

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.

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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

in the name of another person, copartnership or pretended copartnership, association, corporation or pretended corporation, in any newspaper, pamphlet, circular, periodical or in any other written or printed paper, and every owner, publisher, editor or manager of any newspaper, pamphlet, circular, periodical or other written or printed paper, who shall publish, or permit to be published or inserted, an advertisement in any newspaper, pamphlet, circular, periodical, or other written or printed paper, owned or controlled by him, or of which he is the editor or manager, and every person who shall distribute, circulate, display or cause to be distributed, circulated or displayed, any newspaper, pamphlet, circular, periodical, or other written or printed paper containing any advertisement for the ((treatment or care of venereal diseases; the)) restoration of lost ((manhood; or of lost vitality or lost vigor; or monthly regulators for women; or the treatment of diseases of the sexual organs; or diseases caused by sexual vice; self abuse or any disease of like cause)) sexual potency, or for the sale of any medicine, drug, compound, mixture, appliance, or any means whatever, whereby ((sexual)) venereal diseases of men or women may be cured or relieved, shall be guilty of a gross misdemeanor.

Sec. 2. Section 208, chapter 249, Laws of 1909 and RCW 9.68.030 are each amended to read as follows:

Every person who shall expose for sale, loan or distribution, any instrument or article, or any drug or medicine, for ((the prevention of conception; or for)) causing unlawful abortion; or shall write, print, distribute or exhibit any card, circular, pamphlet, advertisement or notice of any kind, stating when, where, how or of whom such article or medicine can be obtained, shall be guilty of a misdemeanor.

NEW SECTION. Sec. 3. There is added to chapter 18.81 RCW a new section to read as follows:

A retail dealer's license shall be issued to any person holding a valid license to operate a pharmacy, dispensary, hospital or clinic and to any public or private program engaged in venereal disease prevention or treatment, family planning or the care, treatment or rehabilitation of any person. Further, the board of pharmacy shall issue a retail dealer's license in any area where it determines prophylactics are not readily available, and to any person or program where the local health officer determines that, in the interest of public health, prophylactics should be made available.

NEW SECTION. Sec. 4. Section 3, chapter 192, Laws of 1939 and RCW 18.81.030 are each repealed.

Passed the House May 9, 1971.

Passed the Senate May 9, 1971.

Approved by the Governor May 20, 1971.

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

CHAPTER 186

[Engrossed House Bill No. 888]

BUSINESS AND OCCUPATION TAXES--

MANUFACTURERS--

SELLERS AND MANUFACTURERS OF NUCLEAR FUEL ASSEMBLIES

AN ACT Relating to business and occupation taxes; amending section 82.04.110, chapter 15, Laws of 1961 and RCW 82.04.110; amending section 82.04.250, chapter 15, Laws of 1961 as last amended by section 35, chapter 262, Laws of 1969 and RCW 82.04.250; amending section 82.04.260, chapter 15, Laws of 1961 as last amended by section 36, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.260; amending section 82.04.270, chapter 15, Laws of 1961 as last amended by section 37, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.270; and prescribing an effective date.

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

Section 1. Section 82.04.110, chapter 15, Laws of 1961 and RCW 82.04.110 are each amended to read as follows:

"Manufacturer" means every person who, either directly or by contracting with others for the necessary labor or mechanical services, manufactures for sale or for commercial or industrial use from his own materials or ingredients any articles, substances or commodities. When the owner of equipment or facilities furnishes, or sells to the customer prior to manufacture, all or a portion of the materials that become a part or whole of the manufactured article, the ((tax commission)) department shall prescribe equitable rules for determining tax liability: PROVIDED, That a nonresident of this state who is the owner of materials processed for it in this state by a processor for hire shall not be deemed to be engaged in business in this state as a manufacturer because of the performance of such processing work for it in this state: PROVIDED FURTHER, That the owner of materials from which a nuclear fuel assembly is made for it by a processor for hire shall not be subject to tax under this chapter as a manufacturer of the fuel assembly.

Sec. 2. Section 82.04.250, chapter 15, Laws of 1961 as last amended by section 35, chapter 262, Laws of 1969 ex. sess. and RCW 82.04.250 are each amended to read as follows:

Upon every person except persons taxable under subsection (9)