

(4) If the court finds that the petitioner has a right to have the writing executed by a person who refuses to do so, it shall order the county clerk in the office where the certificate is recorded to record the cancellation or amendment of the certificate; and where the certificate is to be amended, the court shall also cause to be filed for record in said office a certified copy of its decree setting forth the amendment.

(5) A certificate is amended or canceled when there is filed for record in the office of the county clerk where the certificate is recorded:

(a) A writing in accordance with the provisions of subsections (1) or (2);
or

(b) A certified copy of the order of court in accordance with the provisions of subsection (4).

(6) After the certificate is duly amended in accordance with this section, the amended certificate shall thereafter be for all purposes the certificate provided for by this chapter.

(7) The signing of a writing to amend or cancel a certificate by a limited partner may be in person or for him by an attorney in fact who may but need not be a member of the partnership, who shall acknowledge such signature as such attorney in fact.

NEW SECTION. Sec. 3. The director of the department of licensing shall promulgate such rules and regulations as are necessary to implement the transfer of duties and of records required by section 1 of this 1979 act. Such rules shall provide for transfer of existing certificates from the counties to the department, set fees for filing of certificates and amendments, and set fees for obtaining copies thereof.

NEW SECTION. Sec. 4. This 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 July 1, 1979.

Passed the Senate March 29, 1979.

Passed the House April 10, 1979.

Approved by the Governor April 19, 1979.

Filed in Office of Secretary of State April 19, 1979.

CHAPTER 23

[Reengrossed Senate Bill No. 2602]

BEER, WINE IMPORTERS, WHOLESALERS—LIQUOR SALES

AN ACT Relating to alcoholic beverages; and amending section 90-A added to chapter 62, Laws of 1933 ex. sess. by section 2, chapter 48, Laws of 1945 as last amended by section 1, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.020.

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

Section 1. Section 90-A added to chapter 62, Laws of 1933 ex. sess. by section 2, chapter 48, Laws of 1945 as last amended by section 1, chapter 275, Laws of 1969 ex. sess. and RCW 66.28.020 are each amended to read as follows:

No manufacturer or wholesaler of, or person otherwise dealing in, distilled spirits, or person financially interested, directly or indirectly, in such business, whether resident or nonresident, shall have any financial interest, direct or indirect, in the business of any licensed wine importer or wine wholesaler or licensed beer importer or beer wholesaler, nor shall any manufacturer or wholesaler of, or person otherwise dealing in, distilled spirits 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 or wholesaler of, or person otherwise dealing in, distilled spirits has any interest, nor shall any manufacturer or wholesaler of, or person otherwise dealing in, distilled spirits advance money or moneys' worth 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. No manufacturer or wholesaler of, or person otherwise dealing in, distilled spirits shall be eligible or receive or hold a license as a wine importer or wine wholesaler or beer importer or beer wholesaler under this title: PROVIDED, That this section shall not be construed to require the divesting of any interest held by any person as of April 1, 1945, in the business of any manufacturer or wholesaler of distilled spirits or the business of any licensed brewer or beer wholesaler: PROVIDED FURTHER, That the provisions of this section shall not apply to any liquor or beer importer, domestic winery or brewery which was licensed as of the date of passage of this act: PROVIDED FURTHER, That in the event of the sale of such importing business, winery or brewery to a manufacturer or wholesaler of, or person otherwise dealing in, distilled spirits, or person financially interested, directly or indirectly, in such business, the exclusion of the foregoing proviso shall not apply.

Nothing in this section shall prohibit a licensed beer importer or beer wholesaler or licensed wine importer or wine wholesaler from being appointed or acting as agent, representative, or employee of a manufacturer of distilled spirits for the purpose of soliciting sales of the distilled spirits to the board and conducting goodwill activities at retail licensees as provided in RCW 66.24.310(5), and nothing in this section shall prohibit an agent, representative or employee of a manufacturer of distilled spirits, if otherwise qualified, from being licensed as a beer or wine importer or wholesaler.

Passed the Senate March 21, 1979.

Passed the House April 10, 1979.

Approved by the Governor April 19, 1979.

Filed in Office of Secretary of State April 19, 1979.