

Notwithstanding RCW 41.06.040, sections 10 and 11 of this act apply to all classified and exempt employees of the state, including employees of the institutions of higher education.

NEW SECTION. Sec. 13. There is added to chapter 42.17 RCW a new section to read as follows:

Nothing in this chapter prevents an agency from destroying information relating to employee misconduct or alleged misconduct, in accordance with section 10 of this act, to the extent necessary to ensure fairness to the employee.

NEW SECTION. Sec. 14. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Passed the House March 9, 1982.

Passed the Senate March 4, 1982.

Approved by the Governor April 3, 1982.

Filed in Office of Secretary of State April 3, 1982.

CHAPTER 209

[Substitute House Bill No. 452]

URBAN ARTERIAL BOARD—MEMBERSHIP

AN ACT Relating to urban arterials; and amending section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 315, Laws of 1981 and RCW 47.26.120.

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

Section 1. Section 18, chapter 83, Laws of 1967 ex. sess. as last amended by section 3, chapter 315, Laws of 1981 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 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 executive, council member, or commissioner from a county of the first class or larger; one member shall be a county executive, council member, or 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, commissioners, or city council members of cities of more than twenty thousand population; and one shall be a mayor, commissioner, or council member 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 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 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)) secretary of transportation 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))~~ (5) Before appointing any member to the urban arterial board, the secretary of 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)) secretary of transportation shall give due consideration to the recommendations submitted to ((it)) him.

~~((8))~~ (6) 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.

Passed the House March 9, 1982.

Passed the Senate March 7, 1982.

Approved by the Governor April 3, 1982.

Filed in Office of Secretary of State April 3, 1982.

CHAPTER 210

[Senate Bill No. 4956]

HISTORIC FERRIES—DISPOSITION

AN ACT Relating to historic ferries; adding a new section to chapter 47.60 RCW; and declaring an emergency.

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

NEW SECTION. Section 1. There is added to chapter 47.60 RCW a new section to read as follows:

(1) An "historic ferry" is any vessel in the Washington state ferries fleet which has been listed in the Washington state register of historic places.

(2) When the department of transportation determines that an historic ferry is surplus to the needs of Washington state ferries, the department shall call for proposals from persons who wish to acquire the historic ferry. Proposals for the acquisition of an historic ferry shall be accepted only from persons or organizations that (a) are a governmental entity or a nonprofit corporation or association dedicated to the preservation of historic properties; (b) agree to a contract approved by the state historic preservation officer, which requires the preservation and maintenance of the historic ferry and provides that title to the ferry reverts to the state if the secretary of transportation determines that the contract has been violated; and (c) demonstrate the administrative and financial ability successfully to comply with the contract.

(3) The department shall evaluate the qualifying proposals and shall select the proposal which is most advantageous to the state. Factors to be considered in making the selection shall include but not be limited to:

- (a) Extent and quality of restoration;
- (b) Retention of original design and use;
- (c) Public access to the vessel;
- (d) Provisions for historical interpretation;
- (e) Monetary return to the state.

(4) If there are no qualifying proposals, an historic ferry shall be disposed of in the manner provided by state law.

NEW SECTION. Sec. 2. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or