

CHAPTER 278.

[Sub. S. B. 129.]

TOLL BRIDGE AUTHORITY—HIGHWAY COMMISSION—
COMPOSITION—POWERS AND DUTIES.

AN ACT relating to state government; changing the membership of the Washington toll bridge authority; relating to the powers and duties of the Washington toll bridge authority and the state highway commission; amending section 47.56.020, chapter 13, Laws of 1961 and RCW 47.56.020; amending section 47.56.030, chapter 13, Laws of 1961 and RCW 47.56.030; adding six new sections to chapter 13, Laws of 1961 and chapter 47.56 RCW; declaring an emergency; and providing effective dates.

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

SECTION 1. Section 47.56.020, chapter 13, Laws of 1961 and RCW 47.56.020 are each amended to read as follows:

RCW 47.56.020 amended.

There is hereby created the Washington toll bridge authority composed of the governor, two members of the state highway commission designated by said commission to serve at its pleasure, and two members appointed by the governor for terms of office as herein provided. The members appointed by the governor shall be known as appointive members. The director of highways shall be an ex officio member of said authority but without a vote.

Toll bridge authority. Created—Members—Compensation and expenses.

SEC. 2. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

New section.

Within ninety days after March 10, 1961, the governor shall appoint the first appointive members of the authority: One member to serve two years and one member to serve four years from the first day of July 1961. Upon expiration of said original terms subsequent appointments of the appointive members shall be for four years except in the case of vacancy, in which event appointment shall be

Appointive members—Terms.

only for the remainder of the unexpired term in which the vacancy has occurred.

Sec. 3. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

The two appointive members of the authority shall be residents of this state and shall have the following qualifications: No appointive member shall at the time of appointment or thereafter during his term of office reside in one part of the state, divided east and west by the summit of the Cascade mountains, in which the other appointive member of the authority resides. No appointive member of the authority shall at the time of appointment or thereafter during his term of office be a member of the same major political party in which the other appointive member of the authority is a member. No elective state official or state officer during the term of office to which he was elected or appointed or state employee shall be an appointive member of the authority.

Vetoed.

No appointive member of the authority shall be removed from office by the governor before the expiration of his term unless for a disqualifying change of residence or for cause based upon a determination of incapacity, incompetence, neglect of duty, or malfeasance in office by the superior court of the state of Washington in and for Thurston county upon petition and show cause proceedings duly brought therefor in said court and directed to the member in question.

New section.

SEC. 4. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

Members—
Per diem—
Expenses.

The appointive members and the highway commission members of the Washington toll bridge authority shall receive twenty-five dollars per diem for each day actually spent in performance of his

duties, but in no event shall such a member's per diem payment exceed three thousand dollars in any one year; nor shall a highway commission member's total per diem pay for serving on the highway commission and on the authority exceed forty-five hundred dollars in any one year. Each member of the authority shall receive his actual necessary traveling and other expenses in going to, attending, and returning from meetings of the authority, and his actual and necessary traveling and other expenses incurred in the discharge of such duties as may be requested of him by a majority vote of the authority.

SEC. 5. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

New section.

Notwithstanding the change in membership in the Washington toll bridge authority as provided in section 1 of this act, said authority as created by section 2, chapter 173, Laws of 1937, as last amended by section 20, chapter 285, Laws of 1955 shall be deemed to be a continuing agency of this state and shall continue to be vested with all the powers, functions, and duties heretofore vested in the Washington toll bridge authority.

Authority as continuing agency.

SEC. 6. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

New section.

The authority shall establish such rules and regulations as may be deemed wise and lay down policies of procedure and generally supervise and control the operation of the functions vested in it by law and said authority is hereby clothed with all necessary powers to carry out said functions. The authority shall appoint an executive secretary who shall serve at its pleasure and who shall be the chief administrative officer of the authority.

General powers—Executive secretary.

New section.

SEC. 7. There is added to chapter 13, Laws of 1961 and to chapter 47.56 RCW a new section to read as follows:

Acts recorded
—Quorum.

The authority shall act collectively with recorded resolutions or motions adopted by a majority of the authority at regular or special meetings, notice of which meetings shall be given to all members pursuant to the rules of said authority. Three members shall constitute a quorum at any meeting, but no resolution, motion, or other decision of the authority shall be adopted or passed without a favorable vote of at least three members.

RCW 47.56.030
amended.

SEC. 8. Section 47.56.030, chapter 13, Laws of 1961 and RCW 47.56.030 are each amended to read as follows:

Toll facilities,
ferries—High-
way commis-
sion in charge
of construc-
tion, operation
and mainte-
nance.

The state highway commission shall have full charge of the construction of all toll bridges and other toll facilities including the Washington state ferries that may be authorized by the Washington toll bridge authority, and the operation and maintenance thereof and the collection of tolls and charges thereon. The commission shall have full charge of design of all toll facilities. The commission shall proceed with the construction of such toll bridges and other facilities and the approaches thereto by contract in the manner of state highway construction immediately upon there being made available funds for such work and shall prosecute such work to completion as rapidly as practicable.

Authority
powers
performed
through state
highway com-
mission.

SEC. 9. All powers vested in the authority relating to the acquiring, operating, extending, designing, constructing, repairing and maintenance of the Washington state ferries or any part thereof and the collecting of tolls and charges for use of its facilities, shall be performed by the authority through the state highway commission: *Provided*, That the authority shall determine all fares, tolls and other charges for its facilities and shall directly perform

all duties and exercise all powers relating to financing, refinancing and fiscal management of the system's bonded indebtedness in the manner provided by law.

SEC. 10. There shall be in the state highway commission a division of toll facilities. The director of highways shall appoint, with the approval of the state highway commission, an assistant to be designated assistant director of toll facilities who shall have supervision of the division of toll facilities.

Division of toll facilities
—Assistant director.

SEC. 11. The assistant director of toll facilities shall be fully competent as an engineer and as an executive. He shall be a registered professional engineer and shall be a graduate in engineering of an accredited university or college or have in lieu thereof experience as a civil engineer in responsible charge of work equivalent to such education, and in addition shall have experience in bridge or highway construction for a period of not less than five years.

Assistant director of toll facilities—Qualifications.

SEC. 12. The division of toll facilities shall perform all functions vested by law in the state highway commission relating to acquisition, operation, design, construction, improvement, maintenance and repair of all toll bridges and other toll facilities, including the Washington state ferries.

Division of toll facilities—Functions.

SEC. 13. This act is necessary for the preservation of public peace, health and welfare, the support of state government and its existing public institutions, and sections 2 and 3 shall take effect immediately. Sections 1, 4, 5, 6, 7, 8, 9, 10, 11 and 12 shall take effect July 1, 1961.

Emergency.

Passed the Senate February 23, 1961.

Passed the House March 5, 1961.

Approved by the Governor March 21, 1961, with the exception of Section 3, which is vetoed.

NOTE: Excerpt of Governor's veto message reads as follows:

Veto message,
excerpt.

"This bill, which is sponsored by the Committee on Highways, completely revamps and reorganizes the Washington Toll Bridge Authority. It removes from the Toll Bridge Authority the State Auditor, the Chairman of the Public Service Commission, the Chairman of the State Highway Commission, and the Director of General Administration.

"The members removed are replaced by two members of the State Highway Commission designated by the Commission, and two members appointed by the Governor, leaving the Governor as a member of the Commission.

"Section 3 of this bill provides that one of the members appointed by the Governor shall reside east of the Cascades; the other one west thereof. It also provides that one member each, shall be selected from each of the major political parties. The section further provides that no elected state official or state officer shall be appointed by me to the Authority. The section further provides that members of the Authority can be removed only for specified grounds after a hearing in the Superior Court of the State of Washington in and for Thurston County.

"It is my considered judgment that there is no need that one of the two members of this Authority to be appointed by me reside east of the Cascade Mountains. I expect that the Highway Commission will elect one of the members designated by the Commission to be a member whose residence is east of the Cascade Mountains. Secondly, it should be recognized that meetings of the membership of this Authority will be frequent. Members appointed from east of the Cascades may not attend the frequent meetings which will be called and which will take place at the State Capitol. The major function of the Authority deals with problems related to the State ferry system. In addition, most of the toll facilities will be located west of the Cascades. Therefore, reason demands that the majority of the members of this Authority should reside west of the Cascades. I also believe it would be unwise to categorically refuse membership on this Authority to elected or appointed State officials. By virtue of their residence, and their experience in governmental affairs, I would consider it a serious mistake to deprive ourselves of the services of a well trained and qualified individual who may be a State officer, from serving on the Authority.

"For the reasons indicated, section 3 of the bill is vetoed. The remainder of the bill is approved."

ALBERT D. ROSELLINI,
Governor.

CHAPTER 279.

[S. B. 383.]

QUALIFICATIONS OF LEGAL NEWSPAPER.

AN ACT relating to legal publications; and amending section 1, chapter 99, Laws of 1921, as amended by section 3, chapter 213, Laws of 1941, and RCW 65.16.020.

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

SECTION 1. Section 1, chapter 99, Laws of 1921, as amended by section 3, chapter 213, Laws of 1941, and RCW 65.16.020 are each amended to read as follows:

RCW 65.16.020
amended.