

from the premises described in the license under such regulations as the ((~~commissioner of public lands~~)) department of natural resources may prescribe.

NEW SECTION. Sec. 3. There is added to chapter 97, Laws of 1945 and to chapter 76.20 RCW a new section to read as follows:

Whenever the department of natural resources determines that it is in the best interest of the state and there will be a benefit to the lands involved or a state program affecting such lands it may designate specific areas and authorize the general public to enter upon lands under its jurisdiction for the purposes of cutting and removing standing or downed timber for use as firewood for the personal use of the person so cutting and removing without a charge under such terms and conditions as it may require.

*\*NEW SECTION. Sec. 4. This 1975 amendatory 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. 4. was vetoed; see message at end of chapter.

Passed the House February 11, 1975.

Passed the Senate March 6, 1975.

Approved by the Governor March 20, 1975, with the exception of Section 4 which is vetoed.

Filed in Office of Secretary of State March 20, 1975.

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

"I am returning herewith without my approval as to one section House Bill No. 124 entitled:

"AN ACT Relating to the department of natural resources."

Section 4 of the bill declares an emergency and provides for the act to take effect immediately. Our constitution states that bills shall take effect ninety days after adjournment of the legislative session at which it was enacted. The purpose for this is to allow the people to exercise their right of referendum. Only one exception to this is recognized: laws "necessary for the immediate preservation of the public peace, health or safety, support of the state government and its existing public institutions." Art. II(1)(b).

House Bill No. 124 does not meet the constitutional criteria required to take effect immediately and to remove thereby the right of referendum. In fact, I am advised by the department of natural resources that the emergency clause is unnecessary.

I would remind the legislature that our state constitution requires more circumspect use of emergency clauses.

With the foregoing exception, I have approved the remainder of House Bill No. 124."

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## CHAPTER 11

[House Bill No. 127]

### TELEVISION RECEPTION IMPROVEMENT DISTRICTS—ANNUAL SET TAX

AN ACT Relating to television reception improvement districts; and amending section 10, chapter 155, Laws of 1971 ex. sess. and RCW 36.95.100.

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

Section 1. Section 10, chapter 155, Laws of 1971 ex. sess. and RCW 36.95.100 are each amended to read as follows:

The tax provided for in RCW 36.95.090 and this section shall not exceed (~~ffteen~~) twenty-five dollars per year per television set, and no person shall be taxed for more than one television set, except that a motel or hotel or any person owning in excess of five television sets shall pay at a rate of one-fifth of the annual tax rate imposed for each of the first five television sets and one-tenth of such rate for each additional set thereafter. An owner of a television set within the district shall be exempt from paying any tax on such set under this chapter: (1) If either (a) his television set does not receive at least a class grade B contour signal retransmitted by the television translator station or other similar device operated by the district, as such class is defined under regulations of the Federal Communications Commission as of August 9, 1971, or (b) he is currently subscribing to and receiving the services of a community antenna system (CATV) to which his television set is connected; and (2) if he filed a statement with the board claiming his grounds for exemption. Space for such statement shall be provided for in the tax notice which the treasurer shall send to taxpayers in behalf of the district.

Passed the House February 4, 1975.

Passed the Senate March 6, 1975.

Approved by the Governor March 20, 1975.

Filed in Office of Secretary of State March 20, 1975.

## CHAPTER 12

[House Bill No. 142]

### ADMINISTRATIVE PROCEEDINGS—CONTESTED CASES—ADVERSE RULINGS

AN ACT Relating to administrative procedures; and amending section 12, chapter 234, Laws of 1959 and RCW 34.04.120.

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

Section 1. Section 12, chapter 234, Laws of 1959 and RCW 34.04.120 are each amended to read as follows:

Every decision and order adverse to a party to the proceeding, rendered by an agency in a contested case, shall be in writing or stated in the record and shall be accompanied by findings of fact and conclusions of law. The findings of fact shall consist of a concise statement of each fact found upon each contested issue of fact. Parties to the proceeding shall be notified of the decision and order in person or by mail. A copy of the decision and order and accompanying findings and conclusions shall be delivered or mailed to each party (~~(or)~~) and to his attorney of record, if any.

Passed the House January 30, 1975.

Passed the Senate March 6, 1975.

Approved by the Governor March 20, 1975.

Filed in Office of Secretary of State March 20, 1975.