

## CHAPTER 155

[Substitute House Bill No. 67]

COUNCIL-MANAGER CODE CITIES—  
ELECTION OF MAYOR

AN ACT Relating to the election of mayors in code cities; amending section 35A.13.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.020; amending section 35A.13.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.030; and adding a new section to chapter 35A.13 RCW.

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

Section 1. Section 35A.13.020, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.020 are each amended to read as follows:

In council-manager code cities, eligibility for election to the council, the manner of electing councilmen, the numbering of council positions, the terms of councilmen, the occurrence and the filling of vacancies, the grounds for forfeiture of office, and appointment of a mayor pro tempore or deputy mayor or councilman pro tempore shall be governed by the corresponding provisions of RCW 35A.12.030, 35A.12.040, 35A.12.050, 35A.12.060, and 35A.12.065 relating to the council of a code city organized under the mayor-council plan: PROVIDED, That in council-manager cities where all council positions are at-large positions, the city council may, pursuant to section 3 of this amendatory act, provide that the person elected to council position one on or after the effective date of this amendatory act, shall be the council chairman and shall carry out the duties prescribed by RCW 35A.13.030, as now or hereafter amended.

Sec. 2. Section 35A.13.030, chapter 119, Laws of 1967 ex. sess. and RCW 35A.13.030 are each amended to read as follows:

Biennially at the first meeting of the new council the members thereof shall choose a chairman from among their number (~~who~~) unless the chairman is elected pursuant to section 3 of this amendatory act. The chairman of the council shall have the title of mayor and shall preside at meetings of the council. In addition to the powers conferred upon him as mayor, he shall continue to have all the rights, privileges, and immunities of a member of the council. The mayor shall be recognized as the head of the city for ceremonial purposes and by the governor for purposes of military law. He shall have no regular administrative duties, but in time of public danger or emergency, if so authorized by ordinance, shall take command of the police, maintain law, and enforce order.

NEW SECTION. Sec. 3. There is added to chapter 35A.13 RCW a new section to read as follows:

The city council of a council-manager city may by resolution place before the voters of the city, a proposition to designate the person elected to council position one as the chairman of the council with the powers and duties set forth in RCW 35A.13.030. If a majority of those voting on the proposition cast a positive vote, then at all subsequent general elections at which position one is on the ballot, the

person who is elected to position one shall become the chairman upon taking office.

Passed the House May 26, 1975.

Passed the Senate May 23, 1975.

Approved by the Governor June 3, 1975.

Filed in Office of Secretary of State June 4, 1975.

## CHAPTER 156

[Substitute House Bill No. 126]

### CRIMES—DISPLAY OF SEXUALLY EXPLICIT MATERIAL—PENALTY

AN ACT Relating to crimes; adding a new section to chapter 9.68 RCW; and prescribing a penalty.

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

NEW SECTION. Section 1. There is added to chapter 9.68 RCW a new section to read as follows:

(1) A person is guilty of unlawful display of sexually explicit material if he knowingly exhibits such material on a viewing screen so that the sexually explicit material is easily visible from a public thoroughfare, park or playground or from one or more family dwelling units.

(2) "Sexually explicit material" as that term is used in this section means any pictorial material displaying direct physical stimulation of unclothed genitals, masturbation, sodomy (i. e. bestiality or oral or anal intercourse), flagellation or torture in the context of a sexual relationship, or emphasizing the depiction of adult human genitals: PROVIDED HOWEVER, That works of art or of anthropological significance shall not be deemed to be within the foregoing definition.

(3) Any person who violates subsection (1) of this section shall be guilty of a misdemeanor.

Passed the House May 26, 1975.

Passed the Senate May 22, 1975.

Approved by the Governor June 3, 1975.

Filed in Office of Secretary of State June 4, 1975.

## CHAPTER 157

[Substitute House Bill No. 184]

### COLLEGES AND UNIVERSITIES— SENIOR CITIZENS' TUITION WAIVER

AN ACT Relating to institutions of higher education; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW.

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

NEW SECTION. Section 1. In recognition of the worthwhile goal of making education a life-long process, it is the declared desire of the legislature to promote the availability of post secondary education for the state's older residents.

NEW SECTION. Sec. 2. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.15 RCW a new section to read as follows: