

CHAPTER 148.

[House Bill No. 549.]

STATE TRADE FAIRS.

AN ACT relating to state trade fairs and the support thereof; amending section 9, chapter 55, Laws of 1933 as last amended by section 5, chapter 106, Laws of 1955, and RCW 67.16.100; and repealing sections 15.73.010, 15.73.020, 15.73.030 and 15.73.040, chapter 11, Laws of 1961 and RCW 15.73.010, 15.73.020, 15.73.030 and 15.73.040; directing an apportionment from the state trade fair fund; and declaring an emergency.

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

State trade fairs. Legislative declaration.

SECTION 1. The legislature hereby recognizes the economic benefits resultant from the participation in and presentation of state trade fairs; to a large degree the present export of state products from the ports of this state has resulted from state trade fair presentation or participation; as this state is the natural gateway to the Orient, participation in trade fairs in that area is essential to the furtherance of industrial markets of this state; Washington products must be put on view to the people of the state, this country, and the world; nothing serves this purpose more appropriately than state trade fairs, the support of which through state aid the legislature herewith proposes.

"Director" defined.

SEC. 2. "Director" as used in this amendatory act means the director of commerce and economic development.

Eligibility for state financial aid— Requisites for.

SEC. 3. For the purposes of this amendatory act state trade fair organizations, to be eligible for state financial aid hereunder (1) must have had at least two or more years of experience in the presentation of or participation in state trade fairs, whether held in this state, another state or territory of the United States or a foreign country, however these need not

be consecutive years; (2) must be able to provide, from its own resources derived from general admission or otherwise, funds sufficient to match the amount of state financial aid allotted.

SEC. 4. The board of trustees of any state trade fair sponsored by any public agency, qualifying under the provisions of this amendatory act, may apply to the director for moneys to carry on the continued development as well as the operation of said fair, said money to be appropriated from the state trade fair fund as provided for in RCW 67.16.100.

Application for aid, eligible applicants—Fund appropriation.

SEC. 5. It shall be the duty of the director to certify, from the applications received, the state trade fair or fairs qualified and entitled to receive funds under this amendatory act. The director shall make annual allotments to state trade fairs determined qualified to be entitled to participate in the state trade fair fund and shall fix times for the division of and payment from the state trade fair fund: *Provided*, That total payment to any one state trade fair shall not exceed thirty thousand dollars in any one year, where participation or presentation occurs within the United States, and forty thousand dollars in any one year, where participation or presentation occurs outside the United States. Upon certification of the allotment and division of fair funds by the director of commerce and economic development the treasurer shall proceed to pay the same to carry out the purposes of this act.

Certification of eligible applicants—Annual allotments—Maximum.

SEC. 6. The director shall at the end of each year for which an annual allotment has been made, cause to be conducted, a post audit of all of the books and records of each state trade fair participating in the state trade fair fund. The purpose of such post audit shall be to determine how and to what extent each participating state trade fair has expended all of its funds.

Post audit of expended funds—Report of findings.

State trade
fairs.

The audit required by this section shall be a condition to future allotments of money from the state trade fair fund, and the director shall make a report of the findings of each post audit and shall use such report as a consideration in an application for any future allocations.

RCW 67.16.100
amended.

SEC. 7. Section 9, chapter 55, Laws of 1933 as last amended by section 5, chapter 106, Laws of 1955, and RCW 67.16.100 are each amended to read as follows:

Horse racing.
Gross receipts
and fees—
Commission's
percentage—
Disposition—
"Fair fund"
and "State
trade fair
fund".

In addition to the license fees required by this chapter the licensee shall pay to the commission five percent of the gross receipts of all parimutuel machines at each race meet, which sums shall be paid daily to the commission.

All sums paid to the commission, together with all sums collected for license fees under the provisions of this chapter, shall be disposed of by the commission as follows: Twenty percent thereof shall be retained by the commission for the payment of the salaries of its members, secretary, clerical, office, and other help and all expenses incurred in carrying out the provisions of this chapter. No salary, wages, expenses, or compensation of any kind shall be paid by the state in connection with the work of the commission. Of the remaining eighty percent, forty-seven percent shall, on the next business day following the receipt thereof, be paid to the state treasurer to be deposited in the general fund, and three percent shall, on the next business day following the receipt thereof, be paid to the state treasurer, who is hereby made ex officio treasurer of a fund to be known as the "state trade fair fund" which shall be maintained as a separate and independent fund, and made available to the director of commerce and economic development for the sole purpose of assisting state trade fairs. The remaining thirty percent shall be paid to the state treasurer, who is hereby made ex officio treasurer

of a fund to be known as the "fair fund," which shall be maintained as a separate and independent fund outside of the state treasury, and made available to the director of agriculture for the sole purpose of assisting fairs in the manner provided in Title 15. Any moneys collected or paid to the commission under the terms of this chapter and not expended at the time of making its report to the legislature, shall be paid to the state treasurer and be placed in the general fund.

SEC. 8. State trade fair as used in this amendatory act shall mean a fair supported by public agencies basically for the purpose of introducing and promoting the sale of manufactured or cultural products and services of a given area, whether presented in this state, the United States or its territories, or in a foreign country.

State trade
fair defined.

SEC. 9. The director of commerce and economic development shall, as soon as possible after the effective date of this amendatory act, apportion to the public agencies involved for the purpose of participation in the International Trade Fair to be held in Japan in the spring of 1965, the sum of forty thousand dollars from the state trade fair fund or such lesser amount thereof as necessary, to carry out the purposes of this section: *Provided, That all moneys remaining in said state trade fair fund shall revert to the general fund after such apportionment be made.*

Appropriation.

SEC. 10. Upon the effective date of the transfer of functions provided in this amendatory act, the director of agriculture shall immediately deliver to the director of commerce and economic development all books, documents, records, papers, files, or other writings and all funds in his custody or under his control used or held for the purpose of assisting state trade fairs. The transfer of functions to the

Transfer of
records and
funds—
Savings.

State trade fair. Transfer of records and funds—Savings.

director of commerce and economic development shall not affect the validity of any acts performed by the director of agriculture relating to state trade fairs prior to the effective date of this amendatory act. All matters relating to the functions transferred under the provisions of this amendatory act which at the time of transfer have not been completed may be undertaken and completed by the director of commerce and economic development who is authorized, empowered, and directed to promulgate any and all orders, rules, and regulations necessary to accomplish this purpose.

Repeal.

SEC. 11. Sections 15.73.010, 15.73.020, 15.73.030 and 15.73.040, chapter 11, Laws of 1961 and RCW 15.73.010, 15.73.020, 15.73.030 and 15.73.040 are each repealed.

Emergency.

SEC. 12. 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.

Sec. 13. That of the remaining funds in the "state fair account" as defined in this act at the end of the biennium, after payment out of said fund, the sum of \$40,000, shall be reverted to the general fund.

Passed the House March 11, 1965.

Passed the Senate March 10, 1965.

Approved by the Governor March 20, 1965, with the exception of certain items in section 9 and section 13, which were vetoed.

Veto message.

NOTE: Governor's explanation of partial veto is as follows:

"This bill recognizes the economic benefits which result to the state from participation in state trade fairs. Through trade fairs, Washington products are put on view to people of the state, of the nation and of the world. To facilitate this economic development, the state trade fair fund now available to the director of agriculture has been transferred by this bill to the director of Commerce and Economic Development.

"Under section 9, the director of Commerce and Economic Development is directed to apportion not more than \$40,000 from the state trade fair fund to assist public agencies involved in the International Trade Fair to be held in Japan next month. However, the proviso at the end of section 9 would transfer all monies remaining in the state trade fair fund to the general fund after that apportionment. It is my view that these monies should remain in the state trade fair fund, to be used by the director in the event the money is needed to assist in the development of additional trade fairs which might qualify under the act. For this reason, I have vetoed the proviso in section 9.

"I have also vetoed section 13, which relates to a 'state fair account', which does not exist in our state treasury and is not defined in the act. Although the intention of the section is not entirely clear from the language employed, it could be construed as transferring all monies from the state trade fair fund to the general fund at the end of each biennium. In order that the director of Commerce and Economic Development can carry out the purposes of House Bill No. 549, it may be necessary to accumulate a reasonable amount of money from one biennium to the next. If at the next session of the Legislature, it appears that surplus money is available in the state trade fair fund, any surplus could then be transferred to the general fund. For these reasons, I have also vetoed section 13.

"The remainder of House Bill No. 549 is approved."

DANIEL J. EVANS,
Governor.

CHAPTER 149.

[House Bill No. 307.]

INSURANCE CONTRACTS—EYE CARE SERVICES.

AN ACT relating to eye care service benefits under certain insurance contracts; adding a new section to chapter 79, Laws of 1947 and to chapter 48.18 RCW; adding a new section to chapter 79, Laws of 1947 and to chapter 48.20 RCW; and adding a new section to chapter 79, Laws of 1947 and to chapter 48.21 RCW.

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

Section 1. There is added to chapter 79, Laws of 1947, and to Chapter 48.18 RCW, a new section to read as follows:

Notwithstanding any provision of any insurance contract covered by this chapter, benefits shall not be denied thereunder for any eye care service rendered by a holder of a license issued pursuant to chapter 18.53 RCW, provided, that (1) the service rendered was within the lawful scope of such person's license, and (2) such contract would have pro-