

production to recipients of continuing public assistance grants under Title 74 RCW who are referred in writing to the department by the secretary of social and health services. To be eligible, each applicant shall produce evidence commensurate to the regulations adopted by the director that positively proves identity. The "identocard" shall be distinctly designed so that it will not be confused with the official driver license. The identocard shall be valid for five years.

(2) The department may cancel an "identocard" upon a showing by its records or other evidence that the holder of such "identocard" has committed a violation relating to "identicards" defined in RCW 46.20.336.

Passed the Senate February 20, 1981.

Passed the House April 16, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 93

[Senate Bill No. 3055]

REAL ESTATE EXCISE TAX—EXEMPT TRANSFERS—CODE REFERENCES

AN ACT Relating to excise taxes on real estate transfers; amending section 28A.45.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 65, Laws of 1970 ex. sess. and RCW 28A.45.010; amending section 14, chapter 154, Laws of 1980 (uncodified); and providing an effective date.

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

Section 1. Section 28A.45.010, chapter 223, Laws of 1969 ex. sess. as amended by section 1, chapter 65, Laws of 1970 ex. sess. and RCW 28A.45.010 are each amended to read as follows:

As used in this chapter, the term "sale" shall have its ordinary meaning and shall include any conveyance, grant, assignment, quitclaim, or transfer of the ownership of or title to real property, including standing timber, or any estate or interest therein for a valuable consideration, and any contract for such conveyance, grant, assignment, quitclaim, or transfer, and any lease with an option to purchase real property, including standing timber, or any estate or interest therein or other contract under which possession of the property is given to the purchaser, or any other person by his direction, which title is retained by the vendor as security for the payment of the purchase price.

The term shall not include a transfer by gift, devise, or inheritance, a transfer of any leasehold interest other than of the type mentioned above, a cancellation or forfeiture of a vendee's interest in a contract for the sale of real property, whether or not such contract contains a forfeiture clause, or deed in lieu of foreclosure of a mortgage or the assumption by a grantee of the balance owing on an obligation which is secured by a mortgage or deed in lieu of forfeiture of the vendee's interest in a contract of sale where no

consideration passes otherwise or the partition of property by tenants in common by agreement or as the result of a court decree, any transfer, conveyance, or assignment of property or interest in property from one spouse to the other in accordance with the terms of a decree of divorce or in fulfillment of a property settlement agreement incident thereto, the assignment or other transfer of a vendor's interest in a contract for the sale of real property, even though accompanied by a conveyance of the vendor's interest in the real property involved, transfers by appropriation or decree in condemnation proceedings brought by the United States, the state or any political subdivision thereof, or a municipal corporation, a mortgage or other transfer of an interest in real property merely to secure a debt, or the assignment thereof, any transfer or conveyance made pursuant to an order of sale by the court in any mortgage or lien foreclosure proceeding or upon execution of a judgment, or deed in lieu of foreclosure to satisfy a mortgage, a conveyance to the federal housing administration or veterans administration by an authorized mortgagee made pursuant to a contract of insurance or guaranty with the federal housing administration or veterans administration, nor a transfer in compliance with the terms of any lease or contract upon which the tax as imposed by this chapter has been paid or where the lease or contract was entered into prior to the date this tax was first imposed, nor the sale of any grave or lot in an established cemetery, nor a sale by or to the United States, this state or any political subdivision thereof, or a municipal corporation of this state.

The term sale shall further not include a transfer to a corporation or partnership which is wholly owned by the transferor(~~(, his spouse or his))~~ and/or the transferor's spouse or children: PROVIDED, That if thereafter such transferee corporation or partnership voluntarily transfers such real property, or such transferor, ((his) spouse, or ((his)) children voluntarily transfer ((the property or the)) stock in the transferee corporation or interest in the transferee partnership capital, as the case may be, to other than (1) the transferor and/or the transferor's spouse or children, (2) a trust having the transferor and/or the transferor's spouse or children as the only beneficiaries at the time of the transfer to the trust, or (3) a corporation or partnership wholly owned by the original transferor and/or the transferor's spouse or children, within five years of the ((exchange)) original transfer to which this exemption applies, excise taxes shall become due and payable on the original transfer as otherwise provided by law.

Sec. 2. Section 14, chapter 154, Laws of 1980 (uncodified) is amended to read as follows:

Chapter 28A.45 RCW, as amended, repealed, and added to by ~~((this 1980 act))~~ chapter 134, Laws of 1980 and chapter 154, Laws of 1980 and as amended, repealed, and added to by any other enactment during a regular or extraordinary session of this ((forty-sixth)) forty-seventh legislature,

is hereby added to and shall be recodified as (~~a new~~) chapter (~~in Title~~) 82.45 RCW.

References to chapter 28A.45 RCW and its sections shall be considered references to chapter 82.45 RCW and its sections, and the code reviser shall change references to chapter 28A.45 RCW and its sections to refer to chapter 82.45 RCW and its sections.

NEW SECTION. Sec. 3. Section 2 of this act shall take effect September 1, 1981.

Passed the Senate March 30, 1981.

Passed the House April 22, 1981.

Approved by the Governor May 8, 1981.

Filed in Office of Secretary of State May 8, 1981.

CHAPTER 94

[Engrossed Senate Bill No. 3057]

CLASS C, H LICENSED PREMISES—UNCONSUMED WINE REMOVAL

AN ACT Relating to alcoholic beverages; amending section 23-0 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 3, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.340; and amending section 23-S-1 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 5, Laws of 1949 as last amended by section 4, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.400.

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

Section 1. Section 23-0 added to chapter 62, Laws of 1933 ex. sess. by section 1, chapter 217, Laws of 1937 as last amended by section 3, chapter 9, Laws of 1977 ex. sess. and RCW 66.24.340 are each amended to read as follows:

There shall be a wine retailer's license to be designated as a class C license to sell wine at retail, for consumption on the premises only: PROVIDED, That a patron of a hotel, restaurant, or club licensed under this section may remove from the premises recorked or recapped in its original container any portion of wine which was purchased for consumption with a meal; such license to be issued to hotels, restaurants, dining places on boats and airplanes, clubs, and to taverns. The annual fee for said license, when issued in cities and towns, shall be graduated according to the population thereof as follows:

Cities and towns of less than 10,000; fee \$47.00;

Cities and towns of 10,000 and less than 100,000; fee \$93.75;

Cities and towns of 100,000 or over; fee \$140.50;

The annual fee, when issued outside of the limits of cities and towns, shall be forty-seven dollars: PROVIDED, HOWEVER, That where dancing is permitted on the premises, the fee shall be one hundred forty dollars and fifty cents; the annual license fee for such license, if issued to dining