

Penalty.

shall be guilty of a misdemeanor and shall be punished by a fine of not less than twenty dollars nor more than two hundred and fifty dollars or by imprisonment in the county jail for not more than ninety days.

[Chapter 50.36 R.C.W. is Rem. Supp. § 9998-319 to 9998-320.]

Partial
invalidity.

SEC. 14. If any section, sentence, clause or word of this act shall be held unconstitutional, the invalidity of such section, sentence, clause or word shall not affect the validity of any other portion of this act, it being the intent of this legislative assembly to enact the remainder of this act notwithstanding such part so declared unconstitutional should or may be so declared.

Emergency.

SEC. 15. An emergency exists and this act is necessary for the preservation of the public peace, health, safety and welfare, and shall take effect immediately, except section 11 which shall not become effective until the first day of July, 1951.

Passed the Senate March 8, 1951.

Passed the House March 8, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 266.

[H. B. 393.]

SALE OF TIMBER ON STATE LANDS.

AN ACT relating to state land; providing for the sale of timber thereon on a scale basis and prescribing the duties of the commissioner of public lands in connection therewith.

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

Sale of
timber or
certain state
lands.

SECTION 1. The commissioner of public lands may sell timber upon state school and granted lands on a stumpage or scale basis for a price per thousand feet not less than the appraised value thereof. All

provisions of the general timber sales statutes with reference to the filing of applications, deposits required therewith, appraisal by the board of state land commissioners, advertising for bids, public auction sale through the county auditor, and confirmation of sale by the commissioner shall apply to all sales made under the provisions of this act.

Laws applicable.

SEC. 2. Upon the confirmation of the sale of any timber on the stumpage or scale basis as herein provided, a written contract shall be entered into with the successful bidder which shall:

Terms of contract with successful bidder.

(1) Fix the time when logging operations shall be commenced and concluded;

(2) In the discretion of the commissioner, require monthly payments for timber removed as soon as scale sheets have been tabulated and a determination made of the amount of timber removed during the month, or require payments monthly in advance;

(3) Provide for supervision of the logging operations, the methods of scale and reporting; and

(4) Require the purchaser to comply, as to such timber, with all laws concerning fire protection and logging. The contract may also contain such other provisions as may be deemed advisable.

SEC. 3. At the time of executing the contract, the purchaser shall make a cash deposit equal to twenty per cent of the estimated value of the timber purchased computed at the stumpage rate bid. At no time shall the amount due the state for timber actually cut and removed exceed the amount of the deposit as hereinabove set forth. The amount of the deposit shall be returned to the purchaser upon completion and full compliance with the contract by the purchaser, or it may, at the discretion of the purchaser, be applied on final payment of the full amount due under the contract. Upon failure of the purchaser to comply with the terms of the contract, the commissioner of public lands shall enter a forfeiture

Purchaser's cash deposit.

Deposit returned, when.

Forfeiture.

thereof and the deposit made in connection therewith may be forfeited upon order of the commissioner.

Passed the House February 27, 1951.

Passed the Senate March 6, 1951.

Approved by the Governor March 20, 1951.

CHAPTER 267.

[H. B. 220.]

MOTOR VEHICLE FUEL TAX.

AN ACT relating to the motor vehicle fuel tax and amending section 82.36.100, R.C.W.

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

Amendment. SECTION 1. Section 82.36.100, R.C.W., as derived from section 5(a), chapter 177, Laws of 1939, is amended to read as follows:

Acquisition and use of certain motor vehicle fuel. Every person other than a distributor who acquires any motor vehicle fuel within this state from any person importing it into the state, on which the tax has not been paid, or imports such fuel into this state and sells, distributes, or in any manner uses it in this state shall apply for a license to carry on such activities, file bond, make reports, comply with all regulations the director may prescribe in respect thereto, and pay a tax of six and one-half cents for each gallon thereof so sold, distributed, or used in the manner provided for distributors, and the director shall issue a license to such person in the manner provided for issuance of licenses to distributors. For failure to comply with the terms of this chapter such person shall be subject to the same penalties imposed upon distributors. The director shall pursue against such persons the same procedure and remedies for audits, adjustments, collection, and enforcement of this chapter as is provided with respect to distribu-

License. Bond.

Tax.

Penalty.

Administration.