

beer and wine shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210;

(8) Where the application is for a special permit by a manufacturer, importer, wholesaler, or agent thereof, to donate liquor for a reception, breakfast, luncheon, or dinner for delegates and guests at a convention of a trade association composed of licensees of the board, when the liquor so donated is for consumption at the said reception, breakfast, luncheon, or dinner during the convention, anything in Title 66 RCW to the contrary notwithstanding. Any such spirituous liquor shall be purchased from the board or a class H licensee and any such beer and wine shall be subject to the taxes imposed by RCW 66.24.290 and 66.24.210.

Passed the House February 23, 1976.

Passed the Senate February 13, 1976.

Approved by the Governor March 1, 1976.

Filed in Office of Secretary of State March 1, 1976.

CHAPTER 63

[Senate Bill No. 2440]

BOARD OF PRISON TERMS AND PAROLES— CONCURRENCE, MAJORITY REQUIREMENTS

AN ACT Relating to prison terms, paroles, and probation; amending section 3, chapter 32, Laws of 1959 and RCW 9.95.007; and amending section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040.

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

Section 1. Section 3, chapter 32, Laws of 1959 and RCW 9.95.007 are each amended to read as follows:

The board of prison terms and paroles may meet and transact business in panels. Each board panel shall consist of at least two members of the board. In all matters concerning the internal affairs of the board and policy making decisions, a majority of the full board must concur in such matters. The chairman of the board with the consent of a majority of the board may designate any two members to exercise all the powers and duties of the board in connection with any hearing before the board. If the two members so designated cannot unanimously agree as to the disposition of the hearing assigned to them, such hearing shall not be reheard by the full board. All actions of the full board shall be by concurrence of ~~((not less than three))~~ a majority of the board members.

Sec. 2. Section 5, chapter 133, Laws of 1955 as amended by section 2, chapter 138, Laws of 1961 and RCW 9.95.040 are each amended to read as follows:

Within six months after the admission of a convicted person to the penitentiary, reformatory, or such other state penal institution as may hereafter be established, the board of prison terms and paroles shall fix the duration of his confinement. The term of imprisonment so fixed shall not exceed the maximum provided by law for the offense of which he was convicted or the maximum fixed by the court where the law does not provide for a maximum term.

The following limitations are placed on the board of prison terms and paroles with regard to fixing the duration of confinement in certain cases, notwithstanding any provisions of law specifying a lesser sentence, to wit:

(1) For a person not previously convicted of a felony but armed with a deadly weapon at the time of the commission of his offense, the duration of confinement shall not be fixed at less than five years.

(2) For a person previously convicted of a felony either in this state or elsewhere and who was armed with a deadly weapon at the time of the commission of his offense, the duration of confinement shall not be fixed at less than seven and one-half years.

The words "deadly weapon," as used in this section include, but are not limited to, any instrument known as a blackjack, sling shot, billy, sand club, sandbag, metal knuckles, any dirk, dagger, pistol, revolver, or any other firearm, any knife having a blade longer than three inches, any razor with an unguarded blade, and any metal pipe or bar used or intended to be used as a club, any explosive, and any weapon containing poisonous or injurious gas.

(3) For a person convicted of being an habitual criminal within the meaning of the statute which provides for mandatory life imprisonment for such habitual criminals, the duration of confinement shall not be fixed at less than fifteen years. The board shall retain jurisdiction over such convicted person throughout his natural life unless the governor by appropriate executive action orders otherwise.

(4) Any person convicted of embezzling funds from any institution of public deposit of which he was an officer or stockholder, the duration of confinement shall be fixed at not less than five years.

Except when an inmate of the reformatory, penitentiary or such other penal institution as may hereafter be established, has been convicted of murder in the first or second degree, the board may parole an inmate prior to the expiration of a mandatory minimum term, provided such inmate has demonstrated a meritorious effort in rehabilitation and at least ~~((four))~~ two-thirds of the board members concur in such action: PROVIDED, That any inmate who has a mandatory minimum term and is paroled prior to the expiration of such term according to the provisions of this chapter shall not receive a conditional release from supervision while on parole until after the mandatory minimum term has expired.

Passed the Senate February 5, 1976.

Passed the House February 23, 1976.

Approved by the Governor March 2, 1976.

Filed in Office of Secretary of State March 2, 1976.

CHAPTER 64

[Engrossed Senate Bill No. 3070]

MOTOR VEHICLES—SIZE, WEIGHT, LOAD—LICENSES AND PERMITS—FEES

AN ACT Relating to motor vehicles; amending section 46.16.070, chapter 12, Laws of 1961 as last amended by section 54, chapter 281, Laws of 1969 ex. sess. and RCW 46.16.070; amending section 15, chapter 170, Laws of 1969 ex. sess. as amended by section 4, chapter 150, Laws of 1973 1st ex. sess. and RCW 46.16.115; amending section 46.16.135, chapter 12, Laws of 1961 as last amended by section 6, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.135; amending section 46.16.137, chapter 12, Laws of 1961 as last amended by section 7, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.137; amending section 46.16.145, chapter 12, Laws of 1961 and RCW 46.16.145; amending section 46.16.160, chapter 12, Laws of 1961 as last amended by section 8, chapter 170, Laws of 1969 ex. sess. and RCW 46.16.160; amending section 46.44.020, chapter