

outside safety committee shall fail to agree they shall report it to the general safety committee. The ((workmen's)) workers' representatives shall not visit or inspect any part of the outside workings except when accompanied by the outside foreman or master mechanic. If for any reason any member of the committee fails to act upon any complaint called to his or her attention, it shall be referred to the general safety committees. It shall be understood that all safety committees shall confine themselves to safety measures and accident prevention alone, the sole purpose of their organization being to preserve the life and limb of ((workmen)) workers in and around the mines.

Passed the Senate January 25, 1989.

Passed the House April 4, 1989.

Approved by the Governor April 17, 1989.

Filed in Office of Secretary of State April 17, 1989.

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### CHAPTER 13

[Senate Bill No. 5079]

#### UNIFORM COMMERCIAL CODE—VARIABLE INTEREST RATE AS STATED RATE FOR NEGOTIABLE INSTRUMENT

AN ACT Relating to the uniform commercial code; and amending RCW 62A.3-106 and 62A.3-109.

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

Sec. 1. Section 3-106, chapter 157, Laws of 1965 ex. sess. and RCW 62A.3-106 are each amended to read as follows:

- (1) The sum payable is a sum certain even though it is to be paid
  - (a) with stated interest or by stated installments; or
  - (b) with stated different rates of interest before and after default or a specified date; or
  - (c) with a stated discount or addition if paid before or after the date fixed for payment; or
  - (d) with exchange or less exchange, whether at a fixed rate or at the current rate; or
  - (e) with costs of collection or an attorney's fee or both upon default.
- (2) A rate of interest that cannot be calculated by looking only to the instrument is a stated rate of interest in subsection (1) of this section if the rate during any period is readily ascertainable by a reference in the instrument to a published statute, regulation, rule of court, generally accepted commercial or financial index, compendium of interest rates, or announced or established rate of one or more named financial institutions.
- (3) Graduated, variable, annuity or price-level adjusted payments are stated installments in subsection (1) of this section if such payments are provided for in the instrument.

**(4)** Nothing in this section shall validate any term which is otherwise illegal.

Sec. 2. Section 3-109, chapter 157, Laws of 1965 ex. sess. and RCW 62A.3-109 are each amended to read as follows:

(1) An instrument is payable at a definite time if by its terms it is payable

(a) on or before a stated date or at a fixed period after a stated date; or

(b) at a fixed period after sight; or

(c) at a definite time subject to any acceleration; or

(d) at a definite time subject to extension at the option of the holder, or to extension to a further definite time at the option of the maker or acceptor or automatically upon or after a specified act or event; or

(e) by variable, graduated, annuity or price-level adjusted payments.

(2) An instrument which by its terms is otherwise payable only upon an act or event uncertain as to time of occurrence is not payable at a definite time even though the act or event has occurred.

Passed the Senate March 3, 1989.

Passed the House March 29, 1989.

Approved by the Governor April 17, 1989.

Filed in Office of Secretary of State April 17, 1989.

## CHAPTER 14

[Substitute Senate Bill No. 5033]

### REVISED CODE OF WASHINGTON—TECHNICAL AMENDMENTS

AN ACT Relating to technical corrections in the Revised Code of Washington; amending RCW 11.98.160, 19.52.020, 43.52.395, 63.14.130, 84.69.100, 19.52.030, 63.14.154, and 70.92.110; and adding a new section to chapter 4.16 RCW.

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

**NEW SECTION.** Sec. 1. A new section is added to chapter 4.16 RCW to read as follows:

Except as otherwise provided in this chapter, and except when in special cases a different limitation is prescribed by a statute not contained in this chapter, actions can only be commenced within the periods provided in this chapter after the cause of action has accrued.

Sec. 2. Section 58, chapter 30, Laws of 1985 and RCW 11.98.160 are each amended to read as follows:

For the purposes of ~~((this chapter))~~ RCW 11.98.130 through 11.98.150 the effective date of an instrument purporting to create an irrevocable inter vivos trust is the date on which it is executed by the trustor, and the effective date of an instrument purporting to create either a revocable inter vivos trust or a testamentary trust is the date of the trustor's or testator's death.