

NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate May 13, 1975.

Passed the House May 8, 1975.

Approved by the Governor May 16, 1975.

Filed in Office of Secretary of State May 16, 1975.

CHAPTER 51

[Engrossed Senate Bill No. 2690]

FLUID DAIRY PRODUCTS CONTAINERS— SIZE DESIGNATION

AN ACT Relating to containers for fluid dairy products; and amending section 42, chapter 67, Laws of 1969 and RCW 19.94.420.

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

Section 1. Section 42, chapter 67, Laws of 1969 and RCW 19.94.420 are each amended to read as follows:

All fluid dairy products, including but not limited to whole milk, skimmed milk, cultured milk, sweet cream, sour cream and buttermilk and all fluid imitation and fluid substitute dairy products shall be packaged for retail sale only in units (~~of one gill, one-half liquid pint, ten fluid ounces, one liquid pint, one liquid quart, one-half gallon, one gallon, one and one-half gallon, two gallons, two and one-half gallons or multiples of one gallon. PROVIDED, That the director may by regulation provide for other sizes under one quart~~) as provided by the director of the department of agriculture by regulation pursuant to the provisions of chapter 34.04 RCW.

Passed the Senate May 13, 1975.

Passed the House May 8, 1975.

Approved by the Governor May 16, 1975.

Filed in Office of Secretary of State May 16, 1975.

CHAPTER 52

[House Bill No. 139]

PUBLIC LANDS—TIMBER AND VALUABLE MATERIALS— SALE, TERMS—DEPOSITS—REMOVAL

AN ACT Relating to sales of valuable material; and amending section 33, chapter 255, Laws of 1927 as last amended by section 1, chapter 123, Laws of 1971 ex. sess. and RCW 79.01.132.

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

Section 1. Section 33, chapter 255, Laws of 1927 as last amended by section 1, chapter 123, Laws of 1971 ex. sess. and RCW 79.01.132 are each amended to read as follows:

When any timber, fallen timber, stone, gravel, or other valuable material on state lands is sold separate from the land, it may be sold as a lump sum sale or as a scale sale: **PROVIDED**, That upon the request of the purchaser, any lump sum

sale over five thousand dollars appraised value shall be on the installment plan. Lump sum sales under five thousand dollars appraised value shall be paid for in cash. ~~((A total))~~ The initial deposits required in RCW 79.01.204, ((of)) not to exceed twenty-five percent of the actual or projected purchase price, but in the case of lump sum sales over five thousand dollars not less than five thousand dollars, shall be made on the day of the sale((, as provided in RCW 79.01.204, and the operator)). The purchaser shall notify the ((commissioner)) department of natural resources before any timber is cut and before removal or processing of any valuable materials on the sale area, at which time the ((commissioner)) department of natural resources may require ((additional)), in the amount determined by the department, advance payment for the removal, processing, and/or cutting of timber or other valuable materials, or payment bonds or assignments of savings accounts acceptable to the department as adequate security. The amount of such ((additional)) advance payments and/or security shall at all times equal or exceed the value of timber cut and other valuable materials processed or removed ((and said)) until paid for. The initial deposit shall be maintained until all ((valuable materials are removed)) contract obligations of the purchaser are satisfied: ((AND)) PROVIDED ((FURTHER)) HOWEVER, That all or a portion of said initial deposit may be applied as the final payment for said materials in the event the department of natural resources determines that adequate security exists for the performance or fulfillment of any remaining obligations of the purchaser under the sale contract.

In all cases where timber, fallen timber, stone, gravel, or other valuable material is sold separate from the land, the same shall revert to the state if not removed from the land within the period specified in the sale contract. Said specified period shall not exceed five years from the date of the purchase thereof: PROVIDED, That the specified periods in the sale contract for stone, sand, fill material, or building stone shall not exceed twenty years: PROVIDED FURTHER, That in all cases where, in the judgment of the ~~((commissioner of public lands))~~ department of natural resources, the purchaser is acting in good faith and endeavoring to remove such materials, the ~~((commissioner))~~ department of natural resources may extend the time for the removal thereof for any period not exceeding twenty years from the date of purchase for the stone, sand, fill material or building stone or for a total of ten years beyond the normal termination date specified in the original sale contract for all other material, upon payment to the state of a sum to be fixed by the ~~((commissioner))~~ department of natural resources, based on the estimated loss of income per acre to the state resulting from the granting of the extension but in no event less than fifty dollars per extension, plus interest on the unpaid portion of the contract. The interest rate shall be fixed, from time to time, by rule adopted by the board of natural resources and shall not be less than six percent per annum. The applicable rate of interest as fixed at the date of sale and the maximum extension payment shall be set forth in the contract. The method for calculating the unpaid portion of the contract upon which such interest shall be paid by the purchaser shall be set forth in the contract. The ~~((commissioner))~~ department of natural resources shall pay into the state treasury all sums received

for such extension and the same shall be credited to the fund to which was credited the original purchase price of the material so sold: AND PROVIDED FURTHER, That any sale of timber, fallen timber, stone, gravel, sand, fill material, or building stone of an appraised value of five hundred dollars or less may be sold directly to the applicant for cash at full appraised value without notice or advertising.

Passed the House March 31, 1975.

Passed the Senate May 9, 1975.

Approved by the Governor May 16, 1975.

Filed in Office of Secretary of State May 16, 1975.

CHAPTER 53

[Engrossed Substitute Senate Bill No. 2715]

SCHOOL DISTRICT PRELIMINARY BUDGETS— ADOPTION, MEETING DATE

AN ACT Relating to school district budgets; amending section 28A.65.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.65.070; and declaring an emergency.

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

Section 1. Section 28A.65.070, chapter 223, Laws of 1969 ex. sess. and RCW 28A.65.070 are each amended to read as follows:

The board of directors shall immediately after the compilation of said preliminary budget publish a notice stating that the board of directors has completed the preliminary budget and placed the same on file with the school district superintendent, that a copy thereof will be furnished any taxpayer who will call upon the superintendent for it, and that the board of directors will meet for the purpose of fixing and adopting the preliminary budget of the district for the ensuing fiscal year. Such notice shall designate the date, time, and place of said meeting which shall occur on or before the first day of June: PROVIDED, That if the state legislature has not appropriated by the tenth of May moneys under RCW 28A.41.050 needed for the support of the common schools, said meetings for districts of the first class shall occur on or before the fifteenth of June. The notice shall also state that any taxpayer may appear thereat and be heard for or against any part of such budget. Said notice shall be published once each week for two consecutive weeks immediately following the compilation of the preliminary budget in a newspaper of general circulation in the district, or, if there be none, in a newspaper of general circulation in the county. The board of directors shall provide a sufficient number of copies of the preliminary budget to meet the reasonable demands of the taxpayers therefor, and the same shall be made available for distribution not later than two weeks immediately preceding the date set for the public hearing.