

The following sections of the Revised Code of Washington as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.64.010, 46.64.015, 46.64.020, 46.64.025, 46.64.030, 46.64.035, and 46.64.048.

Passed the Senate February 12, 1988.

Passed the House February 26, 1988.

Approved by the Governor March 11, 1988.

Filed in Office of Secretary of State March 11, 1988.

## CHAPTER 25

[Senate Bill No. 6373]

### BANKING—OBSOLETE STATUTORY REFERENCES CORRECTED

AN ACT Relating to obsolete statutory references; amending RCW 30.04.310, 31.04.160, 31.08.010, 31.08.100, 31.08.230, 31.16.025, 31.16.030, 31.16.230, 31.16.310, and 43.19.010; and decodifying RCW 31.16.330.

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

Sec. 1. Section 137, chapter 30, Laws of 1985 and RCW 30.04.310 are each amended to read as follows:

Every bank or trust company which violates or fails to comply with any provision of chapters 30.04 through ~~((30.23 RCW, inclusive, and chapters))~~ 30.22, 30.44, and 11.100 RCW ~~((of this title))~~ or any lawful direction or requirement of the supervisor shall be subject, in addition to any penalty now provided, to a penalty of not more than one hundred dollars for each offense, to be recovered by the attorney general in a civil action in the name of the state. Each day's continuance of the violation shall be a separate and distinct offense.

Sec. 2. Section 16, chapter 172, Laws of 1923 and RCW 31.04.160 are each amended to read as follows:

The director of ~~((taxation and examination))~~ general administration, through and by means of the division of banking, shall collect from each corporation under the provisions of this chapter, for each complete examination of its condition the cost thereof, but not less than fifty dollars. For each partial examination he shall collect the cost thereof, but not less than twenty-five dollars.

Sec. 3. Section 1, chapter 208, Laws of 1941 and RCW 31.08.010 are each amended to read as follows:

The following words and terms when used in this chapter shall have the following meanings unless the context clearly requires a different meaning. The meaning ascribed to the singular form shall apply also to the plural.

(1) "Person" shall include individuals, copartnerships, associations, trusts, corporations, and all other legal entities.

(2) "License" shall mean a single license issued under the authority of this chapter with respect to a single place of business.

(3) "Licensee" shall mean a person to whom one or more licenses have been issued.

(4) "Supervisor" the duly appointed supervisor of banking of the division of banking, department of ~~((finance, budget and business of the state of Washington))~~ general administration.

Sec. 4. Section 9, chapter 208, Laws of 1941 and RCW 31.08.100 are each amended to read as follows:

The supervisor shall, upon ten days' written notice to the licensee stating the contemplated action and in general the grounds therefor, and upon reasonable opportunity to be heard, revoke any license issued hereunder if he shall find that:

(1) The licensee has failed to pay the annual license fee or to maintain in effect the bond or bonds required under the provisions of this chapter or to comply with any specific order or demand of the supervisor lawfully made and directed to the licensee pursuant to and within the authority of this chapter; or that

(2) The licensee, either knowingly or without the exercise of due care to prevent the same, has violated any provisions of this chapter or any general rule or regulation lawfully made by the supervisor under and within the authority of this chapter; or that

(3) Any fact or condition exists which, if it had existed at the time of the original application for such license, clearly would have warranted the supervisor in refusing originally to issue such license.

The supervisor may, upon five days' written notice and after a hearing, suspend any license for a period not exceeding thirty days, pending investigation.

The supervisor may revoke or suspend only the particular license with respect to which grounds for revocation or suspension may occur or exist, or, if he shall find that such grounds for revocation or suspension are of general application to all offices, or to more than one office, operated by such licensee, he shall revoke or suspend all of the licenses issued to said licensee or such licenses as such grounds apply to, as the case may be.

Any licensee may surrender any license by delivering to the supervisor written notice that he thereby surrenders such license, but such surrender shall not affect such licensee's civil or criminal liability for acts committed prior to such surrender.

No revocation or suspension or surrender of any license shall impair or affect the obligation of any preexisting lawful contract between the licensee and any borrower.

Every license issued hereunder shall remain in force and effect until the same shall have been surrendered, revoked, or suspended in accordance with the provisions of this chapter, but the supervisor shall have authority on his own initiative to reinstate suspended licenses or to issue new licenses to a licensee whose license or licenses shall have been revoked if no fact or condition then exists which clearly would have warranted the supervisor in refusing originally to issue such license under this chapter.

Whenever the supervisor shall revoke or suspend a license issued pursuant to this chapter, he shall forthwith file with the division of banking of the department of ~~((finance, budget and business))~~ general administration his order of revocation or suspension together with his finding with respect thereto and the reasons supporting the order, and forthwith serve upon the licensee a copy thereof, from which order the applicant may appeal as provided in RCW 31.08.260.

Sec. 5. Section 20, chapter 208, Laws of 1941 and RCW 31.08.230 are each amended to read as follows:

The supervisor is hereby authorized and empowered to make general rules and regulations and specific orders, demands, and findings for the enforcement of this chapter, in addition hereto and not inconsistent herewith.

Copies of all general rules and regulations shall be mailed to every licensee by the supervisor on or before their respective effective dates and copies of all general rules and regulations and of all specific orders and demands shall be kept in a permanent, indexed book in the ~~((department [division]))~~ division of banking of the department of general administration, and shall be public records.

Sec. 6. Section 3, chapter 121, Laws of 1921 and RCW 31.16.025 are each amended to read as follows:

Any number of bona fide growers of standard crops in the state of Washington, not less than ten, may associate themselves together to form a crop credit association in the manner hereinafter provided. The term "standard crops" as herein used means wheat, hay, apples, potatoes, and such other crops as the director of ~~((marketing))~~ agriculture of the state of Washington shall hereafter designate.

Sec. 7. Section 5, chapter 121, Laws of 1921 and RCW 31.16.030 are each amended to read as follows:

The director of ~~((farm marketing))~~ agriculture of the state of Washington shall have general charge and supervision of all such crop credit associations as herein provided. Before beginning his duties as the director of crop credit associations he shall make and file in the office of the secretary of state a bond in the penal sum of five thousand dollars, to be approved by the secretary of state, conditioned upon the faithful discharge

of his duties as such director of crop credit associations. The word "director" wherever it shall hereafter appear in this chapter shall mean the director of ~~((farm-marketing))~~ agriculture of the state of Washington.

Sec. 8. Section 24, chapter 121, Laws of 1921 and RCW 31.16.230 are each amended to read as follows:

A full report of every issue of such crop credit notes shall be made to the director by the trustee at the time of sale of said notes and again at the time of the redemption thereof, said reports to be made upon blanks furnished therefor by said director. The director shall at all times have the right and privilege of inspecting the crops, securities, warehouse receipts and accounts of the said association or the said trustee until the issue secured by same shall have been fully paid and retired. Each association shall make an annual report to the director ~~((of-markets))~~, showing the gross returns to said association from the business of the previous year; an itemized statement of its expenses; the amount of its net gain, if any, which shall have been transferred to a surplus account; and the amount of money distributed to its members.

Sec. 9. Section 33, chapter 121, Laws of 1921 and RCW 31.16.310 are each amended to read as follows:

All fees collected by the director shall inure to the benefit of the State College of Washington for use in the work of the director ~~((of-marketing))~~ and shall be available therefor without any other or further appropriation thereof. A statement of all receipts and expenditures by the director shall be made in his annual report.

Sec. 10. Section 43.19.010, chapter 8, Laws of 1965 as amended by section 1, chapter 167, Laws of 1975 1st ex. sess. and RCW 43.19.010 are each amended to read as follows:

The department of general administration shall be organized into divisions, which shall include (1) the division of banking, (2) the division of savings and loan associations, (3) the division of capitol buildings, (4) the division of purchasing, (5) the division of engineering and architecture, and ~~((6))~~ (6) the division of motor vehicle transportation service.

The director of general administration shall have charge and general supervision of the department. He may appoint and deputize such clerical and other assistants as may be necessary for the general administration of the department. The director of general administration shall receive a salary in an amount fixed by the governor.

NEW SECTION. Sec. 11. RCW 31.16.330 is decodified.

#### EXPLANATORY NOTE

This act corrects obsolete statutory references in the following respects:  
(1) Section 1 of this act corrects a citation reference.

(2) Sections 2 through 5 of this act change references to the division of banking of the department of taxation and examination and the division of banking of the department of finance, budget and business to the division of banking of the department of general administration.

(3) Sections 6 through 9 of this act change references to the director of marketing, the director of farm markets, and the director of markets to the director of agriculture.

(4) Section 10 of this act corrects a subsection numbering error.

(5) Section 11 of this act decodifies a transfer section that is no longer necessary because of this act.

Passed the Senate February 8, 1988.

Passed the House February 29, 1988.

Approved by the Governor March 11, 1988.

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## CHAPTER 26

[Senate Bill No. 6516]

### BRIDGE REPLACEMENT IN RURAL AREAS

AN ACT Relating to replacement of bridges on rural arterials; and amending RCW 36-79.010, 36.79.020, 36.79.050, 36.79.060, 36.79.090, and 36.79.120.

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

Sec. 1. Section 1, chapter 49, Laws of 1983 1st ex. sess. and RCW 36-79.010 are each amended to read as follows:

The definitions set forth in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Rural arterial program" means improvement projects on those two systems of county roads in rural areas classified as major collectors and minor collectors in accordance with the federal functional classification system and the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural areas.

(2) "Rural area" means every area of the state outside of areas designated as urban areas by the state transportation commission with the approval of the secretary of the United States department of transportation in accordance with federal law.

(3) "Board" means the county road administration board created by RCW 36.78.030.

Sec. 2. Section 2, chapter 49, Laws of 1983 1st ex. sess. and RCW 36-79.020 are each amended to read as follows:

There is created in the motor vehicle fund the rural arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the rural arterial trust account shall be expended for (1) the construction and improvement of county major and minor collectors in rural areas, (2) the construction of replacement bridges funded by the federal bridge replacement program on access roads in rural areas, and (3) for those expenses of the board associated with the administration of the rural arterial program.