

act, or the application of the provision to other persons or circumstances is not affected.

Passed the House February 18, 1976.

Passed the Senate February 13, 1976.

Approved by the Governor February 21, 1976.

Filed in Office of Secretary of State February 21, 1976.

CHAPTER 57

[House Bill No. 1529]

COUNTY OPERATED FERRIES— FISCAL SUPPORT

AN ACT Relating to county operated ferries; amending section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973 1st ex. sess. and RCW 46.68.100; amending section 1, chapter 21, Laws of 1975 1st ex. sess. and RCW 47.56.725; and declaring an emergency.

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

Section 1. Section 46.68.100, chapter 12, Laws of 1961 as last amended by section 1, chapter 124, Laws of 1973 1st ex. sess. and RCW 46.68.100 are each amended to read as follows:

From the net tax amount in the motor vehicle fund there shall be paid sums as follows:

(1) There shall be paid to the cities and towns of the state sums equal to ten and forty-four hundredths percent of the net tax amount to be paid monthly as the same accrues;

(2) To the counties of the state there shall be paid sums equal to thirty-two and sixty-one hundredths percent of the net tax amount out of which there shall be paid to the state highway commission those sums as may be appropriated for assistance to county operated ferries, as provided in RCW 47.56.725, at such times as shall be determined by the commission, with the balance of such county share to be paid monthly as the same accrues for distribution in accordance with RCW 46.68.120;

(3) To the state there shall be paid to be expended as provided by RCW 46.68.130, sums equal to fifty-five and five-tenths percent of the net tax amount to be paid monthly as the same accrues.

(4) There shall be paid to the Puget Sound ferry operations account sums equal to one and forty-five hundredths percent of the net tax amount to be paid monthly as the same accrues.

Nothing in this section or in RCW 46.68.090 or 46.68.130 shall be construed so as to violate any terms or conditions contained in any highway construction bond issues now or hereafter authorized by statute and whose payment is by such statute pledged to be paid from any excise taxes on motor vehicle fuels.

Sec. 2. Section 1, chapter 21, Laws of 1975 1st ex. sess. and RCW 47.56.725 are each amended to read as follows:

(1) The Washington state highway commission is hereby authorized to enter into a continuing agreement with Pierce, Skagit, and Whatcom counties pursuant to which the state highway commission shall pay to each of the counties from

moneys appropriated for such purpose the amounts authorized in subsection (2) of this section.

(2) The Washington state highway commission is authorized to include in ~~((the))~~ each such continuing agreement a provision to reimburse ~~((Pierce, Skagit, and Whatcom counties each))~~ the county for fifty percent of the deficit incurred during each previous fiscal year in the operation and maintenance of the ferry system ~~((s))~~ owned and operated by such ~~((counties))~~ county, commencing with the fiscal year ending June 30, 1976: PROVIDED, That ~~((the tolls of each county ferry system existing as of May 6, 1975 shall not be decreased))~~ each county agreement shall contain a requirement that the county shall maintain tolls on its ferries at levels sufficient to produce aggregate annual revenues at least equal to the annual revenue of the county's ferry system in calendar year 1975.

(3) The annual fiscal year deficit, if any, shall be determined by Pierce, Skagit, and Whatcom counties subject to review and approval of the Washington state highway commission. The annual fiscal year deficit is defined as the total of operations and maintenance expenditures less the sum of ferry toll revenues and that portion of fuel tax revenue distributions which are attributable to the county ferry as determined by the Washington state highway commission. Payments of the amounts authorized by subsection (2) of this section shall be made by the Washington state highway commission upon the receipt of properly executed vouchers from each county.

****NEW SECTION. Sec. 3. This 1976 amendatory 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.***

*Sec. 3. was vetoed, see message at end of chapter.

Passed the House February 5, 1976.

Passed the Senate February 16, 1976.

Approved by the Governor February 21, 1976 with the exception of section 3 which is vetoed.

Filed in Office of Secretary of State February 21, 1976.

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

"I am returning herewith without my approval as to one section House Bill No. 1529 entitled:

"AN ACT Relating to county operated ferries."

This bill makes various changes to clarify the existing law on the distribution of the county share of motor vehicle fund monies for the operation of ferries and on the level of ferry toll rates.

Section 3 of the bill declares an emergency and provides for the act to take effect immediately. I have on several recent occasions vetoed emergency clauses from bills that did not measure up to the standard of urgency contained in Article II, section 1(b) of our Constitution. I must raise the same objection again with respect to this bill.

I am advised by the prime sponsor of the bill that there will be no adverse consequences if the bill does not go into effect until the usual 90 days after adjournment of the session sine die.

With the exception of section 3 which I have vetoed, the remainder of House Bill No. 1529 is approved."