

SEC. 2. Section 2, chapter 119, Laws of 1951, and RCW 65.16.140 are each amended to read as follows:

Each radio or television station broadcasting any legal notice or notice of event shall for a period of six months subsequent to such broadcast retain at its office a copy or transcription of the text of the notice as actually broadcast which shall be available for public inspection.

RCW 65.16.140 amended.

Broadcaster to retain copy or transcription.

SEC. 3. Section 3, chapter 119, Laws of 1951, and RCW 65.16.150 are each amended to read as follows:

Proof of publication of legal notice or notice of event by radio or television broadcast shall be by affidavit of the manager, an assistant manager or a program director of the station broadcasting the same.

RCW 65.16.150 amended.

Proof of publication.

Passed the Senate February 17, 1961.

Passed the House March 1, 1961.

Approved by the Governor March 8, 1961.

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## CHAPTER 86.

[ S. B. 285. ]

### EMPLOYEE BENEFIT PLANS—LIENS FOR CONTRIBUTIONS.

AN ACT relating to liens for contributions to employee benefit plans.

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

SECTION 1. Every employer who is required to pay contributions, by agreement or otherwise, into a fund of any employee benefit plan in order that his employee may participate therein, shall pay such contributions in the required amounts and at the stipulated time or each employee affected thereby shall have a lien on the earnings and on all property used in the operation of said employer's business

Employer contribution to employee benefit plans, employee's lien when not paid.

to the extent of the moneys, plus any penalties, due to be paid by or on his behalf in order to qualify him for participation therein, and for any moneys expended or obligations incurred for medical, hospital, or other expenses to which he would have been entitled had such required contributions been paid.

Notice of claim.

SEC. 2. The lien claimant, or his representative on his behalf, or the trustee of the fund on the claimant's behalf, within sixty days after such payment becomes due shall file for record with the auditor of the county wherein the claimant is or was employed by such employer a notice of claim, containing a statement of the demand, the name of the employer and the name of the person employing the claimant, if known, with a statement of the pertinent terms and conditions of the employee benefit plan and the time when such contributions are due and were to have been paid, and shall serve or mail a copy thereof to said employer within such time.

Service of notice of claim.

SEC. 3. Service of the notice of claim may be made in the same manner as summons in civil actions.

Enforcement of lien.

SEC. 4. The lien may be enforced within the same time and in the same manner as mechanics' liens are foreclosed when said lien is upon real property, or within the same time and in the same manner as chattel liens are enforced when the lien is upon personal property. The court may allow, as part of the costs of the action, the moneys paid for filing or recording the claim, a reasonable attorney's fee in the superior and supreme court, and court costs.

Preference of lien.

SEC. 5. The lien created herein shall be preferred to any encumbrance which may attach after the contribution payments became due and is also preferred to any encumbrance which may have attached previous to that time, but which was not filed or

recorded so as to create constructive notice thereof prior to that time, and of which the lien claimant had no notice.

Passed the Senate February 18, 1961.

Passed the House March 1, 1961.

Approved by the Governor March 8, 1961.

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## CHAPTER 87.

[ S. B. 305. ]

### STATE WHEAT COMMISSION.

AN ACT establishing the state wheat commission; providing for an assessment to be laid upon wheat; prescribing penalties; specifying circumstances of taking effect; and declaring an emergency.

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

SECTION 1. It is in the public interest of all the people to protect the reputation and welfare of the wheat industry of this state. Without a commission to represent it, the wheat industry cannot effectively help itself in developing foreign and domestic markets, in promoting research to better the quality of Washington wheat, or in protecting the consumer by maintaining proper grades and standards. A wheat commission is vitally necessary to improve the competitive position of Washington wheat producers with respect to states already having such commissions, and to assist these producers in obtaining a fair return from their labor, their farms and the wheat they produce. Such a commission must be endowed with such authority as will enable it to cope swiftly and effectively with our rapidly changing economic conditions as they may affect the wheat industry. Therefore this act of the legislature is passed to establish a wheat commission, composed of wheat producers familiar with

Wheat commission act.

Legislative declaration of purposes.