

greater natural resource production potential or which could be more easily managed by the department, however, no power of eminent domain is hereby granted to the department; and

(3) Sell property held in the resource management land bank in the manner provided by law for the sale of state lands without any requirement of platting and to use the proceeds to acquire property for the land bank which has greater natural resource production potential or which would be more easily managed by the department.

NEW SECTION. Sec. 4. The department of natural resources may manage the property held in the resource management land bank in the same manner as state granted lands: PROVIDED, That such properties or interest in such properties shall not be withdrawn, exchanged, transferred, or sold without first obtaining payment of the fair market value of the property or interest therein or obtaining property of equal value in exchange.

NEW SECTION. Sec. 5. The legislature may authorize appropriation of funds from the forest development account in the general fund for the purposes of this chapter. Income from the sale or management of property in the resource management land bank shall be returned as a recovered expense to the forest development account and may be used to acquire property under section 2 of this act.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act shall constitute a new chapter in Title 79 RCW.

Passed the Senate March 15, 1977.

Passed the House May 20, 1977.

Approved by the Governor May 31, 1977.

Filed in Office of Secretary of State May 31, 1977.

## CHAPTER 110

[Engrossed Senate Bill No. 2288]

### CENSUSES—TRANSACTIONS AFFECTED BY—OPP&FM, POWERS AND DUTIES

AN ACT Relating to censuses; amending section 36.13.030, chapter 4, Laws of 1963 and RCW 36.13.030; amending section 7, chapter 175, Laws of 1957 and RCW 66.08.200; amending section 8, chapter 175, Laws of 1957 and RCW 66.08.210; amending section 11, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.110; amending section 35.04.070, chapter 7, Laws of 1965 and RCW 35.04.070; and amending section 36.13.020, chapter 4, Laws of 1963 and RCW 36.13.020.

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

Section 1. Section 36.13.030, chapter 4, Laws of 1963 and RCW 36.13.030 are each amended to read as follows:

For the purpose of making a county census, the ~~((board of county commissioners))~~ legislative authority of any county may employ one or more suitable persons. The census shall ~~((give the full name, age, and occupation, if any, of each person resident in the county as of a date to be fixed by the board. The names shall be plainly written, alphabetically arranged, and numbered in complete series. Each person employed as an enumerator shall prepare a complete list of all names taken by him and shall verify his list as true and correct before an officer authorized to administer oaths. All such lists shall be filed with the county auditor of the county~~

to which they pertain)) be conducted in accordance with standard census definitions and procedures as specified by the office of program planning and fiscal management.

Sec. 2. Section 7, chapter 175, Laws of 1957 and RCW 66.08.200 are each amended to read as follows:

With respect to the ten percent share coming to the counties, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

The share coming to each eligible county shall be determined by a division among the eligible counties according to the relation which the population of the unincorporated area of such eligible county, as ~~((shown by the last federal or official county census, whichever is the later))~~ last determined by the office of program planning and fiscal management, bears to the population of the total combined unincorporated areas of all eligible counties, as ~~((shown by such census))~~ determined by the office of program planning and fiscal management: PROVIDED, That no county in which the sale of liquor is forbidden in the unincorporated area thereof as the result of an election shall be entitled to share in such distribution. "Unincorporated area" means all that portion of any county not included within the limits of incorporated cities and towns.

When a special county census has been conducted for the purpose of determining the population base of a county's unincorporated area for use in the distribution of liquor funds, the census figure shall become effective for the purpose of distributing funds as of the official census date once the census results have been certified by the office of program planning and fiscal management and officially submitted to the office of the secretary of state.

Sec. 3. Section 8, chapter 175, Laws of 1957 and RCW 66.08.210 are each amended to read as follows:

With respect to the forty percent share coming to the incorporated cities and towns, the computations for distribution shall be made by the state agency responsible for collecting the same as follows:

The share coming to each eligible city or town shall be determined by a division among the eligible cities and towns within the state ratably on the basis of population as last determined by the ~~((board))~~ office of program planning and fiscal management: AND PROVIDED, That no city or town in which the sale of liquor is forbidden as the result of an election shall be entitled to any share in such distribution.

Sec. 4. Section 11, chapter 239, Laws of 1969 ex. sess. and RCW 43.41.110 are each amended to read as follows:

The office of program planning and fiscal management shall:

(1) Provide technical assistance to the governor and the legislature in identifying needs and in planning to meet those needs through state programs and a plan for expenditures.

(2) Perform the comprehensive planning functions and processes necessary or advisable for state program planning and development, preparation of the budget, inter-departmental and inter-governmental coordination and cooperation, and determination of state capital improvement requirements.

(3) Provide assistance and coordination to state agencies and departments in their preparation of plans and programs.

(4) Provide general coordination and review of plans in functional areas of state government as may be necessary for receipt of federal or state funds.

(5) Participate with other states or subdivisions thereof in interstate planning.

(6) Encourage educational and research programs that further planning and provide administrative and technical services therefor.

(7) Carry out the provisions of RCW 43.62.010 through 43.62.050 relating to the state census.

(8) Be the official state participant in the federal-state cooperative program for local population estimates and as such certify all city and county special censuses to be considered in the allocation of state and federal revenues.

(9) Be the official state center for processing and dissemination of federal decennial or quinquennial census data in cooperation with other state agencies.

(10) Be the official state agency certifying annexations, incorporations, or disincorporations to the United States bureau of the census.

(11) Review all United States bureau of the census population estimates used for federal revenue sharing purposes and provide a liaison for local governments with the United States bureau of the census in adjusting or correcting revenue sharing population estimates.

Sec. 5. Section 35.04.070, chapter 7, Laws of 1965 and RCW 35.04.070 are each amended to read as follows:

For the purpose of the type of incorporation provided for in this chapter, the population shall be determined as follows:

A count shall be made by ~~((, or under the direction of, each board of each county in which a portion of the proposed corporation is located, of the number of dwelling units in that area at the time of incorporation or with respect to any area to be annexed thereto later, multiplied by a factor of 2.95, and))~~ the legislative authority of each county in which a portion of the proposed corporation is located to determine the population and number of housing units in that area at the time of the incorporation. The count shall be made under the direction of, and certified by, the office of program planning and fiscal management. The population so determined shall constitute the official population of the proposed corporation and subtracted from the official population of the unincorporated area of each of the counties in which the proposed corporation is located. ((In the event unincorporated territory is annexed to such corporation, the same procedures with respect to population shall be applicable.))

Sec. 6. Section 36.13.020, chapter 4, Laws of 1963 and RCW 36.13.020 are each amended to read as follows:

Whenever the ~~((board of county commissioners))~~ legislative authority of any county determines that its county has sufficient population to entitle it to advance to a higher class, and passes a resolution setting forth its estimate as to the population and the classification to which the county is entitled by reason of such estimated population it may order a county census to be taken of all the inhabitants of the county ~~((: PROVIDED, That no county census enumeration under the provisions of RCW 36.13.020 through 36.13.070 shall be made within the three years~~

~~next preceding or within the three years next following a federal census)).~~ The expense of such census enumeration shall be paid from the county current expense fund.

Passed the Senate April 22, 1977.

Passed the House May 20, 1977.

Approved by the Governor May 31, 1977.

Filed in Office of Secretary of State May 31, 1977.

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## CHAPTER 111

[Engrossed Substitute Senate Bill No. 2399]

### LEGAL HOLIDAYS

AN ACT Relating to legal holidays; and amending section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050.

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

Section 1. Section 1, chapter 51, Laws of 1927 as last amended by section 1, chapter 24, Laws of 1975-'76 2nd ex. sess. and RCW 1.16.050 are each amended to read as follows:

The following are legal holidays: Sunday; the first day of January, commonly called New Year's Day; the twelfth day of February, being the anniversary of the birth of Abraham Lincoln; the third Monday of February, being celebrated as the anniversary of the birth of George Washington; the last Monday of May, commonly known as Memorial Day; the fourth day of July, being the anniversary of the Declaration of Independence; the first Monday in September, to be known as Labor Day; the eleventh day of November, to be known as Veterans' Day; the fourth Thursday in November, to be known as Thanksgiving Day; the day immediately following Thanksgiving Day; and the twenty-fifth day of December, commonly called Christmas Day.

Employees of the state and its political subdivisions, except employees of school districts and except those non-classified employees of institutions of higher education who hold appointments or are employed under contracts to perform services for periods of less than twelve consecutive months, shall be entitled to one paid holiday per calendar year in addition to those specified in this section. Each employee of the state or its political subdivisions may select the day on which the employee desires to take the additional holiday provided for herein after consultation with the employer pursuant to guidelines to be promulgated by rule of the appropriate personnel authority, or in the case of local government by ordinance or resolution of the legislative authority.

~~((Nothing in this section shall be construed to have the effect of adding or deleting the number of paid holidays provided for in an existing agreement between employees and employers of political subdivisions of the state.))~~

If any of the above specified state legal holidays are also federal legal holidays but observed on different dates, only the state legal holidays shall be recognized as a paid legal holiday for employees of the state and its political subdivisions except that for port districts and the law enforcement and public transit employees of