

the failure to enact an ordinance creating and establishing such fund are hereby cured, and that any funds now held by any city in any such revolving and guaranty fund be held, applied and disbursed as if said fund raised by any irregular tax levies had been validly created as a local improvement guaranty fund at the time of such levy or levies.

Passed the Senate January 26, 1939.

Passed the House February 22, 1939.

Approved by the Governor March 1, 1939.

CHAPTER 31.

[S. B. 43.]

TRADING STAMPS.

AN ACT relating to the use and furnishing of stamps, coupons, tickets, certificates, cards and other similar devices, for or with the sale of goods, wares or merchandise, and amending chapter 134 of the Laws of 1913 (section 8361 of Remington's Revised Statutes).

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

SECTION 1. That section 3 of chapter 134 of the Laws of 1913 (section 8361 of Remington's Revised Statutes) be amended to read as follows:

Amends
§ 8361 Rem.
Rev. Stat.

Section 3. No person, firm or corporation shall furnish or sell to any other person, firm or corporation to use, in, with, or for the sale of any goods, wares, or merchandise, any such stamps, coupons, tickets, certificates, cards, or other similar devices for use in any town, city or county in this state other than that in which such furnishing or selling shall take place: *Provided, however,* That nothing in this section or act, or in any other statute or ordinance of this state, shall apply to the issuance and direct redemption by a manufacturer of a premium

Restrictions.

coupon, certificate, or similar device, or prevent him or it from issuing and directly redeeming such premium coupon, certificate, or similar device, which, however, shall not be issued, circulated or distributed by retail vendors except when contained in or attached to an original package. The term "manufacturer," as used in this proviso, means any vendor of an article of merchandise which is put up by or for him or it in an original package and which is sold under his or its trade name, brand or mark: *Provided, however,* That no premium coupon, certificate or similar device shall be issued in connection with the sale of eggs and the products thereof, or milk and the products thereof.

Partial
invalidity.

(a) If any section, subsection, clause or phrase of this act, or the act of which this is an amendment, is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act, or any act of which this act is an amendment. The legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more of the other sections, subsections, sentences, clauses or phrases by [be] declared unconstitutional.

Passed the Senate February 25, 1939.

Passed the House February 22, 1939.

Approved by the Governor March 1, 1939.