

Section 1. Section 3, page 473, Laws of 1890 as amended by section 1, chapter 85, Laws of 1975 1st ex. sess. and RCW 42.28.030 are each amended to read as follows:

Before a commission shall issue to the person appointed he shall—(1) execute a bond, payable to the state of Washington, in the sum of ~~((one))~~ ten thousand dollars, with sureties to be approved by the county clerk of the county in which the applicant resides, conditioned for the faithful discharge of the duties of his office; (2) pay into the state treasury the sum of ten dollars for ~~((special state library fund [state general fund]))~~ the state general fund, taking the treasurer's receipt therefor; (3) procure a seal or stamp, on which shall be engraved or impressed the words "Notary Public" and "State of Washington", and date of expiration of his commission, with surname in full, and at least the initials of his Christian name; (4) to take and subscribe the oath of office required of state officers; (5) file the said oath of office, bond and treasurer's receipt in the office of the secretary of state, and before performing any official acts, shall file in the office of the secretary of state a clear impression of his official seal or stamp, which seal or stamp shall be approved by the governor: PROVIDED, That if a stamp is used the following requirements shall apply:

- (1) The type shall be a minimum of 8 point type.
- (2) The stamp shall be two inches minimal in diameter.
- (3) The imprint shall be affixed with indelible ink only.
- (4) The face of any notary stamp shall contain permanently affixed letters and numerals and shall not be preprinted.

Passed the Senate February 25, 1981.

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CHAPTER 315

[Engrossed Substitute Senate Bill No. 3669]

URBAN ARTERIAL BOARD—MEMBERS—FUND APPORTIONMENT— BOND RETIREMENT—APPROPRIATION

AN ACT Relating to urban arterials; amending section 12, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.060; amending section 14, chapter 83, Laws of 1967 ex. sess. as last amended by section 1, chapter 5, Laws of 1979 and RCW 47.26.080; amending section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 8, chapter 85, Laws of 1971 ex. sess. and RCW 47.26.120; amending section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 162, chapter 151, Laws of 1979 and RCW 47.26.190; amending section 3, chapter 5, Laws of 1979 and RCW 47.26.420; amending section 46, chapter 83, Laws of 1967 ex. sess. as last amended by section 4, chapter 5, Laws of 1979 and RCW 47.26.421; amending section 47, chapter 83, Laws of 1967 ex. sess. as amended by section 5, chapter 5, Laws of 1979 and RCW 47.26.422; amending section 48, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 5, Laws of 1979 and RCW 47.26.423; amending section 49, chapter 83, Laws of 1967 ex. sess. as last amended by section 7, chapter 5, Laws of 1979 and RCW 47.26.424; amending section 51, chapter 83,

Laws of 1967 ex. sess. as amended by section 10, chapter 5, Laws of 1979 and RCW 47-26.426; amending section 53, chapter 83, Laws of 1967 ex. sess. and RCW 47.26.430; adding a new section to chapter 47.26 RCW to be codified as RCW 47.26.4254; making an appropriation; providing an effective date; and declaring an emergency.

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

Section 1. Section 12, chapter 83, Laws of 1967 ex. sess. and RCW 47-26.060 are each amended to read as follows:

Funds available for expenditure by the ~~((state highway commission))~~ department of transportation pursuant to RCW 46.68.150 shall be apportioned to the five regions for expenditure upon state highways in urban areas in the following manner:

(1) One-third in the ratio which the population of the urban areas of each region bears to the total population of all of the urban areas of the state as last determined by the ~~((state census board))~~ office of financial management;

(2) One-third in the ratio which the vehicle-miles traveled on state highways (other than interstate highways) within the urban areas of each region bears to the total vehicle-miles traveled on all state highways (other than interstate highways) within all urban areas of the state as last determined by the department of ~~((highways))~~ transportation; and

(3) One-third in the ratio which the state highway category A needs on state highways (other than interstate highways) within the urban areas of each region bears to the total category A needs on state highways (other than interstate highways) within all urban areas of the state as last revised by the ~~((state highway commission))~~ department of transportation.

The ~~((state highway commission))~~ department of transportation shall adjust the schedule for apportionment of such funds to the five regions in the manner provided herein prior to the commencement of each biennium.

Sec. 2. Section 14, chapter 83, Laws of 1967 ex. sess. as last amended by section 1, chapter 5, Laws of 1979 and RCW 47.26.080 are each amended to read as follows:

There is hereby created in the motor vehicle fund the urban arterial trust account. All moneys deposited in the motor vehicle fund to be credited to the urban arterial trust account shall be expended for the construction and improvement of city arterial streets and county arterial roads within urban areas, for expenses of the urban arterial board, or for the payment of principal or interest on bonds issued for the purpose of constructing or improving city arterial streets and county arterial roads within urban areas, or for reimbursement to the state, counties, cities, and towns in accordance with RCW 47.26.4252 and section 10 of this 1981 act, the amount of any payments made on principal or interest on urban arterial trust account bonds from motor vehicle or special fuel tax revenues which were distributable to the state, counties, cities, and towns.

Sec. 3. Section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 8, chapter 85, Laws of 1971 ex. sess. and RCW 47.26.120 are each amended to read as follows:

(1) There is hereby created an urban arterial board of thirteen members, six of whom shall be county members, six of whom shall be city members. The chairman shall be the ~~((assistant director of highways for))~~ state aid engineer for the department of transportation.

(2) Of the county members of the board, one member shall be a county engineer from a county of the first class or larger; one member shall be a county engineer from a county of the second class or smaller; one member shall be an engineer occupying the position of county road administration engineer, created by RCW 36.78.060; one member shall be the chairman of the county road administration board created by RCW 36.78.030; one member shall be a county commissioner from a county of the first class or larger; one member shall be a county commissioner from a county of the second class or smaller. All county members of the board, except the county road administration engineer and the chairman of the county road administration board, shall be appointed. Not more than one county member of the board shall be from one county. For the purposes of this subsection, the term county engineer shall mean the director of public works in any county in which such a position exists.

(3) Of the city members of the board two shall be chief city engineers of cities over twenty thousand population; one shall be a chief city engineer of a city of less than twenty thousand population; two shall be mayors of cities of more than twenty thousand population; and one shall be a mayor of a city of less than twenty thousand population. All of the city members shall be appointed. Not more than one city member of the board shall be from one city. For the purposes of this subsection the term chief city engineer shall mean the director of public works in any city in which such a position exists.

(4) Prior to July 1, 1967, the ~~((state highway))~~ transportation commission shall appoint the first appointive county members of the board: Two members to serve two years and two members to serve four years from July 1, 1967.

(5) Prior to July 1, 1967, the ~~((state highway))~~ transportation commission shall appoint the first city members of the board: Three members to serve two years and three members to serve four years from July 1, 1967.

(6) Upon expiration of the original terms subsequent appointments shall be made by the same appointing authority for four year terms except in the case of a vacancy, in which event the appointment shall be only for the remainder of the unexpired term in which the vacancy has occurred. A vacancy shall be deemed to have occurred on the board when any member elected to public office completes his term of office or is removed therefrom

for any reason or when any member employed by a political subdivision terminates such employment for whatsoever reason.

(7) Before appointing any member to the urban arterial board, the ~~((state highway))~~ transportation commission shall request from the executive committee of the Washington state association of counties, in the case of a county member appointment, and from the executive committee of the association of Washington cities, in the case of a city member appointment, recommendations of at least two eligible persons for each appointment to be made. The commission shall give due consideration to the recommendations submitted to it.

(8) Any member of the board, including the chairman, may designate an official representative to serve on the board in his place with the same authority as the member, subject to the conditions and under the circumstances set forth in rules adopted by the board.

Sec. 4. Section 25, chapter 83, Laws of 1967 ex. sess. as last amended by section 162, chapter 151, Laws of 1979 and RCW 47.26.190 are each amended to read as follows:

(1) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for the five regions defined in RCW 47.26.050 in the manner prescribed in RCW 47.26.060 for that biennium, except calculations of needs shall be based upon a projection of category A needs for the ensuing six year period as determined by the department of transportation. Except as otherwise provided in subsection (3) of this section, such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects: PROVIDED, That any funds apportioned to a region and expended for a project which was initially authorized by the urban arterial board in a biennium prior to the 1981-1983 biennium will be apportioned in accordance with apportionment percentages for the five regions which were established in the prior biennium. ~~((The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board.))~~

(2) All amounts credited to the urban arterial trust account, except those provided for in subsection (3) of this section and except proceeds from the sale of first authorization bonds and any ~~((funds))~~ excise tax revenues that may be required to repay ~~((such))~~ the three series of urban arterial bonds or the interest thereon when due, after apportionment to each region, shall be divided on the basis of relative population established at the beginning of each biennium by the office of financial management between (a) the group of cities and that portion of those counties within federally approved urban areas and (b) the group of incorporated cities outside the boundaries of federally approved urban areas. Within each region, funds divided between the groups identified under (a) and (b) above shall then be

allocated by the urban arterial board to incorporated cities and counties, as the case may be, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

(3) At the beginning of each biennium the urban arterial board shall establish apportionment percentages for each of the five regions for the apportionment of the proceeds from the sale of fifteen million dollars of series II bonds and sixteen million dollars of series III bonds authorized by RCW 47.26.420, as now or hereafter amended, in the ratio which the population of the incorporated cities and towns lying outside the boundaries of federally approved urban areas of each region bears to the total population of all incorporated cities and towns of the state lying outside the boundaries of federally approved urban areas, as such populations are determined at the beginning of each biennium by the office of financial management. Such apportionment percentages shall be used once each calendar quarter by the urban arterial board to apportion funds credited to the urban arterial trust account which are available for expenditure for urban arterial projects under this subsection: PROVIDED, That any funds apportioned to a region and expended for a project which was initially authorized by the urban arterial board in a biennium prior to the 1981-1983 biennium will be apportioned in accordance with apportionment percentages for the five regions which were established in the prior biennium. (~~The funds so apportioned shall remain apportioned until expended on construction projects in accordance with rules and regulations of the urban arterial board.~~) Funds apportioned to each region shall be allocated by the urban arterial board to incorporated cities lying outside the boundaries of federally approved urban areas, for the construction of specific urban arterial projects in accordance with the procedures set forth in RCW 47.26.240.

Sec. 5. Section 3, chapter 5, Laws of 1979 and RCW 47.26.420 are each amended to read as follows:

In order to provide funds necessary to meet the urgent construction needs on county and city arterials within urban areas, there are hereby authorized for issuance general obligation bonds of the state of Washington, the first authorization of which shall be in the sum of two hundred million dollars, and the second authorization of which, to be known as series II bonds, shall be in the sum of sixty million dollars, and the third authorization of which, to be known as series III bonds, shall be in the sum of one hundred million dollars which shall be issued and sold in such amounts and at such times as determined to be necessary by the state transportation commission. The amount of such bonds issued and sold under the provisions of RCW 47.26.420 through 47.26.427 in any biennium shall not exceed the amount of a specific appropriation therefor, from the proceeds of such bonds, for the construction of county and city arterials in urban areas. The issuance, sale, and retirement of said bonds shall be under the supervision and control of the state finance committee which, upon request being made

by the state transportation commission, shall provide for the issuance, sale, and retirement of coupon or registered bonds to be dated, issued, and sold from time to time in such amounts as shall be requested by the state transportation commission.

Sec. 6. Section 46, chapter 83, Laws of 1967 ex. sess. as last amended by section 4, chapter 5, Laws of 1979 and RCW 47.26.421 are each amended to read as follows:

Each of such first authorization bonds (~~(and)~~), series II bonds, and series III bonds shall be made payable at any time not exceeding thirty years from the date of its issuance, with such reserved rights of prior redemption, bearing such interest, and such terms and conditions, as the state finance committee may prescribe to be specified therein. The bonds shall be signed by the governor and the state treasurer under the seal of the state, one of which signatures shall be made manually and the other signature may be in printed facsimile, and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Any bonds may be registered in the name of the holder on presentation to the state treasurer or at the fiscal agency of the state of Washington in Seattle or New York City, as to principal alone, or as to both principal and interest under such regulations as the state treasurer may prescribe. Such bonds shall be payable at such places as the state finance committee may provide. All bonds issued hereunder shall be fully negotiable instruments.

Sec. 7. Section 47, chapter 83, Laws of 1967 ex. sess. as amended by section 5, chapter 5, Laws of 1979 and RCW 47.26.422 are each amended to read as follows:

The first authorization bonds (~~(and the)~~), series II bonds, and series III bonds issued hereunder shall be in denominations to be prescribed by the state finance committee and may be sold in such manner and in such amounts and at such times and on such terms and conditions as the committee may prescribe. If the bonds are sold to any purchaser other than the state of Washington, they shall be sold at public sale, and it shall be the duty of the state finance committee to cause such sale to be advertised in such manner as it shall deem sufficient. Bonds issued under the provisions of RCW 47.26.420 through 47.26.427 and 47.26.425 shall be legal investment for any of the funds of the state, except the permanent school fund.

Sec. 8. Section 48, chapter 83, Laws of 1967 ex. sess. as amended by section 6, chapter 5, Laws of 1979 and RCW 47.26.423 are each amended to read as follows:

The money arising from the sale of the first authorization bonds (~~(and the)~~), series II bonds, and series III bonds shall be deposited in the state treasury to the credit of the urban arterial trust account in the motor vehicle fund, and such money shall be available only for the construction and

improvement of county and city urban arterials, and for payment of the expense incurred in the printing, issuance, and sale of any such bonds.

Sec. 9. Section 49, chapter 83, Laws of 1967 ex. sess. as last amended by section 7, chapter 5, Laws of 1979 and RCW 47.26.424 are each amended to read as follows:

The first authorization ((and)) bonds, series II bonds, and series III bonds shall distinctly state that they are a general obligation of the state of Washington, shall pledge the full faith and credit of the state to the payment of the principal thereof and the interest thereon, and shall contain an unconditional promise to pay such principal and interest as the same shall become due. The principal and interest on such bonds shall be first payable in the manner provided in RCW 47.26.420 through 47.26.427 ((and)), 47.26.425, and section 10 of this 1981 act from the proceeds of state excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW. The proceeds of such excise taxes are hereby pledged to the payment of any such bonds and the interest thereon, and the legislature hereby agrees to continue to impose the same excise taxes on motor vehicle and special fuels in amounts sufficient to pay, when due, the principal and interest on all such bonds.

NEW SECTION. Sec. 10. There is added to chapter 47.26 RCW a new section to be codified as RCW 47.26.4254 to read as follows:

(1) Any funds required to repay series III bonds authorized by RCW 47.26.420, or the interest thereon, when due shall first be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels imposed by chapters 82.36, 82.37, and 82.38 RCW and which is distributed to the urban arterial trust account in the motor vehicle fund, subject, however, to the prior lien of the first authorization of bonds authorized by RCW 47.26.420. If the moneys so distributed to the urban arterial trust account, after first being applied to administrative expenses of the urban arterial board and to the requirements of bond retirement and payment of interest on first authorization bonds and series II bonds as provided in RCW 47.26.425 and 47.26.4252, are insufficient to meet the requirements for bond retirement or interest on any series III bonds, the amount required to make such payments on series III bonds or interest thereon shall next be taken from that portion of the motor vehicle fund which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the state, counties, cities, and towns pursuant to RCW 46.68.100 as now existing or hereafter amended, subject, however, to subsection (2) of this section.

(2) To the extent that moneys so distributed to the urban arterial trust account are insufficient to meet the requirements for bond retirement or interest on any series III bonds, the amount required to make such payments when due shall first be taken from that portion of the motor vehicle fund

which results from the imposition of excise taxes on motor vehicle and special fuels and which is distributed to the cities and towns pursuant to RCW 46.68.100(1) and to the counties pursuant to RCW 46.68.100(2). Of any additional amounts required in the fiscal year ending June 30, 1982, fifteen percent shall be taken from the counties' distributive share and eighty-five percent from the cities' and towns' distributive share. Of any additional amounts required in each fiscal year thereafter, the percentage thereof to be taken from the counties' distributive share and from the cities' and towns' distributive share shall correspond to the percentage of funds authorized for specific county projects and for specific city and town projects, respectively, from the proceeds of series III bonds, for the period after June 30, 1981, and through the first eleven months of the prior fiscal year as determined by the chairman of the urban arterial board and reported to the state finance committee and the state treasurer not later than the first working day of June.

(3) Any payments on such bonds or interest thereon taken from motor vehicle or special fuel tax revenues which are distributable to the state, counties, cities, and towns shall be repaid from the first moneys distributed to the urban arterial trust account not required for redemption of the first authorization bonds, series II bonds, or series III bonds or interest on these bonds.

Sec. 11. Section 51, chapter 83, Laws of 1967 ex. sess. as amended by section 10, chapter 5, Laws of 1979 and RCW 47.26.426 are each amended to read as follows:

At least one year prior to the date any interest is due and payable on such first authorization bonds (~~and~~), series II bonds, and series III bonds or before the maturity date of any such bonds, the state finance committee shall estimate, subject to the provisions of RCW 47.26.425 (~~and~~), 47.26.4252, and section 10 of this 1981 act the percentage of the receipts in money of the motor vehicle fund, resulting from collection of excise taxes on motor vehicle and special fuels, for each month of the year which shall be required to meet interest or bond payments hereunder when due, and shall notify the state treasurer of such estimated requirement. The state treasurer, subject to RCW 47.26.425, 47.26.4252, and section 10 of this 1981 act, shall thereafter from time to time each month as such funds are paid into the motor vehicle fund, transfer such percentage of the monthly receipts from excise taxes on motor vehicle and special fuels of the motor vehicle fund to the highway bond retirement fund, maintained in the office of the state treasurer, which fund shall be available for payment of interest or bonds when due. If in any month it shall appear that the estimated percentage of money so made is insufficient to meet the requirements for interest or bond retirement, the treasurer shall notify the state finance committee

forthwith and such committee shall adjust its estimates so that all requirements for interest and principal of all bonds issued shall be fully met at all times.

Sec. 12. Section 53, chapter 83, Laws of 1967 ex. sess. and RCW 47-.26.430 are each amended to read as follows:

Notwithstanding the provisions of RCW 47.26.190 and 47.26.240, the urban arterial board may, in any biennium, subject to proper appropriations, approve expenditures from the urban arterial trust account for construction of projects on urban arterials within a region, the total amount of which including bond proceeds, exceeds the amount apportionable during the biennium to the region. The total amounts apportioned to each region through ((1985)) 1990 shall meet the apportionment requirements of RCW 47.26.190 and 47.26.240 for such period.

NEW SECTION. Sec. 13. There is appropriated from the urban arterial trust account in the motor vehicle fund to the urban arterial board for the biennium ending June 30, 1983, the sum of thirty-five million dollars, or so much thereof as may be necessary, to carry out section 5 of this act: PROVIDED, That the money available for expenditure under this appropriation may not exceed the amount of money derived from the sale of bonds authorized by section 5 of this act and deposited to the credit of the urban arterial trust account in the motor vehicle fund.

NEW SECTION. Sec. 14. 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 July 1, 1981.

Passed the Senate April 24, 1981.

Passed the House April 26, 1981.

Approved by the Governor May 19, 1981.

Filed in Office of Secretary of State May 19, 1981.

CHAPTER 316

[Engrossed Substitute Senate Bill No. 3699]

STATE HIGHWAY BONDS

AN ACT Relating to state highway bonds; amending section 1, chapter 180, Laws of 1979 ex. sess. and RCW 47.10.790; adding new sections to chapter 47.10 RCW; making appropriations; and declaring an emergency.

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

NEW SECTION. Section 1. (1) In order to provide funds necessary for the location, design, right of way, and construction of selected interstate and other state highway improvements, there shall be issued and sold, subject to subsections (2) and (3) of this section, upon the request of the Washington state transportation commission a total of four hundred fifty million dollars