

CHAPTER 187.

[S. B. 337.]

DISTRIBUTION OF INTOXICATING LIQUOR REVENUE.

AN ACT relating to intoxicating liquors; amending section 78, chapter 62, Laws of the Extraordinary Session of 1933, as last amended by section 1, chapter 173, Laws of 1939; repealing certain acts; and declaring an emergency.

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

SECTION 1. Section 78, chapter 62, Laws of the Extraordinary Session of 1933, as last amended by section 1, chapter 173, Laws of 1939 (sec. 7306-78, Rem. Rev. Stat. Supp.), is amended to read as follows: Amendment.

Section 78. 1. When said funds are distributed as provided in section 77 hereof all moneys subject to distribution shall be disbursed as follows: Disbursement of funds.

Funds available for distribution on and after April 1, 1949, fifty per cent to the General Fund of the state and ten per cent to the counties of the state, distributed among them in accordance with the provisions of sub-section 2 of this section, and forty per cent to the incorporated cities and towns of the state, distributed among them in accordance with the provisions of sub-section 2 of this section. Allocation.

2. a. With respect to the ten per cent share coming to the counties, the distribution shall be among them in accordance with the following computation: Counties.

The share coming to each eligible county shall be determined by a division among the eligible counties according to the relation which the population of the unincorporated area of such eligible county, as shown by the last Federal census, bears to the total combined population of the total combined unincorporated areas of all eligible counties, as shown by the last Federal census: *Provided*, That no county in which the sale of liquor as authorized under this act is forbidden in the unincorporated area thereof

Unincorporated areas.

as the result of an election held under sections 82 to 88, both inclusive, of this act shall be entitled to share in such distribution. As used in this section, the term "unincorporated area" shall mean the election unit created by section 82 of this act, consisting of all that portion of any county not included within the limits of incorporated cities and towns.

Incorporated cities and towns.

b. With respect to the forty per cent share coming to the incorporated cities and towns, the distribution shall be among them in accordance with the following computation:

The share coming to each eligible incorporated city or town shall be determined by a division among the eligible incorporated cities and towns according to the relation which the population of each eligible incorporated city or town, as shown by the last Federal census, bears to the total combined population of all eligible incorporated cities and towns, as shown by the last Federal census: *Provided*, That until the 1950 Federal census figures are published the division among eligible incorporated cities and towns shall be made on the basis of the census for cities and towns made as of April 1, 1948, by the state census board under chapter 51, Laws of 1947; and any city or town incorporated subsequent to said date shall be included in the computations and distributions on the basis of the official population used in the incorporation proceedings: *And provided*, That no incorporated city or town in which the sale of liquor as authorized under this act is forbidden as the result of an election held under sections 82 to 88, both inclusive, of this act shall be entitled to any share in such distribution.

Computations by State Auditor.

3. The computations under sub-section 2 of this section shall be made by the State Auditor, who shall, immediately after the effective date of this act and immediately following the official publica-

tion of every Federal census and so often as necessary by reason of elections held under sections 82 to 88 of this act, file with the Board a list certified by him showing the fractional proportions, in terms of per cent or otherwise, coming to each county government and incorporated city and town in the state pursuant to this section; and the Board shall make payment to each of said counties and incorporated cities and towns in the proportions shown on the certified list last filed with it by the State Auditor under this section.

4. If any city or town shall have been incorporated subsequent to the last Federal census, such city or town shall, subject to the provisions of this section, be entitled to distribution of funds as herein provided on the basis of the official population used in the incorporation proceedings; and computations for distribution shall be made accordingly.

Subsequent
incorporation
of cities
and towns.

SEC. 2. Chapter 173, Laws of 1943 (secs. 7347-5 to 7347-11, incl., Rem. Supp. 1943), is hereby repealed: *Provided*, That the repeal of said chapter 173, shall not affect the right of the state, counties and cities to receive and be paid funds accruing in the War Liquor Tax Fund prior to the date such repeal takes effect in accordance with the percentages of distribution provided in said law; and the State Auditor and the State Treasurer are hereby authorized to effect the transfer of any monies due the state under this proviso from the War Liquor Tax Fund to the General Fund and remaining in said Fund after the payment of all monies due the cities and counties.

Repealing
clause.

Proviso.

Funds accru-
ing in War
Liquor Tax
Fund.

SEC. 3. Sections 51 and 52, chapter 180, Laws of 1935 (secs. 8370-51 and 8370-52, Rem. Rev. Stat. Supp.), are hereby repealed.

Repealing
clause.

SEC. 4. This act is necessary for the preservation of the public peace, health and safety, the promo-

Emergency.

tion of the public welfare, and the support of the state government and its existing institutions, and shall take effect immediately.

Passed the Senate February 26, 1949.

Passed the House March 7, 1949.

Approved by the Governor March 19, 1949.

CHAPTER 188.

[S. B. 405.]

CORPORATIONS.

AN ACT relating to corporations and providing for the valuation and payment of shares of shareholders objecting to certain corporate action; and amending section 41, chapter 185, Laws of 1933, as amended by section 7, chapter 143, Laws of 1939.

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

Amendment.

SECTION 1. Section 41, chapter 185, Laws of 1933, as amended by section 7, chapter 143, Laws of 1939 (sec. 3803-41, Rem. Rev. Stat.), is amended to read as follows:

Sale of assets of corporation.

Section 41. I. If a corporation has authorized the sale, lease, or exchange of all its assets, in accordance with the provisions of section 36, at a time when it is able to meet its liabilities then matured, or has, in accordance with the provisions of sections 37, 38, or 39, authorized an amendment which changes the corporate purposes, extends the duration of the corporation or changes the rights of the holders of any outstanding shares, or has, in accordance with the provisions of section 43, become a party to a merger or consolidation agreement, a shareholder who did not vote in favor of such corporate action, and who, within twenty days after notice of the time, place and purpose of the meeting called to vote upon such corporate action was mailed to him, filed with the corporation his written objection to such corporate

Objection to corporate action.