

Section 1. Section 43.22.010, chapter 8, Laws of 1965 as last amended by section 2, chapter 52, Laws of 1973 1st ex. sess. and by section 8, chapter 153, Laws of 1973 1st ex. sess. and RCW 43.22.010 are each reenacted to read as follows:

The department of labor and industries shall be organized into five divisions, to be known as, (1) the division of industrial insurance, (2) the division of industrial safety and health, (3) the division of industrial relations, (4) the division of apprenticeship, and (5) the division of building and construction safety inspection services, which division shall have responsibility for electrical inspection, mobile home inspection, elevator inspection, except as otherwise provided in RCW 70.87.030, boiler inspection, and registration and regulation of contractors.

The director may appoint such clerical and other assistants as may be necessary for the general administration of the department.

NEW SECTION. Sec. 2. 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.

EXPLANATORY NOTE

RCW 43.22.010 was amended twice during the 1973 first extraordinary session of the legislature.

(1) 1973 1st ex.s. c 52 sec. 2 deleted the division of mining safety from the section and changed the name of "the division of safety" to "the division of industrial safety and health".

(2) 1973 1st ex.s. c 153 sec. 8 deleted the phrase "last mentioned" in subdivision (5) referring to the division of building and construction safety inspection services; and also deleted the responsibility for hotel inspection but added the responsibility for "registration and regulation of contractors".

As these amendments appear to be in different respects the purpose of this act is to give effect to each by reenacting the section with each amendment included therein.

Passed the House January 31, 1974.
Passed the Senate February 6, 1974.
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CHAPTER 28

[House Bill No. 1358]

FUEL TAXES—

CODE CORRECTION

AN ACT Relating to revenue and taxation; reenacting section 82.36.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 124, Laws of 1973 1st ex. sess. and by section 1,

chapter 160, Laws of 1973 1st ex. sess. and RCW 82.36.020; reenacting section 19, chapter 22, Laws of 1963 ex. sess. as last amended by section 6, chapter 95, Laws of 1973 and by section 3, chapter 124, Laws of 1973 1st ex. sess. and RCW 82.37.190; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 82.36.020, chapter 15, Laws of 1961 as last amended by section 2, chapter 124, Laws of 1973 1st ex. sess. and by section 1, chapter 160, Laws of 1973 1st ex. sess. and RCW 82.36.020 are each reenacted to read as follows:

Every distributor shall pay, in addition to any other taxes provided by law, an excise tax to the director of nine cents for each gallon of motor vehicle fuel sold, distributed, or used by him in the state as well as on each gallon upon which he has assumed liability for payment of the tax under the provisions of RCW 82.36.100: PROVIDED, That under such regulations as the director may prescribe sales or distribution of motor vehicle fuel may be made by one licensed distributor to another licensed distributor free of the tax. In the computation of the tax, one-quarter of one percent of the net gallonage otherwise taxable shall be deducted by the distributor before computing the tax due, on account of the losses sustained through handling. The tax herein imposed shall be collected and paid to the state but once in respect to any motor vehicle fuel. An invoice shall be rendered by a distributor to a purchaser for each distribution of motor vehicle fuel.

The proceeds of the nine cents excise tax collected on the net gallonage after the deduction provided for herein shall be distributed as follows:

(1) Six and seven-eighths cents shall be distributed between the state, cities, counties, and Puget Sound ferry operations account in the motor vehicle fund under the provisions of RCW 46.68.090 and 46.68.100 as now or hereafter amended.

(2) Five-eighths of one cent shall be distributed to the state and expended pursuant to RCW 46.68.150.

(3) Five-eighths of one cent shall be paid into the motor vehicle fund and credited to the urban arterial trust account created by RCW 47.26.080.

(4) Three-eighths of one cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account created by RCW 47.60.350.

(5) One-half cent shall be distributed to the cities and towns directly and allocated between them as provided by RCW 46.68.110, subject to the provisions of RCW 35.76.050: PROVIDED, That the funds allocated to a city or town which are attributable to

such one-half cent of the additional tax imposed by this 1961 amendatory act shall be used exclusively for the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120, or for the payment of any municipal indebtedness which may be incurred after June 12, 1963 in the construction, improvement and repair of arterial highways and city streets as those terms are defined in RCW 46.04.030 and 46.04.120. All such sums shall first be subject to proper deductions for refunds and costs of collection as provided in RCW 46.68.090.

Sec. 2. Section 19, chapter 22, Laws of 1963 ex. sess. as last amended by section 6, chapter 95, Laws of 1973 and by section 3, chapter 124, Laws of 1973 1st ex. sess. and RCW 82.37.190 are each reenacted to read as follows:

All moneys collected by the director shall be transmitted forthwith to the state treasurer, together with a statement showing whence the moneys were derived, and shall be by him credited to the motor vehicle fund.

The proceeds of the motor vehicle fuel importer use tax imposed by chapter 82.37 RCW shall be distributed in the manner provided for the distribution of the motor vehicle fuel tax in RCW 82.36.020, as amended in section 2 of chapter 124, Laws of 1973 first extraordinary session.

NEW SECTION. Sec. 3. 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.

EXPLANATORY NOTE

Section 1. RCW 82.36.020 was amended twice during the 1973 first extraordinary session of the legislature:

(1) 1973 1st ex.s. c 124 sec. 2 deleted the first part of subsection (1) providing that seven cents of the excise tax collected on net gallonage "be distributed between the state, cities, counties, and Puget Sound ferry operations account..."; and in subsection (4) deleted the provision that "One-quarter cent shall be paid into the motor vehicle fund and credited to the Puget Sound reserve account."

(2) 1973 1st ex.s. c 160 sec. 1 in subsection (5) provided that the funds allocated to cities and towns for construction, improvement and repair of "arterial highways" also be used for "city streets".

Sec. 2. RCW 82.37.190 was amended during the 1973 regular session of the legislature by 1973 c 95 sec. 6, and again during the 1973 first extraordinary session by 1973 1st ex.s. c 124 sec. 3, each without reference to the other.

(1) 1973 c 95 sec. 6 deleted the last sentence of the first paragraph which provided that a duplicate statement be sent to the state auditor.

(2) 1973 1st ex.s. c 124 sec. 3 changed "chapter 83, Laws of 1967 extraordinary session" to "this 1973 amendatory act", herein translated to "chapter 124, Laws of 1973 first extraordinary session".

As the amendments to these sections appear to be in different respects the purpose of this act is to give

effect to each by reenacting the sections with each amendment included therein.

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CHAPTER 29
[House Bill No. 1357]
STATE HIGHWAY COMMISSION--
CODE CORRECTION

AN ACT Relating to the state highway commission; reenacting section 47.01.160, chapter 13, Laws of 1961 as last amended by section 21, chapter 106, Laws of 1973 and by section 2, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.160; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 47.01.160, chapter 13, Laws of 1961 as last amended by section 21, chapter 106, Laws of 1973 and by section 2, chapter 12, Laws of 1973 2nd ex. sess. and RCW 47.01.160 are each reenacted to read as follows:

The state highway commission shall have the power and it shall be its duty:

(1) To conduct, control and supervise the state department of highways, and to designate and establish such department of highway district or branch offices as may be necessary and convenient, and, subject to the provisions of chapter 41.06 RCW, to appoint and employ and to determine the powers and duties together with the salaries and other expenses of such engineering, clerical, mechanical, and any and all other assistants as may be necessary or convenient in the exercise of the powers and in the discharge of its duties as the state highway commission: PROVIDED, That the highway commission may delegate to the director of highways the authority to employ, appoint, discipline, or discharge employees of the department of highways: PROVIDED FURTHER, That the director may delegate, by order, this authority to his subordinates as he deems appropriate, but the director shall be responsible for the official acts of such subordinates.

(2) To keep at the office of the commission in the highway building at the state capitol a record of all proceedings and orders pertaining to the matters under its direction and copies of all maps, plans and specifications prepared by it.