

SEC. 6. Every person required to attend a traffic school as established under the provisions of this act shall maintain attendance in accordance with the sentence or order. Failure so to do, unless for good cause shown by clear and convincing evidence, shall be a misdemeanor and punishable as by law provided in addition to the imposition of any punishment suspended or deferred upon the original conviction.

Failure to attend school, misdemeanor.

Passed the House March 3, 1959.

Passed the Senate March 10, 1959.

Approved by the Governor March 18, 1959.

CHAPTER 183.

[H. B. 381.]

PORT DISTRICTS—REVENUE BONDS AND WARRANTS.

AN ACT relating to port districts; amending section 1, chapter 122, Laws of 1949, as amended by section 1, chapter 59, Laws of 1957, and RCW 53.40.010; section 3, chapter 59, Laws of 1957 and RCW 53.40.020; section 4, chapter 59, Laws of 1957 and RCW 53.40.030; section 4, chapter 122, Laws of 1949, as amended by section 5, chapter 59, Laws of 1957, and RCW 53.40.040; section 3, chapter 122, Laws of 1949, as amended by section 6, chapter 59, Laws of 1957, and RCW 53.40.050; sections 9 and 8, chapter 122, Laws of 1949 and RCW 53.40.110 and 53.40.130; and adding two new sections to chapter 53.40 RCW; and declaring an emergency.

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

SECTION 1. Section 1, chapter 122, Laws of 1949, as amended by section 1, chapter 59, Laws of 1957, and RCW 53.40.010 are each amended to read as follows:

RCW 53.40.010 amended.

The port commission of any port district is authorized for the purpose of carrying out the lawful powers granted port districts by the laws of the state to contract indebtedness and to issue revenue bonds

Revenue bonds authorized.

evidencing such indebtedness in conformity with this chapter.

RCW 53.40.020
amended.

SEC. 2. Section 3, chapter 59, Laws of 1957 and RCW 53.40.020 are each amended to read as follows:

Purposes for
which issued.

All such revenue bonds authorized under the terms of this chapter may be issued and sold by the port district from time to time and in such amounts as is deemed necessary by the port commission to provide sufficient funds for the carrying out of all port district powers, and without limiting the generality thereof, shall include the following: Acquisition, construction, reconstruction, maintenance, repair, additions and operation of port properties and facilities, including in the cost thereof engineering, inspection, accounting, fiscal and legal expenses; the cost of issuance of bonds, including printing, engraving and advertising and other similar expenses; payment of interest on the outstanding bonds issued for any project during the period of actual construction and for six months after the completion thereof, and the proceeds of such bond issue are hereby made available for all such purposes.

RCW 53.40.030
amended.

SEC. 3. Section 4, chapter 59, Laws of 1957 and RCW 53.40.030 are each amended to read as follows:

Bonds—Term,
form, etc.

The port commission shall determine the form, conditions, and denominations of all such bonds, the maturity date or dates which the bonds so sold shall bear, and the interest rate thereon, which shall not exceed six percent per year. It shall not be necessary that all bonds of the same authorized issue bear the same interest rate. Principal and interest of the bonds shall be payable at such place or places as may be fixed and determined by the port commission. The bonds may contain provisions for registration thereof as to principal only or as to both principal and interest. The bonds shall be issued in coupon form with interest payable at such time or times as may be determined by the port commis-

sion and in such amounts as it may prescribe. The port commission may provide for retirement of bonds issued under this chapter at any time or times prior to their maturity, and in such manner and upon the payment of such premiums as may be fixed and determined by resolution of the port commission.

SEC. 4. Section 4, chapter 122, Laws of 1949, as amended by section 5, chapter 59, Laws of 1957, and RCW 53.40.040 are each amended to read as follows:

RCW 53.40.040 amended.

Bonds issued under the provisions of this chapter shall be payable solely out of operating revenues of the port district. Such bonds shall be authorized by resolution adopted by the port commission, which resolution shall create a special fund or funds into which the port commission may obligate and bind the port district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a fixed amount of the gross revenue of the port district for the purpose of paying the principal of and interest on such bonds as the same shall become due, and if deemed necessary to maintain adequate reserves therefor. Such fund or funds shall be drawn upon solely for the purpose of paying the principal and interest upon the bonds issued pursuant to this chapter.

Bonds payable only out of revenues—
Special funds.

The bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, even though they shall be payable solely from such special fund or funds, and the tax revenue of the port district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. The bonds and the coupons attached thereto shall state upon their face that they are payable solely from such special fund or funds. If the port commission fails to set aside and pay into such fund or funds the payments provided for in such resolution, the holder

Bonds, negotiable instruments.

of any such bonds may bring suit to compel compliance with the provisions of the resolution.

RCW 53.40.050
amended.

SEC. 5. Section 3, chapter 122, Laws of 1949, as amended by section 6, chapter 59, Laws of 1957, and RCW 53.40.050 are each amended to read as follows:

Sale of bonds
to federal
government.

Port districts may, but are not required by the terms of this chapter to do so, sell any or all such bonds issued pursuant to this chapter to the federal government, or any agency of the federal government, at private sale and without the necessity of public advertisement or calling for bids.

RCW 53.40.110
amended.
Bonds—
Interest on,
form, permis-
sible
covenants.

SEC. 6. Section 9, chapter 122, Laws of 1949 and RCW 53.40.110 are each amended to read as follows:

The bonds issued pursuant to the provisions of this chapter shall bear interest at a net interest cost to the port district over the life of the issue at not to exceed six percent per annum and no semiannual interest shall be, nor shall any coupon evidence, interest at a rate greater than six percent; shall be signed on behalf of the port district by the president of the port commission and shall be attested by the secretary of the port commission, one of which signatures may be a facsimile signature, and shall have the seal of the port district impressed thereon; each of the interest coupons attached thereto shall be signed by the facsimile signatures of said officials. Such bonds shall be sold in the manner and at such price as the port commission shall deem best, either at public or private sale.

The port commission may provide such covenants as it may deem necessary to secure the payment of the principal of and interest on such bonds and may but shall not be required to include covenants to create a reserve fund or account and to authorize the payment or deposit of certain moneys therein for the purpose of securing the payment of such principal and interest; to establish, maintain, and collect tariffs, rates, charges, fees, rentals, and

sales prices on facilities and services the income of which is pledged for the payment of such bonds, sufficient to pay or secure the payment of such principal and interest and to maintain an adequate coverage over annual debt service; and to make any and all other covenants not inconsistent with the provisions of this chapter which will increase the marketability of such bonds. The port commission may also provide that revenue bonds payable out of the same source or sources may later be issued on a parity with any revenue bonds being issued and sold. The provisions of this chapter and any resolution or resolutions providing for the authorization, issuance, and sale of such bonds shall constitute a contract with the holders of such bonds, and the provisions thereof shall be enforceable by any owner or holder of such bonds by mandamus or any appropriate suit, action or proceeding at law or in equity in any court of competent jurisdiction.

SEC. 7. Section 8, chapter 122, Laws of 1949 and RCW 53.40.130 are each amended to read as follows:

RCW 53.40.130 amended.

The port commission of any port district may by resolution, from time to time, provide for the issuance of funding or refunding revenue bonds to fund or refund any outstanding revenue warrants, bonds, and any premiums due thereon, and matured coupons evidencing interest upon any such bonds at or before the maturity of such warrants or bonds, and may combine various outstanding revenue warrants and parts or all of various series and issues of outstanding revenue bonds and matured coupons in the amount thereof to be funded or refunded.

Refunding revenue bonds authorized.

The port commission shall create a special fund for the sole purpose of paying the principal of and interest on such funding or refunding revenue bonds, into which fund the commission shall obligate and bind the port district to set aside and pay any part or parts of, or all of, or a fixed proportion of, or a

Special fund.

fixed amount of the gross revenue of the port district sufficient to pay such principal and interest as the same shall become due, and if deemed necessary to maintain adequate reserves therefor.

Refunding
bonds, negoti-
able instru-
ments.

Such funding or refunding bonds shall be negotiable instruments within the provisions and intent of the negotiable instruments law of this state, and the tax revenue of the port district may not be used to pay, secure, or guarantee the payment of the principal of and interest on such bonds. The net interest cost to maturity on such funding or refunding bonds shall not exceed six percent per annum and the amount of any premium to be paid to effect the redemption of outstanding revenue warrants or bonds shall not be considered in determining such net interest cost.

The port district may exchange such funding or refunding bonds for the warrants, bonds, and coupons being funded or refunded, or it may sell such funding or refunding bonds in the manner and at such price as the port commission shall deem to be for the best interest of the district and its inhabitants, either at public or private sale.

The provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such funding or refunding bonds except as may be otherwise specifically provided in this section.

New section.

SEC. 8. There is added to chapter 53.40 RCW a new section to read as follows:

Revenue
warrants
authorized.

Port districts may also issue revenue warrants for the same purposes for which they may issue revenue bonds, and the provisions of this chapter relating to the terms, conditions, covenants, issuance, and sale of revenue bonds shall be applicable to such revenue warrants.

New section.

SEC. 9. There is added to chapter 53.40 RCW a new section to read as follows:

Any sale of revenue bonds or warrants of port districts heretofore made, whether at public or private sale and whether at par or less than par as authorized herein, and any terms, conditions, and covenants of any revenue bonds or warrants of port districts heretofore issued, are hereby declared to be valid, legal, and binding in all respects: *Provided, however,* That this section shall not be construed to exonerate any officer or agent of any such district from any liability for any acts which were committed fraudulently or in bad faith.

Prior sales
validated.

SEC. 10. 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 political subdivisions, and shall take effect immediately.

Emergency.

Passed the House March 10, 1959.

Passed the Senate March 9, 1959.

Approved by the Governor March 18, 1959.

CHAPTER 184.

[H. B. 611.]

LIMITED ACCESS HIGHWAYS—PARKING FACILITIES.

AN ACT relating to limited access highways and freeways; authorizing the lease of air space over and under limited access highways and freeways for private motor vehicle parking areas and development of parking facilities; and adding a new chapter to Title 47 RCW.

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

SECTION 1. There is added to Title 47 RCW a new chapter to read as set forth in sections 2 through 13 of this act.

New chapter.

SEC. 2. The state highway commission may rent or lease to any person, partnership, association, corporation or municipal corporation desiring the use

Lease of air-
space for
parking
facilities
authorized.