

CHAPTER 239.

[S. B. 582.]

LIQUOR CONTROL BOARD—ADMINISTRATIVE EXPENSES—GENERAL POWERS.

AN ACT relating to intoxicating liquor and the control and regulation thereof; amending section 4, chapter 6, Laws of 1961 extraordinary session and RCW 66.08.026; and amending section 69, chapter 62, Laws of 1933 extraordinary session, as amended by section 10, chapter 174, Laws of 1935, and RCW 66.08.050; and declaring an emergency.

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

RCW 66.08.026 amended.

SECTION 1. Section 4, chapter 6, Laws of 1961 extraordinary session and RCW 66.08.026 are each amended to read as follows:

Liquor control board. Payment of administrative expenses—Scope.

All administrative expenses of the board incurred on and after April 1, 1963 shall be appropriated and paid from the liquor revolving fund. These administrative expenses shall include, but not be limited to: The salaries and expenses of the board and its employees, the cost of establishing, leasing, maintaining, and operating state liquor stores and warehouses, legal services, annual or other audits, and other general costs of conducting the business of the board. The administrative expenses shall not, however, be deemed to include costs of liquor purchased, the cost of transportation and delivery to the point of distribution, other costs pertaining to the acquisition and receipt of liquor, packaging and repackaging of liquor, sales tax, and those amounts distributed pursuant to RCW 66.08.180, 66.08.190, 66.08.200, 66.08.210 and 66.08.220.

Severability.

SEC. 2. If any provision of this act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected.

SEC. 3. Section 69, chapter 62, Laws of 1933 extraordinary session, as amended by section 10, chapter 174, Laws of 1935, and RCW 66.08.050 are each amended to read as follows:

RCW 66.08.050 amended.

The board, subject to the provisions of this title and the regulations, shall

Powers of board in general.

(1) determine the localities within which state liquor stores shall be established throughout the state, and the number and situation of the stores within each locality;

(2) to appoint in incorporated cities and towns, in which no state liquor store is located, liquor vendors. Such liquor vendors shall be agents of the board and be authorized to sell liquor to such persons, firms or corporations as provided for the sale of liquor from a state liquor store, and such vendors shall be subject to such additional rules and regulations consistent with this title as the board may require;

(3) establish all necessary warehouses for the storing and bottling, diluting and rectifying of stocks of liquors for the purposes of this title;

(4) *arrange with the department of general administration as prescribed in RCW 43.82.010, to* provide for the leasing for periods not to exceed five years of all premises required for the conduct of the business; and for remodeling the same, and the procuring of their furnishings, fixtures, and supplies; and for obtaining options of renewal of such leases by the lessee. The terms of such leases in all other respects shall be subject to the direction of the board; *department of general administration;*

Words in italics vetoed.

Words in italics vetoed; veto also restored the word "board".

(5) determine the nature, form and capacity of all packages to be used for containing liquor kept for sale under this title;

(6) execute or cause to be executed, all contracts, papers, and documents in the name of the board, under such regulations as the board may fix;

Liquor control board— Powers of, in general.

(7) pay all customs, duties, excises, charges and obligations whatsoever relating to the business of the board;

(8) require bonds from all employees in the discretion of the board, and to determine the amount of fidelity bond of each such employee;

(9) perform all other matters and things, whether similar to the foregoing or not, to carry out the provisions of this title, and shall have full power to do each and every act necessary to the conduct of its business, including all buying, selling, preparation and approval of forms, and every other function of the business whatsoever, subject only to audit by the state auditor.

Emergency.

SEC. 4. This act is necessary for the immediate preservation of the public peace, health and safety, the support of the state government and its existing public institutions, and shall take effect immediately.

Passed the Senate March 2, 1963.

Passed the House March 12, 1963.

Approved by the Governor March 26, 1963, with the exception of certain items in Section 3, which were vetoed.

Veto message, excerpt.

NOTE: Governor's explanation of partial veto is as follows:

"This bill provides that the administrative expenses of the Liquor Control Board be appropriated and paid directly from the Liquor Revolving Fund.

"Section 3, subsection (4) of this bill as amended would take from the Liquor Control Board the power of leasing stores and providing furnishings, fixtures and supplies, and would turn over these functions to be administered by the Department of General Administration.

"I am neither unaware nor unmindful of the fact that this proposed legislation is based upon some dissatisfaction with some of the past practices of the Liquor Control Board in exercising its leasing functions. On the other hand, it would require an additional appropriation of some \$30,000 from the General Fund to have the Department of General Administration handle this part of the business of the Liquor Control Board. In addition, to take the leasing functions away from the Liquor Board would destroy its functional administrative unity.

"For these reasons, I believe it to be in the best public interest to have the Liquor Control Board continue to exercise the leasing powers given to it by law, and the items added by the new language in Section 3, subsection (4), is vetoed. The remainder of Senate Bill No. 582 is approved."

ALBERT D. ROSELLINI,
Governor.