

CHAPTER 141  
[Engrossed Senate Bill No. 411]  
WATER POLLUTION CONTROL--  
PROJECTS--STATE AID

AN ACT Relating to water pollution control; authorizing the water pollution control commission and municipal or public corporations and political subdivisions to enter into contracts and the commission to loan moneys for the purpose of assisting said municipal or public corporations and political subdivisions in financing water pollution control projects; and adding new sections to chapter 90.48 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 90.48 RCW a new section to read as follows:

The commission is authorized to enter into contracts with any municipal or public corporation or political subdivision within the state for the purpose of assisting such agencies to finance the construction of water pollution control projects necessary to prevent the discharge of untreated or inadequately treated sewage or other waste into the waters of the state, including but not limited to, systems for the control of storm or surface waters which will provide for the removal of waste or polluting materials in a manner conforming to the comprehensive plan of water pollution control and abatement proposed by the agencies and approved by the commission. Any such contract may provide for:

(1) The payment by the commission to a municipal or public corporation or political subdivision on a monthly, quarterly, or annual basis of varying amounts of moneys as advances which shall be repayable by said municipal or public corporation, or political subdivision under conditions determined by the commission.

Contracts made by the commission shall be subject to the following limitations:

(1) No contract shall be made unless the commission shall find that the project cannot be financed at reasonable cost or within statutory limitations by the borrower without the making of such con-

tract.

(2) No contract shall be made with any public or municipal corporation or political subdivision to assist in the financing of any project located within a sewage drainage basin for which the commission shall have previously adopted a comprehensive water pollution control and abatement plan unless the project is found by the commission to conform with the basin comprehensive plan.

(3) The commission shall determine the interest rate, not to exceed ten percent per annum, which such advances shall bear.

(4) The commission shall provide such reasonable terms and conditions of repayment of advances as it may determine.

(5) A pollution facilities construction revolving account in the general fund is created; the moneys therein to be used solely to fulfill commitments arising from contracts authorized under this act. The total outstanding amount which the commission may at any time be obligated to pay under all outstanding contracts made pursuant to this section shall not exceed the moneys available for such payment from said account. Moneys of said account may be invested in direct obligations of the United States pending application to such payment. Earnings from such investment shall be paid into said account and applied as other moneys of said account.

(6) Repayments of advances made pursuant to such contracts shall be paid into the pollution facilities construction revolving account and may be again advanced by the commission to finance other water pollution control projects pursuant to this act on as nearly a continuous revolving basis as is practical.

(7) Municipal or public corporations or political subdivisions shall meet such qualifications and follow such procedures in applying for contract assistance as shall be established by the commission.

In making such contracts the commission shall give priority to projects which will provide relief from actual or potential public health hazards or water pollution conditions and which provide substantial capacity beyond present requirements to meet anticipated

future demand.

NEW SECTION. Sec. 2. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provisions to other persons or circumstances is not affected.

Passed the Senate April 15, 1969  
Passed the House April 9, 1969  
Approved by the Governor April 23, 1969  
Filed in office of Secretary of State April 23, 1969

CHAPTER 142  
[Engrossed Senate Bill No. 116]  
FINANCIAL INSTITUTIONS--REAL  
ESTATE DEVELOPERS--USURY

AN ACT Relating to usury; adding a new section to chapter 23, Laws of 1967 ex. sess. and to chapter 19.52 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. There is added to chapter 23, Laws of 1967 ex. sess. and to chapter 19.52 RCW a new section to read as follows:

Corporations, Massachusetts trusts, associations, and limited partnerships engaged in the business of lending money or the development or improvement of real estate in the state of Washington may not plead the defense of usury nor maintain any action thereon: PROVIDED, HOWEVER, That this section shall apply only to a transaction which involves an amount in excess of \$100,000.

Passed the Senate April 16, 1969  
Passed the House April 9, 1969  
Approved by the Governor April 24, 1969  
Filed in office of Secretary of State April 24, 1969

CHAPTER 143  
[Engrossed Senate Bill No. 122]  
CRIMINAL PROCEDURE--WITNESSES

AN ACT Relating to criminal procedure; amending section 93, page 116, Laws of 1854, as last amended by section 1, chapter 83, Laws of 1915, and RCW 10.52.040.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 93, page 116, Laws of 1854, as last amended by section 1, chapter 83, Laws of 1915, and RCW 10.52.040 are each amended to read as follows: