

The validity of said petition shall be governed by the provisions of chapter 54.08 RCW.

Passed the House April 28, 1977.

Passed the Senate May 12, 1977.

Approved by the Governor May 18, 1977.

Filed in Office of Secretary of State May 18, 1977.

CHAPTER 37

[House Bill No. 816]

STATE HIGHWAY PROPERTY—SALE TO TENANTS

AN ACT Relating to the acquisition and disposition of state highway property; and amending section 1, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.12.280.

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

Section 1. Section 1, chapter 177, Laws of 1973 1st ex. sess. and RCW 47.12-.280 are each amended to read as follows:

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

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

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

(3) Offering of the residentially improved property for sale by negotiation and sale to a tenant of the department of highways who has resided thereon for not less than six months and who is not delinquent in paying rent to the state;

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

~~((4))~~ (5) Offering of the real property for sale by advertisement and negotiation if the real property was offered, but not sold at auction.

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

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

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

Passed the House March 23, 1977.

Passed the Senate May 10, 1977.

Approved by the Governor May 18, 1977.

Filed in Office of Secretary of State May 18, 1977.

CHAPTER 38

[Substitute House Bill No. 294]

CLEAN AIR ACT—HISTORICAL STRUCTURES, WOOD BURNING

AN ACT Relating to historical structures; and adding a new section to chapter 70.94 RCW.

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

NEW SECTION. Section 1. There is added to chapter 70.94 RCW a new section to read as follows:

Except as otherwise provided in this section, any building or structure listed on the national register of historic sites, structures, or buildings established pursuant to 80 Stat. 915, 16 U.S.C. Sec. 470a, or on the state register established pursuant to RCW 43.51.770, shall be permitted to burn wood as it would have when it was a functioning facility as an authorized exception to the provisions of this chapter. Such burning of wood shall not be exempted from the provisions of RCW 70.94-.710 through 70.94.730.

Passed the House March 11, 1977.

Passed the Senate May 11, 1977.

Approved by the Governor May 18, 1977.

Filed in Office of Secretary of State May 18, 1977.

CHAPTER 39

[House Bill No. 879]

TWO LANE HIGHWAYS—SHOULDER DRIVING

AN ACT Relating to motor vehicles; amending section 46.56.130, chapter 12, Laws of 1961 and RCW 46.61.670; and adding a new section to chapter 46.61 RCW.

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

NEW SECTION. Section 1. There is added to chapter 46.61 RCW a new section to read as follows:

(1) The state highway commission and local authorities are authorized to determine those portions of any two-lane highways under their respective jurisdictions on which drivers of slow moving vehicles may safely drive onto improved shoulders for the purpose of allowing overtaking vehicles to pass and may by appropriate signs indicate the beginning and end of such zones.