

this 1976 amendatory act is declared null and void, then the effective date of this 1976 amendatory act shall be January 1, 1977.

NEW SECTION. Sec. 23. If any provision of this 1976 amendatory 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.

Passed the House February 27, 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 62

[Substitute House Bill No. 769]

LIQUOR CONTROL—DEALER SERVICES— WINERY WHOLESALING—CONVENTION HOSPITALITY PERMITS

AN ACT Relating to alcoholic beverage control; and amending section 14, chapter 21, Laws of 1969 ex. sess. as last amended by section 7, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.28.025: and amending section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 111, Laws of 1959 and RCW 66.20.010.

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

Section 1. Section 14, chapter 21, Laws of 1969 ex. sess. as last amended by section 7, chapter 173, Laws of 1975 1st ex. sess. and RCW 66.28.025 are each amended to read as follows:

No manufacturer of wine, or person financially interested, directly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in the business of any licensed wine wholesaler, nor shall any manufacturer of wine own any of the property upon which such licensed persons conduct their business, nor shall any such licensed person under any arrangement whatsoever, conduct his business upon property in which any manufacturer of wine has any interest, nor shall any manufacturer of wine advance money or moneys' worth other than such credit allowances customarily extended in the ordinary course of such business between wholesalers and manufacturers on purchases of inventories to any such licensed person under any arrangement whatsoever, nor shall any such licensed person receive, under any arrangement whatsoever, any such advance of money or moneys' worth other than such credit allowances: PROVIDED, That pursuant to rules promulgated by the board, in accordance with chapter 34.04 RCW, manufacturers, wholesalers and importers may perform, and retailers may accept the service of building, rotating and restocking case displays and stock room inventories; rotating and rearranging can and bottle displays of their own products; provide point of sale material and brand signs; and perform such similar normal business services as the board may by regulation prescribe.

PROVIDED FURTHER, That the provisions of this section shall not require the divesting of any such financial interest or arrangement which was held by any

licensed liquor importer, beer importer, beer wholesaler, wine wholesaler, domestic winery or domestic brewery as of July 1, 1969: PROVIDED FURTHER, That in the event of the sale of such business licensed as a liquor importer, beer importer, beer wholesaler, wine wholesaler, domestic winery or domestic brewery the exclusion of the foregoing proviso shall not apply: AND PROVIDED FURTHER, That nothing in this section shall prohibit a domestic winery from being licensed as a wine wholesaler to wholesale wines of their own production if such production is seventy-five thousand gallons or less per year, based upon the winery's reports for the previous fiscal year.

Sec. 2. Section 12, chapter 62, Laws of 1933 ex. sess. as last amended by section 2, chapter 111, Laws of 1959 and RCW 66.20.010 are each amended to read as follows:

Upon application in the prescribed form being made to any employee authorized by the board to issue permits, accompanied by payment of the prescribed fee, and upon the employee being satisfied that the applicant should be granted a permit under this title, the employee shall issue to the applicant under such regulations and at such fee as may be prescribed by the board a permit of the class applied for, as follows:

(1) Where the application is for a special permit by a physician or dentist, or by any person in charge of an institution regularly conducted as a hospital or sanitorium for the care of persons in ill health, or as a home devoted exclusively to the care of aged people, a special liquor purchase permit;

(2) Where the application is for a special permit by a person engaged within the state in mechanical or manufacturing business or in scientific pursuits requiring alcohol for use therein, or by any private individual, a special permit to purchase alcohol for the purpose named in the permit;

(3) Where the application is for a special permit to consume liquor at a banquet, at a specified date and place, a special permit to purchase liquor for consumption at such banquet, to such applicants as may be fixed by the board;

(4) Where the application is for a special permit by a manufacturer to import alcohol, malt, and other materials containing alcohol to be used in the manufacture of liquor, or other products, a special import permit;

(5) Where the application is for a special permit by a person operating a drug store to purchase liquor at retail prices only, to be thereafter sold by such person on the prescription of a physician, a special liquor purchase permit;

(6) Where the application is for a special permit by an authorized representative of a military installation operated by or for any of the armed forces within the geographical boundaries of the state of Washington, a special permit to purchase liquor for use on such military installation at prices to be fixed by the board;

(7) Where the application is for a special permit by a manufacturer, importer, wholesaler, or agent thereof, to serve liquor without charge to delegates and guests at a convention of a trade association composed of licensees of the board, when the said liquor is served in a hospitality room or from a booth in a board-approved suppliers' display room at the convention, and when the liquor so served is for consumption in the said hospitality room or display room 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;

(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: