

That, whenever the receipts into the war veterans' compensation fund during any year exceed four million five hundred thousand dollars, all sums received above that amount shall be transferred to the state general fund.

The amounts directed to be paid into the war veterans' compensation fund as provided by this 1972 amendatory act shall be a first and prior charge, subject only to amounts previously pledged for the payment of interest on and retirement of bonds heretofore issued, against all cigarette tax revenues collected pursuant to RCW 82.24.020, 73.32.130, and 28A.47.440.

NEW SECTION. Sec. 2. This 1973 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 73.32.130 was amended twice during the 1972 extraordinary session of the legislature.

(1) 1972 ex.s. c 154 sec. 7 added the last two paragraphs to the section.

(2) 1972 ex.s. c 157 sec. 2, in the second paragraph, provided that "possession" of cigarettes be subject to excise tax.

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

Passed the House February 8, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

Filed in Office of Secretary of State March 7, 1973.

CHAPTER 42

[House Bill No. 312]

MOTOR VEHICLE FUEL TAXES--CODE CORRECTION

AN ACT Relating to revenue and taxation; reenacting section 9, chapter 175, Laws of 1971 ex. sess. as amended by section 1, chapter 49, Laws of 1972 ex. sess. and by section 2, chapter 138, Laws of 1972 ex. sess. and RCW 82.38.080; and declaring an emergency.

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

Section 1. Section 9, chapter 175, Laws of 1971 ex. sess. as amended by section 1, chapter 49, Laws of 1972 ex. sess. and by section 2, chapter 138, Laws of 1972 ex. sess. and RCW 82.38.080 are each reenacted to read as follows:

There is exempted from the tax imposed by this chapter, the use of fuel for: (1) street and highway construction and maintenance purposes in motor vehicles owned and operated by the state of Washington, or any county or municipality; (2) publicly owned fire fighting equipment; (3) special mobile equipment as defined in RCW 46.04.552; (4) power pumping units or other power take-off equipment of any motor vehicle which is accurately measured by metering devices that have been specifically approved by the department or which is established by either of the following formulae: (a) pumping propane, or fuel or heating oils by a power take-off unit on a delivery truck, at the rate of three-fourths of one gallon for each one thousand gallons of fuel delivered: PROVIDED, That claimant when presenting his claim to the department in accordance with the provisions of this chapter, shall provide to said claim, invoices of propane, or fuel or heating oil delivered, or such other appropriate information as may be required by the department to substantiate his claim; or (b) operating a power take-off unit on a cement mixer truck or a load compactor on a garbage truck at the rate of twenty-five percent of the total gallons of fuel used in such a truck; (5) motor vehicles owned and operated by the United States government; and (6) notwithstanding any provision of law to the contrary, every urban passenger transportation system shall be exempt from the provisions of this chapter requiring the payment of special fuel taxes. For the purposes of this section "urban passenger transportation system" means every transportation system, publicly or privately owned, having as its principal source of revenue the income from transporting persons for compensation by means of motor vehicles and/or trackless trolleys, each having a seating capacity for over fifteen persons over prescribed routes in such a manner that the routes of such motor vehicles and/or trackless trolleys, either alone or in conjunction with routes of other such motor vehicles and/or trackless trolleys subject to routing by the same transportation system, shall not extend for a distance exceeding twenty-five road miles beyond the corporate limits of the county in which the original starting points of such motor vehicles are located: PROVIDED, That no refunds or credits shall be granted on fuel used by any urban transportation vehicle on any trip where any portion of said trip is more than twenty-five road miles beyond the corporate limits of the county in which said trip originated.

NEW SECTION. Sec. 2. This 1973 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 82.38.080 was amended twice during the 1972 extraordinary session, each without reference to the other.

1972 ex. sess. c 49 sec. 1 amended the definition of "urban transportation system" contained in the last sentence.

1972 ex. sess. c 138 sec. 2 amended subsection (4) pertaining to the exemption for fuel used in power pumping units or other power take-off equipment.

As the two amendments appear to be in different respects, it is the purpose of this bill to give effect to both amendments.

Passed the House February 8, 1973.

Passed the Senate February 22, 1973.

Approved by the Governor March 6, 1973.

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CHAPTER 43

[House Bill No. 321]

ATTORNEY GENERAL--PRIVATE PRACTICE PROHIBITED

AN ACT Relating to state government; prohibiting the attorney general and full time deputy and assistant attorneys general from the practice of law in their private capacity as attorneys; amending section 43.10.010, chapter 8, Laws of 1965 and RCW 43.10.010; adding new sections to chapter 43.10 RCW; and providing penalties.

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

Section 1. Section 43.10.010, chapter 8, Laws of 1965 and RCW 43.10.010 are each amended to read as follows:

No person shall be eligible to be attorney general unless he is a qualified practitioner of the supreme court of this state.

Before entering upon the duties of his office, any person elected or appointed attorney general shall take, subscribe, and file the oath of office as required by law; take, subscribe, and file with the secretary of state an oath to comply with the provisions of section 2 of this 1973 amendatory act; and execute and file with the secretary of state, a bond to the state, in the sum of five thousand