

The department shall contact those local governments which have planning, zoning, and land-use regulation authority over areas where urban lands under its jurisdiction are located so as to facilitate these annual or other meetings.

"Urban lands" as used in this 1979 act shall mean those areas which within ten years are expected to be intensively used for locations of buildings, structures, and usually have urban governmental services.

"Local government" as used in this 1979 act shall mean counties, cities, and towns having planning and land-use regulation authority.

Passed the Senate March 21, 1979.

Passed the House April 11, 1979.

Approved by the Governor April 25, 1979.

Filed in Office of Secretary of State April 25, 1979.

CHAPTER 57

[Engrossed Senate Bill No. 2242]

STATE BOARDS—GOVERNOR'S MEMBERSHIP

AN ACT Relating to state government; amending section 3, chapter 177, Laws of 1903 and RCW 27.28.030; amending section 3, chapter 187, Laws of 1925 ex. sess. and RCW 27.32.030; amending section 4, chapter 44, Laws of 1941 and RCW 27.36.040; amending section 29.80.030, chapter 9, Laws of 1965 and RCW 29.80.030; amending section 29.81.090, chapter 9, Laws of 1965 and RCW 29.81.090; amending section 32.08.050, chapter 13, Laws of 1955 and RCW 32.08.050; amending section 1, chapter 154, Laws of 1917 as last amended by section 1, chapter 111, Laws of 1975 1st ex. sess. and RCW 33.44.020; amending section 5, chapter 178, Laws of 1951 as last amended by section 82, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 38.52.040; amending section 43.30.040, chapter 8, Laws of 1965 and RCW 43.30.040; amending section 43.34.010, chapter 8, Laws of 1965 and RCW 43.34.010; repealing section 28B.30.105, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.105; and repealing section 47.56.020, chapter 13, Laws of 1961, section 1, chapter 278, Laws of 1961 and RCW 47.56.020.

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

Section 1. Section 3, chapter 177, Laws of 1903 and RCW 27.28.030 are each amended to read as follows:

The ((governor;)) secretary of state and state treasurer shall be ex officio members of the board of curators of the said Washington state historical society, authorized and empowered to vote upon all questions coming before the said board for its action.

Sec. 2. Section 3, chapter 187, Laws of 1925 ex. sess. and RCW 27.32.030 are each amended to read as follows:

The ((governor;)) secretary of state and state treasurer shall be ex officio members of the board of trustees of the said Eastern Washington state historical society, authorized and empowered to vote upon all questions coming before the said board for its action.

Sec. 3. Section 4, chapter 44, Laws of 1941 and RCW 27.36.040 are each amended to read as follows:

The (~~governor, the~~) secretary of state(;) and the state superintendent of public instruction shall be ex officio members of the board of trustees of said state capitol historical association, and as such are hereby authorized and empowered to vote upon all questions coming before such board for its action.

Sec. 4. Section 29.80.030, chapter 9, Laws of 1965 and RCW 29.80.030 are each amended to read as follows:

(1) The secretary of state shall reject any statement offered for filing, which, in his opinion, contains any obscene, profane, libelous or defamatory matter, or any language or matter, the circulation of which through the mails is prohibited by congress. Nor shall any nominee submit a photograph showing the uniform or insignia of any organization which advocates or teaches racial or religious intolerance.

(2) Within five days after such rejection the persons submitting such statement for filing may appeal to a board of review, consisting of the (~~governor~~) superintendent of public instruction, attorney general and the lieutenant governor. The decision of such board shall be final upon the acceptance or rejection of the matter thus in controversy.

Sec. 5. Section 29.81.090, chapter 9, Laws of 1965 and RCW 29.81.090 are each amended to read as follows:

If in the opinion of the secretary of state any argument offered for filing contains any obscene, vulgar, profane, scandalous, libelous, defamatory, or treasonable matter, or any language tending to provoke crime or a breach of the peace, or any language or matter the circulation of which through the mails is prohibited by any act of congress, the secretary of state shall refuse to file it: PROVIDED, That the committee submitting such argument for filing may appeal to a board of censors consisting of the lieutenant governor, the attorney general and the superintendent of public instruction, and the decision of a majority of such board shall be final.

Sec. 6. Section 32.08.050, chapter 13, Laws of 1955 and RCW 32.08-.050 are each amended to read as follows:

From the supervisor's refusal to issue a certificate of authorization, the applicants or a majority of them, may within thirty days from the date of the filing of the certificate of refusal with the secretary of state, appeal to a board of appeal composed of the governor or the governor's designee, the attorney general and the supervisor of banking by filing in the office of the supervisor a notice that they appeal to such board from his refusal. The procedure upon the appeal shall be such as the board may prescribe, and its determination shall be certified, filed, and recorded in the same manner as the supervisor's, and shall be final.

Sec. 7. Section 1, chapter 154, Laws of 1917 as last amended by section 1, chapter 111, Laws of 1975 1st ex. sess. and RCW 33.44.020 are each amended to read as follows:

Any going building and loan or savings and loan association or society organized under the laws of this state, or under the laws of the United States, may, if its contingent fund regularly accumulated, exclusive of any reserve fund stock, amounts to not less than five thousand dollars and if it has obtained the approval, required by law or regulation, of any federal agencies, including the federal home loan bank board and the federal savings and loan insurance corporation, be converted into a mutual savings bank in the following manner:

(1) The board of directors of such association shall pass a resolution declaring their intention to convert the association into a mutual savings bank and shall apply to the supervisor of banking for leave to submit to the shareholders of the association the question whether the same shall be converted into a mutual savings bank. A duplicate of the application to the supervisor of banking shall be filed with the supervisor of savings and loan associations, except that no such filing shall be required in the case of an association organized under the laws of the United States.

(2) Thereupon the supervisor of banking shall make the same investigation and determine the same questions as he would be required by law to make and determine in case of the submission to him of a certificate of incorporation of a proposed new mutual savings bank, and he shall also determine after conference with the supervisor of savings and loan associations whether by the proposed conversion the business needs and conveniences of the shareholders of such association would be served with facility and safety, except that no such conference shall be pertinent to such investigation or determination in the case of an association organized under the laws of the United States. After the supervisor of banking shall have satisfied himself by such investigation whether it is expedient and desirable to permit the proposed conversion, he shall, within sixty days after the filing of said application, endorse thereon over his official signature the word "granted" or the word "refused", with the date of such endorsement and shall immediately notify the secretary of such association of his decision: PROVIDED, That if the application is granted the supervisor of banking shall require the applicants to enter into such an agreement or undertaking with him as trustee for the depositors with the savings bank to make such contributions in cash to the expense fund of the savings bank as in his judgment will be necessary then and from time to time thereafter to pay the operating expenses of the bank if its earnings should not be sufficient to pay the same in addition to the payment of such dividends as may be declared and credited to depositors from its earnings.

In case of refusal, said board of directors, or a majority thereof, may, within thirty days after receiving the notice of such refusal appeal to a board of appeal composed of the governor or the governor's designee, the attorney general and the supervisor of banking, in the same manner and under the same procedure as that prescribed by law for an appeal to such

board from the supervisor of banking's refusal to permit the original organization of a mutual savings bank.

(3) If such application be granted by the supervisor of banking or by the board of appeal, as the case may be, the board of directors of such association shall, within sixty days thereafter, submit the question of the proposed conversion to the shareholders of the association at a special meeting called for that purpose. Notice of such meeting shall be given in the manner prescribed by the bylaws of the association. Such notice shall state the time, place and purpose of the meeting, and that the only question to be voted upon will be, "shall the (naming the association) be converted into a mutual savings bank under the laws of the state of Washington?" The vote on said question shall be by ballot. Any shareholder may vote by proxy or may transmit his ballot by mail if the bylaws provide a method for so doing. If two-thirds or more in number of the shareholders voting on the question vote affirmatively, then the board of directors shall have power, and it shall be their duty, to proceed to convert such association into a mutual savings bank; otherwise, the proposed conversion shall be abandoned and shall not be again submitted to the shareholders within three years from the date of said meeting.

(4) If authority for the proposed conversion has been voted by the shareholders as hereinabove required, the directors shall, within thirty days thereafter, subscribe and acknowledge and file with the supervisor of banking in quadruplicate a certificate of reincorporation, stating:

(a) The name by which the converted corporation is to be known, which name shall include the words "mutual savings bank."

(b) The place where the bank is to be located and its business transacted, naming the city or town and county, which city or town shall be the same as that where the principal place of business of the corporation has theretofore been located.

(c) The name, occupation, residence and post office address of each signer of the certificate.

(d) The amount of the assets of the corporation, the amount of its liabilities and the amount of its contingent fund as of the first day of the then calendar month.

(e) A declaration that each signer will accept the responsibilities and faithfully discharge the duties of a trustee of the savings bank, and is free from all the disqualifications specified in the laws applicable to mutual savings banks.

(5) Upon the filing of said certificate in quadruplicate the supervisor of banking shall, within thirty days thereafter, if satisfied that all the provisions of this chapter have been complied with, issue in quadruplicate an authorization certificate stating that the corporation has complied with all the requirements of law, and that it has authority to transact at the place designated in its certificate of incorporation the business of a mutual savings

bank. One of the supervisor's quadruplicate certificates of authorization shall be attached to each of the quadruplicate certificates of reincorporation, and one set of these shall be filed and retained by the supervisor of banking, one set shall be filed in the office of the county auditor of the county in which such bank is located, one set shall be filed in the office of the secretary of state, and one set shall be transmitted to the bank for its files. Upon the receipt from the corporation of the same fees as are required for filing and recording other incorporation certificates or articles the county auditor and secretary of state shall file said certificates in their respective offices and the secretary of state shall record the same; whereupon the conversion of such association shall be deemed complete, and the signers of said reincorporation certificate and their successors shall thereupon become and be a corporation having the powers and being subject to the duties and obligations prescribed by the laws of this state applicable to mutual savings banks, and the time of existence of such corporation shall continue for the period of fifty years from the date of the filing of such certificate, unless sooner terminated pursuant to law.

Sec. 8. Section 5, chapter 178, Laws of 1951 as last amended by section 82, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 38.52.040 are each amended to read as follows:

There is hereby created an emergency services council (hereinafter called the council), to consist of not less than seven nor more than fifteen members who shall be appointed by the governor. The council shall advise the governor and the director on all matters pertaining to emergency services. The ~~((governor))~~ director shall serve as chairman of the council, and the members thereof shall serve without compensation, but may be reimbursed for their travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060 as now existing or hereafter amended.

Sec. 9. Section 43.30.040, chapter 8, Laws of 1965 and RCW 43.30.040 are each amended to read as follows:

The board shall consist of five members: The governor or the governor's designee, the superintendent of public instruction, the commissioner of public lands, the dean of the college of ~~((forestry))~~ forest resources of the University of Washington and the ~~((director of the institute of agricultural sciences))~~ dean of the college of agriculture of Washington State University.

Sec. 10. Section 43.34.010, chapter 8, Laws of 1965 and RCW 43.34.010 are each amended to read as follows:

The governor or the governor's designee, the lieutenant governor, and the commissioner of public lands, ex officio, shall constitute the state capitol committee.

NEW SECTION. Sec. 11. The following acts or parts of acts are each hereby repealed:

(1) Section 28B.30.105, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.105; and

(2) Section 47.56.020, chapter 13, Laws of 1961, section 1, chapter 278, Laws of 1961 and RCW 47.56.020.

Passed the Senate March 21, 1979.

Passed the House April 11, 1979.

Approved by the Governor April 25, 1979.

Filed in Office of Secretary of State April 25, 1979.

CHAPTER 58

[Senate Bill No. 2290]

DEPARTMENT OF TRANSPORTATION—POWERS AND DUTIES

AN ACT Relating to the department of transportation; and adding a new section to chapter 47.01 RCW.

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

NEW SECTION. Section 1. There is added to chapter 47.01 RCW a new section to read as follows:

(1) The department of transportation shall exercise all the powers and perform all the duties necessary, convenient, or incidental to the planning, locating, designing, constructing, improving, repairing, operating, and maintaining state highways, including bridges and other structures, culverts, and drainage facilities and channel changes necessary for the protection of state highways, and shall examine and allow or disallow bills for any work or services performed or materials, equipment, or supplies furnished.

(2) The department is authorized to acquire property as provided by law and to construct and maintain thereon any buildings or structures necessary or convenient for the planning, design, construction, operation, maintenance, and administration of the state highway system and to acquire property and to construct and maintain any buildings, structures, appurtenances, and facilities necessary or convenient to the health and safety and for the accommodation of persons traveling upon state highways.

(3) The department is authorized to engage in planning surveys and may collect, compile, and analyze statistics and other data relative to existing and future highways and highway needs throughout the state, and shall