey: salaries, wages, operations.....	10	2	39
State Board of Pharmacy,			
deficiency, services .....	10	2	72
operations .....	10	2	42
salaries and wages.....	10	2	42
State Board of Pilotage Commissioners,			
operations .....	10	2	42
salaries and wages.....	10	2	42
State Capitol committee,			
operations .....	10	2	39
paving, Des Chutes way project.....	10	2	39
portraits,			
Clarence D. Martin.....	10	2	75
Mon C. Wallgren.....	10	2	75
roads, parkways .....	10	2	76
salaries, and wages.....	10	2	39
State Capitol Historical Association,			
operations .....	10	2	58
salaries and wages.....	10	2	58
State College of Washington,			
buildings .....	10	2	80
capital outlays .....	10	2	57
experimental stations,			
Ilwaco .....	10	2	57
Lind .....	10	2	57
Main station .....	10	2	56
Mount Vernon .....	10	2	57
Prosser .....	10	2	57
Puyallup .....	10	2	56
Vancouver .....	10	2	57
Wenatchee .....	10	2	57
extension work .....	10	2	56
industrial research .....	10	2	56
power house .....	10	2	80
teaching .....	10	2	56
State Employees' Retirement Board,			
operations .....	10	2	39
pensions .....	10	2	40
salaries and wages.....	10	2	39
salaries, wages, operations (to be used if membership exceeds 28,000) .....	10	2	39
State Farm Mutual Insurance Company, relief.....	10	2	65
State Finance Committee,			
expenses incident to bond sale.....	10	2	40
operations .....	10	2	40
salaries and wages.....	10	2	40
State Forest Board,			
operations,			
forest development fund, from.....	10	2	40
general fund, from.....	10	2	40
salaries and wages,			
forest development fund, from.....	10	2	40
general fund, from.....	10	2	40
State Land Commissioners, Board of,			
operations .....	10	2	41
salaries and wages.....	10	2	41

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
State Law Library,			
operations .....	10	2	38
salaries and wages.....	10	2	38
State library commission,			
operations .....	10	2	41
operations for microfilming.....	10	2	41
public library services.....	10	2	41
salaries and wages.....	10	2	41
salaries for microfilming.....	10	2	41
State parks and recreation commission,			
capital outlays .....	10	2	76
deficiency, operations .....	10	2	41
Dry Falls state park, reimbursement to general fund.....	10	2	73
historical sites .....	10	2	64
Millersylvania park, maintenance of.....	10	2	77
operations .....	10	2	41
park improvement .....	10	2	41
salaries and wages.....	10	2	76
salaries and wages.....	10	2	41
State patrol (see Washington State Patrol, <i>infra</i> , this title)			
State sustained yield forest No. 1,			
ch. 175, L. '33,			
operations .....	10	2	40
salaries and wages.....	10	2	40
State teachers' retirement system,			
annuities, awards and refunds, payment of.....	10	2	43
housing costs .....	10	2	43
operations .....	10	2	42
salaries and wages.....	10	2	42
State treasurer,			
operations,			
general fund, from.....	10	2	36
motor vehicle fund, from.....	10	2	36
salaries and wages,			
general fund, from.....	10	2	36
motor vehicle fund, from.....	10	2	36
Steward, L. A., refund.....	10	2	71
Stoddard, Wendle Motors, refund.....	10	2	70
Sudhoff, H. A., relief.....	10	2	69
Superior Court judges,			
deficiency, salaries, and wages.....	10	2	64
deficiency, services .....	10	2	72
expenses in joint districts.....	10	2	38
salaries and wages.....	10	2	38
Superior Court judges, association of,			
deficiency, operations .....	10	2	72
operations .....	10	2	38
Supreme Court,			
operations .....	10	2	38
salaries and wages.....	10	2	38
Sussman, S. H., relief.....	10	2	66
Talbot, Clifford E., refund.....	10	2	70
Tax Commission,			
cigarette stamps, purchase of.....	10	2	53
deficiency, operations .....	10	2	72
enforcement of corporation tax, ch. 10, L. '51 Ex. Sess.....	10	43	107
operations .....	10	2	53
refunds .....	10	2	53
salaries and wages.....	10	2	53
Teachers' retirement fund.....	10	2	63
pension reserve fund.....	10	2	63



APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:	Ch.	Sec.	Page
Thornberry Motors, refund.....	10	2	68
Travaille, Mrs. Russel F., relief.....	10	2	68
True's Oil Company, relief.....	10	2	69
	}	2	67
Tuberculosis Hospital Building Commission,			
operations .....	10	2	43
Pierce County Hospital, construction of.....	10	2	77
Turner, E. E., relief.....	10	2	69
Uniform Law commission,			
operations .....	10	2	38
United States Vocational Education Fund.....	10	2	63
University of Washington,			
bureau of governmental research.....	10	2	56
construction,			
new buildings .....	10	2	56
teaching hospital .....	10	2	56
operations .....	10	2	55
power house .....	10	2	80
salaries and wages.....	10	2	55
school of medicine, dentistry.....	10	2	56
Veterans,			
children of .....	10	2	61
Veterans' Rehabilitation council,			
ch. 110, L. '47.....	10	2	43
deficiency, operations .....	10	2	72
Vocational Education, State Board for,			
civilian vocational rehabilitation.....	10	2	43
promotion and development.....	10	2	43
veterans' training, special.....	10	2	43
Wagner, Paul, refund.....	10	2	67
Wagoner, Robert D., refund.....	10	2	71
Waitsburg Welding Works, refund.....	10	2	70
Warner, Clem B., refund.....	10	2	67
Warrants for emergency purposes, payment of.....	10	2	59
Warren Bros., Chevrolet Co., refund.....	10	2	70
Washington State Board against Discrimination in Employment,			
operations .....	10	2	44
salaries and wages.....	10	2	44
Washington State College (see State College of Washington, <i>supra</i> , this title)			
Washington State Historical Society,			
capital outlays, major repairs and betterments.....	10	2	58
operations .....	10	2	58
Pickett House, repairs to.....	10	2	58
salaries and wages.....	10	2	58
Territorial Centennial .....	10	2	58
Washington State Patrol,			
capital outlays .....	10	2	79
deficiency, operations,			
highway safety fund, from.....	10	2	73
motor vehicle fund, from.....	10	2	73
operations,			
general fund, from.....	10	2	53
highway safety fund, from.....	10	2	53
motor vehicle fund, from.....	10	2	53
retirement board,			
deficiency, pensions, etc.....	10	2	64
pensions, benefits, etc.....	10	2	44
safety inspection .....	10	2	79

APPROPRIATIONS.

APPROPRIATIONS—CONTINUED:

	Ch.	Sec.	Page
Washington State Patrol,			
salaries and wages,			
general fund, from.....	10	2	53
highway safety fund, from.....	10	2	53
motor vehicle fund, from.....	10	2	53
weight control .....	10	2	53
Weber, J. H. Chevrolet Company, refund.....	10	2	68
Western Washington College of Education,			
auditorium .....	10	2	81
capital outlays .....	10	2	58
salaries and wages.....	10	2	58
operations .....	10	2	58
Westlake Chevrolet Co., refund.....	10	2	68
White and Blessing Motor Co., refund.....	10	2	68
Wilhelmy, Sylvester, Dr., refund.....	10	2	71
Willis, Jesse Richard, judgment.....	10	2	74
Willmorth, Eugene, refund.....	10	2	70
Wilson Motor Co., refund.....	10	2	68
Wilson, N., relief.....	10	2	69
Yakima County, local improvement assessments.....	10	2	75
Zarembo, John P., relief.....	10	2	70

BANKS:

Taxation (see TAXATION, *infra*, this Index)

CORPORATIONS:

Taxation (see TAXATION, *infra*, this Index)

COUNTIES: (see also COUNTIES to indexes to 1950 Ex. Sess., and 1951 Regular Session, *supra*, this volume)

Taxation,

    real estate excise tax (see TAXATION, *infra*, this Index)

COUNTY ASSESSOR: (see also COUNTY ASSESSOR in index to 1951 Regular Session, *supra*, this volume)

Fire protection district assessments,

    spread on general roll as separate item, shall be..... 6 2 9

Listing of omitted property, procedure for,

    bona fide purchaser acquiring interest,  
    effect .....

8 1 11

    improvements omitted from list,

        three year limitation..... 8 1 11

        valuation for .....

8 1 11

    property omitted from list..... 8 1 11

        valuation for .....

8 1 11

    taxes, payment without penalty, when..... 8 1 11

Sewer district assessments,

    spread on general roll as separate item, shall be..... 6 3 9

Water district assessments,

    spread on general roll as separate item, shall be..... 6 4 9

Weed district assessments,

    spread on general roll as separate item, shall be..... 6 1 8

COUNTY COMMISSIONERS: (see also COUNTY COMMISSIONERS, in indexes to 1950 Ex. Sess., and 1951 regular session, *supra*, this volume)

Excise tax on sale of real estate (see TAXATION, *infra*, this Index)

COUNTY SHERIFF: (see also COUNTY SHERIFF, in index to 1951 regular session, *supra*, this volume)

Tax warrants, duties concerning.....	}	9	13	29
		9	14	30

SOCIAL SECURITY, DEPARTMENT OF.

COUNTY TREASURER: (see also COUNTY TREASURER, in index to 1951 regular session, *supra*, this volume)

	Ch.	Sec.	Page
Real estate sales tax, collection of .....	11	11	111

COUNTY WELFARE DEPARTMENTS:

Aid to blind assistance, duties.....	5	1	7
--------------------------------------	---	---	---

FEDERAL SAVINGS AND LOAN ASSOCIATIONS:

Taxation (see TAXATION, *infra*, this index)

FIRE PROTECTION DISTRICTS: (see also FIRE PROTECTION DISTRICTS, in index to 1951 regular session, *supra*, this volume)

Assessments, collection procedure .....	6	2	8
--	---	---	---

FISHERIES: (see also FISHERIES in index to 1951 regular session, *supra*, this volume)

Personal commercial fishing license, carried on person, shall be.....	7	1	10
fee .....	7	1	10
required, when .....	7	1	10

LEGISLATURE: (see also LEGISLATURE, in indexes to 1950 Ex. Sess., and 1951 regular session, *supra*, this volume)

Appropriations,			
expenses of ex. sess.....	2	1	4
printing expenses of ex. sess.....	3	1	5
members, expenses .....	4	2	6
Members,			
reimbursement for expenses.....	4	1	6

REAL ESTATE:

Taxation (see TAXATION, *infra*, this Index)

SCHOOL DISTRICTS: (see also SCHOOL DISTRICTS in indexes to 1950 Ex. Sess., and 1951 regular session, *supra*, this volume)

Real estate sales tax (see TAXATION, *infra*, this Index)

SEWER DISTRICTS: (see also SEWER DISTRICTS in index to 1951 regular session, *supra*, this volume)

Assessments, collection procedure .....	6	3	9
--	---	---	---

SOCIAL SECURITY, DEPARTMENT OF: (see also SOCIAL SECURITY, DEPARTMENT OF, in indexes to 1950 Ex. Sess., and 1951 regular session, *supra*, this volume)

Appropriations,			
blind .....	1	1	3
children .....	1	1	3
old age assistance.....	1	1	3
public assistance .....	1	1	3
Blind, division for the			
application for aid.....	5	1	7
appropriation .....	1	1	3
county welfare department, duties.....	5	1	7
eye examination provided.....	5	1	7
residence, defined .....	5	1	7
minor .....	5	1	7

## TAXATION.

TAXATION: (see also TAXATION, in indexes to 1950 Ex. Sess., and 1951 regular session, *supra*, this volume)

	Ch.	Sec.	Page
Administrative provisions,			
additional tax due, assessment for.....	9	5	21
penalties and interest.....	9	5	21
appeal,			
bond .....	9	12	28
proceedings, other, prohibited.....	9	12	28
procedure for perfecting.....	9	12	28
protest, demand, or prior hearing not prerequisite to....	9	12	28
superior court, Thurston county to.....	9	12	28
supreme court, to.....	9	12	28
time for .....	9	12	28
trial,			
burden of proof on taxpayer.....	9	12	28
<i>de novo</i> .....	9	12	28
assessment,			
deficiency assessment .....	9	5	21
penalties and interest.....	9	5	21
time limitation .....	9	5	21
failure or refusal to make return, upon,			
time limitation.....	9	10	27
check, as means of payment.....	9	8	24
corporations excise tax,			
application of administrative provisions to.....	10	40	106
credit for excess payment (see Refund or credit, <i>infra</i> , this subtitle)			
garnishment .....	9	14	31
intent to evade tax due,			
penalty .....	9	5	21
interest,			
state's liability for,			
judgments, on .....	9	6	23
refunds to federal contractors, no interest payable....	9	6	22
taxpayer's liability for,			
additional tax due.....	9	5	20
return without remittance.....	9	8	25
tax warrant, on.....	9	13	29
time for payment extended.....	9	8	24
judgments,			
interest on .....	9	6	23
paid how .....	9	6	23
levy and sale (see Warrant, <i>infra</i> , this subtitle)			
lien .....	9	14	30
payment,			
check by, authorized.....	9	8	24
dishonor, effect .....	9	8	24
excess of amount due,			
refund of .....	9	6	22
time limit for.....	9	6	22
expiration of .....	9	6	22
failure to make,			
certificate of registration revoked.....	9	13	30
reinstatement, when .....	9	13	30
lien for .....	9	14	30
judgment on .....	9	14	31
sale of property,			
proceeds from .....	9	14	31
surplus from .....	9	14	32
sheriff to execute on.....	9	14	31
fees for .....	9	14	31
total penalties for.....	9	9	26

TAXATION.

TAXATION—CONTINUED:

Administrative provisions,  
payment,

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
failure to make,			
within 10 days of due date,	9	9	25
penalty .....			
within 15 days of due date,			
warrant of levy and sale.....	9	13	29
certificate of registration,			
revocation of, when.....	9	13	30
sheriff to execute.....	9	13	29
within 40 days of due date,			
penalty .....	9	9	25
within 70 days of due date,			
penalty .....	9	9	25
penalties,			
additional tax due, for.....	9	5	21
assessment for, when.....	9	5	21
intent to evade tax, for.....	9	5	21
notice of .....	9	5	21
maximum aggregate .....	9	9	26
return .....	9	10	26
failure or refusal to make.....	9	9	25
late remittance, unaccompanied by.....	9	8	25
protest dispensed with.....	9	12	29
records,			
taxpayer shall keep.....	9	7	23
failure to keep, effect.....	9	7	24
out-of-state persons .....	9	7	23
refund or credit,			
excess payment, for,			
claim for .....	9	6	22
federal contracts, taxpayers performing.....	9	6	22
interest on, not allowed.....	9	6	23
interest rate .....	9	6	23
offset against deficiency.....	9	6	23
petition and hearing for.....	9	11	27
time limit on application for.....	9	6	22
vouchers for .....	9	6	23
remittance,			
deemed received as of date of postmark.....	9	8	24
return filed without.....	9	8	25
returns,			
deemed filed as of date of postmark.....	9	8	24
failure to make, assessment based on estimate.....	9	10	26
penalty .....	9	10	26
within 10 days,			
penalty .....	9	10	26
notice of .....	9	10	26
time of filing, extension.....	9	8	24
without remittance, may be refused.....	9	8	25
penalty for .....	9	8	25
tax commission,			
powers and duties,			
additional tax due,			
notice of, shall give.....	9	5	21
penalties, may add.....	9	5	21
certificate of registration,			
revocation and reinstatement.....	9	13	30
estimated tax, assessment on.....	9	10	26
notice to taxpayer.....	9	10	26
penalty, may add.....	9	10	26

## TAXATION.

### TAXATION—CONTINUED:

Administrative provisions, tax commission, powers and duties, excess tax paid,	Ch.	Sec.	Page
refund or credit, shall allow.....	9	6	22
vouchers, by .....	9	6	23
judgments, shall pay.....	9	6	23
payment by check, may prescribe regulations for....	9	8	24
records of funds, shall keep.....	9	8	25
records of taxpayer, may examine.....	9	7	23
refund, hearing on .....	9	11	27
order .....	9	11	27
returns, late, may add penalties.....	9	9	25
time for, may extend.....	9	8	24
warrants for delinquencies, certificate of registration, may revoke.....	9	13	30
issue, may .....	9	13	29
penalties, may add.....	9	9	25
warrant, docketing .....	9	14	30
fees, clerk's .....	9	14	31
sheriff's .....	9	14	31
garnishment, writ may issue.....	9	14	31
issued when .....	9	13	29
lien .....	9	14	30
levy and sale, proceeds, disposition of.....	9	14	31
revocation of registration certificate for failure to pay.	9	13	30
reinstatement .....	9	13	30
security .....	9	13	30
warrant shall command.....	9	13	29
Business and occupations tax, persons taxable on multiple activities.....	9	1	12
Compensating tax (see Use Tax, <i>infra</i> , this title)			
Corporation excise tax, accounting methods, allocation of income and deductions.....	10	30	100
accounting periods, change of period.....	10	27	99
deductions and credits.....	10	25	97
federal return as basis.....	10	23	96
general rule .....	10	23	96
installment basis .....	10	26	97
casual sales of personalty.....	10	26	97
change from accrual to.....	10	26	98
dealers in personal property.....	10	26	97
gain or loss upon disposition of installment obligations	10	26	98
realty sales .....	10	26	97
return for, in any taxable year.....	10	26	97
less than 12 months.....	10	28	99
period in which items of gross income included.....	10	24	97
taxpayers method for.....	10	23	96
no method employed, effect.....	10	23	96
accounting records .....	10	29	99
act, construction of.....	10	4	81
internal revenue code, incorporation by reference.....	10	5	83
termination date .....	10	44	108
word construction .....	10	5	83
additional to other fees and taxes, is.....	10	31	100
adjusted gross income, defined.....	10	10	86

## TAXATION.

### TAXATION—CONTINUED:

	Ch.	Sec.	Page
Corporation excise tax,			
administrative provisions, R.C.W., ch. 82.32, application of....	10	40	106
appropriation .....	10	43	107
bad debt, exclusion from gross income.....	10	15	90
bank,			
defined .....	10	5	81
tax upon .....	10	7	84
amount .....	10	7	84
initial tax, basis of.....	10	7	85
capital gains and losses,			
amount taken into account.....	10	21	94
internal revenue code provisions incorporation of.....	10	21	94
commission and tax commission (see tax commission, <i>infra</i> , this subtitle)			
defined .....	10	5	83
commodity credit loans.....	10	14	89
corporation,			
defined .....	10	5	82
distributions .....	10	33	101
exempt corporations .....	10	11	86
tax upon .....	10	8	85
amount .....	10	7	84
initial tax, basis of.....	10	7	84
initial tax, basis of.....	10	7	85
corporate license fees, offset allowable.....	10	7	85
deductions (see gross income, <i>infra</i> , this subtitle)			
dividend, defined .....	10	32	101
domestic, defined .....	10	11	87
domestic, defined .....	10	5	82
exempt from tax,			
certain corporations .....	10	8	85
insurance companies .....	10	8	85
federal savings and loan associations,			
tax upon .....	10	8	85
amount .....	10	7	84
initial tax, basis of.....	10	7	85
federal tax returns,			
furnishing to commission on request.....	10	7	85
furnishing to commission on request.....	10	36	103
fiduciary, defined .....	10	5	82
fiscal year, defined.....	10	5	82
foreign, defined .....	10	5	82
gain or loss,			
basis of .....	10	12	88
computation of .....	10	12	87
gross income,			
allocation of,			
two or more organizations owned by same interest...	10	30	100
commodity credit loans.....	10	14	89
corporate distributions included in.....	10	11	86
deductions allowable,			
allocation of .....	10	16	93
two or more organizations, among.....	10	30	100
bad debts .....	10	16	91
basis for determining.....	10	18	93
benefits of, received by filing return.....	10	19	94
capital losses .....	10	16	91
charitable contributions .....	10	16	91
defined .....	10	10	86
depletion .....	10	16	92
basis for determining.....	10	18	93
depreciation .....	10	16	91
basis for determining.....	10	18	93

TAXATION.

TAXATION—CONTINUED:

Corporation excise tax,  
gross income,

	Ch.	Sec.	Page
deductions allowable,			
discriminatory,			
recomputation .....	10	16	92
distributions to members or depositors.....	10	16	92
dividends .....	10	16	92
employer contributions .....	10	16	91
expenses .....	10	16	91
interest when .....	10	16	91
inventories, use by commission, to determine.....	10	13	88
items not allowed as.....	10	20	94
loans,			
commodity credit .....	10	14	89
losses by corporations.....	10	16	91
basis for determining.....	10	18	93
return of total income, prerequisite to.....	10	19	94
taxes .....	10	16	91
exceptions .....	10	16	91
wagering losses .....	10	16	92
wash sales, losses from.....	10	17	93
exclusions or exemptions from,			
annuities .....	10	15	89
bad debts, recovery of.....	10	15	90
defined .....	10	15	90
gifts, bequests, devises and inheritances.....	10	15	89
improvements by lessee on lessor's property.....	10	15	90
income under treaties.....	10	15	90
interest, when .....	10	15	90
life insurance .....	10	15	89
treasury bills .....	10	15	90
gain or loss,			
basis for gain.....	10	12	88
computation of basis.....	10	12	88
computed how .....	10	12	87
recognition of .....	10	12	87
inventories .....	10	13	88
items not deductible.....	10	20	94
period in which items included.....	10	24	97
includes and including, defined.....	10	5	82
income, allocation and apportionment of,			
allocation,			
property, business and personal service.....	10	22	95
separate accounting .....	10	22	95
apportionment of net income.....	10	22	95
initial payments, defined.....	10	26	97
insurance companies exempt from tax.....	10	8	85
internal revenue code,			
defined .....	10	5	82
provisions of deemed incorporated into act.....	10	5	83
effect of .....	10	5	84
inventories .....	10	13	88
license fees, offset, may be.....	10	32	101
national banking associations,			
tax on .....	10	7	84
amount .....	10	7	85
initial tax, basis of.....	10	7	85
method of taxing.....	10	7	85
net income,			
accounting period, computation.....	10	23	96
change of .....	10	27	99
not a clear reflection of.....	10	23	96



TAXATION.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Corporation excise tax,			
income, allocation and apportionment of,			
apportionment of to state, when.....	10	22	95
property situated out of state,			
market value of, determination of.....	10	22	96
tax on, computation of.....	10	22	95
defined .....	10	9	85
offset for license fees.....	10	32	101
paid or incurred, defined.....	10	5	82
payment,			
advance payment .....	10	38	104
collection of by commission.....	10	38	104
extension of time for.....	10	38	104
fractional parts of cent.....	10	38	104
installments, when .....	10	38	103
receipt for .....	10	38	104
security for .....	10	39	106
commission to approve.....	10	39	106
taxable year closed.....	10	39	104
tax in jeopardy.....	10	39	104
time for .....	10	38	103
penalties .....	10	39	106
person, defined .....	10	5	83
property,			
out of state,			
fair market value of, determination of.....	10	22	96
sale or exchange of,			
gain or loss from,			
basis of .....	10	12	88
computation of .....	10	12	88
computation of .....	10	12	87
recognition of .....	10	12	87
R.C.W., ch. 82.32, administrative provisions,			
application of .....	10	40	106
received, defined .....	10	5	83
records,			
examination of .....	10	29	99
failure to keep, effect.....	10	29	100
preservation of by taxpayer, time of.....	10	29	99
tax commission to prescribe nature of.....	10	36	102
returns,			
copies to taxpayers.....	10	37	103
corporation, defined .....	10	33	101
duty to make.....	10	33	101
} .....	10	36	102
filing of .....	10	34	101
federal return, copy, filing with commission.....	10	36	103
adjustment, notice of.....	10	36	103
time for .....	10	35	102
extension of .....	10	35	102
special returns .....	10	36	102
tax commission to prescribe form for.....	10	34	101
total income, return of as prerequisite to deductions....	10	19	94
shareholder, defined .....	10	5	83
state,			
defined .....	10	5	83
net income apportioned to, when.....	10	22	95
tax on, computation of.....	10	22	95
statements, commission may require.....	10	36	102
stock, defined .....	10	5	83

## TAXATION.

### TAXATION—CONTINUED:

	Ch.	Sec.	Page
Corporation excise tax,			
taxable year,			
act applicable to which years.....	10	6	84
deductions and credits.....	10	25	97
defined .....	10	5	83
gross income for, determination.....	10	24	97
income of,			
portion of to be included in.....	10	6	84
termination of by commission.....	10	39	104
collection of tax in jeopardy.....	10	39	105
notice of .....	10	39	105
notice of .....	10	39	105
tax commission,			
accounting records, examination of, by.....	10	29	99
appropriation .....	10	43	107
deductions, allocation by.....	10	30	100
defined .....	10	5	83
gross income, allocation by.....	10	30	100
inventories ordered by.....	10	13	88
net income, apportionment.....	10	22	95
records to be kept, prescribed by.....	10	36	102
returns,			
duty to obtain .....	10	34	101
federal .....	10	36	103
filing with .....	10	35	102
forms for, shall supply.....	10	34	101
rules and regulations.....	10	36	102
taxable year,			
termination of, when.....	10	39	104
tax collection by.....	10	38	104
receipts of .....	10	38	104
taxpayer,			
defined .....	10	5	83
records to be kept by.....	10	29	99
examination of .....	10	29	99
failure to keep.....	10	29	100
tax in jeopardy,			
corporation in liquidation.....	10	39	105
departure or concealment.....	10	39	104
temporary, declared to be.....	10	44	107
trade or business,			
defined .....	10	5	83
place of, in and out of state,			
separate accounting for.....	10	22	95
United States, defined.....	10	5	83
wash sales .....	10	17	93
deductions for loss from.....	10	17	93
year (see taxable year, <i>supra</i> , this subtitle)			
Property omitted, procedure for listing.....	8	1	11
Real estate excise tax,			
county commissioners,			
aid to school districts.....	11	1	108
amount of .....	11	1	108
liability, termination of.....	11	1	109
delinquencies,			
interest on .....	11	12	112
method of reporting sales prescribed by.....	11	12	112
tax,			
levy authorized .....	11	2	109
proceeds, disposition of.....	11	2	109
rate .....	11	2	109

WATER DISTRICTS.

TAXATION—CONTINUED:

	Ch.	Sec.	Page
Real estate excise tax.	11	7	110
sale, defined .....	11	7	110
school directors,			
resolution declaring need for funds.....	11	1	108
filing of .....	11	1	108
hearing on .....	11	1	108
seller,			
defined .....	11	6	110
tax is obligation of.....	11	10	111
selling price, defined.....	11	8	111
tax,			
amount produced by, less than 17 cents per day's			
attendance, deficit paid by state.....	11	3	109
collection,			
county treasurer .....	11	11	111
enforcement .....	11	10	111
levied by county commissioner.....	11	2	109
lien for .....	11	9	111
satisfaction of .....	11	11	112
proceeds, use of.....	11	2	109
rate of .....	11	2	109
real estate, levied on.....	11	5	110
seller's obligation for.....	11	10	111
Retail sales tax,			
sales excluded from,			
casual and isolated sales.....	9	2	13
farm auctions .....	9	2	14
isolated sales .....	9	2	13
livestock for breeding.....	9	2	14
motor vehicles and trailers to non-residents.....	9	2	15
motor vehicle fuel.....	9	2	13
newspapers .....	9	2	13
property for use in interstate or foreign commerce.....	9	2	14
public utility .....	9	2	14
R.C.W., ch. 82.16 (public utilities tax) sales taxed under..	9	2	13
relief organizations to.....	9	2	14
sale where tax prohibited by constitution.....	9	2	13
Use tax,			
purchaser, defined .....	9	3	17
retailer, defined .....	9	3	17
taxpayer, defined .....	9	3	17
use, used, using, put to use, defined.....	9	3	17
uses excluded,			
constitution, tax prohibited by.....	9	4	19
farm auctions .....	9	4	20
fuel by extractor or manufacturer.....	9	4	20
high school driver training autos.....	9	4	20
interstate or foreign transport, primarily used in.....	9	4	18
livestock for breeding purposes.....	9	4	20
motor vehicle fuel.....	9	4	19
non-residents, property of.....	9	4	17
public utilities .....	9	4	19
R.C.W., chs. 82.08 or 82.12, property taxed under.....	9	4	18
relief organizations .....	9	4	20
value of the article used, defined.....	9	3	16
WATER DISTRICTS: (see also WATER DISTRICTS, in index to 1951 regular session, <i>supra</i> , this volume)			
Assessments,			
collection .....	6	4	9
tax rolls,			
placed as separate item on.....	6	4	9

**WEED DISTRICTS.**

**WEED DISTRICTS:** (see also **WEED DISTRICTS** in index to 1951 regular session, *supra*, this volume)

	<i>Ch.</i>	<i>Sec.</i>	<i>Page</i>
<b>Assessments,</b>			
<b>collection</b> .....	<b>6</b>	<b>1</b>	<b>8</b>
<b>tax roll,</b>			
<b>placed as separate item on</b> .....	<b>6</b>	<b>1</b>	<b>8</b>