

Such annual report of a domestic or foreign corporation shall be delivered to the secretary of state between the first day of January and the first day of March of each year, except that the first annual report of a domestic or foreign corporation shall be filed between the first day of January and the first day of March of the year next succeeding the calendar year in which its certificate of incorporation or its certificate of authority, as the case may be, was issued by the secretary of state. Proof to the satisfaction of the secretary of state that prior to the first day of March such report was deposited in the United States mail in a sealed envelope, properly addressed, with postage prepaid, shall be deemed a compliance with this requirement. If the secretary of state finds that such report substantially conforms to the requirements of this chapter, he shall file the same. ((If he finds that it does not so conform, he shall promptly return the same to the corporation for any necessary corrections, in which event the penalties hereinafter prescribed for failure to file such report within the time hereinabove provided shall not apply, if such report is corrected to conform to the requirements of this chapter and returned to the secretary of state in sufficient time to be filed prior to the first day of April of the year in which it is due))

Passed the Senate February 18, 1973.

Passed the House March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

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CHAPTER 91

[Senate Bill No. 2257]

MOTOR VEHICLES--NONRESIDENT OPERATORS--  
SUMMONS SERVICE FEE--INCREASE

AN ACT Relating to vehicles; and amending section 46.64.040, chapter 12, Laws of 1961 as amended by section 1, chapter 69, Laws of 1971 ex. sess. and RCW 46.64.040.

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

Section 1. Section 46.64.040, chapter 12, Laws of 1961 as amended by section 1, chapter 69, Laws of 1971 ex. sess. and RCW 46.64.040 are each amended to read as follows:

The acceptance by a nonresident of the rights and privileges conferred by law in the use of the public highways of this state, as evidenced by his operation of a vehicle thereon, or the operation thereon of his vehicle with his consent, express or implied, shall be deemed equivalent to and construed to be an appointment by such

nonresident of the secretary of state of the state of Washington to be his true and lawful attorney upon whom may be served all lawful summons and processes against him growing out of any accident, collision, or liability in which such nonresident may be involved while operating a vehicle upon the public highways, or while his vehicle is being operated thereon with his consent, express or implied, and such operation and acceptance shall be a signification of his agreement that any summons or process against him which is so served shall be of the same legal force and validity as if served on him personally within the state of Washington. Likewise each resident of this state who, while operating a motor vehicle on the public highways of this state, is involved in any accident, collision or liability and thereafter within three years departs from this state appoints the secretary of state of the state of Washington as his lawful attorney for service of summons as provided in this section for nonresidents. Service of such summons or process shall be made by leaving two copies thereof with a fee of ~~((two))~~ five dollars with the secretary of state of the state of Washington, or at his office, and such service shall be sufficient and valid personal service upon said resident or nonresident: PROVIDED, That notice of such service and a copy of the summons or process is forthwith sent by registered mail with return receipt requested, by plaintiff to the defendant at the last known address of the said defendant, and the plaintiff's affidavit of compliance herewith are appended to the process, together with the affidavit of the plaintiff's attorney that he has with due diligence attempted to serve personal process upon the defendant at all addresses known to him of defendant and further listing in his affidavit the addresses at which he attempted to have process served. However, if process is forwarded by registered mail and defendant's endorsed receipt is received and entered as a part of the return of process then the foregoing affidavit of plaintiff's attorney need only show that the defendant received personal delivery by mail: PROVIDED FURTHER, That personal service outside of this state in accordance with the provisions of law relating to personal service of summons outside of this state shall relieve the plaintiff from mailing a copy of the summons or process by registered mail as hereinbefore provided. The secretary of state shall forthwith send one of such copies by mail, postage prepaid, addressed to the defendant at his address, if known to the secretary of state. The court in which the action is brought may order such continuances as may be necessary to afford the defendant reasonable opportunity to defend the action. The fee of ~~((two))~~ five dollars paid by the plaintiff to the secretary of state shall be taxed as part of his costs if he prevails in the action. The secretary of state shall keep a record of all such summons and processes, which shall show the day

of service.

Passed the Senate February 18, 1973.

Passed the House March 1, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

CHAPTER 92

[Engrossed Senate Bill No. 2275]

UNIFORM ALCOHOLISM TREATMENT ACT--EFFECTIVE DATE--  
PROGRESS REPORT

AN ACT Relating to the Uniform Alcoholism and Intoxication Treatment Act; amending section 31, chapter 122, Laws of 1972 ex. sess.; and adding a new section to chapter 70.96A RCW.

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

Section 1. Section 31, chapter 122, Laws of 1972 ex. sess. is amended to read as follows:

~~((This act))~~ Chapter 122, Laws of 1972 extraordinary session shall be effective January 1, ~~((1974))~~ 1975.

NEW SECTION. Sec. 2. There is added to chapter 122, Laws of 1972 ex. sess. and chapter 70.96A RCW a new section to read as follows:

The department of social and health services shall make and deliver a written progress report on the implementation of the uniform alcoholism and intoxication treatment act every ninety days up to the effective date of the act, January 1, 1975 to the appropriate committee of the legislative council, or its successor.

Passed the Senate February 16, 1973.

Passed the House March 7, 1973.

Approved by the Governor March 14, 1973.

Filed in Office of Secretary of State March 14, 1973.

CHAPTER 93

[Senate Bill No. 2340]

DEPARTMENT OF FISHERIES--RULES AND REGULATIONS--  
ADMINISTRATIVE PROCEDURES ACT COMPLIANCE

AN ACT Relating to the department of fisheries; and amending section 75.08.090, chapter 12, Laws of 1955 and RCW 75.08.090.

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

Section 1. Section 75.08.090, chapter 12, Laws of 1955 and