

(4) Any person, firm, or corporation awarded a contract for work must be prequalified pursuant to RCW 47.28.070 and may be required to furnish a bid deposit or performance bond.

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CHAPTER 266

[House Bill No. 2840]

COUNTY ROAD ADMINISTRATION BOARD EXECUTIVE DIRECTOR

AN ACT Relating to the county road administration board; and amending RCW 36.78-.060, 36.78.070, 36.78.110, 47.26.121, and 47.01.250.

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

Sec. 1. Section 6, chapter 120, Laws of 1965 ex. sess. and RCW 36-78.060 are each amended to read as follows:

The county road administration board shall appoint (~~the county road administration engineer~~) an executive director who shall be the chief administrative officer of the board and shall be responsible for carrying out the policies adopted by the board. The (~~county road administration engineer shall be a licensed professional engineer with experience as a county engineer or as a chief assistant to a county engineer in Washington. He~~) executive director is exempt from the provisions of state civil service law, chapter 41.06 RCW, and shall serve at the pleasure of the county road administration board. The executive director's salary shall be set by the board.

Sec. 2. Section 7, chapter 120, Laws of 1965 ex. sess. as last amended by section 19, chapter 505, Laws of 1987 and RCW 36.78.070 are each amended to read as follows:

The county road administration board shall:

(1) Establish by rule, standards of good practice for county road administration;

(2) Establish reporting requirements for counties with respect to the standards of good practice adopted by the board;

(3) Receive and review reports from counties and reports (~~of the county road administration engineer~~) from its executive director to determine compliance with legislative directives and the standards of good practice adopted by the board;

(4) Report annually on the first day of July to the state department of transportation and to the chairs of the legislative transportation committee and the house and senate transportation committees on the status of county road administration in each county, including one copy to the staff of each

of the committees. The annual report shall contain recommendations for improving administration of the county road programs;

(5) Administer the rural arterial program established by chapter 36.79 RCW as well as any other programs provided for in law.

Sec. 3. Section 11, chapter 120, Laws of 1965 ex. sess. as amended by section 42, chapter 151, Laws of 1979 and RCW 36.78.110 are each amended to read as follows:

All expenses incurred by the board including salaries of employees shall be paid upon voucher forms provided by the office of financial management or pursuant to a regular payroll signed by the chairman and the executive director of the board (~~((and by the county road administration engineer))~~). All expenses of the board shall be paid out of that portion of the motor vehicle fund allocated to the counties and withheld for use by the department of transportation and the county road administration board under the provisions of RCW 46.68.120(1), as now or hereafter amended.

Sec. 4. Section 1, chapter 167, Laws of 1988 and RCW 47.26.121 are each amended to read as follows:

(1) There is hereby created a transportation improvement board of fifteen members, six of whom shall be county members and six of whom shall be city members. The remaining members shall be: (a) The assistant secretary of the department of transportation whose primary responsibilities relate to planning and public transportation; (b) the assistant secretary for highways of the department of transportation; and (c) the state aid engineer of the department of transportation.

(2) Of the county members of the board, one member shall be a county engineer from a county of the first class or larger; one member shall be a county engineer from a county of the second class or smaller; one member shall be (~~((an engineer occupying the position))~~) the executive director of the county road administration ((engineer)) board, created by RCW 36.78.060; two members shall be county executives, council members, or commissioners from counties of the first class or larger; one member shall be a county executive, council member, or commissioner from a county of the second class or smaller. All county members of the board, except the executive director of the county road administration ((engineer)) board, shall be appointed. Not more than one county member of the board shall be from any one county. For the purposes of this subsection, the term county engineer shall mean the director of public works in any county in which such a position exists.

(3) Of the city members of the board two shall be chief city engineers, public works directors, or other city employees with responsibility for public works activities, of cities over twenty thousand population; one shall be a chief city engineer, public works director, or other city employee with responsibility for public works activities, of a city of less than twenty thousand population; two shall be mayors, commissioners, or city council members of

cities of more than twenty thousand population; and one shall be a mayor, commissioner, or council member of a city of less than twenty thousand population. All of the city members shall be appointed. Not more than one city member of the board shall be from any one city.

(4) Appointments of county and city representatives shall be made by the secretary of the department of transportation, with initial appointments to be made by July 1, 1988. Appointees shall be chosen from a list of two persons for each position nominated by the Washington state association of counties for county members and the association of Washington cities for city members. Except as provided in subsection (5) of this section, terms of appointment are four years. In the case of a vacancy, the appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred. A vacancy shall be deemed to have occurred on the board when any member elected to public office completes that term of office or is removed therefrom for any reason or when any member employed by a political subdivision terminates such employment for whatsoever reason.

(5) The initial appointment to the board for three county representatives and three city representatives shall be for terms of two years and the remainder of the appointments shall be for terms of four years. Terms of all appointed members shall expire on June 30th of even-numbered years.

(6) The board shall elect a chair from among its members for a two-year term.

(7) Expenses of the board, including administration of the transportation improvement program, shall be paid from the urban arterial account.

Sec. 5. Section 26, chapter 151, Laws of 1977 ex. sess. as amended by section 204, chapter 158, Laws of 1979 and RCW 47.01.250 are each amended to read as follows:

The chief of the Washington state patrol, the director of the traffic safety commission, the ~~((administration engineer))~~ executive director of the county road administration board, and the director of licensing are designated as official consultants to the transportation commission so that the goals and activities of their respective agencies which relate to transportation are fully coordinated with other related responsibilities of the department of transportation. In this capacity, the chief of the Washington state patrol, the director of the traffic safety commission, the ~~((administration engineer))~~ executive director of the county road administration board, and the director of licensing shall consult with the transportation commission and the secretary of transportation on the implications and impacts on the transportation related functions and duties of their respective agencies of any proposed comprehensive transportation plan, program, or policy.

In order to develop fully integrated, balanced, and coordinated transportation plans, programs, and budgets the chief of the Washington state patrol, the director of the traffic safety commission, the ~~((administration engineer))~~ executive director of the county road administration board, and

the director of licensing shall consult with the secretary of transportation on the matter of relative priorities during the development of their respective agencies' plans, programs, and budgets as they pertain to transportation activities. The secretary of transportation shall provide written comments to the governor and the legislature on the extent to which the state patrol's, the traffic safety commission's, the county road administration board's, and the department of licensing's final plans, programs, and budgets are compatible with the priorities established in the department of transportation's final plans, programs, and budgets.

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CHAPTER 267

[Senate Bill No. 6652]

UNSTAMPED CIGARETTES

AN ACT Relating to cigarettes without stamps; amending RCW 82.24.120 and 82.24-.180; and providing an effective date.

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

Sec. 1. Section 82.24.120, chapter 15, Laws of 1961 as amended by section 64, chapter 278, Laws of 1975 1st ex. sess. and RCW 82.24.120 are each amended to read as follows:

If any person, subject to the provisions of this chapter or any rules and regulations promulgated by the department of revenue under authority hereof, is found to have failed to affix the stamps required, or to have them affixed as herein provided, or to pay any tax due hereunder, or to have violated any of the provisions of this chapter or rules and regulations promulgated by the department of revenue in the administration hereof, there shall be assessed and collected from such person, in addition to any tax that may be found due, a penalty equal to the ~~((amount of any tax found to be due))~~ greater of ten dollars per package of unstamped cigarettes or two hundred fifty dollars, plus interest thereon at the rate of one percent for each thirty days or portions thereof from the date the tax became due, and upon notice mailed to the last known address of the ~~((taxpayer))~~ person said amount shall become due and payable in ten days, at which time the department or its duly authorized agent may make immediate demand upon such person for the payment of all such taxes and penalties. The department, for good reason shown, may remit all or any part of penalties imposed, but the taxpayer must pay all taxes due and interest thereon, at the rate of one percent