

NOTE: Chapter 4 declared unconstitutional by the State Supreme Court on February 4, 1949 (Gilman vs. State Tax Commission, 132 Washington Decisions, 476.)
EARL COE,
Secretary of State.

CHAPTER 4.

[Initiative Measure No. 169.]

VETERANS' ADDITIONAL COMPENSATION.

AN ACT providing for the payment of additional compensation to veterans of World War II; establishing administrative procedures; authorizing the issuance and sale of state bonds and allocating the revenues thereof to a compensation fund; providing for the retirement of the bonds through the proceeds of a tobacco tax; making an appropriation and providing penalties.

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

Qualifica-
tions for
recipients.

SECTION 1. There shall be paid to each person who was on active Federal service as a member of the armed military or naval forces of the United States between the 7th day of December, 1941, and the 2nd day of September, 1945, who at the time of his or her entry upon active Federal service and for a period of one year prior thereto was a bona fide citizen or resident of the State of Washington, the sum of ten dollars (\$10) for each and every month or major fraction thereof of such duty performed within the continental limits of the United States, and fifteen dollars (\$15) for each and every month or major fraction thereof of such duty performed outside the continental limits of the United States:

Amount.

Foreign
compensa-
tion.

Provided, That persons who have already received extra compensation for such service from any other state or territory shall not be entitled to the compensation under this act, unless the amount of compensation so received is less than they would be entitled to hereunder, in which event they shall receive the difference between the compensation payable under this act and the extra compensation already received from such other state or territory.

SEC. 2. The word "person" as used in section one (1) of this act shall not include persons, who during the period of their service, refused on conscientious, political or other grounds to subject themselves to full military discipline and unqualified service or who were separated from such service under conditions other than honorable, and who have not subsequently been officially restored to an honorable status, and such persons shall not be entitled to the benefits of this act.

Persons -
disqualified.

SEC. 3. All disbursements required by this act for compensation shall be made upon the presentation of a certificate upon a form to be prescribed by the State Auditor, which form shall be duly verified by the claimant under oath, and shall set forth his name, residence at the time of entry into the service, date of enlistment, induction or entry upon active Federal service, beginning and ending dates of overseas service, date of discharge or release from active Federal service, or if the claimant has not been released at the time of application, a statement by competent military authority that the claimant during the period for which compensation is claimed did not refuse to subject himself to full military discipline and unqualified service, and that he has not been separated from service under circumstances other than honorable. The State Auditor may require such further information to be included in such certificate as he deems necessary to enable him to determine the eligibility of applicants. Such certificates shall be presented to the State Auditor or his representative, together with evidence of honorable service satisfactory to the State Auditor. The State Auditor shall draw warrants in payment of such compensation claims against the War Veterans' Compensation Fund, which is hereby established in the state treasury. The State Auditor is given power to make such reasonable require-

Auditor's
certificate.

Record of
service.

Auditor's
warrants

ments for applications as are necessary to prevent fraud or the payment of compensation to persons not entitled thereto.

Auditor
to furnish
forms.

SEC. 4. The State Auditor shall furnish free of charge upon application therefor the necessary forms upon which applications may be made and may establish at different points within the State of Washington offices at which there shall be kept on file for the use of persons covered by this act a sufficient number of certificate forms, so that there may be no delay in the payment of this compensation. The State Auditor may authorize the County Auditor or County Clerk, or both, of any county of the state to act for him in receiving applications under the provisions of this act, and shall furnish such persons with the proper forms to enable them to accept such applications. The State Auditor is hereby authorized and directed to procure such printing, office supplies and equipment and to employ such persons as may be necessary in order to properly carry out the provisions of this act, and all expenses incurred by him in the administration of this act shall be paid by warrants drawn upon the War Veterans' Compensation Fund.

County
Auditors to
assist.

Duties of
executive
officer of
Veterans'
Rehabilita-
tion Council.

SEC. 5. The Executive Officer of the Veterans' Rehabilitation Council shall advise with and assist the State Auditor in the performance of the duties of the Auditor under this act, and when so called upon, the Executive Officer of the Veterans' Rehabilitation Council shall employ such persons and incur such expenses as may be necessary, such expenses to be paid by warrant drawn upon the War Veterans' Compensation Fund.

Anticipatory
warrants.

SEC. 6. The State Auditor may, in his discretion, issue warrants under the provisions of this act in anticipation of the sale of the bonds herein authorized.

SEC. 7. For the purpose of providing means for the payment of compensation hereunder and for paying the expenses of administration, there shall be issued and sold bonds of the State of Washington in the sum of one hundred million dollars (\$100,000,000): *Provided*, That if the proceeds of the sale of such bonds be insufficient to pay the compensation herein allowed, then sufficient additional bonds to pay such compensation shall be issued and sold. The issuance, sale and retirement of said bonds shall be under the general supervision and control of the State Finance Committee. The State Finance Committee may, in its discretion, provide for the issuance of coupon or registered bonds to be dated, issued and sold from time to time in such amounts as may be necessary to make the payments provided for by this act. Each of such 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 as the State Finance Committee may prescribe to be specified therein. The bonds shall be signed either manually or with a stamped facsimile signature by the Governor and the State Auditor under the seal of the state and any coupons attached to such bonds shall be signed by the same officers whose signatures thereon may be in printed facsimile. Such bonds shall bear interest at a rate not to exceed three per cent (3%) per annum, which bonds shall be sold for not less than par. 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 New York, as to principal alone or as to both principal and interest under such regulations as the State Treasurer may prescribe. Said bonds shall be in a form embodying an absolute promise of the State of Washington to pay both principal and interest in such places as the State Finance

Bond issue.

State Finance Committee shall supervise.

Payable within 30 years.

Interest rate.

Form of bonds.

Committee may provide and shall be in such denominations as may be prescribed by said Committee. All bonds issued under the provisions of this act may be sold in such manner and in such amounts and at such times and on such terms and conditions as the State Finance Committee may prescribe: *Provided*, That if said bonds are sold to any person 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 this act shall be legal investment for any of the funds of the state, including the Permanent School Fund, any higher educational funds, and the Accident Fund of the Department of Labor and Industries.

Sale of
bonds.

Bonds shall
be legal
investment.

War
Veterans'
Compensa-
tion Fund.

SEC. 8. The money arising from the sale of said bonds shall be deposited in the state treasury to the credit of a special fund to be known as the War Veterans' Compensation Fund, which shall be used for the payment of the compensation provided in this act, and for paying the expenses of the administration thereof. For the purpose of carrying out the provisions of this act, there is hereby appropriated from the War Veterans' Compensation Fund the sum of one hundred million dollars (\$100,000,000).

Appropriation.

Retirement
fund.

SEC. 9. For the purpose of creating a fund for the retirement of said bonds upon maturity and the payment of interest thereon as it falls due, there is hereby levied after January 1, 1949, and there shall be collected by the Tax Commission from the persons mentioned in, and in the manner provided by, section 82, chapter 180, Laws of 1935, as amended, a tax upon the sale, use, consumption, handling or distribution of all smoking, chewing and snuffing tobaccos, including cigars and cigarettes, in an

Tax on
tobaccos.

amount equal to one cent upon each ten cents or fraction of the intended retail selling price of such tobaccos. All moneys derived from such tax shall be paid into the state treasury and credited to a special fund to be known as the War Veterans' Compensation Bond Retirement Fund.

Compensation Bond Retirement Fund.

SEC. 10. No charge shall be made by any agent, notary public or attorney for any service in connection with filing an application to obtain the allowance provided for by this act, and no person shall, for a consideration, discount or attempt to discount, or for a consideration, advance money upon any certificate or certificates issued pursuant to the terms of this act. Any violation of this section shall be a gross misdemeanor.

Free official service.

Discounting certificates prohibited.

SEC. 11. Any person who with intent to defraud, subscribes to any false oath or makes any false representation, either in the execution of the certificates provided for by this act, or who with intent to defraud, presents to the State Auditor or any other officer any certificate for the purpose of obtaining funds provided by this act, which do not in fact belong to such person, or makes any false representation in connection with obtaining any funds under the terms of this act, shall be guilty of a felony.

False claims punishable.

SEC. 12. The Legislature may provide additional means for raising moneys for the payment of the interest and principal of said bonds, and this act shall not be deemed to provide an exclusive method for such payment.

Method not exclusive for raising moneys.

SEC. 13. If any section or provision of this act shall for any reason be held invalid, such decision shall not invalidate the remaining portions of this act.

Partial invalidity.

Filed in the office of Secretary of State January 2, 1948.

Passed by vote of the people November 2, 1948, at the general election.

Proclamation signed by the Governor December 2, 1948.

CHAPTER 5.

[Initiative Measure No. 171.]

INTOXICATING LIQUOR BY THE DRINK.

AN ACT providing for the regulation and control of the sale of intoxicating liquor by the drink; restricting licenses to restaurants, hotels, clubs, certain places on trains, boats and airplanes, and qualified tourist establishments; limiting such licenses to one for each fifteen hundred (1500) of population; prescribing license fees up to one thousand dollars (\$1,000) per annum and surety bond of ten thousand dollars (\$10,000) for payment of penalties; providing terms of office for liquor board members, with removal for cause only; distributing such license fees to the State College and University for medical and biological research; defining terms and repealing conflicting acts.

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

Amendment.

SECTION 1. Chapter 62 of the Laws of 1933, Extraordinary Session, as amended by chapter 217 of the Laws of 1937, as amended by chapter 220 of the Laws of 1941, is amended by adding thereto the following section, to be known as section 23-S-1:

Class H license.

Section 23-S-1. (a) There shall be a retailer's license, to be known and designated as Class H license, to sell beer, wine and spirituous liquor by the individual glass, and beer and wine by the opened bottle, at retail, for consumption on the premises, including mixed drinks and cocktails compounded or mixed on the premises only. Such Class H license may be issued only to bona fide restaurants, hotels and clubs, and to dining, club and buffet cars on passenger trains, and to dining places on passenger boats and airplanes, and to such other establishments operated and maintained primarily for the benefit of tourists, vacationers and travelers as

Those eligible for Class H license.