

limit except when necessary for safe operation or in compliance with law.

Passed the Senate February 3, 1967.

Passed the House March 3, 1967.

Approved by the Governor March 13, 1967.

CHAPTER 26.

[Senate Bill No. 166.]

VITAL STATISTICS.

AN ACT relating to vital statistics; providing for the registration of marriages, and decrees of divorce, annulment and separate maintenance with the state registrar of vital statistics; amending section 43.20.070, chapter 8, Laws of 1965 and RCW 43.20.070; amending section 43.20.080, chapter 8, Laws of 1965 and RCW 43.20.080; amending section 43.20.090, chapter 8, Laws of 1965 and RCW 43.20.090; amending section 7, page 405, Laws of 1854 as last amended by section 1, chapter 59, Laws of 1947, and RCW 26.04.090; amending section 8, page 82, Laws of 1866 as last amended by section 2, chapter 59, Laws of 1947 and RCW 26.04.100; amending section 9, page 83, Laws of 1866 as last amended by section 3, chapter 59, Laws of 1947 and RCW 26.04.110; amending section 4, chapter 204, Laws of 1939 and RCW 26.04.160; amending section 36.18.010, chapter 4, Laws of 1963, and RCW 36.18.010; amending section 36.18.020, chapter 4, Laws of 1963, and RCW 36.18.020; amending section 6, chapter 159, Laws of 1945 as amended by section 15, chapter 5, Laws of 1961 extraordinary session, and RCW 70.58.200; adding a new section to chapter 215, Laws of 1949 and to chapter 26.08 RCW; prescribing penalties; and declaring an effective date.

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

RCW 43.20.070 amended.

Section 1. Section 43.20.070, chapter 8, Laws of 1965 and RCW 43.20.070 are each amended to read as follows:

Vital statistics forms.

The director of health shall have charge of the state system of registration of births, deaths, fetal deaths, marriages, and decrees of divorce, annul-

ment and separate maintenance, and shall prepare the necessary rules, forms, and blanks for obtaining records, and insure the faithful registration thereof.

Sec. 2. Section 43.20.080, chapter 8, Laws of 1965 and RCW 43.20.080 are each amended to read as follows:

RCW 43.20.080
amended.

The state registrar of vital statistics shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of Title 70; and shall prepare and issue such detailed instructions as may be required to secure the uniform observance of its provisions and the maintenance of a perfect system of registration. No other blanks shall be used than those supplied by the state registrar. He shall carefully examine the certificates received monthly from the local registrars, county auditors, and clerks of the court and, if any are incomplete or unsatisfactory, he shall require such further information to be furnished as may be necessary to make the record complete and satisfactory, and shall cause such further information to be incorporated in or attached to and filed with the certificate. He shall furnish, arrange, bind, and make a permanent record of the certificate in a systematic manner, and shall prepare and maintain a comprehensive index of all births, deaths, fetal deaths, marriages, and decrees of divorce, annulment and separate maintenance registered.

Duty of registrar of vital statistics.

Sec. 3. Section 43.20.090, chapter 8, Laws of 1965 and RCW 43.20.090 are each amended to read as follows:

RCW 43.20.090
amended.

The state registrar shall, upon request, furnish an applicant with a certified copy of the record of any birth, death, fetal death, marriage or decree of divorce, annulment or separate maintenance, registered under the provision of law, or that portion of the record of any birth which shows the child's full

Certified copies
—Fees.

Vital statistics
~~—Certified~~
~~copies of rec-~~
~~ords—Fees—~~
 Restrictions.

name, sex, date of birth, and date of filing of the certificate, for the making and certification of which he shall charge a fee of two dollars to be paid by the applicant: *Provided*, That a certified copy of the record of any birth may not disclose the fact of illegitimacy of birth, nor of information from which it can be ascertained, except upon order of the court or in cases where written notice is received from an attorney, court official, or adoption agency that the illegitimate child is to be adopted: *Provided Further*, That no fee shall be demanded or required for furnishing a certified copy of a birth, death, fetal death, marriage, divorce, annulment or separate maintenance record for use in connection with a claim for compensation or pension pending before the veterans administration.

For any search of the files and the records when no certified copy is made, the state registrar shall be entitled to a fee of two dollars for each hour or fractional part of an hour employed in such search, to be paid by the applicant.

The state department of health shall keep a true and correct account of all fees received and turn the same over to the state treasurer on or before the first day of January, April, July and October.

Health officers in cities of the first class may, upon request, furnish certified copies of the records of birth, death, and fetal death, and shall charge the same fee as hereinabove provided, and shall be entitled to charge for searching of records when no certified copy is made the same fee as hereinabove provided. All such fees collected shall be paid to the jurisdictional health department: *Provided*, That health officers of cities of the first class may issue certified copies only if they have an original certificate in their possession at the time of issuance of a certified copy or a copy of the original certificate transmitted to the state registrar which was pro-

duced by a photographic or other exact reproduction method. Health officers of counties or districts normally served by full time health officers may, upon request, furnish certified copies of the records of birth, death, and fetal death, and shall charge the same fee as hereinabove provided, during the period that the original certificates are in their possession prior to transmittal of the original certificates to the state registrar. All such fees collected shall be paid to the jurisdictional health department. Certified copy forms used by health officers furnishing certified copies while the original records are temporarily in their possession shall be supplied or approved by the state registrar and no other forms shall be used.

Sec. 4. Section 7, page 405, Laws of 1854 as last amended by section 1, chapter 59, Laws of 1947, and RCW 26.04.090 are each amended to read as follows:

RCW 26.04.090 amended.

A person solemnizing a marriage shall, within thirty days thereafter, make and deliver to the county auditor of the county wherein the license was issued a certificate for the files of the county auditor, and a certificate for the files of the state registrar of vital statistics. The certificate for the files of the county auditor shall be substantially as follows:

Vital statistics. Marriage—Certificates—Form.

STATE OF WASHINGTON)
COUNTY OF)

This is to certify that the undersigned, a , by authority of a license bearing date the day of A.D., 19....., and issued by the County Auditor of the county of , did, on the day of A.D., 19....., at in this county and state, join in lawful wedlock A.B. of the county of , state of and C.D. of the

Vital statistics.
Marriage—
Certificates—
Form.

county of _____, state of _____, with their mutual assent, in the presence of F H and E G, witnesses.

In Testimony Whereof, witness the signatures of the parties to said ceremony, the witnesses and myself, this _____ day of _____, A.D., 19.....

The certificate for the files of the state registrar of vital statistics shall be in accordance with section 70.58.200 RCW. The certificate forms for the files of the county auditor and for the files of the state registrar of vital statistics shall be provided by the state registrar of vital statistics.

RCW 26.04.100 amended.

Sec. 5. Section 8, page 82, Laws of 1866 as last amended by section 2, chapter 59, Laws of 1947 and RCW 26.04.100 are each amended to read as follows:

Vital statistics.
Marriage. Filing and recording—Copy to vital statistics.

The county auditor shall file said certificates and record them or bind them into numbered volumes, and note on the original index to the license issued the volume and page wherein such certificate is recorded or bound. He shall enter the date of filing and his name on the certificates for the files of the state registrar of vital statistics, and transmit, by the tenth day of each month, all such certificates filed with him during the preceding month.

RCW 26.04.110 amended.

Sec. 6. Section 9, page 83, Laws of 1866 as last amended by section 3, chapter 59, Laws of 1947 and RCW 26.04.110 are each amended to read as follows:

Vital statistics.
Marriage. Penalty for violation.

Any person solemnizing a marriage, who shall wilfully refuse or neglect to make and deliver to the county auditor for record, the certificates mentioned in RCW 26.04.090, within the time in such section specified, shall be deemed guilty of a misdemeanor, and upon conviction shall pay for such refusal, or neglect, a fine of not less than twenty-five nor more than three hundred dollars.

RCW 26.04.160 amended.

Sec. 7. Section 4, chapter 204, Laws of 1939 and RCW 26.04.160 are each amended to read as follows:

Application for such marriage license must be made and filed with the appropriate county auditor upon blanks to be provided by the county auditor for that purpose at least three full days before the license shall be issued, which application shall be under the oath of each of the applicants, and each application shall state the name, address at the time of execution of application, age, color, occupation, birthplace, whether single, widowed or divorced, and whether under control of a guardian, residence during the past six months, together with the name and address of at least one competent witness who can testify that the residence given by the applicant is bona fide: *Provided*, That each county may require such other and further information on said application as it shall deem necessary.

Marriage—Ap-
plication for
license—Con-
tents—Oath.

Sec. 8. Section 36.18.010, chapter 4, Laws of 1963, and RCW 36.18.010 are each amended to read as follows:

RCW 36.18.010
amended.

County auditors shall collect the following fees for their official services: For filing each chattel mortgage, renewal affidavit, or conditional sale contract, and entering same as required by law, two dollars; for each assignment, modification, transfer, correction, or release of chattel mortgage, conditional sale contract, or miscellaneous instrument, one dollar;

County audi-
tors—Fees.

For filing a release of chattel mortgage, conditional sale contract, or miscellaneous instrument, one dollar: *Provided*, That said fee shall be paid at the time of filing the chattel mortgage, conditional sale contract, or miscellaneous instrument, and no charge shall be made when the release of any of the above instruments is filed;

For recording instruments, for the first page, legal size (eight and one-half by thirteen inches or less), two dollars; for each additional legal size page, one dollar; for indexing each name over two, ten cents;

County audi-
tors—Fees.

For marginal release of mortgage or lien, one dol-
lar;

For preparing and certifying copies, for the first
legal size page, two dollars; for each additional legal
size page, one dollar;

For administering an oath or taking an affidavit,
with or without seal, two dollars;

For issuing marriage license, seven dollars, (this
fee includes taking necessary affidavits, filing re-
turns, indexing, and transmittal of a record of the
marriage to the state registrar of vital statistics);

For searching records per hour, four dollars;

For recording plats, twenty-five cents for each lot
except cemetery plats for which the charge shall be
ten cents per lot; also one dollar for each acknowl-
edgment, dedication, and description: *Provided*,
That there shall be a minimum fee of fifteen dollars
per plat;

For filing of miscellaneous records, not listed
above, two dollars;

For making marginal notations on original record-
ing when blanket assignment or release of instru-
ment is filed for record, each notation, twenty-five
cents;

For recording of miscellaneous records, not listed
above, for first legal size page, two dollars; for each
additional legal size page, one dollar.

RCW 36.18.020
amended.

Sec. 9. Section 36.18.020, chapter 4, Laws of 1963,
and RCW 36.18.020 are each amended to read as
follows:

Counties.
Clerks of court
—Fees.

Clerks of superior courts shall collect the follow-
ing fees for their official services:

(1) The party filing the first or initial paper in
any civil action, including an action for restitution,
or change of name, shall pay, at the time said paper
is filed, a fee of fifteen dollars: *Provided*, That if the
action be one of divorce, annulment, or separate
maintenance, an additional fee of one dollar shall be

paid which shall cover the transmittal of a record of the decree of divorce, annulment, or separate maintenance, if granted, to the state registrar of vital statistics.

(2) Any party filing the first or initial paper on an appeal from justice court or on any civil appeal, shall pay, when said paper is filed, a fee of fifteen dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a justice court in the county of issuance, shall pay at the time of filing, a fee of five dollars.

(4) For the filing of a tax warrant by the tax commission of the state of Washington, a fee of five dollars shall be paid.

(5) The party filing a demand for jury in a civil action, shall pay, at the time of filing, a fee of twenty-five dollars, and in the event that the case is settled out of court not less than twenty-four hours prior to the time that such case is called to be heard upon trial, such fee shall be returned to such party by the clerk.

(6) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in his office for which no other charge is provided by law, the clerk shall collect two dollars.

(7) For preparing, transcribing or certifying any instrument on file or of record in his office, with or without seal, for the first page or portion thereof, a fee of two dollars, and for each additional page or portion thereof, a fee of one dollar. For authenticating or exemplifying any instrument, a fee of one dollar for each additional seal affixed.

(8) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.

Counties.
Clerks of court
—Fees.

(9) For the filing of an affidavit for garnishment, a fee of five dollars shall be charged.

(10) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(11) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of fifteen dollars: *Provided, However,* A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated.

(12) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, there shall be paid a fee of fifteen dollars.

(13) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of two dollars.

(14) For the preparation of a passport application there shall be a fee of two dollars.

(15) Upon conviction or plea of guilty or upon failure to prosecute his appeal from a lower court as provided by law, a defendant in a criminal case shall be liable for a fee of fifteen dollars.

(16) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, June 7, 1961, shall be completed and governed by the fee schedule in effect as of January 1, 1959: *Provided,* That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

RCW 70.58.200
amended.

Sec. 10. Section 6, chapter 159, Laws of 1945 as amended by section 15, chapter 5, Laws of 1961 extraordinary session, and RCW 70.58.200 are each amended to read as follows:

The forms of birth, death, fetal death, marriage, and decrees of divorce, annulment, or separate maintenance certificates filed with the state registrar of vital statistics shall include as a minimum the items required by the respective standard certificate as recommended by the federal agency responsible for national vital statistics subject to approval of and modification by the Washington state board of health. The Washington state board of health by regulation may require additional pertinent information relative to the birth and manner of delivery as it may deem necessary for statistical study. This information shall be placed in a confidential section of the birth certificate form together with the item pertaining to illegitimacy and shall not be subject to the view of the public or for certification purposes except upon order of a court.

Vital statistics
—Forms.

Sec. 11. There is added to chapter 215, Laws of 1949 and to chapter 26.08 RCW a new section to read as follows:

New section.

On filing of a complaint for divorce, annulment of marriage, or separate maintenance, the person filing the complaint, or his legal representative, shall furnish information for the record as provided in RCW 70.58.200. The form for furnishing the information shall be provided by the state registrar of vital statistics.

Vital statistics.
Domestic relations.

At the time a divorce, annulment, or decree of separate maintenance is granted, the clerk of the court shall complete the certificate as provided for in RCW 70.58.200 on the form provided by the state registrar of vital statistics. On or before the tenth day of each month, the clerk of the court shall forward to the state registrar of vital statistics the certificate of each decree of divorce, annulment, or separate maintenance granted during the preceding month.

Vital statistics.
Effective date.

Sec. 12. This act shall take effect on January 1, 1968.

Passed the Senate January 31, 1967.

Passed the House March 3, 1967.

Approved by the Governor March 14, 1967.

CHAPTER 27.

[House Bill No. 315.]

DEPUTY DIRECTOR OF GENERAL
ADMINISTRATION.

AN ACT relating to state government; authorizing the appointment of a deputy director in the department of general administration; and adding a new section to chapter 8, Laws of 1965 and to chapter 43.19 RCW.

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

New section.

Section 1. There is added to chapter 8, Laws of 1965 and to chapter 43.19 RCW a new section to read as follows:

State department of general administration. Deputy director.

The director of general administration may appoint and depute an assistant director to be known as the deputy director, and who, in case a vacancy occurs in the office of director, shall continue in charge of the department until a director is appointed and qualified, or the governor appoints an acting director.

Passed the House February 11, 1967.

Passed the Senate March 5, 1967.

Approved by the Governor March 14, 1967.