

\*Sec. 2. was vetoed, see message at end of chapter.

Passed the Senate March 14, 1975.

Passed the House April 8, 1975.

Approved by the Governor April 14, 1975, with the exception of section 2 which is vetoed.

Filed in Office of Secretary of State April 15, 1975.

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

"I am returning herewith without my approval as to one section Senate Bill No. 2021 entitled:

"AN ACT Relating to local government."

This bill allows cities, towns, and counties to set fees at variance with those prescribed in the state building code enacted in 1974.

Section 2 declares an emergency and provides for the act to take effect immediately. I have on several occasions in past sessions, including the recently adjourned regular session of the 44th Legislature, vetoed emergency clauses from bills that did not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I must again raise the same objection in the case of this bill.

I am increasingly apprehensive that repeated use on unwarranted occasions will render emergency clauses meaningless in the eyes of both the people and the courts.

With the exception of section 2 which I have vetoed, the remainder of Senate Bill No. 2021 is approved."

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## CHAPTER 9

[Senate Bill No. 2079]

### CAMPER AND TRAILER TAX—REFUNDS— DELINQUENCY CHARGES

AN ACT Relating to motor vehicles; amending section 82.50.170, chapter 15, Laws of 1961 as amended by section 9, chapter 54, Laws of 1974 ex. sess. and RCW 82.50.170; amending section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440; and amending section 62, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.470.

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

Section 1. Section 82.50.170, chapter 15, Laws of 1961 as amended by section 9, chapter 54, Laws of 1974 ex. sess. and RCW 82.50.170 are each amended to read as follows:

In case a claim is made by any person that he has erroneously paid the tax or a part thereof or any charge hereunder, he may apply in writing to the (~~commission~~) department of motor vehicles for a refund of the amount of the claimed erroneous payment within (~~ninety days~~) thirteen months of the time of payment of the tax on such a form as is prescribed by the (~~commission~~) department. The (~~commission~~) department shall review such application for refund, and, if it determines that an erroneous payment has been made by the taxpayer, it shall certify the amount to be refunded to the state treasurer that such person is entitled to a refund in such amount, and the treasurer shall make such approved refund herein provided for from the general fund and shall mail or deliver the same to the person entitled thereto.

Any person making any false statement in the affidavit herein mentioned, under which he obtains any amount of refund to which he is not entitled under the provisions of this section, shall be guilty of a gross misdemeanor.

Sec. 2. Section 59, chapter 299, Laws of 1971 ex. sess. and RCW 82.50.440 are each amended to read as follows:

The county auditor or the department of motor vehicles upon payment of the tax hereunder shall issue a receipt which shall include such information as may be required by the director, including the name of the taxpayer and a description of the travel trailer or camper, which receipt shall be printed by the department of motor vehicles in such form as it deems proper and furnished by the department to the various county auditors of the state. The county auditor shall keep a record of the excise taxes paid hereunder during the calendar year (~~under the name of owners of travel trailers or campers, listed alphabetically~~).

NEW SECTION. Sec. 3. If any excise tax due hereunder is not paid when due and payable, the unpaid tax shall bear interest at the rate of six percent per annum from the time such tax is due and payable: PROVIDED, That the interest charge on the unpaid excise tax shall be waived when such interest is less than five dollars: AND PROVIDED FURTHER, The director may waive the interest on the unpaid excise tax when the interest exceeds five dollars and the department of motor vehicles determines that the cost of processing the collection of the interest exceeds the amount of interest due.

The tax hereunder shall be a specific lien on the travel trailer or camper from and after the date it first becomes due hereunder, and shall include all charges authorized by this chapter, which lien shall have priority to and be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the travel trailer or camper may become charged or liable, after July 1, 1975, and no sale or transfer of any travel trailer or camper shall in any way affect the lien for such excise tax upon the travel trailer or camper.

Passed the Senate April 17, 1975.

Passed the House April 17, 1975.

Approved by the Governor April 25, 1975.

Filed in Office of Secretary of State April 25, 1975.

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## CHAPTER 10

[Senate Bill No. 2127]

### PUBLIC UTILITY DISTRICTS— CONSTRUCTION PROJECTS

AN ACT Relating to public utility districts; and amending section 1, chapter 137, Laws of 1957 as amended by section 99, chapter 154, Laws of 1973 1st ex. sess. and RCW 54.36.010.

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

Section 1. Section 1, chapter 137, Laws of 1957 as amended by section 99, chapter 154, Laws of 1973 1st ex. sess. and RCW 54.36.010 are each amended to read as follows:

As used in this chapter:

"Public utility district" means public utility district or districts or a joint operating agency or agencies.