

section to read as follows:

During the months of December, January, February and March of each year the director of the department of game may declare an emergency to exist in any specified geographical area of the state when snow depth and climatic conditions cause a threat to the survival of deer and elk and where such deer and elk are being pursued, harassed, attacked or killed by dogs. After an emergency has been declared and is in effect it shall be lawful for any game protector or law enforcement officer operating within the specified geographical area designated by the emergency proclamation to take into custody or, if necessary, destroy any dog which is pursuing, harassing, attacking, or killing any deer or elk. Any game protector or law enforcement officer who takes into custody or destroys a dog pursuant to this section shall be immune from any civil or criminal liability arising from his actions.

The declaration of an emergency pursuant to this section shall be by written order signed by the director of the department of game and filed in the office of the director and the office of the auditor of any county or counties affected by the order.

The director shall publish the emergency order in any newspaper of general circulation in any county affected not less than three days prior to the effective date of the order.

Passed the House March 30, 1971.

Passed the Senate May 8, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 184

[Engrossed House Bill No. 803]

CONTROL OF STATE DEBTS BY THE STATE FINANCE COMMITTEE--
ANNUAL COMPUTATION OF STATE REVENUES AND DEBT CAPACITY BY STATE
TREASURER--
CONSTITUTIONAL AMENDMENT REQUIRED

AN ACT Relating to state government; authorizing the state finance committee to supervise and control the incurrence of state debt; and creating new sections.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. Section 1. This chapter shall apply to all bonds, notes, and other evidences of indebtedness of the state authorized by the legislature after the effective date of this chapter, unless otherwise provided in the authorizing acts.

NEW SECTION. Sec. 2. Bonds, notes, or other evidences of

indebtedness shall be issued by the state finance committee. They may be issued at one time or in a series from time to time. The maturity date of each series shall be determined by the state finance committee, but in no case shall any bonds mature later than thirty years from the date of issue. All evidences of indebtedness shall be signed in the name of the state by the governor and the treasurer. The facsimile signature of said officials is authorized and said evidences of indebtedness may be issued notwithstanding that any of the officials signing them or whose facsimile signatures appear on such evidences of indebtedness has ceased to hold office at the time of issue or at the time of delivery to the purchaser.

NEW SECTION. Sec. 3. The state finance committee shall by resolution determine the amount, date, form, terms, conditions, denominations, maximum interest rate, maturity or maturities, redemption rights, registration privileges, manner of execution, manner of sale, and covenants of all evidences of indebtedness including the funding or refunding of any existing indebtedness.

NEW SECTION. Sec. 4. The proceeds of the sale of any bonds shall be used solely for the purposes, including any expense incurred in connection with the issuance and sale of such bonds, specified in the general statute or special act authorizing the issuance of such bonds.

NEW SECTION. Sec. 5. When the state finance committee has decided to issue such bonds or a portion thereof, it may, pending the issuing of such bonds, issue, in the name of the state, temporary notes in anticipation of the money to be derived from the sale of such bonds, which notes shall be designated as "anticipation notes". Such portion of the proceeds of the sale of such bonds as may be required for such purpose shall be applied to the payment of the principal of and interest on such anticipation notes which have been issued.

NEW SECTION. Sec. 6. No bonds, notes, or other evidences of indebtedness for borrowed money shall be issued by the state which will cause the state to exceed the limitation contained in section 1 of Article VIII of the Washington state Constitution as hereafter amended by vote of the people pursuant to HJR 52, 1971 regular session. It shall be the duty of the state finance committee to compute annually the amount required to pay principal of and interest on outstanding debt. In making such computation, the state finance committee shall include all borrowed money represented by bonds, notes, or other evidences of indebtedness which are secured by the full faith and credit of the state or are required to be paid, directly or indirectly, from general state revenues and which are incurred by the state, any department, authority, public corporation or quasi public corporation of the state, any state university or

college, or any other public agency created by the state but not by counties, cities, towns, school districts, or other municipal corporations, but shall not include obligations for the payment of current expenses of state government, nor shall it include debt hereafter incurred pursuant to section 3 of Article VIII of the Washington state Constitution as hereafter amended by vote of the people pursuant to HJR 52, 1971 regular session, nor shall it include indebtedness incurred pursuant to section 8 of this act, principal of bond anticipation notes or obligations issued to fund or refund the indebtedness of the Washington state building authority. To the extent necessary because of the constitutional debt limitation, priorities with respect to the issuance or guaranteeing of bonds, notes or other evidences of indebtedness by the state shall be determined by the state finance committee.

NEW SECTION. Sec. 7. On or after the effective date of this act, the treasurer shall compute general state revenues for the three fiscal years immediately preceding such date and shall determine the arithmetic mean thereof. As soon as is practicable after the close of each fiscal year thereafter, he shall do likewise. In determining the amount of general state revenues, the treasurer shall include all state money received in the treasury from each and every source whatsoever except: (1) fees and revenues derived from the ownership or operation of any undertaking, facility or project; (2) moneys received as gifts, grants, donations, aid or assistance or otherwise from the United States or any department, bureau or corporation thereof, or any person, firm or corporation, public or private, when the terms and conditions of such gift, grant, donation, aid or assistance require the application and disbursement of such moneys otherwise than for the general purposes of the state of Washington; (3) moneys to be paid into and received from retirement system funds, and performance bonds and deposits; (4) moneys to be paid into and received from trust funds including but not limited to moneys received from taxes levied for specific purposes and the several permanent and irreducible funds of the state and the moneys derived therefrom but excluding bond redemption funds; (5) proceeds received from the sale of bonds or other evidences of indebtedness. Upon computing general state revenues, the treasurer shall make and file in the office of the secretary of state, a certificate containing the results of such computations. Copies of said certificate shall be sent to each elected official of the state and each member of the legislature. The treasurer shall, at the same time, advise each elected official and each member of the legislature of the current available debt capacity of the state, and may make estimated projections for one or more years concerning debt capacity.

NEW SECTION. Sec. 8. The foregoing limitation on the

aggregate amount of indebtedness of the state shall not prevent:

(1) The issuance of obligations to refund or replace any such indebtedness existing at any time in an amount not exceeding such existing indebtedness and any premium payable with respect thereto, including the refunding of any indebtedness incurred or authorized prior to the effective date of this act by the Washington state building authority;

(2) The issuance of obligations in anticipation of revenues to be received by the state during a period of twelve calendar months next following their issuance;

(3) The issuance of obligations payable solely from revenues of particular public improvements;

(4) A pledge of the full faith, credit, and taxing power of the state to guarantee the payment of any obligation payable from revenues received from any of the following sources:

(a) the fees collected by the state as license fees for motor vehicles;

(b) excise taxes collected by the state on the sale, distribution, or use of motor vehicle fuel; and

(c) interest on the permanent common school fund:

PROVIDED, That the legislature shall, at all times, provide sufficient revenues from such sources to pay the principal and interest due on all obligations for which said source of revenue is pledged.

NEW SECTION. Sec. 9. The state finance committee may issue certificates of indebtedness in such sum or sums that may be necessary to meet temporary deficiencies of the treasury; such certificates may be issued only to provide for the appropriations already made by the legislature and such certificates must be retired and the debt discharged other than by refunding within twelve months after the date of issuance.

NEW SECTION. Sec. 10. Bonds, notes, or other obligations issued and sold by the state of Washington pursuant to and in conformity with this chapter shall not be invalid for any irregularity or defect in the proceedings of the issuance or sale thereof, except as provided in this paragraph, and shall be incontestable in the hands of a bona fide purchaser or holder thereof. Whenever the state finance committee determines to issue bonds, notes or other evidences of indebtedness, it shall file with the treasurer a certified copy of the resolution authorizing their issuance at least thirty days prior to delivery to the purchaser of such bonds, notes, or other evidences of indebtedness. At any time prior to delivery, any person in interest shall have the right to institute an appropriate action or proceeding to contest the validity of the authorized indebtedness, the pledge of revenues for the

payment of principal and interest on such indebtedness, the validity of the collection and disposition of revenue necessary to pay the principal and interest on such indebtedness, the expenditure of the proceeds derived from the sale of the evidences of indebtedness for the purposes specified by law, and the validity of all other provisions and proceedings in connection with the authorization and issuance of the evidences of indebtedness. If such action or proceeding shall not have been instituted prior to delivery, then the validity of the evidences of indebtedness shall be conclusively presumed and no court shall have authority to inquire into such matters.

NEW SECTION. Sec. 11. All evidences of indebtedness issued under the provisions of this chapter shall be fully negotiable instruments and shall be legal investment for all state funds or for funds under state control and all funds of municipal corporations, and shall be legal security for all state, county and municipal deposits.

NEW SECTION. Sec. 12. This act shall become effective coincident with the effective date of the constitutional amendment to Article VIII, section 1 and to Article VIII, section 3 of the Washington state Constitution as presented for a vote of the people by HJR 52, 1971 regular session. Unless such constitutional amendment shall be approved by the people at the next general election, this chapter shall be null and void.

Passed the House March 29, 1971.

Passed the Senate May 8, 1971.

Approved by the Governor May 20, 1971.

Filed in Office of Secretary of State May 21, 1971.

CHAPTER 185

[Engrossed House Bill No. 853]

SALE OF CONTRACEPTIVES--

RETAIL DEALER'S LICENSE

AN ACT Relating to crimes and punishments; amending section 1, chapter 168, Laws of 1921 and RCW 9.04.030; amending section 208, chapter 249, Laws of 1909 and RCW 9.68.030; repealing section 3, chapter 192, Laws of 1939 and RCW 18.81.030; and adding a new section to chapter 18.81 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

Section 1. Section 1, chapter 168, Laws of 1921 and RCW 9.04.030 are each amended to read as follows:

Every person who shall advertise, either in his own name, or