

tional, the invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this act.

Emergency.

SEC. 10. This act is necessary for the immediate preservation of the public peace, health and safety of and the support of the state government and its existing institutions, and shall take effect on the first day of April, 1949.

Passed the Senate March 8, 1949.

Passed the House March 5, 1949.

Approved by the Governor March 17, 1949.

CHAPTER 180.

[H. B. 499.]

VETERANS' BONUS.

AN ACT providing for the payment of a bonus to veterans of World War II from the proceeds of a bond issue repayable from the excise taxes on cigarettes as herein provided for; making an appropriation and providing penalties.

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

Qualifica-
tions for
recipient.

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 (1) year prior thereto was a bona fide citizen or resident of the State of Washington, or who was a member of one of the regular military services on December 7, 1941, and on that date and for one year prior thereto was a bona fide citizen or resident of the State of Washington, for service between said dates, 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

Amount.

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: *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. In case of the death of any such person while in the service, an equal amount shall be paid to his surviving widow if not remarried at the time compensation is requested, or in case he left no widow and left children, then to his surviving children, or in the event he left no widow or children, then to his surviving parent or parents if actually dependent upon such deceased person for support.

Foreign
compensa-
tion.

Payment to
heirs.

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 ser-

Auditor's
certificate.

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

Record of service.

Auditor's warrants.

Auditor to furnish forms.

County officers to assist.

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.

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.

Duties of executive officer of Veterans' Rehabilitation Council.

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.

Anticipatory warrants.

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 limited obligation bonds of the State of Washington in the sum of eighty million dollars (\$80,000,000). 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 (30) 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 Govern-

Bond issue.

Under supervision of State Finance Committee.

Bonds payable within 30 years.

nor 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 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 distinctly state that they shall not be a general obligation of the State of Washington, but shall be payable from the proceeds of cigarette taxes in the manner prescribed in this act. Said bonds and the interest thereon shall, so long as any portion thereof shall remain unpaid, constitute a prior and exclusive claim upon the proceeds of said cigarette taxes and the War Veterans' Compensation Bond Retirement Fund hereinafter provided for and shall be payable at such places as the State Finance Committee may provide. Bonds 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 persons 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.

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 eighty million dollars (\$80,000,000).

War
Veterans'
Compensa-
tion Fund.

Appropriation.

SEC. 9. For the purpose of creating the fund for the retirement of said bonds upon maturity and the payment of interest thereon as it falls due, all proceeds hereafter received from the excise tax on cigarettes imposed by Title XII (sections 82 to 95, inclusive), chapter 180, Laws of 1935, as now or hereafter amended, shall, so long as any part of principal or interest of the bonds herein provided for remains outstanding, be paid into the War Veterans' Compensation Bond Retirement Fund hereinafter provided for. In addition thereto, there is hereby levied and there shall be collected by the Tax Commission from the persons mentioned in and in the manner provided by Title XII (sections 82 to 95, inclusive), chapter 180, Laws of 1935, as now or hereafter amended, an excise tax upon the sale, use, consumption, handling or distribution of cigarettes in an amount equal to one cent (1¢) upon each ten cents (10¢) or fraction of the intended retail selling price thereof, but the provisions of subsection (f), section 82, chapter 180, Laws of 1935, allowing dealers' compensation for affixing stamps shall not apply to this additional tax. All money derived from such tax shall be paid to the State Treasurer and credited to a special trust fund to be known as the War Veterans' Compensation Bond Retirement Fund, which shall be kept segregated from all money in the state treasury and shall, while any of the bonds herein authorized or any interest thereon remain unpaid, be available solely for the payment thereof.

Retirement
Fund.

Tax on
cigarettes.

War
Veterans'
Compensat-
ing Bond
Retirement
Fund.

Disposition of excess proceeds from taxes on cigarettes.

Whenever the receipts into the War Veterans' Compensation Bond Retirement Fund during any year shall exceed four million five hundred thousand dollars (\$4,500,000), all sums received above that amount shall be transferred by the State Treasurer to the State General Fund, and whenever there shall have accumulated in the War Veterans' Compensation Bond Retirement Fund four million one hundred thousand dollars (\$4,100,000) in excess of the amount required in any year, as determined by the State Finance Committee, to meet obligations during that year for bond retirement and interest, the State Treasurer shall transfer from said Fund to the General Fund all money in excess of said amounts. As a part of the contract of sale of the bonds herein authorized, the state undertakes to continue to levy the taxes upon cigarettes referred to in this section and to place the proceeds thereof in the War Veterans' Compensation Bond Retirement Fund and to make said Fund available to meet said payments when due until all of said bonds and the interest thereon shall have been paid.

Tax levy continued until bonds and interest paid.

Free official service.

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.

Discounting certificates prohibited.

False claims punishable.

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 be-

long 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.

Felony.

SEC. 12. The Legislature may provide additional means for raising money 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. The power given to the Legislature by this section is permissive and shall not be construed to constitute a pledge of the general credit of the State of Washington.

Method not exclusive.

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.

SEC. 14. This measure shall not be construed as duplicating any payment or tax which may be provided for or imposed by any operative provision of Initiative Measure No. 169. It is intended to supplement and replace such portions thereof as may be inoperative because of constitutional defects and shall not be construed as amending or repealing said initiative.

Effect of act on Initiative Measure No. 169.

Passed the House February 24, 1949.

Passed the Senate March 6, 1949.

Approved by the Governor March 18, 1949.